

Official Journal

of the European Union

ISSN 1725-2555

L 328

Volume 46

17 December 2003

English edition

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2192/2003**of 8 December 2003**

amending Regulation (EC) No 2341/2002 as regards 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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 20(1) and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 ⁽²⁾, fixes for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of stocks applicable in Community waters and, for Community vessels, in waters where catch limitations are required.
- (2) In October 2003 the International Baltic Sea Fishery Commission (IBSFC) adopted a recommendation to increase the total allowable catch (TAC) for herring in Management Unit 3 for 2003 from 60 000 tonnes to 66 000 tonnes.
- (3) The TAC for anglerfish in ICES Sub-area VII and Divisions VIII a,b,d,e should be set to 17 138 tonnes and 3 862 tonnes respectively for the whole year 2003 taking into account new scientific advice from ICES.

- (4) Given the urgency of the matter, it is imperative to grant an exception to the six-week period mentioned in paragraph I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities.

- (5) Regulation (EC) No 2341/2002 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IA and Annex ID to Regulation (EC) No 2341/2002 shall be 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, 8 December 2003.

For the Council

The President

F. FRATTINI

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 356, 31.12.2002, p. 12. Regulation as last amended by Regulation (EC) No 1754/2003 (OJ L 252, 4.10.2003, p. 1).

ANNEX

- (a) In Annex IA to Regulation (EC) No 2341/2002, the entries concerning the species Herring in 'Management Unit 3' shall be replaced by the following:

Species: Herring <i>Clupea harengus</i>		Zone: Management Unit 3
Finland	54 111	
Sweden	11 889	
EC	66 000	
TAC	66 000'	

- (b) In Annex ID to Regulation (EC) No 2341/2002, the entries concerning the species Anglerfish in zones 'VII' and 'VIIIa, b, d, e' shall be replaced by the following:

Species: Anglerfish <i>Lophiidae</i>		Zone: VII
Belgium	1 584	
Germany	177	
Spain	629	
France	10 162	
Ireland	1 299	
The Netherlands	205	
United Kingdom	3 082	
EC	17 138	
TAC	17 138	

Species: Anglerfish <i>Lophiidae</i>		Zone: VIIIa,b,d,e
Spain	588	
France	3 274	
EC	3 862	
TAC	3 862'	

COUNCIL REGULATION (EC) No 2193/2003

of 8 December 2003

establishing additional customs duties on imports of certain products originating in the United States of America

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

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

Whereas:

(1) On 20 March 2000, at the request of the Community, the WTO Dispute Settlement Body (DSB) adopted the panel and the appellate body reports which established that the tax treatment of foreign sales corporations (FSC) by the United States of America constituted a prohibited export subsidy under the WTO Agreement.

(2) On 15 November 2000, the United States of America enacted the FSC Repeal and Extraterritorial Income Exclusion Act of 2000. On 29 January 2002, the DSB adopted the panel and appellate body reports which established that the above Act also constituted a prohibited export subsidy under the WTO and that it did not amount to withdrawal of the FSC subsidy. Consequently, on 7 May 2003, the Community was authorised by the DSB to impose countermeasures up to a level of USD 4 043 million in the form of additional 100 % *ad valorem* duties on certain products originating in the United States of America.

(3) It is considered that, initially, the imposition in stages of additional import duties of up to a 17 % *ad valorem* on imports of selected products originating in the United States of America is an appropriate countermeasure, in view of the failure of the United States of America to implement the DSB recommendations. After the above-mentioned level of additional duties is reached, the Commission should present a proposal to the Council for further action in the light of developments.

(4) In respect of these selected products, the tariff concessions of the Community should be suspended from 1 March 2004. The suspension of tariff bindings should be temporary and only be applied until such time as the WTO inconsistent measure has been removed. The origin of any product to which this Regulation applies should be determined in accordance with the provisions of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾.

(5) Products for which an import licence with an exemption from, or a reduction of, duty has been issued prior to the date of entry into force of this Regulation should not be subject to these additional customs duties.

(6) Products for which it can be proved that they have been exported from the United States of America to the Community prior to the date of first application of the additional customs duties should not be subject to these additional customs duties.

(7) Products affected by the suspension of concessions should be placed under the customs procedure 'processing under customs control' in accordance with Commission Regulation (EEC) No 2454/93 ⁽³⁾ only pursuant to an examination in the Committee of the Customs Code,

HAS ADOPTED THIS REGULATION:

Article 1

The tariff concessions of the Community are hereby suspended as from 1 March 2004 in respect of products originating in the United States of America listed in the Annex to this Regulation.

Article 2

1. An *ad valorem* duty additional to the customs duty applicable under Regulation (EEC) No 2913/92 shall be imposed on the products originating in the United States of America listed in the Annex to this Regulation, as follows:

- 5 % from 1 March 2004 to 31 March 2004,
- 6 % from 1 April 2004 to 30 April 2004,
- 7 % from 1 May 2004 to 31 May 2004,
- 8 % from 1 June 2004 to 30 June 2004,
- 9 % from 1 July 2004 to 31 July 2004,
- 10 % from 1 August 2004 to 31 August 2004,
- 11 % from 1 September 2004 to 30 September 2004,
- 12 % from 1 October 2004 to 31 October 2004,

⁽¹⁾ OJ C 203 E, 27.8.2002, p. 114.

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽³⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1). Regulation as last amended by Regulation (EC) No 1335/2003 (OJ L 187, 26.7.2003, p. 16).

- 13 % from 1 November 2004 to 30 November 2004,
- 14 % from 1 December 2004 to 31 December 2004,
- 15 % from 1 January 2005 to 31 January 2005,
- 16 % from 1 February 2005 to 28 February 2005,
- 17 % from 1 March 2005.

2. After 1 March 2005, the Commission shall present a proposal to the Council for the revision of the Regulation in the light of developments.

3. The origin of any product to which this Regulation applies shall be determined in accordance with the provisions of Regulation (EEC) No 2913/92.

Article 3

The Council shall decide on the repeal of this Regulation once the United States of America have fully implemented the recommendation of the WTO Dispute Settlement Body.

Article 4

1. Products listed in the Annex for which an import licence with an exemption from or a reduction of duty has been issued prior to the date of entry into force of this Regulation shall not be subject to the additional duty.

2. Products listed in the Annex for which it can be demonstrated that they are already on their way to the Community on the date of entry into force of this Regulation, and whose destination cannot be changed, shall not be subject to the additional duty.

3. Products listed in the Annex may be placed under the customs procedure 'processing under customs control' in accordance with the first subparagraph of Article 551(1) of Regulation (EEC) No 2454/93 only where the examination of the economic conditions has taken place in the Customs Code Committee unless the products and operations are mentioned in Annex 76, Part A of that Regulation.

Article 5

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, 8 December 2003.

For the Council

The President

F. FRATTINI

ANNEX

The products on which additional duties are to apply are identified by their eight-digit CN codes. The description of these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾. The description of the CN chapters is given for information purposes only.

CN chapters	Chapter description				
1	Live animals				
	0101 90 19 0106 11 00	0106 12 00 0106 19 90	0106 20 00 0106 31 00	0106 32 00 0106 39 90	0106 90 00
2	Meat and edible meat offal				
	0203 22 11 0203 29 55 0203 29 59	0203 29 90 0204 43 10 0205 00 11	0205 00 19 0208 30 00 0208 40 90	0208 50 00 0208 90 40 0208 90 95	0210 19 81
4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included				
	0402 10 19 0402 21 19 0403 10 91 0403 90 91	0404 10 02 0406 10 20 0406 20 90 0406 90 21	0406 90 69 0406 90 81 0406 90 86 0406 90 87	0408 11 80 0408 91 80 0409 00 00 0410 00 00	
5	Products of animal origin not elsewhere specified or included				
	0501 00 00 0502 10 00 0502 90 00	0504 00 00 0505 10 10 0505 10 90	0505 90 00 0507 90 00 0508 00 00	0509 00 10 0511 91 10 0511 99 10	
7	Edible vegetables and certain roots and tubers				
	0702 00 00 0703 10 19 0706 10 00 0706 90 90 0708 10 00 0708 20 00 0709 20 00	0709 40 00 0709 59 10 0709 59 90 0709 60 10 0709 60 99 0709 90 60 0709 90 90	0710 21 00 0710 22 00 0710 29 00 0710 80 51 0710 80 59 0710 80 85 0710 80 95	0710 90 00 0711 40 00 0711 59 00 0711 90 80 0712 31 00 0712 32 00 0712 33 00	0712 39 00 0712 90 30 0713 10 90 0713 20 00 0713 31 00 0713 90 90 0714 10 99
8	Edible fruit and nuts; peel of citrus fruits or melons				
	0801 11 00 0801 19 00 0801 21 00 0801 32 00 0803 00 19 0803 00 90 0804 20 90	0804 30 00 0804 40 00 0805 10 30 0805 20 90 0805 50 10 0805 50 90 0805 90 00	0807 19 00 0807 20 00 0809 10 00 0809 20 05 0809 30 10 0809 30 90 0809 40 05	0810 40 30 0811 10 11 0811 10 90 0811 20 31 0811 90 50 0811 90 70 0811 90 80	0812 10 00 0813 10 00 0813 40 95 0813 50 99
10	Cereals				
	1008 10 00	1008 20 00	1008 30 00		
11	Products of the milling industry; malt; starches; inulin; wheat gluten				
	1102 30 00 1103 20 40	1106 20 90 1106 30 10	1107 10 99 1108 19 90		

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1871/2003 (OJ L 275, 25.10.2003, p. 5).

CN chapters	Chapter description				
12	Oil seeds and oleaginous fruits; miscellaneous grains; seeds and fruit; industrial or medical plants; straw and fodder				
	1204 00 90	1207 60 90	1209 26 00	1211 40 00	1214 90 91
	1205 10 90	1207 99 20	1209 99 10	1211 90 75	1214 90 99
	1205 90 00	1207 99 98	1210 10 00	1212 20 00	
	1207 10 90	1209 10 00	1211 10 00	1212 99 80	
	1207 20 90	1209 22 80	1211 20 00	1213 00 00	
	1207 40 90	1209 23 11	1211 30 00	1214 10 00	
15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes				
	1501 00 11	1507 10 90	1512 19 91	1515 30 10	1515 90 91
	1502 00 90	1507 90 90	1513 19 30	1515 30 90	1520 00 00
	1504 10 10	1508 10 90	1513 19 99	1515 40 00	1521 10 00
	1504 10 99	1511 10 10	1513 29 91	1515 50 19	1521 90 91
	1505 00 10	1511 90 99	1514 19 90	1515 50 99	1521 90 99
	1505 00 90	1512 11 91	1514 99 90	1515 90 40	1522 00 99
16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates				
	1602 31 19	1604 14 11	1605 20 10	1605 40 00	
	1602 41 10	1604 14 16	1605 20 91	1605 90 30	
	1603 00 10	1604 30 10	1605 20 99		
17	Sugars and sugar confectionery				
	1701 11 90	1702 40 10	1704 90 65	1704 90 81	
	1701 99 10	1702 90 99	1704 90 71	1704 90 99	
	1702 20 90	1704 10 19	1704 90 75		
19	Preparations of cereals, flour, starch or milk; pastrycooks' products				
	1901 10 00	1902 20 99	1904 30 00	1905 31 91	1905 90 20
	1901 20 00	1902 30 10	1904 90 80	1905 31 99	1905 90 30
	1901 90 91	1902 30 90	1905 10 00	1905 32 11	1905 90 45
	1902 19 10	1904 10 10	1905 31 11	1905 32 19	
	1902 19 90	1904 10 90	1905 31 19	1905 32 99	
	1902 20 91	1904 20 99	1905 31 30	1905 90 10	
20	Preparations of vegetables, fruit, nuts or other parts of plants				
	2001 10 00	2005 59 00	2006 00 38	2009 39 31	2009 79 19
	2001 90 70	2005 60 00	2007 99 39	2009 39 39	2009 79 99
	2001 90 96	2005 70 10	2007 99 58	2009 41 10	2009 80 38
	2002 10 10	2005 70 90	2007 99 93	2009 41 99	2009 80 71
	2002 10 90	2005 90 50	2009 31 11	2009 49 30	2009 80 97
	2003 10 30	2005 90 70	2009 31 19	2009 49 99	
	2004 10 99	2005 90 80	2009 31 99	2009 71 99	
21	Miscellaneous edible preparations				
	2101 11 11	2102 20 11	2104 20 00	2106 90 20	
	2101 11 19	2102 30 00	2105 00 10	2106 90 59	
	2102 10 90	2103 90 10	2105 00 91		
23	Residues and waste from the food industries; prepared animal fodder				
	2301 10 00	2304 00 00	2306 30 00	2306 50 00	2309 90 41
	2301 20 00	2305 00 00	2306 41 00	2306 60 00	
	2303 10 90	2306 10 00	2306 49 00	2307 00 90	
33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations				
	3301 23 10	3301 29 31	3307 41 00		
34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, dental waxes and dental preparations with a basis of plaster				
	3401 20 10	3406 00 11	3406 00 19	3406 00 90	

CN chapters	Chapter description				
35	Albuminoidal substances; modified starches; glues; enzymes				
	3501 10 50	3501 10 90	3501 90 90	3503 00 80	3507 10 00
41	Raw hides and skins (other than furskins) and leather				
	4104 41 19	4106 32 10	4107 19 10	4107 99 90	4114 10 90
	4104 49 19	4106 32 90	4107 19 90	4112 00 00	4114 20 00
	4105 10 90	4107 11 19	4107 91 10	4113 10 00	4115 10 00
	4105 30 99	4107 11 90	4107 91 90	4113 20 00	4115 20 00
	4106 31 10	4107 12 19	4107 92 10	4113 90 00	
	4106 31 90	4107 12 91	4107 99 10	4114 10 10	
42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut)				
	4201 00 00	4202 22 10	4202 91 80	4203 21 00	4204 00 10
	4202 11 10	4202 29 00	4202 92 11	4203 29 10	4205 00 00
	4202 11 90	4202 31 00	4202 92 15	4203 29 91	4206 10 00
	4202 12 91	4202 32 10	4202 92 91	4203 29 99	4206 90 00
	4202 19 90	4202 32 90	4202 92 98	4203 30 00	
	4202 21 00	4202 91 10	4203 10 00	4203 40 00	
43	Furskins and artificial fur; manufactures thereof				
	4303 90 00				
44	Wood and articles of wood; wood charcoal				
	4401 10 00	4407 10 38	4408 39 21	4411 21 10	4418 10 50
	4401 21 00	4407 10 91	4408 39 31	4411 29 90	4418 10 90
	4401 22 00	4407 24 90	4408 39 35	4412 22 10	4418 20 10
	4401 30 10	4407 25 60	4408 39 55	4412 22 91	4418 20 50
	4401 30 90	4407 26 90	4408 39 85	4412 22 99	4418 20 80
	4402 00 00	4407 29 05	4408 39 95	4412 23 00	4418 30 10
	4403 10 00	4407 29 69	4409 10 11	4412 29 20	4418 30 91
	4403 20 31	4407 29 83	4409 10 18	4412 29 80	4418 30 99
	4403 20 39	4407 29 85	4409 20 11	4412 92 10	4418 50 00
	4403 20 99	4407 29 95	4409 20 91	4412 92 91	4418 90 10
	4403 41 00	4407 91 31	4409 20 98	4412 92 99	4418 90 90
	4403 49 10	4407 92 00	4410 21 00	4412 99 20	4419 00 90
	4403 49 95	4407 99 30	4410 29 00	4412 99 80	4420 10 11
	4403 92 10	4407 99 50	4410 31 00	4414 00 10	4420 90 91
	4403 99 51	4407 99 96	4410 32 00	4414 00 90	4420 90 99
	4404 20 00	4408 10 15	4410 33 00	4415 10 90	4421 10 00
	4407 10 15	4408 31 21	4410 39 00	4415 20 20	4421 90 91
	4407 10 31	4408 31 25	4411 11 10	4415 20 90	
	4407 10 33	4408 31 30	4411 19 10	4417 00 00	
48	Paper and paperboard; articles of paper pulp, of paper or of paperboard				
	4801 00 00	4804 19 90	4805 92 10	4810 14 91	4816 20 00
	4802 40 10	4804 21 10	4805 92 91	4810 14 99	4816 30 00
	4802 40 90	4804 21 90	4805 93 10	4810 19 10	4816 90 00
	4802 54 90	4804 29 10	4805 93 91	4810 22 91	4818 10 90
	4802 55 00	4804 29 90	4806 10 00	4810 29 19	4818 40 11
	4802 61 10	4804 31 59	4806 20 00	4810 29 20	4818 40 13
	4802 61 90	4804 39 59	4806 40 10	4810 29 91	4818 40 19
	4802 62 10	4804 39 90	4806 40 90	4810 29 99	4818 40 91
	4802 62 90	4804 41 10	4808 10 00	4810 31 00	4820 10 10
	4802 69 10	4805 12 00	4809 20 10	4810 92 10	4820 20 00
	4803 00 10	4805 19 10	4809 20 90	4810 92 90	4820 40 10
	4804 11 90	4805 19 90	4809 90 00	4810 99 90	4823 90 30
	4804 19 11	4805 24 00	4810 13 91	4811 10 00	
	4804 19 15	4805 25 00	4810 13 99	4813 10 00	
	4804 19 19	4805 91 10	4810 14 11	4814 30 00	
	4804 19 31	4805 91 91	4810 14 19	4814 90 90	

CN chapters	Chapter description				
49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, type- scripts and plans				
	4907 00 10	4907 00 30			
52	Cotton				
	5207 90 00				
54	Man-made filaments				
	5406 10 00				
57	Carpets and other textile floor coverings				
	5701 10 10	5701 90 90	5702 39 90	5702 59 00	5703 20 19
	5701 10 91	5702 10 00	5702 41 00	5702 91 00	5703 90 00
	5701 10 93	5702 31 00	5702 42 00	5702 92 00	5704 90 00
	5701 10 99	5702 32 00	5702 49 90	5702 99 00	5705 00 10
	5701 90 10	5702 39 10	5702 51 00	5703 10 00	5705 00 90
61	Articles of apparel and clothing accessories, knitted or crocheted				
	6101 10 90	6104 11 00	6104 51 00	6107 92 00	6112 31 90
	6101 20 10	6104 12 00	6104 52 00	6108 11 00	6112 49 90
	6101 20 90	6104 13 00	6104 53 00	6108 21 00	6114 10 00
	6101 90 10	6104 19 00	6104 59 00	6108 29 00	6115 20 19
	6101 90 90	6104 21 00	6104 61 10	6108 31 10	6115 20 90
	6102 10 10	6104 22 00	6104 61 90	6108 31 90	6115 91 00
	6102 20 90	6104 23 00	6104 69 10	6108 32 11	6116 91 00
	6103 11 00	6104 29 00	6104 69 99	6108 91 90	6116 92 00
	6103 31 00	6104 31 00	6105 90 90	6108 92 00	6116 99 00
	6103 32 00	6104 32 00	6106 20 00	6108 99 90	6117 10 00
	6103 33 00	6104 33 00	6106 90 30	6111 20 90	6117 20 00
	6103 39 00	6104 39 00	6106 90 90	6111 30 90	6117 80 10
	6103 41 10	6104 41 00	6107 12 00	6111 90 00	6117 80 90
	6103 41 90	6104 42 00	6107 19 00	6112 11 00	6117 90 00
	6103 49 10	6104 44 00	6107 21 00	6112 12 00	
	6103 49 99	6104 49 00	6107 91 90	6112 19 00	
62	Articles of apparel and clothing accessories, not knitted or crocheted				
	6201 11 00	6203 29 90	6204 23 80	6206 90 10	6210 20 00
	6201 19 00	6203 31 00	6204 32 90	6206 90 90	6211 11 00
	6201 91 00	6203 32 10	6204 33 10	6207 11 00	6211 12 00
	6201 99 00	6203 32 90	6204 39 19	6207 19 00	6211 20 00
	6202 12 10	6203 33 10	6204 39 90	6207 21 00	6211 31 00
	6202 12 90	6203 33 90	6204 41 00	6207 22 00	6211 32 41
	6202 13 10	6203 41 10	6204 49 90	6207 91 10	6211 33 42
	6202 13 90	6203 41 90	6204 51 00	6207 91 90	6211 39 00
	6202 19 00	6203 42 33	6204 52 00	6208 11 00	6211 41 00
	6202 91 00	6203 42 59	6204 53 00	6208 19 90	6212 30 00
	6202 92 00	6203 43 31	6204 59 10	6208 21 00	6213 20 00
	6202 99 00	6203 49 19	6204 59 90	6208 22 00	6214 10 00
	6203 12 00	6203 49 90	6204 61 10	6208 29 00	6214 20 00
	6203 19 10	6204 11 00	6204 62 33	6208 91 19	6214 30 00
	6203 19 90	6204 12 00	6204 69 50	6208 91 90	6214 40 00
	6203 22 10	6204 13 00	6205 10 00	6208 92 00	6214 90 10
	6203 22 80	6204 19 90	6205 90 10	6208 99 00	6214 90 90
	6203 23 10	6204 21 00	6205 90 90	6209 20 00	6215 20 00
	6203 23 80	6204 22 10	6206 10 00	6209 30 00	6215 90 00
6203 29 11	6204 22 80	6206 20 00	6209 90 00	6217 90 00	

CN chapters	Chapter description				
63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags				
	6301 20 91	6302 32 10	6302 93 10	6304 19 90	6306 12 00
	6301 20 99	6302 32 90	6302 93 90	6304 92 00	6306 19 00
	6301 90 90	6302 39 90	6302 99 00	6304 93 00	6306 21 00
	6302 10 10	6302 40 00	6303 11 00	6304 99 00	6306 22 00
	6302 10 90	6302 51 10	6303 12 00	6305 20 00	6306 49 00
	6302 21 00	6302 51 90	6303 91 00	6305 32 89	6306 91 00
	6302 22 90	6302 53 90	6303 92 10	6305 32 90	6306 99 00
	6302 29 90	6302 59 00	6303 92 90	6305 33 99	6309 00 00
	6302 31 10	6302 91 10	6303 99 90	6305 90 00	6310 90 00
	6302 31 90	6302 91 90	6304 19 10	6306 11 00	
64	Footwear, gaiters and the like; parts of such articles				
	6401 92 10	6402 30 00	6403 40 00	6404 20 90	6406 20 10
	6401 92 90	6402 91 00	6403 59 11	6405 10 90	6406 20 90
	6401 99 10	6402 99 31	6403 59 50	6405 20 91	6406 99 10
	6401 99 90	6402 99 91	6403 59 91	6405 20 99	
	6402 12 10	6403 12 00	6403 91 96	6406 10 11	
	6402 12 90	6403 20 00	6403 99 96	6406 10 19	
	6402 20 00	6403 30 00	6404 20 10	6406 10 90	
69	Ceramic products				
	6901 00 90	6904 90 00	6910 90 00	6912 00 50	6913 90 93
	6902 10 00	6905 90 00	6911 90 00	6912 00 90	6914 10 00
	6902 20 91	6906 00 00	6912 00 10	6913 10 00	6914 90 10
	6904 10 00	6910 10 00	6912 00 30	6913 90 10	
70	Glass and glassware				
	7002 10 00	7005 29 35	7010 90 51	7013 29 51	7016 90 80
	7003 19 90	7005 29 80	7010 90 53	7013 29 59	7018 10 11
	7003 30 00	7005 30 00	7010 90 55	7013 29 91	7018 10 19
	7004 20 99	7007 19 20	7010 90 57	7013 29 99	7018 10 30
	7004 90 10	7007 19 80	7010 90 61	7013 31 10	7018 10 51
	7004 90 92	7008 00 81	7010 90 67	7013 31 90	7018 10 59
	7004 90 98	7008 00 89	7010 90 71	7013 32 00	7018 10 90
	7005 10 25	7010 10 00	7011 20 00	7013 39 10	7018 90 90
	7005 10 30	7010 20 00	7013 10 00	7013 39 91	7019 31 00
	7005 10 80	7010 90 41	7013 21 11	7013 39 99	7019 90 30
	7005 21 30	7010 90 43	7013 21 19	7013 91 90	7020 00 30
	7005 21 80	7010 90 45	7013 21 91	7015 90 00	
	7005 29 25	7010 90 47	7013 21 99	7016 10 00	
71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coins				
	7101 21 00	7104 90 00	7108 13 80	7114 19 00	7117 19 10
	7101 22 00	7105 90 00	7110 19 80	7115 10 00	7117 19 99
	7102 31 00	7106 91 10	7111 00 00	7116 10 00	7117 90 00
	7103 10 00	7106 92 20	7113 11 00	7116 20 11	7118 10 10
	7103 91 00	7108 12 00	7113 19 00	7116 20 19	7118 10 90
	7103 99 00	7108 13 10	7113 20 00	7116 20 90	7118 90 00

CN chapters	Chapter description				
72	Iron and steel				
	7202 29 10	7207 20 90	7211 90 19	7217 20 30	7222 40 10
	7202 29 90	7208 27 00	7211 90 90	7217 20 50	7222 40 93
	7202 30 00	7208 37 90	7212 20 90	7217 20 90	7224 10 00
	7202 41 99	7208 38 90	7212 30 90	7217 30 19	7224 90 01
	7202 49 10	7208 39 10	7212 60 99	7217 30 39	7224 90 19
	7202 49 50	7208 39 90	7213 99 90	7217 30 90	7224 90 91
	7202 50 00	7208 51 30	7214 10 00	7217 90 10	7224 90 99
	7202 60 00	7208 52 99	7214 20 00	7217 90 90	7225 19 10
	7202 80 00	7208 90 10	7214 30 00	7218 91 11	7225 30 00
	7202 91 00	7208 90 90	7214 91 10	7218 99 11	7225 40 20
	7202 92 00	7209 15 00	7214 99 90	7218 99 91	7225 40 50
	7202 93 00	7209 16 90	7215 50 30	7219 21 10	7225 50 00
	7202 99 19	7209 17 90	7215 90 90	7219 21 90	7226 19 90
	7202 99 30	7209 18 99	7216 31 11	7219 22 10	7226 91 10
	7202 99 80	7209 25 00	7216 32 11	7219 22 90	7226 91 90
	7203 10 00	7209 26 90	7216 32 91	7219 23 00	7227 90 95
	7204 10 00	7209 27 90	7216 33 10	7219 31 00	7228 20 19
	7204 30 00	7209 90 90	7216 33 90	7220 11 00	7228 30 20
	7204 49 30	7210 49 90	7216 50 10	7220 20 99	7228 30 89
	7204 49 91	7210 50 10	7216 50 99	7221 00 10	7228 40 10
	7204 49 99	7210 70 90	7216 61 10	7221 00 90	7228 40 90
	7206 10 00	7210 90 31	7216 61 90	7222 11 19	7228 50 20
	7207 11 16	7211 19 20	7216 69 00	7222 11 29	7228 60 81
	7207 12 10	7211 19 90	7217 10 10	7222 11 91	7229 10 00
	7207 19 14	7211 23 51	7217 10 39	7222 19 10	
	7207 19 19	7211 29 50	7217 10 50	7222 30 51	
	7207 20 79	7211 29 90	7217 10 90	7222 30 91	
73	Articles of iron or steel				
	7302 10 31	7305 19 00	7310 21 11	7316 00 00	7323 10 00
	7302 90 30	7305 31 00	7310 21 91	7317 00 20	7323 91 00
	7302 90 90	7305 39 00	7310 21 99	7317 00 61	7323 92 00
	7303 00 10	7306 10 11	7312 10 79	7318 11 00	7323 94 10
	7303 00 90	7306 30 21	7312 10 82	7318 12 90	7323 94 90
	7304 10 10	7306 30 59	7312 10 84	7318 13 00	7323 99 10
	7304 10 30	7306 30 71	7312 10 86	7319 10 00	7323 99 91
	7304 39 59	7306 30 90	7312 10 88	7319 20 00	7324 21 00
	7304 39 91	7306 50 99	7314 20 90	7320 90 10	7325 10 50
	7304 39 93	7306 60 31	7314 31 00	7321 11 10	7325 10 92
	7304 39 99	7306 60 90	7314 39 00	7321 12 00	7326 11 00
	7304 49 10	7306 90 00	7314 41 10	7321 81 10	7326 19 10
	7304 51 11	7307 23 10	7314 41 90	7321 81 90	7326 20 30
	7304 51 91	7307 93 11	7315 20 00	7321 82 90	
	7304 59 31	7307 93 19	7315 81 00	7321 83 00	
	7304 59 93	7308 40 10	7315 82 10	7321 90 00	
	7305 11 00	7308 90 10	7315 82 90	7322 19 00	
74	Copper and articles thereof				
	7401 10 00	7403 21 00	7407 21 10	7409 11 00	7415 21 00
	7403 11 00	7403 22 00	7407 22 10	7409 21 00	7415 29 00
	7403 12 00	7403 23 00	7407 22 90	7411 10 19	7418 19 00
	7403 13 00	7405 00 00	7408 11 00	7411 21 90	7419 10 00
	7403 19 00	7407 10 00	7408 19 90	7411 29 00	7419 91 00
76	Aluminium and articles thereof				
	7601 20 10	7604 29 10	7607 11 10	7612 90 10	7615 19 90
	7601 20 99	7605 11 00	7607 19 10	7612 90 98	7615 20 00
	7602 00 11	7605 19 00	7608 20 30	7614 10 00	
	7602 00 19	7606 11 93	7608 20 91	7614 90 00	
	7604 10 90	7606 12 10	7610 10 00	7615 11 00	
	7604 21 00	7606 12 91	7612 10 00	7615 19 10	

CN chapters	Chapter description				
82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal				
	8201 10 00	8202 39 00	8207 50 30	8211 91 80	8215 20 10
	8201 20 00	8205 10 00	8207 60 30	8211 92 00	8215 20 90
	8201 30 00	8205 30 00	8207 80 11	8211 94 00	8215 91 00
	8201 40 00	8205 51 00	8207 90 10	8214 10 00	8215 99 10
	8201 50 00	8205 59 10	8210 00 00	8214 20 00	8215 99 90
	8201 90 00	8207 40 10	8211 10 00	8215 10 20	
	8202 31 00	8207 40 90	8211 91 30	8215 10 30	
83	Miscellaneous articles of base metal				
	8301 10 00	8303 00 90	8306 10 00	8309 10 00	
	8301 30 00	8305 10 00	8306 21 00	8309 90 10	
	8303 00 30	8305 90 00	8306 29 10		
84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof				
	8402 12 00	8419 40 00	8432 21 00	8448 59 00	8461 40 71
	8403 10 10	8419 81 91	8432 29 30	8450 11 11	8461 50 11
	8403 10 90	8419 89 27	8433 30 90	8450 11 19	8461 50 19
	8407 32 10	8420 10 10	8434 20 00	8451 21 10	8462 39 91
	8407 32 90	8420 91 10	8437 80 00	8451 30 30	8462 91 10
	8407 33 10	8421 91 30	8437 90 00	8451 40 00	8464 10 90
	8407 34 91	8422 11 00	8438 30 00	8451 80 10	8464 20 20
	8408 10 11	8422 90 10	8438 40 00	8452 10 19	8464 20 95
	8408 10 19	8423 10 10	8440 10 20	8452 10 90	8464 90 20
	8408 10 24	8423 81 10	8440 10 30	8452 21 00	8465 91 10
	8408 10 28	8423 81 30	8440 10 40	8452 29 00	8465 93 00
	8408 10 39	8423 81 50	8441 10 30	8453 10 00	8465 95 00
	8408 10 49	8423 81 90	8441 10 40	8453 20 00	8465 99 10
	8408 10 91	8423 82 10	8441 30 00	8454 30 10	8466 10 10
	8408 10 99	8423 82 90	8442 50 29	8455 10 00	8466 20 91
	8408 20 31	8424 30 05	8443 12 00	8455 22 00	8466 91 20
	8408 20 35	8424 30 90	8443 19 10	8455 30 10	8467 22 10
	8408 20 51	8424 81 91	8443 19 31	8456 30 11	8467 29 10
	8408 20 55	8425 11 90	8443 19 35	8456 30 19	8468 10 00
	8408 90 36	8425 19 91	8443 19 39	8457 10 90	8469 12 00
	8408 90 99	8426 11 00	8443 21 00	8457 30 90	8469 20 00
	8410 90 10	8426 19 00	8443 90 10	8458 19 20	8469 30 00
	8412 80 10	8426 20 00	8444 00 10	8458 19 40	8470 21 00
	8413 70 40	8426 30 00	8445 11 00	8458 19 80	8470 29 00
	8413 70 50	8426 91 10	8445 13 00	8458 91 20	8470 30 00
	8413 70 70	8426 99 90	8445 30 90	8458 91 80	8470 40 00
	8413 70 80	8427 10 10	8445 40 00	8458 99 00	8472 10 00
	8414 20 91	8427 10 90	8446 10 00	8459 10 00	8473 21 90
	8414 60 00	8427 20 11	8446 21 00	8459 21 00	8474 20 10
	8416 10 10	8427 20 19	8446 29 00	8459 31 00	8474 32 00
	8416 30 00	8427 20 90	8446 30 00	8459 39 00	8475 10 00
	8418 10 99	8428 20 30	8447 12 10	8459 40 10	8477 30 00
	8418 21 51	8428 39 91	8447 12 90	8459 40 90	8477 80 19
	8418 21 59	8428 40 00	8447 20 92	8459 51 00	8479 89 30
	8418 21 91	8428 50 00	8447 20 98	8459 59 00	8479 89 60
	8418 21 99	8428 60 00	8448 11 00	8459 61 10	8480 10 00
	8418 22 00	8428 90 79	8448 19 00	8459 69 10	8480 30 90
	8418 29 00	8429 52 10	8448 31 00	8460 29 11	8480 50 00
	8418 30 91	8430 10 00	8448 33 10	8460 29 19	8480 60 10
	8418 40 91	8430 69 00	8448 33 90	8460 31 00	8480 60 90
	8418 50 11	8431 10 00	8448 42 00	8460 39 00	8480 71 10
	8418 50 19	8431 39 10	8448 49 00	8460 90 90	8481 80 11
	8418 50 99	8432 10 10	8448 51 10	8461 30 90	8485 90 10
	8419 11 00	8432 10 90	8448 51 90	8461 40 11	

CN chapters	Chapter description				
85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles				
	8502 20 92	8516 10 11	8518 10 20	8527 12 90	8528 12 91
	8504 34 00	8516 10 19	8519 21 00	8527 13 91	8528 12 94
	8505 30 00	8516 21 00	8519 31 00	8527 19 00	8528 12 95
	8506 10 91	8516 29 10	8519 39 00	8527 21 70	8528 12 98
	8506 10 95	8516 29 50	8519 40 00	8527 21 98	8529 90 51
	8506 30 90	8516 32 00	8519 92 00	8527 31 11	8536 61 10
	8506 40 90	8516 40 10	8519 93 39	8527 31 19	8539 32 10
	8506 60 90	8516 40 90	8519 93 89	8527 31 98	8539 32 50
	8506 80 11	8516 50 00	8519 99 12	8527 32 90	8543 40 00
	8506 80 15	8516 60 10	8520 10 00	8527 39 20	8543 89 15
	8507 30 93	8516 60 51	8520 20 00	8527 39 80	8544 59 20
	8507 40 90	8516 60 59	8520 32 11	8527 90 92	8545 19 10
	8507 90 91	8516 60 70	8520 32 19	8528 12 20	8546 20 91
	8509 10 90	8516 60 80	8520 32 30	8528 12 54	8548 10 21
	8509 40 00	8516 60 90	8520 32 99	8528 12 56	8548 10 29
	8509 90 90	8516 71 00	8520 33 11	8528 12 58	8548 10 99
	8510 10 00	8516 72 00	8520 33 19	8528 12 62	
	8512 10 00	8516 79 10	8520 33 90	8528 12 66	
	8514 20 80	8516 79 20	8521 10 30	8528 12 72	
	8515 29 10	8516 79 80	8522 90 93	8528 12 76	
	8515 39 18	8517 19 10	8523 20 10	8528 12 81	
	8515 80 91	8517 22 00	8525 40 19	8528 12 90	
95	Toys, games and sports requisites; parts and accessories thereof				
	9501 00 10	9503 30 90	9503 90 32	9505 10 90	9506 62 10
	9501 00 90	9503 49 10	9503 90 34	9505 90 00	9506 62 90
	9502 10 10	9503 49 30	9503 90 35	9506 11 10	9506 69 10
	9502 10 90	9503 49 90	9503 90 37	9506 11 29	9506 70 10
	9502 91 00	9503 50 00	9503 90 51	9506 12 00	9506 70 30
	9502 99 00	9503 60 10	9503 90 55	9506 19 00	9506 99 10
	9503 10 10	9503 60 90	9504 20 10	9506 40 10	9507 20 10
	9503 10 90	9503 70 00	9504 20 90	9506 40 90	9507 30 00
	9503 20 90	9503 80 10	9504 90 10	9506 51 00	
	9503 30 10	9503 80 90	9504 90 90	9506 59 00	
	9503 30 30	9503 90 10	9505 10 10	9506 61 00	

COMMISSION REGULATION (EC) No 2194/2003
of 16 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 ⁽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 17 December 2003.

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

Done at Brussels, 16 December 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 16 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 ⁽¹⁾	Standard import value
0702 00 00	052	71,3
	204	59,9
	212	113,1
	624	160,7
	999	101,3
0707 00 05	052	46,3
	628	141,6
	999	94,0
0709 90 70	052	135,1
	204	81,0
	999	108,1
0805 10 10, 0805 10 30, 0805 10 50	052	45,0
	204	40,9
	388	46,3
	421	13,6
	999	36,5
0805 20 10	052	62,0
	204	63,5
	999	62,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	73,0
	464	122,4
	999	97,7
0805 50 10	052	61,6
	388	77,8
	400	39,2
	600	66,3
	999	61,2
0808 10 20, 0808 10 50, 0808 10 90	052	58,6
	060	43,9
	064	51,0
	400	78,8
	404	84,9
	720	71,4
	999	64,8
0808 20 50	060	62,2
	064	59,9
	400	102,1
	528	218,0
	720	42,7
	999	97,0

⁽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 2195/2003

of 16 December 2003

opening tariff quotas for the year 2004 for imports into the European Community of certain processed agricultural products originating in Norway

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾ and, in particular, Article 7(2) thereof,

Having regard to Council Decision 2002/981/EC of 11 November 2002 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community, of the one part, and the Kingdom of Norway, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Kingdom of Norway ⁽³⁾ and, in particular, Article 2 thereof,

Whereas:

- (1) The annual quotas for certain processed agricultural products originating in Norway provided for in the Agreement in the form of an Exchange of Letters between the European Community, of the one part, and the Kingdom of Norway, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Kingdom of Norway should be opened for 2004.
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code ⁽⁴⁾, as last amended by Regulation (EC) No 1335/2003 ⁽⁵⁾, lays down rules for the

management of tariff quotas. It is appropriate to provide that the tariff quota opened by this Regulation is to be managed in accordance with those rules.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quotas for imports of processed agricultural products originating in Norway, as specified in the Annex, shall be opened duty-free from 1 January to 31 December 2004.

Article 2

The Community tariff quota referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall be applicable from 1 January 2004.

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

Done at Brussels, 16 December 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 341, 17.12.2002, p. 63.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 187, 26.7.2003, p. 16.

ANNEX

Order number	CN code	Description	Volume	Applicable rate of duty
09.0765	1517 10 90	Margarine excluding liquid margarine Other	2 470 tonnes	free
09.0766	2102 30 00	Prepared baking powders	150 tonnes	free
09.0767	ex 2103 90 90 (TARIC codes 10 and 89)	Sauces and preparations thereof, mixed condiments and mixed seasonings of CN code 2103 90 90, other than mayonnaise	130 tonnes	free
09.0768	2104 10	Soups and broths and preparations therefor	390 tonnes	free
09.0769	2106 90 92	Food preparations not elsewhere specified or included/other, containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	510 tonnes	free
09.0771	ex 2207 10 00 (TARIC code 90)	Undenatured ethyl alcohol of an alcohol strength by volume of 80 % vol or higher/other than that obtained from agricultural products listed in Annex I to the EEC Treaty	134 000 hectolitres	free
09.0772	ex 2207 20 00 (TARIC code 90)	Ethyl alcohol and other spirits, denatured, of any strength/other than those obtained from agricultural products listed in Annex I to the EEC Treaty	3 340 hectolitres	free
09.0774	2403 10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	370 tonnes	free

**COMMISSION REGULATION (EC) No 2196/2003
of 16 December 2003**

amending Council Regulation (EC) No 1260/2001 on the common organisation of the markets in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 10(4) thereof,

Whereas:

- (1) The basic quantities of sugar, isoglucose and inulin syrup laid down in Article 11(2) of Regulation (EC) No 1260/2001 are amended by the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union, as from the date of entry into force of that Act. In order to take into account those basic quantities, the table setting out the coefficients in the first subparagraph of Article 10(4) of Regulation (EC) No 1260/2001 should be adapted with effect from the same date.
- (2) The measures provided for in this Regulation are in accordance with the opinion of the Sugar Management Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The table in Article 10(4) of Regulation (EC) No 1260/2001 is replaced by the following:

'Regions	Coefficient applicable to sugar expressed as white sugar		Coefficient applicable to isoglucose in dry matter		Coefficient applicable to inulin syrup as sugar/isoglucose equivalent	
	Sugar A	Sugar B	Isoglucose A	Isoglucose B	Inulin syrup A	Inulin syrup B
BLEU ⁽¹⁾	0,042563	0,009139	0,159218	0,043784	0,556265	0,130955
Czech Republic	0,010082	0,000312	—	—	—	—
Denmark	0,025064	0,007384	—	—	—	—
Germany	0,207111	0,063728	0,073589	0,017331	—	—
Estonia	—	—	—	—	—	—
Greece	0,011379	0,001138	0,026809	0,006314	—	—
Spain	0,024376	0,001015	0,117280	0,012510	—	—
France (metropolitan) ⁽²⁾	0,196442	0,058260	0,043118	0,011223	0,058922	0,013847
France (overseas departments) ⁽²⁾	0,017779	0,001901	—	—	—	—
Ireland	0,007142	0,000714	—	—	—	—
Italy	0,075996	0,014293	0,042216	0,009941	—	—
Cyprus	—	—	—	—	—	—
Latvia	0,001000	0,000002	—	—	—	—
Lithuania	0,001506	—	—	—	—	—
Hungary	0,006192	0,000019	0,169295	0,013265	—	—
Malta	—	—	—	—	—	—
Netherlands	0,049189	0,012974	0,018921	0,004456	0,194365	0,045646
Austria	0,020888	0,004875	—	—	—	—

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by the Act of Accession of 2003.

Regions	Coefficient applicable to sugar expressed as white sugar		Coefficient applicable to isoglucose in dry matter		Coefficient applicable to inulin syrup as sugar/ isoglucose equivalent	
	Sugar A	Sugar B	Isoglucose A	Isoglucose B	Inulin syrup A	Inulin syrup B
Poland	0,046920	0,002730	0,032301	0,002425	—	—
Portugal (mainland)	0,002140	0,000214	0,020622	0,004857	—	—
Portugal (the autonomous region of the Azores)	0,000357	0,000036	—	—	—	—
Slovakia	0,007207	0,000671	0,067725	0,009070	—	—
Slovenia	0,001904	0,000190	—	—	—	—
Finland	0,005236	0,000523	0,016343	0,001635	—	—
Sweden	0,013199	0,001320	—	—	—	—
United Kingdom	0,040809	0,004081	0,059801	0,015951	—	—

(¹) Belgo-Luxembourg Economic Union.

(²) Under the second subparagraph of Article 12(3).'

Article 2

This Regulation shall enter into force on 1 May 2004, subject to the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

Done at Brussels, 16 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2197/2003
of 16 December 2003**

**apportioning, for the 2003/04 marketing year, 5 000 tonnes of short flax fibre and hemp fibre as
national guaranteed quantities between Denmark, Greece, Ireland, Italy and Luxembourg**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1673/2000 of 27 July 2000 on the common organisation of the markets in flax and hemp grown for fibre ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Article 8(1) of Commission Regulation (EC) No 245/2001 ⁽²⁾, which laid down detailed rules for the application of Regulation (EC) No 1673/2000, stipulates that the apportioning of 5 000 tonnes of short flax fibre and hemp fibre as national guaranteed quantities, as provided for in Article 3(2)(b) of Regulation (EC) No 1673/2000, must be effected before 16 November of the marketing year in progress.
- (2) To that end, Denmark and Italy have sent the Commission information relating to areas covered by sale/purchase contracts, processing commitments and processing contracts, and estimated flax and hemp straw and fibre yields.
- (3) Conversely, no flax or hemp fibre will be produced for the 2003/04 marketing year in Greece, Ireland or Luxembourg.
- (4) On the basis of estimates of production resulting from the information provided, total production in the five Member States concerned will not reach the overall

quantity of 5 000 tonnes allocated to them, and the national guaranteed quantities as set out below should be set.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Natural Fibres,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2003/04 marketing year, the apportionment in national guaranteed quantities provided for in Article 3(2)(b) of Regulation (EC) No 1673/2000 shall be as follows:

- Denmark: 7 tonnes,
- Greece: 0 tonnes,
- Ireland: 0 tonnes,
- Italy: 399 tonnes,
- Luxembourg: 0 tonnes.

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*.

It shall apply from 16 November 2003.

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

Done at Brussels, 16 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 193, 29.7.2000, p. 16. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 35, 6.2.2001, p. 18. Regulation as last amended by Regulation (EC) No 1401/2003 (OJ L 199, 7.8.2003, p. 3).

COMMISSION REGULATION (EC) No 2198/2003
of 16 December 2003
amending Regulation (EC) No 464/1999 laying down detailed rules for the application of Council
Regulation (EC) No 2201/96 as regards aid arrangements for prunes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 453/2002 ⁽²⁾, and in particular Article 6c(7) thereof,

Whereas:

- (1) Commission Regulation (EC) No 464/1999 ⁽³⁾ lays down detailed rules for the application of Regulation (EC) No 2201/96 as regards aid arrangements for prunes.
- (2) To make the minimum price system more rigorous, it should be specified that the waste content should not be taken into account when calculating the price to be paid by processors.
- (3) The control mechanisms for the prune production aid scheme should be improved by clarifying the rules for the raw material checks to be carried out by the Member States.
- (4) Regulation (EC) No 464/1999 should therefore be amended.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

Article 1

Regulation (EC) No 464/1999 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

To qualify for payment of the aid referred to in Article 6a of Regulation (EC) No 2201/96, prunes must comply with the characteristics set out in Annex I(B) and have been obtained from dried plums complying with the characteristics set out in Annex I(A) for which the minimum price has been paid in full, on the basis of the quantities delivered free from waste.'

2. Article 6 is replaced by the following:

'Article 6

Member States shall take the necessary steps to satisfy themselves, in particular by checking stock records, that the overall quantities marketed or held in stock by each processor match the quantities for which aid is paid.'

3. Point 3 of Section I of Annex I(B) is replaced by the following:

'3. The lots of prunes must be checked by the processor when they arrive on the processor's premises, in the presence of a representative of the producer organisation, and must be size-graded unless intended for industrial use.'

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, 16 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 56, 4.3.1999, p. 8.

**COMMISSION REGULATION (EC) No 2199/2003
of 16 December 2003**

laying down transitional measures for the application in respect of the year 2004 of Council Regulation (EC) No 1259/1999 as regards the single area payment scheme for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first subparagraph of Article 41 thereof,

Whereas:

(1) Article 1b of Council Regulation (EC) No 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy⁽¹⁾, as last amended by the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as 'the new Member States'), allows the new Member States to replace the payments under the support schemes referred to in Article 1 of that Regulation with a single payment hereinafter referred to as 'single area payment'.

(2) That provision shall enter into force upon accession. In order to facilitate the preparations for the transition from the existing regime in the new Member States to that resulting from the application of that provision, it is appropriate to provide for transitional measures for the first year of application and to allow for the possibility of providing for advance payments in case of exceptional circumstances.

(3) It is appropriate to establish specific provisions for the conversion into the national currencies of the new Member States of the amount to be granted in respect of the year 2004 under the single area payment scheme. The operative events for the exchange rates applicable shall be fixed on the basis of the criteria mentioned in Article 3 of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro⁽²⁾.

(4) In order to ensure the correct implementation of the single area payment scheme, Commission Regulation (EC) No 2419/2001 of 11 December 2001 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes established by Council Regulation (EEC) No 3508/92⁽³⁾ should apply, except as otherwise provided in this Regulation.

(5) In order to ensure that agricultural land is maintained in good agricultural condition compatible with the protection of the environment referred to in Article 1b(6) of Regulation (EC) No 1259/1999, it is appropriate to establish a common framework within which each new Member State may adopt standards taking account of the specific characteristics of the areas concerned, including soil and climatic conditions, existing farming systems (land use, crop rotation, farming practices) and farm structures.

(6) The measures provided for in this Regulation are in accordance with the opinion of the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

Subject

This Regulation lays down transitional rules for the implementation in respect of the year 2004 of the single area payment scheme for the new Member States provided for in Article 1b of Regulation (EC) No 1259/1999.

Article 2

Exchange rate

The operative event for the conversion of the amount to be granted under the single area payment scheme into the national currencies of the new Member States shall be 1 July 2004.

⁽¹⁾ OJ L 160, 26.6.1999, p. 113.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 327, 12.12.2001, p. 11. Regulation as last amended by Regulation (EC) No 493/2003 (OJ L 73, 19.3.2003, p. 5).

The exchange rate to be used shall be the average of the exchange rates applicable during the period from 1 January 2004 to 30 June 2004, calculated *pro rata temporis*.

The Commission shall fix the average exchange rate by 31 July 2004.

Article 3

Application of Regulation (EC) No 2419/2001

Regulation (EC) No 2419/2001 shall apply to the single area payment scheme, except for Articles 5(1)(c) and (2), 6(2) and (3), 7, 9, 10, 13(2), (3) and (4), 18(1)(b) and (c), 24 to 29, 31(3) and 32 to 43.

Article 4

Single area payment application

1. In order to benefit from the single area payment scheme, a farmer shall submit to the competent authority, by a date to be fixed by the new Member State which shall not be later than 15 June 2004, an application indicating the areas eligible according to the conditions referred to in Article 1b(5) of Regulation (EC) No 1259/1999.

2. For modifications of applications to the single area payment scheme, the date referred to in Article 8(2) of Regulation (EC) No 2419/2001 shall be 15 June 2004.

3. The single area payment application shall be treated as an aid application within the meaning of Article 2(i) of Regulation (EC) No 2419/2001.

Article 5

Reductions and exclusions in respect of eligibility conditions

1. Except in cases of force majeure or exceptional circumstances as defined in Article 48 of Regulation (EC) No 2419/2001, where, as a result of an administrative or on-the-spot check, it is found that the established difference between the area declared and the area determined, within the meaning of Article 2(r) of Regulation (EC) No 2419/2001, is more than 3 % but no more than 30 % of the area determined, the amount to be granted under the single area payment scheme shall be reduced, for the year in question, by twice the difference found.

If the difference is more than 30 % of the area determined, no aid shall be granted for the year in question.

If the difference is more than 50 %, the farmer shall be excluded once again from receiving aid up to an amount which corresponds to the difference between the area declared and

the area determined. This amount shall be offset against aid payments to which the farmer is entitled in the context of applications he lodges in the course of the three calendar years following the calendar year of the finding.

2. Where differences between the area declared and the area determined result from irregularities committed intentionally, the aid to which the farmer would have been entitled shall not be granted for the calendar year in question.

Moreover, where that difference is more than 20 % of the area determined, the farmer shall be excluded once again from receiving aid up to an amount which corresponds to the difference between the area declared and the area determined. This amount shall be offset against aid payments to which the farmer is entitled in the context of applications he lodges in the course of the three calendar years following the calendar year of the finding.

3. For the purpose of establishing the area determined within the meaning of Article 2(r) of Regulation (EC) No 2419/2001, the rules for granting the aid are those set out in Article 1b(5) and in the first subparagraph of Article 1b(6) of Regulation (EC) No 1259/1999 and in Article 4 of this Regulation.

Article 6

Good agricultural and environmental condition

1. The new Member States shall ensure that all agricultural land, especially agricultural land which is no longer used for production purposes, is maintained in good agricultural and environmental condition.

The new Member States shall define minimum requirements for good agricultural and environmental condition on the basis of the framework set up in the Annex, taking into account the specific characteristics of the areas concerned, including soil and climatic conditions, existing farming systems, land use, crop rotation, farming practices and farm structures.

2. Where the minimum requirements referred to in paragraph 1 are not complied with in 2004, as a result of an action or omission directly attributable to the individual farmer, the total amount determined under the single area payment scheme in respect of the calendar year 2004 shall be reduced as follows:

(a) in the case of negligent non-compliance in respect of any one of the minimum requirements defined by the Member State, the percentage of reduction shall be 5 % of the amount determined for the area concerned by the non-compliance. The reductions shall apply independently from each other and individually. However, the total amount of reductions shall not exceed 5 % of the total amount of aid determined.

- (b) in the case of intentional non-compliance in respect of any one of the minimum requirements defined by the Member State, the percentage of reduction shall be 20 % of the amount determined for the area concerned by the non-compliance. The reductions shall apply independently from each other and individually. However, the total amount of reductions shall not exceed the total amount of aid determined in respect of the area concerned by the non-compliance.
- (c) in the case of intentional non-compliance in respect of all the minimum requirements defined by the Member State, no aid shall be granted in respect of the area concerned by the non-compliance. Moreover, if more than 50 % of the area determined is concerned by the non-compliance, the farmer shall be totally excluded from receiving aid under the single area payment scheme in respect of the current calendar year.

The total amount of reductions provided for in the first subparagraph shall not be more than the total amount of the aid to be granted.

3. The reductions and exclusions provided for in this Regulation shall be without prejudice to additional sanctions pursuant to any other provisions under Community or national law.

Article 7

Reduction coefficient

In case the single area payments in a new Member State would exceed, after application of Article 5 and Article 6, the annual financial envelope referred to in Article 1b(3) of Regulation (EC) No 1259/1999, the new Member State concerned shall communicate to the Commission the reduction coefficient referred to Article 1b(7) of that Regulation by 30 November 2004 at the latest.

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

Done at Brussels, 16 December 2003.

Article 8

Payment

1. Payments shall be made once a year within the period from 1 December 2004 to 30 April 2005.
2. By way of derogation from paragraph 1 of this Article and in accordance with the procedure referred to in Article 11(2) of Regulation (EC) No 1259/1999, the Commission may authorise the new Member States, subject to the budgetary situation, to pay prior to 1 December advances of up to 50 % of the payments in regions where, due to exceptional conditions, farmers face severe financial difficulties.

Article 9

Transmission of information to the Commission

1. The new Member States shall communicate a summary of the applications accepted under the single area payment scheme not later than 15 September 2004, indicating the total amounts established for these applications in accordance with Article 4.
2. They shall communicate by 15 May 2005 the final data corresponding to the areas for which aid has actually been paid after the reductions provided for in Articles 5 and 6.

Article 10

Entry into force

This Regulation shall enter into force on 1 May 2004 subject to the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITIONS REFERRED TO IN ARTICLE 6

Issue	Standards
<i>Soil erosion:</i> Protect soil through appropriate measures	— Minimum soil cover — Minimum land management reflecting site-specific conditions — Retention terraces
<i>Soil organic matter:</i> Maintain soil organic matter levels through appropriate practices	— Standards for crop rotations where applicable — Arable stubble management
<i>Soil structure:</i> Maintain soil structure through appropriate measures	— Appropriate machinery use
<i>Minimum level of maintenance:</i> Ensure a minimum level of maintenance and avoid the deterioration of habitats	— Minimum livestock stocking rates or/and appropriate regimes — Protection of permanent pasture — Retention of landscape features — Avoiding the encroachment of unwanted vegetation on agricultural land

COMMISSION REGULATION (EC) No 2200/2003
of 16 December 2003
prohibiting fishing for ling 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 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks ⁽³⁾ lays down quotas for ling 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 ling in the waters of ICES divisions VI, VII, VIII, IX, X, XII and XIV (EC waters and waters not falling under the sovereignty or within the jurisdiction of third countries), 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 1 December 2003. This date should consequently be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of ling in the waters of ICES divisions VI, VII, VIII, IX, X, XII and XIV (EC waters and waters not falling under the sovereignty or within the jurisdiction of third countries), 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 ling in the waters of ICES divisions VI, VII, VIII, IX, X, XII and XIV (EC waters and waters not falling under the sovereignty or within the jurisdiction of third countries), 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 1 December 2003.

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

Done at Brussels, 16 December 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. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 December 2003

concerning the animal health and certification conditions for imports of bees (*Apis mellifera* and *Bombus* spp.) from certain third countries and repealing Decision 2000/462/EC

(notified under document number C(2003) 4623)

(Text with EEA relevance)

(2003/881/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC⁽¹⁾, and in particular Article 17(2)(b), the first indent of Article 18(1) and Article 19(b) thereof,

Whereas:

(1) Commission Decision 2000/462/EC of 12 July 2000 concerning the health certification for imports of bees/hives, queens and their attendants from third countries⁽²⁾ lays down the health certification conditions for such imports from third countries, as required by Directive 92/65/EEC.

(2) The small hive beetle (*Aethina tumida*) is an exotic pest affecting honey bees that has spread from various African countries to a number of other third countries, thereby creating serious problems for the apiculture industry. An effective and safe treatment against this pest is at present not available. If introduced, the small hive beetle poses a risk to the sustainability of the apiculture industry in the Community, and hence to agriculture and the environment, owing to the resultant disruption of pollination.

(3) The small hive beetle is not yet listed in the list of diseases maintained by the International Office of Epizootic Diseases (OIE). For this reason the extent of infestation in third countries is not known.

(4) The Tropilaelaps mite (*Tropilaelaps* spp.) is an exotic pest of honey bees which is spreading in various third countries, thereby creating serious problems for the apiculture industry. If introduced, it could also have similar severe consequences for the sustainability of the apiculture industry in the Community.

(5) Pursuant to Regulation (EC) No 1398/2003, the presence of the small hive beetle and the Tropilaelaps mite in the Community is subject to compulsory notification through their listing under Directive 92/65/EEC. At present there have been no reports that either has been found in the Community.

(6) Apart from making the presence of these pests notifiable within the Community, it is therefore necessary to lay down additional requirements for the importation of bees from certain third countries to limit the risk of introducing the small hive beetle and the Tropilaelaps mite into the Community, in the interest of protecting the Community's status as regards apiculture health.

(7) Only queen bees accompanied by a small number of attendants in single queen bee cages can be easily checked for infestation with the small hive beetle and Tropilaelaps mite, and therefore imports of bees should in principle be limited to such consignments.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54, as last amended by Commission Regulation (EC) No 1398/2003 (OJ L 98, 6.8.2003, p. 3).

⁽²⁾ OJ L 183, 12.7.2000, p. 18.

- (8) However, there is no evidence that the *Tropilaelaps* mite can infest colonies of bumble bees (*Bombus* spp.). In addition, the small hive beetle has only been shown to infest bumble bee colonies under experimental conditions, and there is no documented evidence that the small hive beetle is able to infest bumble bee colonies in the natural environment. Also, small colonies of bumble bees bred and reared under environmentally controlled conditions may be traded for the horticultural industry in particular, while the importation of queen bumble bees from the wild may also remain necessary for breeding purposes. In view of this, the importation of bumble bees (*Bombus* spp.) should be authorised also for small consignments bred and reared solely under environmentally controlled conditions within recognised establishments and which can be assured to be free of the small hive beetle.
- (9) In the interest of the clarity of Community legislation, and to ensure further harmonisation of Community animal health requirements upon importation, Decision 2000/462/EC should therefore be repealed and replaced by the provisions of this Decision restricting the authorisation of imports to queen bees (*Apis mellifera*) and queen bumble bees (*Bombus* spp.) with a small number of attendants, or to small colonies of bumble bees (*Bombus* spp.) bred under environmentally controlled conditions within recognised establishments.
- (10) Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products ⁽¹⁾ lays down standards of certification which are necessary for valid certification and to prevent fraud; it is appropriate to ensure that the rules and principles applied by third country certifying officers provide guarantees which are at least equivalent to those laid down in this Directive and therefore only those countries listed in Part I of the Annex to Council Decision 79/542/EEC ⁽²⁾ should be authorised for importation of bees into the Community.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorise the importation of bees (*Apis mellifera* and *Bombus* spp.) as foreseen by Directive 92/65/EEC provided the following requirements are complied with:

- they come from third countries or parts thereof listed in part 1 of the Annex to Decision 79/542/EEC and,

- they are accompanied by a health certificate in accordance with the specimen set out in Annex I and comply with the guarantees laid down in this specimen,
- the consignments are limited to a maximum of 20 accompanying attendants to one queen bee in one single queen bee cage.

2. At the designated destination, where the hives shall be put under official control, the queens shall be transferred to new cages before being introduced to local colonies.

3. The cages, attendants, and other material that accompanied the queens from the third country of origin shall be sent to a laboratory for examination for the presence of the small hive beetle, their eggs or larvae and signs of the *Tropilaelaps* mite. After laboratory examination, all material shall be destroyed.

Article 2

By derogation from Article 1(1), second and third indents, Member States shall also authorise the imports of consignments of bumble bees (*Bombus* spp.) limited to a single colony containing a maximum of 200 adult bumble bees per container, which are accompanied by a health certificate in accordance with the specimen set out in Annex II and complying with the guarantees laid down in this specimen. In this case, and by derogation from Article 1(2) and (3), it shall be sufficient that the container and all material that accompanied the bumble bees from the third country of origin be destroyed either during or immediately at the end of the lifespan of the colony.

Article 3

Decision 2000/462/EC is repealed.

Article 4

This Decision shall apply from 27 December 2003.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 December 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 13, 16.1.1997, p. 28.

⁽²⁾ OJ L 146, 14.6.1979, p. 15.

ANNEX I

Specimen health certificate for queen bees and queen bumble bees (*Apis mellifera* and *Bombus* spp.), and their attendants, intended for consignment to the European Community

Note for the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

Specimen health certificate for queen bees and queen bumble bees (<i>Apis mellifera</i> and <i>Bombus</i> spp.), and their attendants, intended for consignment to the European Community			
1. Third country of origin and competent authority		2.1. Health certificate No 2.2. CITES certificate No (where applicable)	☐ ORIGINAL ⁽¹⁾
A. Origin of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
3. Name and address of the apiary of origin		4. Name and address of the consignor	
5. Place of loading		6. Means of transport ⁽²⁾	
B. Destination of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
7. Member State of destination		8. Name and address of the apiary of destination	
9. Name and address of the consignee			
C. Identity of queen bees/queen bumble bees (with attendants) (<i>Apis mellifera</i> and <i>Bombus</i> spp.)			
	10. Number of bees (one queen per cage with a maximum of 20 attendants per queen)	11. Species	12. Batch identification ⁽³⁾
10.1.			
10.2.			
10.3.			
10.4.			
10.5. ⁽⁴⁾			
D. Health information			
13. I, the undersigned certify that: 13.1. American foulbrood, the small hive beetle (<i>Aethina tumida</i>) and the Tropilaelaps mite (<i>Tropilaelaps</i> spp.) are notifiable diseases/pests in(exporting country).			

13.2. the queen bees/queen bumble bees, with attendants, referred to above:

- (a) come from a breeding apiary, which is supervised and controlled by the competent authority;
- (b) come from an area which is not the subject of any restrictions associated with an occurrence of American foulbrood, and where no such occurrence has taken place within at least 30 days prior to the issuance of the present certificate. Where an outbreak of foulbrood has occurred previously, all hives within a radius of three kilometres have been checked by the competent authority and all infected hives burned or treated and inspected to the satisfaction of the said competent authority within 30 days following the last recorded case;
- (c) are from hives or come from hives or colonies (in the case of bumble bees) from which samples of the comb have been tested in the last 30 days for American foulbrood as laid down in the OIE manual of diagnostic standards with negative results;
- (d) come from an area of at least 30 km radius which is not the subject of any restrictions associated with the occurrence of the small hive beetle (*Aethina tumida*) or *Tropilaelaps* spp. and where these infestations are absent;
- (e) are from hives or come from hives or colonies (in the case of bumble bees), which were inspected immediately prior to dispatch and show no clinical signs or suspicion of disease including infestations affecting bees;
- (f) have undergone detailed examination to ensure that all bees and packaging do not contain the small hive beetle (*Aethina tumida*) or its eggs and larvae, or other infestations, in particular *Tropilaelaps* spp., affecting bees.

13.3. the packing material, queen cages, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.

E. Validity

14. The period of validity of this certificate is 10 days.

15. Date and place

16. Name and qualification of the undersigned (approved veterinarian/approved official)

17. Signature of the approved veterinarian/approved official and stamp ⁽⁵⁾

⁽¹⁾ The original must be kept for at least three years.

⁽²⁾ Give registration number of the vehicle or container and seal number where applicable.

⁽³⁾ Seal number of cage.

⁽⁴⁾ Continue as necessary.

⁽⁵⁾ The signature and stamp must be in a colour different to that of the printing.

ANNEX II

Specimen health certificate for bumble bees (*Bombus* spp.) bred under environmentally controlled conditions within recognised establishments and intended for consignment to the European Community

Note for the importer: This certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

Specimen health certificate for bumble bees (<i>Bombus</i> spp.) bred under environmentally controlled conditions within recognised establishments and intended for consignment to the European Community			
1. Third country of origin and competent authority.		2.1. Health certificate No	☐ ORIGINAL ⁽¹⁾
		2.2. CITES certificate No (where applicable)	
A. Origin of bumble bees (<i>Bombus</i> spp.)			
3. Name and address of the recognised establishment of origin containing environmentally controlled conditions		4. Name and address of the consignor	
5. Place of loading		6. Means of transport ⁽²⁾	
B. Destination of bumble bees (<i>Bombus</i> spp.)			
7. Member State of destination		8. Name and address of the apiary of destination	
9. Name and address of the consignee			
C. Identity of bumble bees (<i>Bombus</i> spp.)			
	10. Number of bumble bees (a single colony containing a maximum of 200 adult bees per container)	11. Species	12. Batch identification ⁽³⁾
10.1.			
10.2.			
10.3.			
10.4.			
10.5. ⁽⁴⁾			

D. Health information		
13.1. (a) the bumble bees (<i>Bombus</i> spp.) referred to above have been bred and kept under a controlled environment within a recognised establishment which is supervised and controlled by the competent authority; (b) the establishment referred to above was inspected immediately prior to dispatch and all bumble bees and breeding stock show no clinical signs or suspicion of disease including infestations affecting bees; (c) all colonies for export to the Community have undergone detailed examination to ensure that all bumble bees, broodstock and packaging do not contain the small hive beetle (<i>Aethina tumida</i>) or its eggs and larvae, or other infestations affecting bees; 13.2. the packing material, containers, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.		
E. Validity		
14. The period of validity of this certificate is 10 days.		
15. Date and place	16. Name and qualification of the undersigned (approved veterinarian/approved official)	17. Signature of the approved veterinarian/approved official and stamp ⁽⁵⁾
⁽¹⁾ The original must be kept for at least three years. ⁽²⁾ Give registration number of the vehicle or container and seal number where applicable. ⁽³⁾ Seal number of container. ⁽⁴⁾ Continue as necessary. ⁽⁵⁾ The signature and stamp must be in a colour different to that of the printing.		