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(Acts adopted pursuant to Title V of the Treaty on European Union)

# COUNCIL COMMON POSITION

of 19 December 2002

lifting restrictive measures against the União Nacional para a Independência Total de Angola (UNITA) and repealing Common Positions 97/759/CFSP and 98/425/CFSP

(2002/991/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 18 October 2002, the United Nations Security Council adopted Resolution 1439(2002) repealing the travel restrictions imposed by Resolution 1127(1997).
- (2) On 9 December 2002 the United Nations Security Council adopted Resolution 1448(2002) repealing the sanctions imposed by Resolutions 864(1993), 1127(1997) and 1173(1998).
- (3) The Council welcomes the steps taken by the Government of Angola and UNITA toward the full implementation of the 'Acordos de Paz', the Lusaka Protocol, the Memorandum of Understanding of 4 April 2002, relevant UN Security Council resolutions, the declaration on the peace process issued by the Government of Angola on 19 November 2002 and the completion of the work of the Joint Commission, as expressed in the Joint Commission declaration signed on 20 November 2002.
- (4) Council Common Position 97/759/CFSP of 30 October 1997 with regard to Angola and aimed at inducing the 'União Nacional para a Independência Total de Angola' (UNITA) to fulfil its obligations in the peace process <sup>(1)</sup>, and Council Common Position 98/425/CFSP of 3 July 1998 concerning restrictive measures against the União Nacional para a Independência Total de Angola (UNITA) <sup>(2)</sup> should therefore be repealed.

- (5) Action by the Community is needed in order to implement the required measures,

HAS ADOPTED THIS COMMON POSITION:

## Article 1

Council Common Positions 97/759/CFSP and 98/425/CFSP are hereby repealed.

## Article 2

This Common Position shall take effect on the date of its adoption.

## Article 3

This Common Position shall be published in the Official Journal.

Done at Brussels, 19 December 2002.

For the Council

The President

L. ESPERSEN

<sup>(1)</sup> OJ L 309, 12.11.1997, p. 8.

<sup>(2)</sup> OJ L 190, 4.7.1998, p. 1.

**COUNCIL COMMON POSITION**  
**of 19 December 2002**  
**concerning a prohibition on imports of rough diamonds from Sierra Leone**

(2002/992/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) Following the adoption on 19 December 2001 of the United Nations Security Council Resolution 1385(2001) extending until 5 December 2002 the measures imposed by Resolution 1306(2000) prohibiting the direct or indirect import of all rough diamonds from Sierra Leone for an initial period of 18 months, while exempting imports of rough diamonds whose origin is certified by the Government of Sierra Leone, the Council adopted Common Position 2002/22/CFSP <sup>(1)</sup>, which expired on 5 December 2002.
- (2) On 4 December 2002, the United Nations Security Council adopted Resolution 1446(2002) whereby the measures imposed by Resolution 1306(2000) are to remain in force for a new period of 6 months from 5 December 2002. A new Common Position should therefore be adopted.
- (3) Action by the Community is needed in order to implement the required measures,

HAS ADOPTED THIS COMMON POSITION:

*Article 1*

The direct or indirect import of all rough diamonds from Sierra Leone to the Community shall be prohibited under the conditions set out in United Nations Security Council Resolutions 1306(2000), 1385(2001) and 1446(2002).

*Article 2*

Rough diamonds controlled by the Government of Sierra Leone through the Certificate of Origin regime consistent with paragraph 5 of Resolution 1306(2000) shall continue to be exempt from the measure referred to in Article 1.

*Article 3*

This Common Position shall be reviewed as the need arises.

*Article 4*

This Common Position shall take effect on the date of its adoption.

It shall be applicable from 5 December 2002.

It shall expire on 5 June 2003.

*Article 5*

This Common Position shall be published in the Official Journal.

Done at Brussels, 19 December 2002.

*For the Council*  
*The President*  
L. ESPERSEN

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<sup>(1)</sup> OJ L 10, 12.1.2002, p. 81.

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2285/2002  
of 10 December 2002  
on the safeguard measures provided for in the ACP-EC Partnership Agreement and repealing Regulation (EEC) No 3705/90**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

*Article 1*

Having regard to the proposal from the Commission,

Whereas:

- (1) It is necessary to lay down detailed rules for implementing the safeguard clauses provided for in Chapter 1 of Annex V to the ACP-EC Partnership Agreement, signed in Cotonou on 23 June 2000, hereinafter referred to as 'the Cotonou Agreement' <sup>(1)</sup>, in order to enable the Community and the Member States to comply with their obligations under that Agreement.
- (2) It is therefore appropriate to adapt the provisions of Council Regulation (EEC) No 3705/90 of 18 December 1990 on the safeguard measures provided for in the Fourth ACP-EEC Convention <sup>(2)</sup> to refer to the Cotonou Agreement.
- (3) Regulation (EEC) No 3705/90 is rendered obsolete by this Regulation and should therefore be repealed.
- (4) Account should be taken of the undertakings set out in Article 8(3) and (4) and Articles 9 and 11 of Annex V to the Cotonou Agreement when examining whether a safeguard measure should be introduced.
- (5) The procedures concerning safeguard clauses provided for in the Treaty and in the Regulations on the common organisation of the agricultural markets are also applicable.
- (6) By virtue of the Cotonou Agreement, it is also necessary to lay down certain specific provisions concerning the general rules set out in Council Regulation (EC) No 3285/94 of 22 December 1994 on common rules for imports <sup>(3)</sup>,

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Article 8 of Annex V to the Cotonou Agreement and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within three working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Where the Commission decides not to apply safeguard measures, any Member State may refer that decision to the Council within 10 working days of its notification.

In such a case, the Commission shall notify the ACP States and inform them of the opening of consultations as referred to in Article 9(1) of Annex V to the Cotonou Agreement.

The Council, acting by a qualified majority, may adopt a different decision within 20 working days after the conclusion of the consultations with the ACP States.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Article 8 of Annex V to the Cotonou Agreement should be applied:

- it shall inform the Member States forthwith or, if it is responding to a Member State's request, within three working days of the date of receipt of that request,
- it shall consult a committee made up of representatives of the Member States and chaired by a Commission representative,
- at the same time it shall inform the ACP States and notify them of the opening of consultations as referred to in Article 9(1) of Annex V to the Cotonou Agreement,
- at the same time it shall provide the ACP States with all the information necessary for those consultations.

3. In any event, the consultations shall be deemed to be completed 21 days after the notification referred to in the fourth subparagraph of paragraph 1 or the third indent of paragraph 2.

<sup>(1)</sup> OJ L 317, 15.12.2000, p. 3.

<sup>(2)</sup> OJ L 358, 21.12.1990, p. 4.

<sup>(3)</sup> OJ L 349, 31.12.1994, p. 53. Regulation as last amended by Regulation (EC) No 2474/2000 (OJ L 286, 11.11.2000, p. 1).

At the end of the consultations or on expiry of the period of 21 days, and if no other arrangement proves possible, the Commission, after consulting the committee referred to in the second indent of paragraph 2, may decide to take appropriate measures to implement Article 8 of Annex V to the Cotonou Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and the ACP States.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within 10 working days following the end of the consultations with the ACP States or, as the case may be, the end of the period of 21 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the cases referred to in paragraphs 5 and 6, the Council, acting by a qualified majority, may adopt a different decision within 20 working days.

#### Article 2

1. Where special factors arise within the meaning of Article 9(3) of Annex V to the Cotonou Agreement, the Commission may take safeguard measures, or authorise a Member State to apply safeguard measures immediately.

2. If the Commission receives a request from a Member State it shall take a decision thereon within three working days of receipt of the request.

It shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 1(5).

The procedure set out in Article 1(7) shall be applicable.

If the Commission has not taken a decision within the time limits specified in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedures referred to in the first and second subparagraphs.

The provisions of this Article shall not preclude the consultations referred to in Article 9(1) of Annex V to the Cotonou Agreement.

#### Article 3

Implementation of this Regulation shall not preclude the application of the Regulations establishing a common organisation of the agricultural markets or related Community or national administrative provisions or the specific rules adopted under Article 308 of the Treaty for processed agricultural products.

#### Article 4

Regulation (EEC) No 3705/90 is hereby repealed.

#### Article 5

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

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

Done at Brussels, 10 December 2002.

*For the Council*

*The President*

P. S. MØLLER

**COUNCIL REGULATION (EC) No 2286/2002  
of 10 December 2002**

**on the arrangements applicable to agricultural products and goods resulting from the processing of  
agricultural products originating in the African, Caribbean and Pacific States (ACP States) and  
repealing Regulation (EC) No 1706/98**

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,

Whereas:

- (1) Pending ratification by the Member States of the European Community and the ACP States of the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000, hereinafter referred to as the 'Cotonou Agreement' <sup>(1)</sup>, early application of this Agreement is provided for by Decision No 1/2000 of the ACP-EC Council of Ministers of 27 July 2000 regarding transitional measures valid from 2 August 2000 until the entry into force of the ACP-EC Partnership Agreement <sup>(2)</sup>.
- (2) In order to facilitate the transition to the new trading arrangements, and in particular the Economic Partnership Agreements, the non-reciprocal trade preferences applied under the Fourth ACP-EC Convention should be maintained during the preparatory period until 31 December 2007 for all ACP States, under the conditions defined in Annex V to the Cotonou Agreement.
- (3) For agricultural products originating in the ACP States and listed in Annex I to the Treaty or subject to specific rules as a result of the implementation of the common agricultural policy, Article 1(a) of Annex V to the Cotonou Agreement provides for a more favourable treatment than that granted to third countries benefiting from the most-favoured-nation clause for the same products.
- (4) In Declaration XXII to the Cotonou Agreement concerning agricultural products referred to in Article 1(a) of Annex V, the Community declared that it will take all the measures required to ensure that the corresponding agricultural regulations are adopted in good time.
- (5) It should be specified that the advantages resulting from Annex V to the Cotonou Agreement are granted only to originating products within the meaning of its Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation.
- (6) For reasons of simplification and transparency, a complete list of the products concerned and the specific import provisions applicable to them should be contained in an Annex, with references to tariff quotas, tariff ceilings or reference quantities contained in a separate Annex.
- (7) There have traditionally been trade flows from the ACP States to the French overseas departments and measures should therefore be maintained to encourage the import of certain products originating in the ACP States into the French overseas departments to cover local consumption requirements, including consumption following processing. Provisions should also be made for altering the arrangements governing access to the markets for products originating in the ACP States referred to in Annex V to the Cotonou Agreement, particularly in the light of the said departments' economic development requirements.
- (8) Although the tariff advantages resulting from Annex V to the Cotonou Agreement are calculated on the basis of rates laid down in the Common Customs Tariff, and in accordance with the rules governing it, they should be calculated on the basis of the autonomous duty where, for the products concerned, that duty is lower than the conventional duty.
- (9) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(3)</sup>.
- (10) It should be stipulated that the rules on safeguard measures provided for in Council Regulation (EC) No 2285/2002 on the safeguard measures provided for in the ACP-EU Partnership Agreement and repealing Regulation (EEC) No 3705/90 <sup>(4)</sup> apply to the products covered by this Regulation.
- (11) Since this Regulation is to replace Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 <sup>(5)</sup>, that Regulation should be repealed.

<sup>(1)</sup> OJ L 317, 15.12.2000, p. 3.

<sup>(2)</sup> OJ L 195, 1.8.2000, p. 46.

<sup>(3)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(4)</sup> See page 3 of this Official Journal.

<sup>(5)</sup> OJ L 215, 1.8.1998, p. 12.

- (12) As this Regulation implements international commitments, which the Community has already made, the Regulation enters into force on the day following that of its publication in the *Official Journal of the European Communities*,

HAS ADOPTED THIS REGULATION:

#### Article 1

##### Scope

1. This Regulation shall apply to the import of products originating in the ACP States, parties to the Cotonou Agreement.
2. The rules of origin applicable to the products referred to in paragraph 1 shall be those in Protocol 1 of Annex V to the Cotonou Agreement.
3. Agricultural products originating in the ACP States shall be imported under the arrangements of Annex I to this Regulation, subject to the specific arrangements contained in Annex II.

#### Article 2

##### Specific provisions regarding certain products in Annex I

1. For the purposes of the tariff ceilings and reference quantities referred to in Annex II the provisions of Article 308d of 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 <sup>(1)</sup> shall apply.
2. If in the course of the calendar year the tariff ceiling, as provided for in Annex II, has been reached, the Commission may in accordance with the procedure in Article 7(2) adopt a Regulation re-establishing, until the end of the calendar year, the customs duties applicable to third countries in respect of imports of the products concerned. The duties applicable shall be reduced by 50 %.
3. If in the course of a calendar year imports of a product exceed the reference quantity, as referred to in Annex II, a decision may be taken by the Commission in accordance with the procedure in Article 7(2) to make the imports subject to a tariff ceiling equal to the reference quantity, having regard to the annual balance of trade in the product.
4. When reference is made to this Article, the duty reduction referred to in Annex I shall not be applied when the Community, in accordance with its Uruguay Round commitments, applies additional duties.

5. If an ACP State is not able to supply its annual allocation within quota 18, as provided for in Annex II, as a result of an actual or foreseeable decline of its exports due to a disaster such as drought, or cyclone or due to animal diseases and it does not wish to benefit from the possibility of delivery in the current or following calendar year, it may request, by 1 September of each calendar year at the latest, to reallocate the relevant quantities among the other States concerned, up to the limit of 52 100 tonnes, expressed in boneless meat.

A decision on this request for reallocation shall be taken in accordance with the procedure referred to in Article 6(2).

6. The tariff quotas Q9, Q10, Q13a, Q13b, Q14, Q15, Q16 and Q17 referred to in Annexes I and II shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

7. Where, in the course of a year, imports into the Community of products falling within CN codes 0201, 0202, 0206 10 95, 0206 29 91, 1602 50 10 or 1602 90 61, originating in an ACP State exceed, during a year, a quantity equivalent to the quantity of imports into the Community during whichever year between 1969 and 1974 Community imports of products of that origin were highest, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended.

#### Article 3

##### French overseas departments

1. Subject to paragraphs 3 and 4, customs duties to products with CN codes 0102, 0102 90, 0102 90 05, 0102 90 21, 0102 90 29, 0102 90 41, 0102 90 49, 0102 90 51, 0102 90 59, 0102 90 61, 0102 90 69, 0102 90 71, 0102 90 79, 0201, 0202, 0206 10 95, 0206 29 91, 0709 90 60, 0712 90 19, 0714 10 91, 0714 90 11 and 1005 90 00 shall not be applied to imports into the French overseas departments of products originating in the ACP States or in the overseas countries and territories which are intended for use in the overseas departments and are released on the market there.
2. Customs duty shall not be applied to direct imports into the overseas department of Réunion of rice falling within CN code 1006, excluding rice for sowing falling within CN code 1006 10 10.
3. If imports into the French overseas departments of maize originating in the ACP States or in the overseas countries and territories exceed 25 000 tonnes in a calendar year and are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council.

The Council, acting by a qualified majority, may take a different decision within one month.

<sup>(1)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).



4. The exemption from customs duty for products from the French overseas departments falling within CN codes 0714 10 91 and 0714 90 11 shall apply within the limits of an annual quota of 2 000 tonnes.

5. Within the limits of an annual quantity of 8 000 tonnes, the customs duty fixed pursuant to Article 10(1) of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals<sup>(1)</sup>, shall not be applied to imports into the overseas department of Réunion of wheat bran falling within CN code 2302 30, originating in the ACP States.

#### Article 4

##### Tariff preferences

The tariff preferences provided for by this Regulation shall be calculated on the basis of the rates of the autonomous duty where, for the products concerned that duty is lower than the conventional duty as laid down in the Common Customs Tariff.

#### Article 5

##### Implementation

The measures necessary for the implementation of this Regulation shall be adopted in accordance with the procedure referred to in Article 6(2) or where appropriate in accordance with the procedure referred to in Article 7(2).

#### Article 6

##### Committee procedure

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 22 of Regulation (EEC) No 1766/92, or by the management committees instituted by the other Regulations on the common organisation of the market for the products concerned.

In the case of agricultural products covered by Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organisation of the market in certain products listed in Annex II to the Treaty<sup>(2)</sup> and products not covered by a common organisation of the markets, the Commission shall be assisted by the Management Committee for Hops instituted by Article 20 of Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organisation of the markets in hops<sup>(3)</sup>.

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

<sup>(2)</sup> OJ L 151, 30.6.1968, p. 16. Regulation as last amended by Commission Regulation (EC) No 1272/2002 (OJ L 184, 13.7.2002, p. 7).

<sup>(3)</sup> OJ L 175, 4.8.1971, p. 1. Regulation as last amended by Regulation (EC) No 1514/2001 (OJ L 201, 26.7.2001, p. 8).

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committees shall adopt their rules of procedure respectively.

#### Article 7

##### Customs Code Committee

1. The Commission shall be assisted, where necessary, by the Customs Code Committee instituted by Article 248a of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(4)</sup>.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

#### Article 8

##### Safeguard measures

Council Regulation (EC) No 2285/2002 shall be applicable to the products covered by this Regulation.

#### Article 9

##### Repeal

Regulation (EC) No 1706/98 is hereby repealed.

#### Article 10

##### Entry into force

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

<sup>(4)</sup> OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council (OJ L 311, 12.12.2000, p. 17).

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

Done at Brussels, 10 December 2002.

*For the Council*

*The President*

P. S. MØLLER

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## ANNEX I

**List of products included in the arrangement referred to in Article 1(3)**

CN Code: For reasons of simplification the products are listed in table form.

Description: Notwithstanding the rules for the interpretation of the Combined Nomenclature, the description of the products is considered as indicative, the tariff preferences scheme being determined by the coverage of the CN code. Where ex CN codes are indicated, the tariff preferences are determined by application of the CN code and description taken together.

Column C: Products for which the customs duties shall be entirely suspended.

Column D: Products for which the customs duties duty shall be reduced by 16%.

Column E: Products for which the "ad valorem" duty shall be reduced by 100%.

Column F: Products subject to the tariff quotas, tariff ceilings or reference quantities and provisions specified in Annex II.

Column G: The letters in this column refer as follows:

- a indicates that the products are subject to the provisions in Article 2(2),
- b indicates that the products are subject to the provisions in Article 2(3),
- c indicates that the products are subject to the provisions in Article 2(4),
- d indicates that the products are subject to the provisions in Article 2(5),
- e indicates that the products are subject to the provisions in Article 2(6).

Column H: The MFN duty shall be reduced by the amount in EUR/t or by the percentage number indicated.

CN code 2002	Description	C	D	E	F	G	H
0101	<b>Live horses, asses, mules and hinnies</b>	x					
0102	<b>Live bovine animals</b>						
0102 90 05	<b>Other than pure-bred breeding animals</b>			x	Q18	d	
0102 90 21				x	Q18	d	
0102 90 29				x	Q18	d	
0102 90 41				x	Q18	d	
0102 90 49				x	Q18	d	
0102 90 51				x	Q18	d	
0102 90 59				x	Q18	d	
0102 90 61				x	Q18	d	
0102 90 69				x	Q18	d	
0102 90 71				x	Q18	d	
0102 90 79				x	Q18	d	
0103	<b>Live swine</b>						
0103 91 10	Domestic swine, weighing		x				
0103 92 11	Sows, having farrowed at least once, weighing $\geq$ 160 kg		x				
0103 92 19	Other domestic swine		x				
0104	<b>Live sheep and goats</b>						
0104 10 30	Lambs 'sheep up to a year old'				Q1		
0104 10 80	Other sheep				Q1		

CN code 2002	Description	C	D	E	F	G	H
0104 20 10	Pure-bred breeding goats	x					
0104 20 90	Other goats				Q1		
0105	<b>Live poultry</b>		x				
0106	<b>Other live animals</b>	x					
0201	<b>Meat of bovine animals, fresh or chilled</b>			x	Q18	d	
0202	<b>Meat of bovine animals, frozen</b>			x	Q18	d	
0203	<b>Meat of swine, fresh, chilled or frozen</b>						
0203 11 10	Fresh or chilled domestic swine carcasses and half carcasses				Q7		
0203 12 11	Fresh or chilled bone in, domestic swine hams and cuts thereof				Q7		
0203 12 19	Fresh or chilled bone in, domestic swine shoulders and cuts thereof				Q7		
0203 19 11	Fresh or chilled fore-ends and cuts thereof of domestic swine				Q7		
0203 19 13	Fresh or chilled loins and cuts thereof of domestic swine				Q7		
0203 19 15	Fresh or chilled bellies and cuts thereof of domestic swine				Q7		
ex 0203 19 55	Fresh or chilled boneless meat of domestic swine (excluding tenderloin presented separately)				Q7		
0203 19 59	Fresh or chilled bone in meat of domestic swine				Q7		
0203 21 10	Frozen domestic swine carcasses and half carcasses				Q7		
0203 22 11	Frozen bone in hams and cuts thereof of domestic swine				Q7		
0203 22 19	Frozen bone in shoulders and cuts thereof of domestic swine				Q7		
0203 29 11	Frozen fore-ends and cuts thereof of domestic swine				Q7		
0203 29 13	Frozen loins and cuts thereof of domestic swine				Q7		
0203 29 15	Frozen bellies and cuts thereof of domestic swine				Q7		
ex 0203 29 55	Frozen boned meat of domestic swine (excluding the tenderloin in one piece)				Q7		
0203 29 59	Frozen bone in meat of domestic swine				Q7		

CN code 2002	Description	C	D	E	F	G	H
0204	<b>Meat of sheep or goats, fresh, chilled or frozen</b>			X			
	Domestic sheep				Q2		
	Other				Q1		
0205	<b>Meat of horses, fresh or chilled</b>	x					
0206	<b>Edible offal of bovine animals etc.</b>						
0206 10 95	Fresh or chilled bovine thick and thin skirt			x	Q18	d	
0206 29 91	Frozen bovine thick and thin skirt			x	Q18	d	
0206 80 91	Of horses, asses, mules and hinnies, fresh or chilled	x					
0206 90 91	Of horses, asses, mules and hinnies, frozen	x					
0207	<b>Meat and edible offal of fowls etc.</b>				Q3		
0208	<b>Meat and offal of rabbit</b>	x					
0209	<b>Pig fat, free of lean meat, and poultry fat not rendered etc.</b>						
0209 00 11	Subcutaneous pig fat, fresh, chilled, frozen, salted or in brine				Q7		
0209 00 19	Subcutaneous pig fat, dried or smoked				Q7		
0209 00 30	Pig fat (other than subcutaneous)				Q7		
0209 00 90	Poultry fat		x				
0210	<b>Meat and edible offal, salted or in brine etc.</b>						
0210 11 11	Boned in domestic swine hams and cuts thereof, salted or in brine				Q7		
0210 11 19	Boned in domestic swine shoulders and cuts thereof, salted or in brine				Q7		
0210 11 31	Boned in domestic swine hams and cuts thereof, dried or smoked				Q7		
0210 11 39	Boned in domestic swine shoulders and cuts thereof, dried or smoked				Q7		
0210 11 90	Boned in hams, shoulders and cuts thereof of non-domestic swine, salted, in brine, dried or smoked	x					
0210 12 11	Bellies and cuts thereof of domestic swine, salted or in brine				Q7		
0210 12 19	Bellies and cuts thereof of domestic swine, dried or smoked				Q7		
0210 12 90	Bellies and cuts thereof of non-domestic swine, salted, in brine, dried or smoked	x					
0210 19 10	Bacon sides or spencers of domestic swine, salted or in brine				Q7		

CN code 2002	Description	C	D	E	F	G	H
0210 19 20	Three-quarter sides or middles of domestic swine, salted or in brine				Q7		
0210 19 30	Fore-ends and parts thereof of domestic swine, salted or in brine				Q7		
0210 19 40	Loins and cuts thereof of domestic swine, salted or in brine				Q7		
0210 19 51	Other boneless meat of domestic swine, salted or in brine				Q7		
0210 19 59	Other bone in meat of domestic swine, salted or in brine				Q7		
0210 19 60	Domestic swine fore-ends and cuts thereof, dried or smoked				Q7		
0210 19 70	Domestic swine loins and cuts thereof, dried or smoked				Q7		
0210 19 81	Dried or smoked boneless domestic swine meat				Q7		
0210 19 89	Bone in, dried or smoked domestic swine meat				Q7		
0210 19 90	Meat of non-domestic swine	x					
0210 20	Bone in meat of bovine animals			x	Q18	d	
0210 21 00	Meat of primates	x					
0210 92 00	Meat of whales, dolphins and porpoises, of manatees and dugongs	x					
0210 93 00	Meat of reptiles	x					
0210 99 10	Meat of horses, salted, in brine or dried	x					
0210 99 21	Meat with bone in			x			
	Domestic sheep				Q2		
	Other				Q1		
0210 99 29	Boneless meat of sheep and goats			x			
	Domestic sheep				Q2		
	Other				Q1		
0210 99 31	Reindeer meat	x					
0210 99 39	Other meat	x					
0210 99 41	Livers of domestic swine				Q7		
0210 99 49	Other offal of domestic swine				Q7		
0210 99 51	Thick offal of bovine animals			x	Q18	d	
0210 99 59	Other offal of bovine animals	x					
0210 99 60	Offal of sheep and goats	x					
0210 99 71	Fatty goose or duck livers, salted or in brine		x				
0210 99 79	Other poultry liver		x				

CN code 2002	Description	C	D	E	F	G	H
0210 99 80	Other edible meat offal	x					
0210 99 90	Edible flours and meals of meat or meat offal			x	Q18	d	
Chapter 3	<b>Fish and crustaceans, molluscs, and other aquatic invertebrates</b>	x					
0401	<b>Milk and cream, not concentrated</b>		x				
0402	<b>Milk and cream concentrated</b>				Q5		
0403	<b>Buttermilk, curdled milk and cream yoghurt etc.</b>						
0403 10 11	<b>Yogurt</b>		x				
0403 10 13			x				
0403 10 19			x				
0403 10 31			x				
0403 10 33			x				
0403 10 39			x				
0403 10 51				x			
0403 10 53				x			
0403 10 59				x			
0403 10 91				x			
0403 10 93				x			
0403 10 99				x			
0403 90 11	<b>Other</b>		x				
0403 90 13			x				
0403 90 19			x				
0403 90 31			x				
0403 90 33			x				
0403 90 39			x				
0403 90 51			x				
0403 90 53			x				
0403 90 59			x				
0403 90 61			x				
0403 90 63			x				
0403 90 69			x				
0403 90 71				x			
0403 90 73				x			
0403 90 79				x			
0403 90 91				x			
0403 90 93				x			
0403 90 99				x			

CN code 2002	Description	C	D	E	F	G	H
0404	<b>Whey, whether or not concentrated or containing sugar etc.</b>		x				
0405	<b>Butter and other fats and oils derived from milk</b>		x				
0406	<b>Cheese and curd</b>				Q6		
0407	<b>Birds' eggs, in shell, fresh, preserved or cooked</b>						
0407 00 11	Of turkey or goose, for hatching		x				
0407 00 19	Of other poultry, for hatching		x				
0407 00 30	Other poultry eggs		x				
0407 00 90	Birds' eggs	x					
0408	<b>Birds' eggs, not in shell, and egg yolks, fresh etc., whether or not containing added sugar or other sweetening matter</b>						
0408 11 80	Egg yolks, dried, suitable for human consumption		x				
0408 19 81	Egg yolks, liquid, suitable for human consumption,		x				
0408 19 89	Other egg yolks frozen or otherwise preserved, suitable for human consumption		x				
0408 91 80	Dried birds' eggs, suitable for human consumption		x				
0408 99 80	Other birds' eggs, suitable for human consumption		x				
0409	<b>Natural honey</b>	x					
0410	<b>Edible products of animal origin, not elsewhere specified or included</b>	x					
Chapter 5	<b>Products of animal origin not elsewhere specified or included</b>	x					
Chapter 6	<b>Live trees and other plants</b>	x					
0701	<b>Potatoes, fresh or chilled</b>	x					
0702	Tomatoes other than cherry tomatoes from 15 November to 30 April				Q13a	e	
	Cherry tomatoes from 15 November to 30 April				Q13b	e	
0703	<b>Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled</b>						
0703 10 19	Onions, from 16 May to 31 January						15 %
	from 1 February to 15 May	x					
0703 10 90	Shallots		x				
0703 20 00	Garlic, from 1 June to 31 January						15 %
	from 1 February to 31 May	x					
0703 90 00	Leeks and other alliaceous vegetables		x				
0704	<b>Cabbages, cauliflowers, kohlrabi etc., fresh or chilled</b>						

CN code 2002	Description	C	D	E	F	G	H
0704 10 00	Cauliflowers and headed broccoli		x				
0704 20 00	Brussels sprouts		x				
0704 90 10	White and red cabbages		x				
0704 90 90	Chinese cabbages from 1 January to 31 October						15 %
	from 1 November to 31 December	x					
	Other cabbages		x				
0705	<b>Lettuce, fresh and chilled</b>						
0705 11 00	Iceberg salads from 1 November to 30 June						15 %
	Iceberg salads from 1 July to 31 October	x					
	Other cabbage lettuce		x				
0705 19 00	Other lettuce		x				
0705 21 00	Witloof chicory		x				
0705 29 00	Other chicory		x				
0706	<b>Carrots, turnips, salad beetroot etc., fresh or chilled</b>						
0706 10 00	Carrots from 1 April to 31 December						15 %
	Carrots from 1 January to 31 March	x					
	Turnips		x				
0706 90 10	Celeriac		x				
0706 90 30	Horseradish	x					
ex 0706 90 90	Salad beetroot and radishes ( <i>Raphanus sativus</i> )	x					
0707	Cucumbers and gherkins, fresh or chilled						
ex 0707 00 05	Small cucumbers from 1 November to 15 May			x			
	Cucumbers, other than small cucumbers from 1 November to 15 May						16 % <sup>(1)</sup>
0707 00 90	Gherkins						
0708	<b>Leguminous vegetables, shelled or unshelled, fresh or chilled</b>	x					
0709	<b>Other vegetables fresh or chilled</b>						
0709 1 0	Artichokes, from 1/1-30/9						15 %
	from 1/10-31/12			x			
0709 20	Asparagus, from 1/2-14/8						15 %
	from 15/8-15/1						40 %
	from 16/1-31/1	x					
0709 30	Aubergines	x					
0709 40	Celery (excluding celeriac)	x					
0709 51 00	Cultivated mushrooms		x				

CN code 2002	Description	C	D	E	F	G	H
0709 52 00	Truffles		x				
0709 59 10	Chanterelles		x				
0709 59 30	Flap mushrooms		x				
0709 59 90	Other mushrooms	x					
0709 60	Sweet peppers	x					
0709 70 00	Spinach, New Zealand spinach and orache spinach		x				
0709 90 10	Salad vegetables other than lettuce and chicory		x				
0709 90 20	Chard (or white beet) and cardoons		x				
0709 90 40	Capers		x				
0709 90 50	Fennel		x				
0709 90 60	Sweet corn						1,81
0709 90 70	Courgettes			x			
0709 90 90	Other leguminous vegetables	x					
0710	<b>Vegetables, uncooked or cooked by steaming or boiling in water; frozen</b>						
0710 10	Potatoes	x					
0710 21	Peas, shelled or unshelled	x					
0710 22	Beans, shelled or unshelled	x					
0710 29	Other leguminous vegetables, shelled or unshelled	x					
0710 30	Spinach, New Zealand spinach and orache spinach	x					
0710 40	Sweet corn			x			
0710 80 51	Sweet peppers	x					
0710 80 59	Fruits of genus <i>Capsicum</i> or <i>Pimenta</i>	x					
0710 80 61	Mushrooms	x					
0710 80 69		x					
0710 80 70	Tomatoes	x					
0710 80 80	Artichokes	x					
0710 80 85	Asparagus	x					
0710 80 95	Other vegetables	x					
0710 90 00	Mixtures of vegetables	x					
0711	<b>Vegetables, provisionally preserved, etc., but unsuitable in that state for immediate consumption</b>						
0711 30 00	Capers	x					
0711 40 00	Cucumbers and gherkins	x					
0711 51 00	Mushrooms of the genus <i>Agaricus</i>	x					
0711 59 00	Other mushrooms; truffles	x					



CN code 2002	Description	C	D	E	F	G	H
0711 90 10	Fruits of genus <i>Capsicum</i> or <i>Pimenta</i> (excluding sweet pepper)	x					
0711 90 30	Sweet corn			x			
0711 90 50	Onions	x					
0711 90 80	Other	x					
0711 90 90	Mixture of vegetables	x					
0712	<b>Dried vegetables, whole, cut, sliced broken or in powder, but not further prepared</b>						
0712 20	Onions	x					
0712 31	Mushrooms of the genus <i>Agaricus</i>	x					
0712 32	Wood ears ( <i>Auricularia</i> spp.)	x					
0712 33	Jelly fungi ( <i>Tremella</i> spp.)	x					
0712 39	Other mushrooms; truffles	x					
0712 90 05	Potatoes, whether or not cut or sliced, but not further prepared	x					
0712 90 19	Sweet corn						1,81
0712 90 30	Tomatoes	x					
0712 90 50	Carrots	x					
ex 0712 90 90	Other dried vegetables and mixtures of vegetables, excluding olives	x					
0713	<b>Dried leguminous vegetables etc.</b>	x					
0714	<b>Manioc, arrowroot, salep, jerusalem etc.</b>						
0714 10 10	Pellets of manioc flour and meal						8,38
0714 10 91	Manioc, fresh and whole or without skin and frozen, whether or not sliced, for human consumption, in packings =< 28 kg	x					
0714 10 99	Other manioc						6,19
0714 20	Sweet potatoes, fresh, whole, for human consumption	x					
0714 90 11	Arrowroot, salep and similar roots and tubers with high starch content, either fresh and whole or without skin and frozen, whether or not sliced, for human consumption, in packings =< 28 kg	x					
0714 90 19	Other arrow root	x					
	Other salep and similar roots and tubers with high starch content						6,19
0714 90 90	Other roots and tubers	x					
0802	<b>Other nuts, fresh or dried, whether or not shelled or peeled</b>						

CN code 2002	Description	C	D	E	F	G	H
0802 11 90	Almonds in shell (excluding bitter)		x				
0802 12 90	Almonds, shelled (excluding bitter)		x				
0802 21 00	Hazelnuts in shell		x				
0802 22 00	Hazelnuts, shelled		x				
0802 31 00	Walnuts in shell	x					
0802 32 00	Walnuts, shelled	x					
0802 40 00	Chestnuts		x				
0802 50 00	Pistachios	x					
0802 90	Other nuts	x					
0803	<b>Bananas, including plantains, fresh or dried</b>						
0803 00 11	Plantains, fresh	x					
0803 00 90	Dried	x					
0804	<b>Dates, figs, pineapples, etc., fresh or dried</b>						
0804 10	Dates	x					
ex 0804 20 10	Fresh figs from 1 November to 30 April				TC3		
0804 20 90	Dried figs	x					
0804 30	Pineapples	x					
0804 40	Avocados	x					
0805	<b>Citrus fruit fresh or dried</b>						
0805 10	Oranges						80 % <sup>(1)</sup>
	from 15 May to 30 September				Rq 1	b	
0805 20	Mandarins						80 % <sup>(1)</sup>
	from 15 May to 30 September				Rq 2	b	
0805 40	Grapefruit	x					
0805 50 90	Limes	x					
0805 90	Other citrus fruit	x					
0806	<b>Grapes, fresh or dried</b>						
ex 0806 10 10	Seedless table grapes, fresh (other than of the Emperor variety)						
	from 1 December to 31 January				Q14		
	from 1 February to 31 march				Rq3	b	
0806 20	Dried	x					
0807	<b>Melons, (incl watermelons) and papaws, fresh</b>	x					
0808	<b>Apples, pears and quinces, fresh</b>						
0808 10	Apples				Q15	e	

CN code 2002	Description	C	D	E	F	G	H
0808 20 10	Perry pears, in bulk, from 1 August to 31 December				Q16	e	
0808 20 50	Other pears				Q16	e	
0808 20 90	Quinces		x				
0809	<b>Apricots, cherries, peaches (including nectarines), plums and sloes, fresh</b>						
0809 10	Apricots, from 1 May to 31 August						15 % <sup>(1)</sup>
	from 1 September to 30 April	x					
ex 0809 20 05	Cherries from 1 November to 31 March	x					
0809 30	Peaches, including Nectarines, from 1 April to 30 November						15 % <sup>(1)</sup>
	Peaches, including Nectarines, from 1 December to 31 March	x					
0809 40 05	Plums, from 1 April to 14 December						15 % <sup>(1)</sup>
	Plums, from 15 December to 31 March	x					
0809 40 90	Sloes	x					
0810	<b>Other fruit, fresh</b>						
0810 10 00	Strawberries from 1 November to end February				Q17	e	
0810 20	Raspberries, blackberries, mulberries and loganberries		x				
0810 30	Black-, white- or redcurrants and gooseberries		x				
0810 40 30	Fruit of species <i>Vaccinium myrtillus</i>	x					
0810 40 50	Fruit of species <i>Vaccinium macrocarpum</i> and <i>Vaccinium corymbosum</i>						
0810 40 90	Other fruits of genus <i>Vaccinium</i>						
0810 60 00	Durians	x					
0810 90	Other fresh fruit	x					
0811	<b>Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen etc.</b>						
0811 10 11	Strawberries with a sugar content exceeding 13 % by weight			x			
0811 10 19	Other strawberries containing sugar or other sweetening matters	x					
0811 10 90	Strawberries not containing sugar or other sweetening matter	x					
0811 20 11	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, with a sugar content exceeding 13 % by weight			x			
0811 20 19	Other raspberries, blackberries etc., containing sugar or other sweetening matter	x					

CN code 2002	Description	C	D	E	F	G	H
0811 20 31	Raspberries, not containing sugar or other sweetening matter	x					
0811 20 39	Blackcurrants, not containing sugar or other sweetening matter	x					
0811 20 51	Redcurrants, not containing sugar or other sweetening matter	x					
0811 20 59	Blackberries and mulberries, not containing sugar or other sweetening matter	x					
0811 20 90	Loganberries, white currants and gooseberries, not containing sugar or other sweetening matter	x					
0811 90 11	Other, with a sugar content exceeding 13 % by weight			x			
0811 90 19				x			
0811 90 31	Other	x					
0811 90 39		x					
0811 90 50		x					
0811 90 70		x					
0811 90 75		x					
0811 90 80		x					
0811 90 85		x					
0811 90 95		x					
0812	<b>Fruits and nuts provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption</b>	x					
0813	<b>Fruit, dried, other than that of heading 0801 to 0806; mixtures of nuts or dried fruits of this chapter</b>	x					
0814	<b>Peel of citrus fruit or melons, etc.</b>	x					
Chapter 9	<b>Coffee, tea, mate and spices</b>	x					
1001	<b>Wheat and meslin</b>						
1001 10	Durum wheat				Q10	e	
1001 90 10	Spelt for sowing	x					
1001 90 91	Common wheat and meslin seed				Q10	e	
1001 90 99	Spelt, common wheat and meslin (excluding seed)				Q10	e	
1002	<b>Rye</b>				Q10	e	
1003	<b>Barley</b>				Q10	e	
1004	<b>Oats</b>				Q10	e	
1005	<b>Maize (corn)</b>						
1005 10 90	Maize seed (excluding hybrid)						1,81
1005 90	Maize (excluding seed)						1,81

CN code 2002	Description	C	D	E	F	G	H
1006	Rice						
1006 10 10	Rice in the husk for sowing	x					
1006 10 21	Round grain rice in the husk, parboiled				Q11		
1006 10 23	Medium grain rice in the husk, parboiled				Q11		
1006 10 25	long grain rice in the husk, length/width ratio > 2 but < 3, parboiled				Q11		
1006 10 27	long grain rice in the husk, length/width ratio >=3, parboiled				Q11		
1006 10 92	Other round grain rice in the husk				Q11		
1006 10 94	Other medium grain rice in the husk				Q11		
1006 10 96	Other long grain rice in the husk, length/width ratio > 2 but < 3				Q11		
1006 10 98	Other long grain rice in the husk, length/width ratio >=3,				Q11		
1006 20	Husked (brown) rice				Q11		
1006 30	Semi-milled or wholly milled rice				Q11		
1006 40	Broken rice				Q12		
1007	<b>Grain sorghum</b>				TC 1	a	
1008	<b>Buckwheat, millet, canary seed; other cereals</b>						
1008 10 00	Buckwheat				Q10	e	
1008 20 00	Millet				TC 2	a	
1008 90	Other cereals				Q 10	e	
1101	<b>Wheat or meslin flour</b>		x				
1102	<b>Cereals flours, other than of wheat or meslin</b>						
1102 10	Rye flour		x				
1102 20 10	Maize flour, with fat content of <= 1,5% by weight						7,3
1102 20 90	Maize flour, with fat content of > 1,5% by weight						3,6
1102 30 00	Rice flour						3,6
1102 90 10	Barley flour						7,3
1102 90 30	Oat flour						7,3
1102 90 90	Other cereal flours						3,6

CN code 2002	Description	C	D	E	F	G	H
1103	<b>Cereals groats, meal and pellets</b>						
1103 11	Wheat groats and meal		x				
1103 13 10	Groats and meal of maize, 'corn', with a fat content, by weight, of = < 1,5%						7,3
1103 13 90	Groats and meal of maize, 'corn', with a fat content, by weight, of > 1,5%						3,6
1103 19 10	Rye groats and meal						7,3
1103 19 30	Barley groats and meal						7,3
1103 19 40	Groats and meal of oats						7,3
1103 19 50	Rice groats and meal						3,6
1103 19 90	Groats and meal of other cereals						3,6
1103 20 10	Rye pellets						7,3
1103 20 20	Barley pellets						7,3
1103 20 30	Pellets of oats						7,3
1103 20 40	Maize pellets						7,3
1103 20 50	Rice pellets						3,6
1103 20 60	Wheat pellets						7,3
1103 20 90	Pellets of other cereals						3,6
1104	<b>Cereal grains otherwise worked etc</b>						
1104 12 10	Rolled grains of oats						3,6
1104 12 90	Flaked grains of oats						7,3
1104 19 10	Rolled or flaked grains of wheat						7,3
1104 19 30	Rolled or flaked grains of rye						7,3
1104 19 50	Rolled or flaked grains of maize						7,3
1104 19 61	Rolled grains of barley						3,6
1104 19 69	Flaked grains of barley						7,3
1104 19 91	Flaked rice						7,3
1104 19 99	Other rolled or flaked grains						7,3
1104 22	Other worked grains of oats						3,6
1104 23	Other worked grains of maize (corn)						3,6
1104 29	Pearled barley grains						7,3 3,6
1104 30	Other worked grains of other cereals						7,3
1105	<b>Germ of cereals, whole, rolled, flaked or ground</b>	x					
1106	<b>Flour, meal, powder, flakes, granules and pellets of potatoes</b>						

CN code 2002	Description	C	D	E	F	G	H
1106 10	Flour, meal, and powder of the dried leguminous vegetables etc.	x					
1106 20 10	Of dried leguminous vegetables of heading 0713						7,98
	Of sago or of roots and tubers of heading 0714, denatured, excluding arrowroot	x					
1106 20 90	Of arrowroot, denatured						29,18
	Of sago and of roots and tubers of heading 0714, other than denatured, excluding arrowroot	x					
1106 30	Of arrowroot, other than denatured	x					
1108	<b>Of the products of Chapter 8</b>						
1108 11	Starches; inulin						24,8
1108 12	Wheat starch						24,8
1108 13	Maize starch						24,8
1108 14	Potato starch						
1108 19 10	Manioc starch <sup>(2)</sup>						37,2
1108 19 90	Rice starch	x					
	Of arrowroot						
1108 20	Other starches (excluding arrowroot) <sup>(2)</sup>	x					
1109	<b>Inulin</b>						219
1208	Wheat gluten, whether or not dried						
1208 10	Flours and meal of oil seeds or oleaginous fruits	x					
1209	<b>Of soy bean</b>	x					
1210	<b>Seeds fruit and spores, of a kind used for sowing</b>	x					
1211		x					
1212	<b>Hop cones, fresh or dried whether or not ground, powdered or in the form of pellets</b>						
1212 10	Plants and parts of plants (including seeds and fruits) etc., fresh or dried, whether or not cut, crushed or powdered	x					
1212 91	Locust beans, seaweeds etc., fresh, chilled, frozen or dried, whether or not ground, etc.		x			c	
1212 99 20	Locust beans		x			c	
1214 90 10	Sugar beet	x					
Chapter 13	<b>Sugar cane</b>	x					
1501	Mangolds, swedes and other fodder roots		x				
1502	Lacs, gums, resins and other vegetable saps and extract	x					

CN code 2002	Description	C	D	E	F	G	H
1503	Pig fat (including lard) and poultry fat	x					
1504	Fats of bovine animals, sheep or goats, other than those of heading 1503	x					
1505	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	x					
1506	Fats and oils and their fractions of fish or marine mammals, whether or not refined, but not chemically modified	x					
1507	Wool grease and fatty substances therefrom	x					
1508	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	x					
1511	Soya-bean oil and its fraction whether or not refined	x					
1512	Ground-nut oil and its fraction, whether or not refined, but not chemically modified	x					
1513	Palm oil and its fractions, whether or not refined, but not chemically modified	x					
1514	Sunflower-seed, safflower or cotton-seed oil and fractions thereof	x					
1515	Coconut, palm kernel or babassu oil and fractions thereof	x					
1516	Rape, colza or mustard oil and fractions thereof	x					
1517 10 10	Other fixed vegetable fats and oils and their fractions			x			
1517 10 90	Animal or vegetable fats, oils and their fractions	x					
1517 90 10	Margarine, excluding liquid margarine, containing more than 10 % but not more than 15 % by weight of milk fats			x			
1517 90 91	Other margarine (excluding liquid margarine)	x					
1517 90 93		x					
1517 90 99		x					
1518	<b>Liquid margarine and edible mixtures, containing more than 10 % but not more than 15 % by weight of milk fats</b>	x					
1521	<b>Other</b>	x					
1522 00 10	Animal or vegetable fats and oils and their fractions	x					
1522 00 91	Vegetable waxes (excluding triglycerides)	x					



CN code 2002	Description	C	D	E	F	G	H
1601	Degras				Q 8		
1602	Oil foots and dregs; soapstocks						
1602 10	Sausages and similar products, of meat, offal or blood, preparations based on these products		x				
1602 20 11	Other prepared or preserved meat, meat offal or blood	x					
1602 20 19	Homogenised preparations	x					
1602 20 90	Of goose or duck liver containing $\geq 75$ % by weight of fatty livers		x				
1602 31	Other, of goose or duck liver				Q 4		
1602 32	Of liver of other animals				Q 4		
1602 39	Other, of turkey				Q 4		
1602 41 10	Other, of fowls of the species gallus domesticus		x				
1602 41 90	Of other poultry of heading 0105	x					
1602 42 10	Hams and cuts thereof, of domestic swine		x				
1602 42 90	Hams and cuts thereof, of other swine	x					
1602 49	Shoulders and cuts thereof, of domestic swine		x				
1602 50 10	Shoulders and cuts thereof, of other swine				Q18	d	
1602 50 31	Other including mixtures	x					
1602 50 39	Of bovine animals, uncooked, including mixtures of cooked meat or offal and uncooked meat or offal	x					
1602 50 80	Corned beef, in airtight containers	x					
1602 90	Other meat or offal of bovine animals, in airtight containers						
1602 90 10			x				
1602 90 31		x					
1602 90 41		x					
1602 90 51			x				
1602 90 61					Q18	d	
1602 90 69		x					
1602 90 72		x					
1602 90 74		x					
1602 90 76		x					
1602 90 78		x					
1602 90 98		x					

CN code 2002	Description	C	D	E	F	G	H
1603	<b>Other meat or offal of bovine animals</b>	x					
1604	<b>Other, including preparations of blood of any animal</b>	x					
1605	<b>Extracts and juices of meat, fish, crustaceans, molluscs and other aquatic invertebrates</b>	x					
1702	<b>Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs</b>						
1702 11	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved		x				
1702 19 00	Other sugars, maltose etc. in solid form; sugar syrups not containing added flavouring or colouring matter etc.		x				
1702 20	Lactose and lactose syrup, containing by weight $\geq 99$ % lactose, expressed as anhydrous lactose, calculated on the dry matter		x			c	
1702 30	Other lactose and lactose syrup,						
1702 30 10			x			c	
1702 30 51							117
1702 30 59							81
1702 30 91							117
1702 30 99							81
1702 40 10	Maple sugar and maple syrup,		x			c	
1702 40 90	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose						81
1702 50	Isoglucose containing, in the dry state, $\geq 20$ % and $< 50$ % by weight of fructose	x					
1702 60	Glucose and glucose syrup containing, in the dry state, $\geq 20$ % and $< 50$ % by weight of fructose		x			c	
1702 90 10	Chemically pure fructose	x					
1702 90 30	Other fructose and fructose syrup, containing, in the dry state, $> 50$ % by weight of fructose (excluding invert sugar)		x			c	
1702 90 50	Chemically pure maltose						81
1702 90 60	Isoglucose		x			c	
1702 90 71	Maltodextrine and maltodextrine syrup		x			c	
1702 90 75	Artificial honey, whether or not mixed with natural honey						117
1702 90 79	Caramel, containing, in the dry state, $\geq 50$ % by weight of sucrose						81

CN code 2002	Description	C	D	E	F	G	H
1702 90 80	Caramel, containing, in the dry state, < 50 % by weight of sucrose, in powder form, whether or not agglomerated		x			c	
1702 90 99	Other caramel, containing, in the dry state, < 50 % by weight of sucrose		x			c	
1703	<b>Inulin syrup, containing in the dry state 50 % by weight of fructose</b>				Q 9	e	
1704	<b>Other sugars, including invert sugar</b>						
1704 10	Molasses resulting from the extraction or refining of sugar			x			
1704 90 10	Sugar confectionery, not containing cocoa	x					
1704 90 30	Chewing gum, whether or not sugar coated	x					
1704 90 51	Liquorice extract containing >>10 % sucrose, without other added substances			x			
1704 90 55	White chocolate			x			
1704 90 61	Pastes, including marzipan, in immediate packings >= 1 kg			x			
1704 90 65	Throat pastilles and cough drops			x			
1704 90 71	Sugar coated 'panned' goods			x			
1704 90 75	Gum and jelly confectionery, including fruit pastes in the form of sugar confectionery			x			
1704 90 81	Boiled sweets			x			
1704 90 99	Toffees, caramels and similar sweets			x			
1803	<b>Compressed tablets</b>	x					
1804	<b>Other</b>	x					
1805	<b>Cocoa paste (excluding defatted)</b>	x					
1806	<b>Cocoa butter, fat and oil</b>						
1806 10 15	Cocoa powder, not containing added sugar or other sweetening matter	x					
1806 10 20	Chocolate and other food preparations containing cocoa			x			
1806 10 30	Cocoa powder, containing added sugar or other sweetening matter but containing no sucrose or containing less than 5 % by weight of sucrose, including Inverted sugar expressed as sucrose or isoglucose expressed as sucrose			x			
1806 10 90	Cocoa powder, containing added sugar or other sweetening matter, containing 5 % or more but less than 65 % by weight of sucrose			x			

CN code 2002	Description	C	D	E	F	G	H
1806 20	Cocoa powder, powder, containing added sugar or other sweetening matter, containing $\geq 65$ % but $< 80$ % sucrose, including inverted sugar expressed as sucrose or isoglucose expressed as sucrose	x					
1806 31	Cocoa powder, powder, containing added sugar or other sweetening matter, containing $\geq 80$ % sucrose, including Inverted sugar expressed as sucrose or isoglucose expressed as sucrose	x					
1806 32	Other preparations, in blocks, slabs or bars weighing more than 2 kg	x					
1806 90 11	Other preparations, filled, in blocks, slabs or bars of $\leq 2$ kg	x					
1806 90 19	Other preparations, not filled	x					
1806 90 31	Chocolates, whether or not filled, containing alcohol	x					
1806 90 39	Chocolates, whether or not filled, not containing alcohol	x					
1806 90 50	Other chocolate and chocolate products, filled	x					
1806 90 60	Other chocolate and chocolate products, not filled			x			
1806 90 70	Sugar confectionery and substitutes therefor, containing cocoa			x			
1806 90 90	Spreads containing cocoa			x			
1901	Preparations containing cocoa, for making beverages						
1901 10 00	Other chocolate and food preparations containing cocoa			x			
1901 20 00	Malt extract, food preparations of flour etc.			x			
1901 90 11	Preparations for infant use, retail sale <sup>(3)</sup>			x			
1901 90 19	Mixes and doughs for the preparation of bakers' wares of heading 1905 <sup>(3)</sup>			x			
1901 90 91	Malt extract with a dry extract content of $\geq 90$ %	x					
1901 90 99	Malt extract with a dry extract content of $< 90$ %			x			
1902	Containing no milkfats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 5 % sucrose, isoglucose, glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404						
1902 11 00	Other <sup>(3)</sup>			x			
1902 19	Pasta, whether or not cooked or stuffed, etc.			x			
1902 20 10	Uncooked pasta, not stuffed or otherwise prepared, containing eggs	x					

CN code 2002	Description	C	D	E	F	G	H
1902 20 30	Other uncooked pasta, neither stuffed nor otherwise prepared		x				
1902 20 91	Stuffed pasta, whether or not cooked or otherwise prepared, containing > 20 % fish, crustaceans, or other aquatic invertebrates			x			
1902 20 99	Stuffed pasta, whether or not cooked or otherwise prepared, containing > 20 % sausages and the like, meat, offal and fats of any kind			x			
1902 30	Cooked pasta, stuffed			x			
1902 40	Pasta, otherwise prepared, stuffed			x			
1903	<b>Other pasta</b>	x					
1904	<b>Couscous</b>			x			
1905	<b>Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms</b>						
1905 10	Prepared foods obtained by swelling or roasting cereals or cereal products based on maize			x			
1905 20	Bread, pastry, cakes etc.			x			
1905 31	Crispbread	x					
1905 32	Gingerbread and the like, whether or not containing cocoa, containing < 30 % sucrose, including invert sugar expressed as sucrose			x			
1905 40	Sweet biscuits			x			
1905 90	Waffles and wafers			x			
2001 10	Rusk, toasted bread and similar toasted products	x					
2001 90 20	Other	x					
2001 90 30	Cucumbers and gherkins			x			
2001 90 40	Fruit of genus <i>Capsicum</i> (excluding sweet peppers and pimentos)			x			
2001 90 50	Sweetcorn ' <i>zea mays</i> var. <i>saccharata</i> '	x					
2001 90 60	Yams, sweet potatoes and similar parts of plants containing >= 5 % starch	x					
2001 90 65	Mushrooms	x					
2001 90 70	Palm hearts	x					
2001 90 75	Olives	x					
2001 90 85	Sweet peppers	x					
2001 90 91	Salad beetroot ' <i>beta vulgaris</i> var. <i>conditiva</i> '	x					
2001 90 93	Red cabbages	x					

CN code 2002	Description	C	D	E	F	G	H
ex 2001 90 96	Tropical fruit and tropical nuts	x					
2002	<b>Onions</b>	x					
2003	<b>Vegetables, fruit, nuts and other edible parts of plants, except vine leaves</b>	x					
2004	<b>Tomatoes prepared or preserved otherwise than by vinegar or acetic acid</b>						
2004 10 10	<b>Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid</b>	x					
2004 10 91	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than of heading 2006			x			
2004 10 99	Cooked potatoes	x					
2004 90 10	Potatoes, in the form of flour, meal or flakes			x			
ex 2004 90 30	Other potatoes	x					
2004 90 50	Sweet corn ' <i>zea mays</i> var. <i>zaccharata</i> '	x					
2004 90 91	Sauerkraut and capers, except olives	x					
2004 90 98	Peas and immature beans	x					
2005	Cooked onions, not otherwise prepared						
2005 10	Other vegetables	x					
2005 20 10	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen			x			
2005 20 20	Homogenised		x				
2005 20 80	Potatoes in the form of flour, meal or flakes		x				
2005 40	Potatoes, thinly sliced, cooked in fat or oil, whether or not salted or flavoured, in airtight packings, suitable for direct consumption	x					
2005 51	Other potatoes	x					
2005 59	Peas <i>pisum sativum</i>	x					
2005 60	Shelled beans <i>vigna</i> spp., <i>phaseolus</i> spp.	x					
2005 70	Other beans <i>vigna</i> spp., <i>phaseolus</i> spp.	x					
2005 80	Asparagus			x			
2005 90	Olives	x					

CN code 2002	Description	C	D	E	F	G	H
2006 00	<b>Sweet corn</b> 'zea mays var. saccharata'						
2006 00 31				X			
2006 00 35				X			
2006 00 38				X			
2006 00 91		X					
2006 00 99		X					
2007	<b>Other vegetables and mixtures of vegetables</b>						
2007 10	<b>Vegetables, fruit, nuts, fruit peel and other parts of plants, preserved by sugar (drained, glacé or crystallised)</b>						
2007 10 10		X					
2007 10 91		X					
2007 10 99		X					
2007 91	Jams, fruit, jellies, marmelades etc.						
2007 91 10				X			
2007 91 30				X			
2007 91 90		X					
2007 99	Homogenised preparations						
2007 99 10		X					
2007 99 20		X					
2007 99 31		X					
2007 99 33		X					
2007 99 35		X					
2007 99 39		X					
2007 99 51		X					
2007 99 55		X					
2007 99 58		X					
2007 99 91		X					
2007 99 93		X					
2007 99 98		X					
2008	<b>Of citrus fruit</b>						

CN code 2002	Description	C	D	E	F	G	H
2008 11	Other	x					
2008 19	Fruit, nuts and other edible parts of plants etc.	x					
2008 20	Ground nuts	x					
2008 30 11	Other nuts and other seeds, including mixtures	x					
2008 30 19	Pineapples	x					
	Citrus fruit, with a sugar content exceeding 9 % by weight, of an actual alcoholic strenght by mass not exceeding 11,85 % mas			x			
2008 30 31		x					
2008 30 39		x					
2008 30 51		x					
2008 30 55		x					
2008 30 59		x					
2008 30 71		x					
2008 30 75		x					
2008 30 79		x					
2008 30 90		x					
2008 40	Grapefruit segments	x					
2008 50	<b>Other</b>			x			
2008 60	<b>Pears</b>			x			
2008 70	<b>Apricots</b>			x			
2008 80	Cherries	x					
2008 91	Peaches, including nectarines	x					
2008 92	<b>Strawberries</b>	x					
2008 99	<b>Palm heart</b>						
2008 99 11		x					
2008 99 19		x					
2008 99 21		x					
2008 99 23		x					
2008 99 25		x					
2008 99 26		x					
2008 99 28		x					
2008 99 32		x					



CN code 2002	Description	C	D	E	F	G	H
2008 99 33	Other			x			
2008 99 34				x			
2008 99 36		x					
2008 99 37		x					
2008 99 38		x					
2008 99 40		x					
2008 99 43		x					
2008 99 45		x					
2008 99 46		x					
2008 99 47		x					
2008 99 49		x					
2008 99 53		x					
2008 99 55		x					
2008 99 61		x					
2008 99 62		x					
2008 99 68		x					
2008 99 72		x					
2008 99 78		x					
2008 99 85		x					
2008 99 91				x			
ex 2008 99 99	<b>Other</b>	x					
2009 11	<b>Other</b>			x			
2009 12 00	Mangoes, mangosteens, papaws, cashew apples, lychees, jackfruit, sapodillo plums, tamarinds, carambola and pitahaya	x					
2009 19	<b>Other, except vine leaves</b>			x			
2009 21 00	Orange juice, frozen	x					
2009 29	Orange, not frozen, of a brix value not exceeding 20	x					
2009 31	Other	x					
2009 39	Grapefruit juice of a brix value not exceeding 20			x			
2009 41	Other	x					
2009 49	Juice of any other single citrus fruit, of a brix value not exceeding 20	x					
2009 50	Other	x					

CN code 2002	Description	C	D	E	F	G	H
2009 61	Pineapple juice of a brix value not exceeding 20	x					
2009 69	Other	x					
2009 71 10	Tomato juice	x					
2009 71 91		x					
2009 71 99		x					
2009 79	Grape juice, of a brix value not exceeding 20			x			
2009 80	Other						
2009 80 11				x			
2009 80 19		x					
2009 80 32		x					
2009 80 33				x			
2009 80 35				x			
2009 80 36		x					
2009 80 38		x					
2009 80 50		x					
2009 80 61				x			
2009 80 63		x					
2009 80 69		x					
2009 80 71		x					
2009 80 73		x					
2009 80 79		x					
2009 80 83		x					
2009 80 84				x			
2009 80 86				x			
2009 80 88		x					
2009 80 89		x					
2009 80 95		x					
2009 80 96		x					
2009 80 97		x					
2009 80 99		x					
2009 90 11	Apple juice, of a brix value not exceeding 20			x			
2009 90 19		x					

CN code 2002	Description	C	D	E	F	G	H
2009 90 21	Other			x			
2009 90 29		x					
2009 90 31				x			
2009 90 39		x					
2009 90 41		x					
2009 90 49		x					
2009 90 51		x					
2009 90 59		x					
2009 90 71				x			
2009 90 73		x					
2009 90 79		x					
2009 90 92	Juice of any other single fruit or vegetable	x					
2009 90 94	Mixtures of juice			x			
2009 90 95		x					
2009 90 96		x					
2009 90 97		x					
2009 90 98		x					
2101 11	Other mixtures	x					
2101 12	Mixtures of juices of tropical fruit	x					
2101 20	Other	x					
2101 30 11	Extracts, essences and concentrates of coffee	x					
2101 30 19	Preparations with a basis of extracts, essences and concentrates of coffee			x			
2101 30 91	Extracts, essences and concentrates of tea or mate	x					
2101 30 99	Roasted chicory			x			
2102	Other roasted coffee substitutes						
2102 10 10	Extracts, essences and concentrates of roasted chicory	x					
2102 10 31	Extracts, essences and concentrates of other roasted coffee substitutes			x			
2102 10 39	Yeasts (active or inactive)			x			
2102 10 90	Culture yeasts	x					
2102 20	Dried bakers' yeast	x					

CN code 2002	Description	C	D	E	F	G	H
2102 30	Other bakers' yeast	x					
2103	<b>Other active yeasts</b>	x					
2104	<b>Inactive yeasts; other single cell micro organisms, dead:</b>	x					
2105	<b>Prepared baking powders</b>			x			
2106	<b>Sauces and preparations thereof etc.</b>						
2106 10	Soups and broths and preparations therefor			x			
2106 90	Ice cream and other edible ice, whether or not containing cocoa						
2106 90 20		x					
2106 90 30			x			c	
2106 90 51			x				
2106 90 55							81
2106 90 59			x			c	
2106 90 92		x					
2106 90 98				x			
2201	Food preparations not elsewhere specified or included	x					
2202	Protein concentrates and textured protein substances, containing 1,5 % or more milk fats, 5 % or more sucrose or isoglucose, 5 % or more glucose or starch						
2202 10	Other	x					
2202 90	<b>Waters, including natural or artificial mineral waters, not containing added sugar or other sweetening matter nor flavoured</b>						
2202 90 10		x					
2202 90 91				x			
2202 90 95				x			
2202 90 99				x			
2203	<b>Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages</b>	x					
2204	<b>waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured</b>						
2204 30 92	Other waters and non alcoholic beverages	x					
2204 30 94	Beer made from malt	x					
2204 30 96	Wine of fresh grapes etc.	x					

CN code 2002	Description	C	D	E	F	G	H
2204 30 98	Other grape must, of a density of 1,33 g/cm <sup>3</sup> or less, concentrated	x					
2205	<b>Other</b>	x					
2206 00 31	Other grape must, of a density more than 1,33 g/cm <sup>3</sup> concentrated	x					
2206 00 39	Other	x					
2206 00 51		x					
2206 00 59		x					
2206 00 81		x					
2206 00 89		x					
2207	<b>Vermouth and other wine of fresh grapes</b>	x					
2208	<b>Cider and perry</b>	x					
2209	<b>Other</b>						
2209 00 91	Undenatured ethyl alcohol of an alcoholic strength by volume $\geq 80$ % vol	x					
2209 00 99	Undenatured ethyl alcohol of an alcoholic strength by volume $< 80$ % vol	x					
Chapter 23	<b>Vinegar and substitutes for vinegar obtained from acetic acid</b>						
2302 10	Vinegar substitutes, in containers holding $\leq 2$ l						7,2
2302 20	Vinegar substitutes, in containers holding $> 2$ l						7,2
2302 30	Residues and waste from the fodder industries etc.						7,2
2302 40	Bran, sharps and other residues of maize						7,2
2302 50	Bran, sharps and other residues of rice	x					
2303	<b>Bran, sharps and other residues of wheat</b>						
2303 10 11	Bran, sharps and other residues of other cereals						219
2308 00 90	Bran, sharps and other residues of leguminous plants	x					

CN code 2002	Description	C	D	E	F	G	H
2309 10	<b>Residues of starch manufacture and similar residues</b>						
2309 10 13							10,9
2309 10 15			x				
2309 10 19			x				
2309 10 33							10,9
2309 10 39			x				
2309 10 51							10,9
2309 10 53							10,9
2309 10 59			x				
2309 10 70			x				
2309 10 90		x					
2309 90	Residues from the manufacture of starch from maize, of a protein content exceeding 40 % by weight						
2309 90 10		x					
2309 90 31							10,9
2309 90 33							10,9
2309 90 35			x				
2309 90 39			x				
2309 90 41							10,9
2309 90 43							10,9
2309 90 49			x				
2309 90 51							10,9
2309 90 53							10,9
2309 90 59			x				
2309 90 70			x				
2309 90 91		x					
Chapter 24	<b>Other vegetable materials and vegetable waste</b>	x					
Chapter 29	<b>Dog or cat food, put up for retail sale</b>						
2905	<b>Other preparations of a kind used in animal feeding</b>			x			

CN code 2002	Description	C	D	E	F	G	H
Chapter 33	<b>Tobacco and manufactured tobacco substitutes</b>						
3301	<b>Organic chemicals</b>	x					
3302	<b>Acyclic alcohols and their halogenated sulphonated, nitrated or nitro-sated derivatives</b>						
3302 10 29	Essential oils and resinoids etc.	x					
	<b>Essential oils and resinoids etc.</b>						
3501	<b>Mixtures of odoriferous substances</b>	x					
3503		x					
3504		x					
3505							
3505 10 10				x			
3505 10 50		x					
3505 10 90				x			
3505 20				x			
3809 10				x			
3824							
3824 60				x			
		x					
		x					

(<sup>1</sup>) Only reduction of *ad valorem* duty.

(<sup>2</sup>) Reduction by 50 % and then by EUR 24,8/t.

(<sup>3</sup>) Only exemption from EA (agricultural element) whether or not containing less than 1,5 % by weight of milk fat, with a starch or flour content of 50 % or over but of less than 75 % by weight.

## ANNEX II

**Specific arrangement regarding products in Annex I**

Column Q: order numbers for certain tariff ceilings, tariff quotas and reference quantities.

Column R: the acronym refers to products, which are marked in column F of Annex I and subject to a tariff quota, a tariff ceiling or a reference quantity. Example: Rq 1: Reference quantity 1, TC 2: Tariff ceiling 2, Q14: Quota 14.

Column S: the limit of the tariff quotas, tariff ceilings or reference quantities in tonnes net weight.

Column T: description of the product concerned by the tariff quotas, tariff ceilings or reference quantities.

Column U: specifies rules applying within the tariff quotas, tariff ceilings or reference quantities.

Q	R	S	T	U
	Q1	100	Live, and meat of, sheep and goats	Reduction by 100 % of specific duties
	Q2	500	Meat of sheep	Reduction by 65 % of specific duties
	Q3	400	Poultrymeat	Reduction by 65 % of customs duties
	Q4	500	Prepared poultrymeat	Reduction by 65 % of customs duties
	Q5	1 000	Milk and cream	Reduction by 65 % of customs duties
	Q6	1 000	Cheese and curd	Reduction by 65 % of customs duties
	Q7	500	Pig meat	Reduction by 50 % of customs duties
	Q8	500	Prepared pig meat	Reduction by 65 % of customs duties
09.1631	Q9 <sup>(5)</sup>	600 000	Molasses	Reduction by 100 % of customs duties
09.1633	Q10 <sup>(5)</sup>	15 000	Wheat, meslin and certain other cereals	Reduction by 50 % of customs duties
	Q11 <sup>(1)</sup> <sup>(3)</sup>	125 000	Husked rice	Reduction of customs duties by 65 % and by EUR 4,34/t (products of CN code 1006 30 shall be reduced by EUR 16,78/t then by 65 % and by EUR 6,52/t)
	Q12 <sup>(3)</sup>	20 000	Broken rice	Reduction by 65 % and by EUR 3,62/t
09.1601	Q13a	2 000	Tomatoes other than cherry tomatoes	Reduction by 60 % of <i>ad valorem</i> duties from 15 November to 30 April
09.1613	Q13b	2 000	Cherry tomatoes	Reduction by 100 % of <i>ad valorem</i> duties from 15 November to 30 April
	Q14	800	Seedless table grapes	Exemption within quota from 1 December to 31 January
09.1610	Q15 <sup>(5)</sup>	1 000	Apples	Reduction by 50 % of <i>ad valorem</i> duties
09.1612	Q16 <sup>(5)</sup>	2 000	Pears	Reduction by 65 % of <i>ad valorem</i> duties



Q	R	S	T	U
09.1603	Q17	1 600	Strawberries	Exemption within quota from 1 November to end February
	Q18 <sup>(2)</sup>	52 100	Boneless meat	Specific duties shall be reduced by 92 % <sup>(4)</sup>
12.0201	TC 1 <sup>(3)</sup>	100 000	Sorghum	Reduction of customs duties by 60 %
12.0203	TC 2 <sup>(3)</sup>	60 000	Millet	Reduction of customs duties by 100 %
26.0010	TC 3	200	Fresh figs	Exemption from 1 November to 30 April
12.0105	Rq 1	25 000	Oranges	Reduction by 100 % of <i>ad valorem</i> customs duties between 15 May to 30 September
12.0115	Rq 2	4 000	Mandarins	Reduction by 100 % of <i>ad valorem</i> customs duties between 15 May to 30 September
12.0120	Rq 3	100	Seedless table grapes	Exemption from 1 February to 31 March

<sup>(1)</sup> Quantities of rice at other stages of processing than husked rice shall be converted at the rates laid down in Article 1 of Commission Regulation No 467/67/EEC.

<sup>(2)</sup> For countries not subject to the quota, reductions shall apply as stated in column E to Annex I (i.e. *ad valorem* duties reduced by 100 %)

<sup>(3)</sup> The reduction of customs duty shall only apply to imports of which the importer provides proof that an export charge of an amount equivalent to the reduction has been collected by the exporting country.

<sup>(4)</sup> Quota 18 shall apply on a country-by-country basis per calendar year to the following quantities, expressed in boneless meat:

Botswana	18 916
Kenya	142
Madagascar	7 579
Swaziland	3 363
Zimbabwe	9 100
Namibia	13 000

<sup>(5)</sup> The measures apply from 1 January to 31 December unless otherwise indicated.

**COUNCIL REGULATION (EC) No 2287/2002  
of 16 December 2002**

**amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

*Article 1*

Having regard to the proposal from the Commission,

Regulation (EC) No 2505/96 is hereby amended as follows:

Whereas:

1. Article 1(1) is replaced by the following:

(1) On 20 December 1996 the Council adopted Regulation (EC) No 2505/96 <sup>(1)</sup> opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products. Community demand for the products in question should be met under the most favourable conditions. New Community tariff quotas should therefore be opened at reduced or zero rates of duty for appropriate volumes, and extended in the case of certain existing tariff quotas, while avoiding any disturbance to the markets for these products.

‘1. The import duties on the goods listed in Annexes I and III shall be suspended at the indicated duty rate for the periods and in the amounts indicated therein.’

2. The table in Annex I is replaced by the table set out in Annex I to this Regulation.

3. Annex II to this Regulation is added as Annex III.

*Article 2*

(2) It is no longer in the Community's interest to maintain a Community tariff quota on some of the products and those products should therefore be removed from the table in Annex I to Regulation (EC) No 2505/96.

For the quota period from 1 January to 31 December 2002 Annex I to Regulation (EC) No 2505/96 is hereby amended as follows:

— order number 09.2711: the amount of the tariff quota shall be fixed at 375 000 tonnes,

(3) In view of the large number of amendments coming into effect on 1 January 2003 and in order to clarify matters for the user, the table in Annex I to Regulation (EC) No 2505/96 should be replaced by the table in Annex I to this Regulation.

— order number 09.2837: the amount of the tariff quota shall be fixed at 450 tonnes,

— order number 09.2959: the amount of the tariff quota shall be fixed at 77 000 tonnes.

(4) The quota amount for certain autonomous Community tariff quotas is insufficient to meet the needs of the Community industry for the current quota period. Consequently, these quota amounts should be increased with effect from 1 January 2002 or 1 July 2002 depending on the starting date of these quotas and therefore the immediate entry into force of this Regulation should be envisaged.

*Article 3*

For the quota period from 1 July to 31 December 2002 Annex I to Regulation (EC) No 2505/96 is hereby amended as follows:

— order number 09.2902: the amount of the tariff quota shall be fixed at 20 000 units,

(5) Tariff quotas for certain iron and steel products which have been covered by the Treaty establishing the European Coal and Steel Community are subject, from the expiry date of that Treaty, to the Treaty establishing the European Community. A separate Annex, comprising these quotas, has consequently to be added to Regulation (EC) No 2505/96.

— order number 09.2935: the amount of the tariff quota shall be fixed at 70 000 tonnes.

*Article 4*

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

(6) Regulation (EC) No 2505/96 should therefore be amended,

It shall apply from 1 January 2003, except for Article 2 which shall apply from 1 January 2002 and Article 3 which shall apply from 1 July 2002.

<sup>(1)</sup> OJ L 345, 31.12.1996, p. 1. Regulation as last amended by Regulation (EC) No 1824/2002 (OJ L 277, 15.10.2002, p. 1).

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

Done at Brussels, 16 December 2002.

*For the Council*

*The President*

M. FISCHER BOEL

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## ANNEX I

## ANNEX I

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2602	ex 2921 51 19	10	o-phenylenediamine	1 800 tonnes	0	1.1 to 31.12
09.2603	ex 2931 00 95	15	Bis(3-triethoxysilylpropyl) tetrasulfide	2 000 tonnes	0	1.1 to 31.12
09.2604	ex 3905 30 00	10	Poly(vinyl alcohol) partially acetalised with 5-(4-azido-2-sulfobenzylidene)-3-(formylpropyl)-rhodanine, sodium salt	100 tonnes	0	1.1 to 31.12
09.2605	ex 3824 90 99	78	Silver and palladium based chemical dispersion of a kind used for screen coatings, having a content not exceeding 0,4 % by weight of silver and palladium each	80 000 litros	0	1.1 to 31.12
09.2606	ex 3824 90 99	79	Silica sol for use as polishing agent in the manufacture of products falling within subheading 8542 21 01 (a)	1 200 tonnes	0	1.1 to 31.12
09.2607	ex 2922 50 00	60	Fesoterodine (INN) hydrogen fumarte	30 kg	0	1.1 to 31.12
09.2609	ex 2811 22 00	20	Fumed silica for use as a polish agent in the manufacture of products falling within subheading 8542 21 01 (a)	1 000 tonnes	0	1.1 to 31.12
09.2610	ex 2925 20 00	20	(Chloromethylene)dimethylammonium chloride	100 tonnes	0	1.1 to 31.12
09.2611	ex 2826 19 00	10	Calcium fluoride having a total content of aluminium, magnesium and sodium of 0,25 mg/kg or less, in the form of powder	55 tonnes	0	1.1 to 31.12
09.2612	ex 2921 59 90	30	3,3'-dichlorobenzidine dihydrochloride	100 tonnes	3,5	1.1 to 30.6.2003
09.2703	ex 2825 30 00	10	Vanadium oxides and hydroxides, only for the production of alloys (a)	13 000 tonnes	0	1.1 to 31.12
09.2711	ex 7202 41 10 ex 7202 41 91 ex 7202 41 99	10 10 10	Ferro-chromium containing by weight more than 4 % of carbon for the manufacture or as additive of iron or steel of Chapter 72 or for the manufacture of nickel alloys of Chapter 75 of Combined Nomenclature (a)	250 000 tonnes	0	1.1 to 31.12
09.2713	ex 2008 60 19 ex 2008 60 39	10 11/19	Sweet cherries, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (a): — with a sugar content exceeding 9 % by weight — with a sugar content not exceeding 9 % by weight	2 000 tonnes	10 <sup>(1)</sup> 10	1.1 to 31.12

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2719	ex 2008 60 19 ex 2008 60 39	20 20	Sour cherries ( <i>Prunus cerasus</i> ), marinated in alcohol, of a diameter not exceeding 19,9 mm, intended for the manufacture of chocolate products (a): — with a sugar content exceeding 9 % by weight — with a sugar content not exceeding 9 % by weight	2 000 tonnes	10 <sup>(1)</sup> 10	1.1 to 31.12
09.2727	ex 3902 90 90	93	Synthetic poly-alpha-olefin having a viscosity of not less than $38 \times 10^{-6} \text{ m}^2 \text{ s}^{-1}$ (38 centistokes) at 100 °C, measured using the ASTM D 445 method	10 000 tonnes	0	1.1 to 31.12
09.2799	ex 7202 49 90	10	Ferro-chromium containing 1,5 % or more but not more than 4 % by weight of carbon and not more than 70 % by weight of chromium	50 000 tonnes	0	1.1 to 31.12
09.2809	ex 3802 90 00	10	Acid-activated montmorillonite for the manufacture of self-copy paper (a)	10 000 tonnes	0	1.1 to 31.12
09.2829	ex 3824 90 99	19	Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of resin from wood, having the following characteristics: — a resin acid content not exceeding 30 % by weight — an acid number not exceeding 110, and — melting point of not less than 100 °C	1 600 tonnes	0	1.1 to 31.12
09.2837	ex 2903 49 80	10	Bromochloromethane	450 tonnes	0	1.1 to 31.12
09.2841	ex 2712 90 99	10	Blend of 1-alkenes containing 80 % by weight or more of 1-alkenes of a chain-length of 20 and 22 carbon atoms	10 000 tonnes	0	1.1 to 31.12
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals (a) (b)	700 tonnes	0	1.1 to 31.12
09.2851	ex 2907 12 00	10	o-Cresol having a purity of not less than 98,5 % by weight	20 000 tonnes	0	1.1 to 31.12
09.2853	ex 2930 90 70	35	Glutathione	15 tonnes	0	1.1 to 31.12
09.2867	ex 3207 40 80	10	Glass granulate, containing by weight: — 73 % or more but not more than 77 % of silicon dioxide, — 12 % or more but not more than 18 % of diboron trioxide, and — 4 % or more but not more than 8 % of polyethylene glycol	200 tonnes	0	1.1 to 30.6.2003

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2881	ex 3901 90 90	92	Chlorosulphonated polyethylene	6 000 tonnes	0	1.1 to 31.12
09.2882	ex 2908 90 00	20	2,4-Dichloro-3-ethyl-6-nitrophenol, powdered	90 tonnes	0	1.1 to 31.12
09.2889	3805 10 90	—	Sulphate turpentine	20 000 tonnes	0	1.1 to 31.12
09.2890	ex 4819 40 00	10	Sack of paper, printed, having dimensions of 139 mm × 303 mm (± 20 mm), for use in the packaging of microwave-popcorn (a)	66 000 000 units	0	1.1 to 31.12.2003
09.2902	ex 8540 11 15	91	Flat screen colour cathode-ray tube with a screen width/height ratio of 4/3, a diagonal measurement of the screen of 59 cm or more but not exceeding 61 cm and a curvature radius of 50 m or more	13 000 units	7	1.1 to 30.6.2003
09.2904	ex 8540 11 19	95	Flat screen colour cathode-ray tube with a screen width/height ratio of 4/3, a diagonal measurement of the screen of 79 cm or more but not exceeding 81 cm and a curvature radius of 50 m or more	3 600 units	0	1.1 to 30.6.2003
09.2913	ex 2401 10 41 ex 2401 10 49 ex 2401 10 50 ex 2401 10 70 ex 2401 10 90 ex 2401 20 41 ex 2401 20 49 ex 2401 20 50 ex 2401 20 70 ex 2401 20 90	10 10 10 10 10 10 10 10 10 10	Natural unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than EUR 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of products falling within subheading 2402 10 00 (a)	6 000 tonnes	0	1.1 to 31.12
09.2914	ex 3824 90 99	26	Aqueous solution containing by weight not less than 40 % of dry betaine-extract and 5 % or more but not more than 30 % by weight of organic or inorganic salts	38 000 tonnes	0	1.1 to 31.12
09.2915	ex 3824 90 99	27	Silicon dioxide having a purity of 99 % or more by weight, in the form of spherical particles dispersed in monoethylene glycol	60 tonnes	0	1.1 to 31.12
09.2917	2930 90 14	—	Cystine	600 tonnes	0	1.1 to 31.12
09.2918	ex 2910 90 00	50	1,2-Epoxybutan	500 tonnes	0	1.1 to 31.12
09.2919	ex 8708 29 90	10	Folding bellows for the manufacture of articulated buses (a)	2 600 units	0	1.1 to 31.12
09.2933	ex 2903 69 90	30	1,3-Dichlorobenzene	2 600 tonnes	0	1.1 to 31.12
09.2935	3806 10 10	—	Rosin and resin acids, obtained from fresh oleoresins	80 000 tonnes	0	1.1 to 30.6
09.2935	3806 10 10	—	Rosin and resin acids, obtained from fresh oleoresins	60 000 tonnes	0	1.7 to 31.12.

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2945	ex 2940 00 90	10	D-Xylose	400 tonnes	0	1.1 to 31.12
09.2947	ex 3904 69 90	95	Poly(vinylidene fluoride), in powder form, for the preparation of paint or varnish for coating metal (a)	1 300 tonnes	0	1.1 to 31.12
09.2950	ex 2905 59 10	10	2-Chloroethanol, for the manufacture of liquid thioplasts of subheading 4002 99 90 (a)	6 500 tonnes	0	1.1 to 31.12
09.2954	ex 2926 90 95	55	3-[Trifluoromethyl] phenylacetonitrile	100 tonnes	0	1.1 to 31.12
09.2955	ex 2932 19 00	60	Flurtamone (ISO)	300 tonnes	0	1.1 to 31.12
09.2957	ex 8507 90 98	10	Stamped cylindrical can, in non-alloy steel, post-nickel-plated, for an accumulator, of a diameter of 13 mm or more but not exceeding 17 mm, and of a height of 27 mm or more but not exceeding 70 mm	70 000 000 units	0	1.1 to 31.12
09.2959	ex 4804 41 91 ex 4804 41 99 ex 4804 51 90	10 10 10	Kraft paper and paperboard, weighing more than 150 g/m <sup>2</sup> , only consisting of unbleached virgin fibres obtained by the chemical sulphate process, for the manufacture of products falling within heading 3921 (a)	70 000 tonnes	0	1.1 to 31.12.2003
09.2964	ex 5502 00 80	20	Filament tow of cellulose produced by organic solvent spinning (Lyocell), for use in the paper industry (a)	1 200 tonnes	0	1.1 to 31.12
09.2966	ex 2839 19 00	20	Crystalline disodium disilicate, containing by weight: — 59 % or more of silicon-dioxide, and — 30 % or more of disodium oxide	12 000 tonnes	0	1.1 to 31.12
09.2975	ex 2918 30 00	10	Benzophenone-3,3':4,4'-tetracarboxylic dianhydride	500 tonnes	0	1.1 to 31.12
09.2976	ex 8407 90 10	10	Four-stroke petrol engines of a cylinder capacity not exceeding 250 cm <sup>3</sup> , for use in the manufacture of lawnmowers of subheading 8433 11 (a)	650 000 units (c)	0	1.7.2002 to 30.6.2003
09.2978	ex 4804 52 90	10	Kraft paper and paperboard, bleached uniformly throughout the mass, weighing 250 g/m <sup>2</sup> or more, for use in the manufacture of liquid food containers (a)	48 000 tonnes	0	1.1 to 31.12.2003
09.2979	ex 7011 20 00	15	Glass face-plate with a major diagonal measurement from the outer edge to the outer edge of 81,5 cm (± 0,2 cm) and having a light transmission of 80 % (± 3 %) by a reference thickness of the glass of 11,43 mm	600 000 units	0	1.1 to 31.12

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2980	ex 4810 32 10	10	Kraft paper and paperboard, in rolls, bleached uniformly throughout the mass, coated on one side with kaolin and/or calcium carbonate, weighing more than 150 g/m <sup>2</sup> but less than 400 g/m <sup>2</sup> , for use in the manufacture of liquid food containers (a)	52 000 tonnes	0	1.1 to 31.12.2003
	ex 4810 32 90	10				
09.2981	ex 8407 33 90	10	Spark-ignition reciprocating or rotary internal combustion piston engines, having a cylinder capacity of not less than 300 cm <sup>3</sup> and a power of not less than 6 but not exceeding 15,5 kW, for the manufacture of: — self-propelled lawn mowers, with a seat of subheading 8433 11 51 — tractors of subheading 8701 90 11, having the main function of a lawn mower or — four-stroke mowers with motor of a nominal cylinder capacity of 480 cm <sup>3</sup> of subheading 8433 20 10 (a)	210 000 units	0	1.1 to 31.12
	ex 8407 90 80	10				
	ex 8407 90 90	10				
09.2985	ex 8540 91 00	33	Flat masks of a length of 685,6 mm ( $\pm$ 0,2 mm) or 687,2 mm ( $\pm$ 0,2 mm) and a height of 406,9 mm ( $\pm$ 0,2 mm) or 408,9 mm ( $\pm$ 0,2 mm), with a width of the slots at the end of the central vertical axe of 174 $\mu$ m ( $\pm$ 8 $\mu$ m)	200 000 units	0	1.1 to 31.12.2003
09.2986	ex 3824 90 99	76	Mixture of tertiary amines containing: — 60 % by weight of dodecyltrimethylamine, or more — 20 % by weight of dimethyl(tetradecyl)amine, or more — 0,5 % by weight of hexadecyltrimethylamine, or more	14 000 tonnes	0	1.1 to 31.12
09.2988	ex 4804 31 51	10	Paper of a kind used for the production of electrolytic capacitors (condensator paper), made up from materials other than made up exclusively from esparto, containing not more than 5 mg/kg of sulphate and not more than 1 mg/kg of chlorine, having a thickness of 25 $\mu$ m or more but not exceeding 100 $\mu$ m and a width of not more than 800 mm	1 500 tonnes	0	1.1 to 31.12.2003
	ex 4804 31 90	10				
	ex 4805 91 99	10				
	ex 4805 92 99	10				
	ex 4823 90 50	30				
	ex 4823 90 90	13				
09.2991	ex 2846 90 00	20	Rare earth chloride, containing by weight 57 % or more of lanthanum trichloride heptahydrate, in solid form	5 300 tonnes	0	1.1 to 31.12



Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2992	ex 3902 30 00	93	Propylene-butylene copolymer, containing by weight not less than 60 % but not more than 68 % of propylene and not less than 32 % but not more than 40 % of butylene, of a melt viscosity not exceeding 3 000 mPA at 190 °C, as determined by the ASTM D 3236 method, for use as an adhesive in the manufacture of products falling within subheading 4818 40 (a)	1 000 tonnes	0	1.1 to 31.12
09.2993	ex 3920 10 28	93	Polyethylene film with a thickness of not more than 23 µm but not exceeding 27 µm, with a weight of not more than 32 g/m <sup>2</sup> but not exceeding 42 g/m <sup>2</sup> and with a water vapour permeability of not less than 900 g/m <sup>2</sup> per day	120 000 000 m <sup>2</sup>	0	1.1 to 31.12
09.2995	ex 8536 90 85  ex 8538 90 99	95  93	Keypads, — comprising a layer of silicone and polycarbonate keytops, or — wholly of silicone or wholly of polycarbonate, including printed keys, for the manufacture or repair of mobile radio-telephones of subheading 8525 20 91 (a)	20 000 000 units	0	1.1 to 31.12
09.2998	ex 2924 29 95	80	5'-Chloro-3-hydroxy-2',4'-dimethoxy-2-naphthanilide	26 tonnes	0	1.1 to 31.12
09.2999	ex 7011 20 00	10	Glass face-plate with a major diagonal measurement from the outer edge to the outer edge of 72,4 cm (± 0,2 cm) and having a light transmission of 80 % (± 3 %) by a reference thickness of the glass of 11,43 mm	600 000 units	0	1.1 to 31.12

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) However, the tariff quota is not allowed where processing is carried out by retail or catering undertakings.

(c) The quantities of goods subject to this quota and released for free circulation as from 1 July 2002, as provided for in Regulation (EC) No 1824/2002, shall be fully counted against this quantity.

(<sup>1</sup>) The specific additional duty is applicable.'

## ANNEX II

## ANNEX III

Order No	CN code	Taric code	Description	Amount of quota (tonnes)	Quota duty (%)	Quota period
09.2921			Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced) not clad, plated or coated:	360	0	1.1 to 31.12.2003
	ex 7209 16 90	10	of a thickness exceeding 1 mm but less than 3 mm			
	ex 7209 17 90	10	of a thickness of 0,5 mm or more but not exceeding 1 mm (a)			
09.2922			Flat-rolled products of stainless steel, of a width of 600 mm or more not further worked than cold-rolled (cold-reduced):	900	0	1.1 to 31.12.2003
	ex 7219 32 10	11 12	of a thickness of 3 mm or more but not exceeding 4,75 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 33 10	11 12	of a thickness exceeding 1 mm but less than 3 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 34 10	11 12	of a thickness of 0,5 mm or more but not exceeding 1 mm; containing by weight 2,5 % or more of nickel (a)			
09.2923	ex 7227 90 95	15	Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight: 0,5 % or more but not more than 0,8 % of carbon 0,1 % or more but not more than 1,7 % of silicon 0,5 % or more but not more than 0,8 % of manganese 0,03 % or less of sulphur 0,03 % or less of phosphorus 0,4 % or more but not more than 0,8 % of chrome 0,1 % or more but not more than 0,3 % of vanadium	5 000	0	1.1 to 31.12.2003
09.2927			Flat-rolled products of stainless steel, of a width of 600 mm or more not further worked than cold-rolled (cold-reduced):	1 200	0	1.1 to 31.12.2003
	ex 7219 33 10	13 14 15 16 17 18	of a thickness exceeding 1 mm but less than 3 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 34 10	13 14 15 16 17 18	of a thickness of 0,5 mm or more but not exceeding 1 mm; containing by weight 2,5 % or more of nickel (a)			

- (a) The abovementioned products must, in addition, comply with the following physical specifications:
- (a) products with CN codes ex 7209 16 90 and ex 7209 17 90:  
high carbon steel with a carbon content by weight of 0,64 % to 0,70 % for the production of assembly/conveyor belts with a permissible operating temperature of 400 °C. Tensile strength 1 200 N/mm<sup>2</sup> (± 10 %).  
Other elements or properties following special technical specification (HM 1708);
  - (b) products with CN codes ex 7219 32 10 11/12, ex 7219 33 10 11/12 and ex 7219 34 10 11/12:  
"NICRO" stainless steel for the production of assembly/conveyor belts with a permissible operating temperature of 350 °C;  
type (i) Tensile strength 1 050 N/mm<sup>2</sup> (± 10 %). Chemical composition: maximum carbon content 0,06 %, 13 % chromium content, 4 % nickel content;  
other elements or properties following special technical specification (HM 1708);  
type (ii) Tensile strength 1 200 N/mm<sup>2</sup> (± 15 %). Chemical composition: maximum carbon content 0,15 %, 17 % chromium content, 7 % nickel content;  
other elements or properties following special technical specification (HM 1708);
  - (c) products with CN codes ex 7219 33 10 13/14/15/16/17/18 and 7219 34 10 13/14/15/16/17/18:  
stainless steel for the production of assembly/conveyor belts  
type (i): Tensile strength 1 200 N/mm<sup>2</sup>. Chemical composition: 0,1 % carbon content, 0,6 % silicon content, 1,4 % manganese content, 17,5 % chromium content, 7,5 % nickel content;  
other elements or properties following special technical specification (HM 1712);  
type (ii): Tensile strength 1 200 N/mm<sup>2</sup>. Chemical composition: 0,06 % carbon content, 0,6 % silicon content, 1,4 % manganese content, 18,5 % chromium content, 8,5 % nickel content;  
other elements or properties following special technical specification;  
type (iii): Tensile strength 1 000 N/mm<sup>2</sup>. Chemical composition: 0,05 % carbon content, 0,6 % silicon content, 1,7 % manganese content, 17,5 % chromium content, 12,5 % nickel content, 2,7 % molybdenum content;  
other elements or properties following special technical specification;  
type (iv): Tensile strength 1 080 N/mm<sup>2</sup>. Chemical composition: maximum carbon content 0,05 %, maximum silicon content 1 %, 13 % chromium content, 4 % nickel content, 0,3 % titanium content;  
other elements or properties following special technical specification (HM 1710);  
type (v): Tensile strength 1 150 N/mm<sup>2</sup>. Chemical composition: maximum carbon content 0,08 %, 1,5 % silicon content, 14 % chromium content, 7 % nickel content, 0,7 % copper content;  
other elements or properties following special technical specification (HM 1701);  
type (vi): Tensile strength 1 200 N/mm<sup>2</sup>. Chemical composition: 0,03 % carbon content, 0,6 % silicon content, 15,25 % chromium content, 4,9 % nickel content, 3,25 % copper content;  
Other elements or properties following special technical specification.

Note: the composition of products (a), (b) and (c)(i) to (vi) may vary within the limits of the standards in force relating to analysis.'

**COUNCIL REGULATION (EC) No 2288/2002  
of 19 December 2002**

**amending Regulation (EC) No 1601/2001 imposing a definitive anti-dumping duty and definitively collecting the provisional anti-dumping duty imposed on imports of certain iron or steel ropes and cables originating in the Czech Republic, Russia, Thailand and Turkey**

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup>, and in particular Article 8 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

**A. PREVIOUS PROCEDURE**

- (1) On 5 May 2000, an anti-dumping proceeding <sup>(2)</sup> was initiated by the Commission on imports of certain iron or steel ropes and cables ('the product concerned') originating, *inter alia*, in Turkey.
- (2) This proceeding resulted in an anti-dumping duty being imposed by Regulation (EC) No 1601/2001 <sup>(3)</sup> in August 2001 in order to eliminate the injurious effects of dumping.
- (3) Provisional measures were imposed by Commission Regulation (EC) No 230/2001 <sup>(4)</sup>. In parallel, the Commission accepted, *inter alia*, a price undertaking from the Turkish exporting producer Celik Halat ve Tel Sanayii AS by Article 2(1). Imports of products

produced and directly exported by that company were exempted from the anti-dumping duty by Article 2(2).

**B. VOLUNTARY WITHDRAWAL OF THE JOINT UNDERTAKING**

- (4) Celik Halat ve Tel Sanayii AS advised the Commission that they wished to withdraw this undertaking. Accordingly, by Commission Regulation (EC) No 2303/2002 <sup>(5)</sup>, the name of this company has been deleted from the list of companies from which undertakings are accepted in Article 2(1) of Regulation (EC) No 230/2001.

**C. AMENDMENT OF REGULATION (EC) No 1601/2001**

- (5) In view of the above and pursuant to Article 8(9) of Regulation (EC) No 384/96, Article 2(1) of Regulation (EC) No 1601/2001 should be amended accordingly, and goods manufactured by Celik Halat ve Tel Sanayii AS should be subject to the appropriate rate of anti-dumping duty for that company as set in Article 1(3) of Regulation (EC) No 1601/2001 (31,0 %),

HAS ADOPTED THIS REGULATION:

*Article 1*

The table in Article 2(1) of Regulation (EC) No 1601/2001 is replaced by the following table:

'Country	Manufacturer	Taric additional code
Czech Republic	ŽDB as Bezruova 300, 73593 Bohumín Czech Republic	A216
Russia	Open Joint Stock Company Cherepovetsky Staleprokanty Zavod, Russia, 162600 Cherepovets, Vologda Region, ul. 50-letia Oktiabria, 1/33	A217
Thailand	Usha Siam Steel Ind. Public Company Limited 888/116 Mahatun Plaza Building Ploenchit Road, Bangkok 10330, Thaïlande	A218

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 1972/2002 (OJ L 305, 7.11.2002, p. 1).

<sup>(2)</sup> OJ C 127, 5.5.2000, p. 12.

<sup>(3)</sup> OJ L 211, 4.8.2001, p. 1.

<sup>(4)</sup> OJ L 34, 3.2.2001, p. 4.

<sup>(5)</sup> See page 80 of this Official Journal.

Country	Manufacturer	Taric additional code
Turkey	Has Çelik ve Halat Sanayi Ticaret A.S. Hacilar Yolu 8.Km Kayseri Turkey	A220'

*Article 2*

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

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

Done at Brussels, 19 December 2002.

*For the Council*

*The President*

L. ESPERSEN

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**COUNCIL REGULATION (EC) No 2289/2002  
of 19 December 2002**

**terminating a 'new exporter' review of Regulation (EC) No 1600/1999 imposing definitive anti-dumping duties on imports of stainless steel wire with a diameter of 1 mm or more originating in India, re-imposing the duty with regard to imports from one exporter in this country and terminating the registration of these imports**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup> (the basic Regulation), and in particular Article 11(4) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

**A. PREVIOUS PROCEDURE**

- (1) By Regulation (EC) 1600/1999<sup>(2)</sup>, the Council imposed a definitive anti-dumping duty on imports of stainless steel wire having a diameter 1 mm or more (hereinafter referred to as 'the product concerned') falling within CN code ex 7223 00 19 originating in India. The measures took the form of duties of between 0 % and 55,6 % on individual exporters, with a residual duty of 55,6 %.

**B. CURRENT PROCEDURE**

**1. Request for a new exporter review**

- (2) Subsequent to the imposition of definitive measures, the Commission received a request for the initiation of a 'new exporter' review of Regulation (EC) No 1600/1999, pursuant to Article 11(4) of the basic Regulation, from one Indian producer, Garg Sales Co. PVT Ltd ('the applicant'). The applicant claimed that it was not related to any other exporters of the product concerned in India. Furthermore, it claimed that it had not exported the product concerned during the original period of investigation (1 April 1997 to 31 March 1998), but had exported the product concerned to the Community after that period. On the basis of the above, it requested that an individual duty rate be established for it, in case dumping were to be found.

**2. Initiation of a review**

- (3) The Commission examined the evidence submitted by the applicant and considered it sufficient to justify the initiation of a review in accordance with the provisions of Article 11(4) of the basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by Regulation (EC) No 1325/2002<sup>(3)</sup>, a 'new exporter' review of Regulation (EC) No 1600/1999 with regard to the applicant and commenced its investigation. At the same time, the anti-dumping duty in force was repealed for the applicant and its imports were made subject to registration pursuant to Article 11(4) and Article 14(5) of the basic Regulation.

**3. Non cooperation by the exporting producer**

- (4) In order to obtain the information it deemed necessary for its investigation, the Commission sent a questionnaire to the applicant. However, the Commission did not receive any reply to the questionnaire within the deadline set for that purpose. Neither did the applicant request an extension of that deadline. The Commission informed the applicant that in these circumstances it was intended to proceed with the termination of the review investigation without examining further its request for establishing an individual duty rate. The applicant was given a period of 10 days to comment. No comments from the applicant were received on the disclosure of the Commission's intention to terminate the review investigation.
- (5) Consequently, it must be concluded that Garg Sales Co. PVT Ltd has failed to cooperate in the investigation by not replying to the questionnaire sent by the Commission. The review should therefore be terminated and the anti-dumping duty repealed by Article 2 of Commission Regulation (EC) No 1325/2002 should be re-imposed, with retroactive effect to 24 July 2002. In addition, the registration of imports provided in Article 3 of the same Regulation should be terminated,

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 1972/2002 (OJ L 305, 7.11.2002, p. 1).

<sup>(2)</sup> OJ L 189, 22.7.1999, p. 19.

<sup>(3)</sup> OJ L 194, 23.7.2002, p. 27.

HAS ADOPTED THIS REGULATION:

*Article 1*

The review of Regulation (EC) No 1600/1999 initiated by Article 1 of Commission Regulation (EC) No 1325/2002 concerning imports of stainless steel wire with a diameter of 1 mm or more, containing by weight 2,5 % or more of nickel, excluding wire containing by weight 28 % or more but no more than 31 % of nickel and 20 % or more but no more than 22 % of chromium falling within CN code ex 7223 00 19, originating in India, produced and sold for export to the Community by Garg Sales Co. PVT Ltd (TARIC additional code A404) is hereby terminated.

*Article 2*

The anti-dumping duty imposed by Regulation (EC) No 1600/1999 and repealed by Article 2 of Commission Regulation (EC) No 1325/2002 is hereby re-imposed with regard to the imports identified in Article 1 of this Regulation, with effect from 24 July 2002.

*Article 3*

The customs authorities are hereby directed, pursuant to Article 14(5) of Regulation (EC) No 384/96, to terminate the registration of the imports identified in Article 1 of this Regulation.

*Article 4*

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

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

Done at Brussels, 19 December 2002.

*For the Council*

*The President*

L. ESPERSEN

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**COUNCIL REGULATION (EC) No 2290/2002**  
**of 19 December 2002**  
**concerning the importation into the Community of rough diamonds from Sierra Leone**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 301 thereof,

Having regard to Common Position 2002/22/CFSP of 11 January 2002 <sup>(1)</sup> concerning a prohibition on imports of rough diamonds from Sierra Leone,

Having regard to the proposal from the Commission,

Whereas:

- (1) In its Resolution 1446 (2002) of 4 December 2002, the United Nations Security Council, acting under Chapter VII of the Charter of the United Nations, decided to extend the prohibition, laid down in its Resolution 1306 (2000) of 5 July 2000, of all imports of rough diamonds originating in, or coming from, Sierra Leone, unless they are covered by the system of certificates of origin approved by the competent authorities of the United Nations.
- (2) Council Regulation (EC) No 303/2002 of 18 February 2002 concerning the importation into the Community of rough diamonds from Sierra Leone <sup>(2)</sup> expired on 5 December 2002 and therefore the prohibition contained therein should be extended.
- (3) These measures fall under the scope of the Treaty and, therefore, notably with a view to avoiding distortion of competition, Community legislation is necessary to implement the relevant decisions of the Security Council as far as the territory of the Community is concerned, such territory being deemed to encompass, for the purposes of this Regulation, the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.
- (4) The Security Council has also called upon the United Nations Member States and international and regional organisations to apply these measures notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement signed, any contract entered into or any licence or permit granted before the adoption of the aforementioned Resolution.
- (5) Breaches of this Regulation should be penalised and Member States should impose appropriate penalties to that effect.
- (6) To facilitate matters, the Commission should be empowered to supplement and/or amend the Annexes to this Regulation on the basis of pertinent notifications from the Committee set up by Security Council Resolution 1132 (1997).

- (7) There is a need for the Member States and the Commission to inform each other of the measures taken under this Regulation and any other relevant information at their disposal in connection with this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The importation into the Community, be it directly or indirectly, of rough diamonds as defined in Annex I originating in, or coming from, Sierra Leone into the territory of the Community shall be prohibited.

*Article 2*

Rough diamonds controlled by the Government of Sierra Leone through the Certificate of Origin regime consistent with paragraph 5 of UN Security Council Resolution 1306 (2000) shall be exempt from the measure referred to in Article 1. The modalities for this exemption are set out in Annex II.

*Article 3*

The Commission is hereby empowered to amend Annex I, in order to bring it in line with changes that may be made to the Combined Nomenclature, and to supplement and/or amend Annex II on the basis of the information and notifications supplied by the competent authorities of the United Nations, in particular the Sanctions Committee created by Resolution 1132 (1997). Any additions or amendments shall be published in the *Official Journal of the European Communities*.

*Article 4*

This Regulation shall apply notwithstanding any rights conferred, or obligations imposed, by any international agreement or any contract entered into or any licence or permit granted before its entry into force.

*Article 5*

Each Member State shall determine the sanctions to be imposed where this Regulation is infringed. Such sanctions shall be effective, proportionate and dissuasive.

Pending the adoption, where necessary, of any legislation to this end, the sanctions to be imposed where the provisions of this Regulation are infringed shall, where relevant, be those determined by the Member States in order to give effect to Article 5 of Regulation (EC) No 303/2002.

<sup>(1)</sup> OJ L 10, 12.1.2002, p. 81.

<sup>(2)</sup> OJ L 47, 19.2.2002, p. 8.



*Article 6*

The Commission and the Member States shall inform each other of the measures taken under this Regulation and supply each other with other relevant information at their disposal in connection with this Regulation, such as violation and other enforcement problems or judgements made by national courts.

- on board any aircraft or any vessel under the jurisdiction of a Member State,
- to any person elsewhere who is a national of a Member State,
- to any body which is incorporated or constituted under the law of a Member State.

*Article 7*

This Regulation shall apply:

- within the territory of the Community, including its air space,

*Article 8*

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

This Regulation shall be applicable from 5 December 2002. It shall expire on 5 June 2003.

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

Done at Brussels, 19 December 2002.

*For the Council*

*The President*

L. ESPERSEN

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*ANNEX I***Rough diamonds referred to in Article 1**

CN code	Product description
ex 7102 10 00	Unsorted diamonds, unworked and not mounted or set
7102 21 00	Industrial diamonds, unworked or simply sawn, cleaved or bruted
7102 31 00	Non-industrial diamonds, unworked or simply sawn, cleaved or bruted
7105 10 00	Dust and powder of diamonds

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*ANNEX II*

Modalities of importation of rough diamonds that are accompanied by a certificate of origin delivered under the regime that was approved by the competent authorities of the United Nations.

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**COMMISSION REGULATION (EC) No 2291/2002  
of 20 December 2002  
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 21 December 2002.

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

Done at Brussels, 20 December 2002.

*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 20 December 2002 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	77,1
	204	56,0
	720	100,4
	999	77,8
0707 00 05	052	31,7
	628	151,4
	999	91,5
0709 10 00	220	159,6
	999	159,6
0709 90 70	052	94,8
	204	166,2
	999	130,5
0805 10 10, 0805 10 30, 0805 10 50	052	52,4
	204	52,7
	220	46,6
	999	50,6
0805 20 10	052	95,1
	204	83,1
	999	89,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,1
	999	67,1
0805 50 10	052	66,9
	600	81,8
	999	74,3
0808 10 20, 0808 10 50, 0808 10 90	060	29,5
	400	92,1
	404	101,7
	720	128,3
	999	87,9
0808 20 50	400	106,6
	720	47,6
	999	77,1

<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 2292/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1898/97 of 29 September 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 and repealing Regulations (EEC) No 2698/93 and (EC) No 1590/94 <sup>(1)</sup>, as last amended by Regulation (EC) No 1877/2002 <sup>(2)</sup>, and in particular Article 4(5) thereof,

Whereas:

- (1) The applications for import licences lodged for the first quarter of 2003 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution.
- (2) The surplus to be added to the quantity available for the following period should be determined.

- (3) It is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 January to 31 March 2003 submitted pursuant to Regulation (EC) No 1898/97 shall be met as referred to in Annex I.
2. For the period 1 April to 30 June 2003, applications may be lodged pursuant to Regulation (EC) No 1898/97 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

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

<sup>(1)</sup> OJ L 267, 30.9.1997, p. 58.

<sup>(2)</sup> OJ L 284, 22.10.2002, p. 9.

## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003
1	100,0
2	90,6
3	100,0
4	100,0
H1	100,0
7	100,0
8	100,0
9	100,0
T1	100,0
T2	100,0
T3	100,0
S1	100,0
S2	100,0
B1	100,0
15	100,0
16	100,0
17	100,0

## ANNEX II

(t)

Group No	Total quantity available for the period 1 April to 30 June 2003
1	6 180,5
2	270,0
3	1 039,1
4	24 272,4
H1	2 880,0
7	14 453,9
8	1 750,0
9	33 160,0
T1	1 500,0
T2	13 000,0
T3	3 680,0
S1	2 600,0
S2	265,0
B1	2 500,0
15	1 125,0
16	2 125
17	15 625,0

**COMMISSION REGULATION (EC) No 2293/2002  
of 20 December 2002**

**establishing the quantity of certain pigmeat products available for the second quarter of 2003  
under the arrangements provided for by the Free Trade Agreements between the Community, of  
the one part, and Latvia, Lithuania and Estonia, of the other part**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2305/95 of 29 September 1995 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the free trade agreements between the Community, of the one part and Latvia, Lithuania and Estonia, of the other part <sup>(1)</sup>, as last amended by Regulation (EC) No 1853/2002 <sup>(2)</sup>, and in particular Article 4(4) thereof,

Whereas:

In order to ensure distribution of the quantities available, the quantities carried forward from the period 1 January to 31 March 2003 should be added to the quantities available for the period 1 April to 30 June 2003,

*Article 1*

The quantity available for the period 1 April to 30 June 2003 pursuant to Regulation (EC) No 2305/95 is set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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<sup>(1)</sup> OJ L 233, 30.9.1995, p. 45.

<sup>(2)</sup> OJ L 280, 18.10.2002, p. 5.

## ANNEX

(t)	
Group	Total quantity available for the period 1 April to 30 June 2003
18	1 800,0
L1	360,0
19	1 500,0
20	180,0
21	2 000,0
22	960,0
E1	100,0

**COMMISSION REGULATION (EC) No 2294/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 1006/2001 <sup>(2)</sup>, and in particular Article 4(4) thereof,

Whereas:

- (1) The applications for import licences lodged for the first quarter of 2003 are for quantities less than the quantities available and can therefore be met in full.
- (2) The quantity available for the following period should be determined.

- (3) It is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 January to 31 March 2003 submitted pursuant to Regulation (EC) No 1432/94 shall be met as referred to in Annex I.
2. For the period 1 April to 30 June 2003, applications may be lodged pursuant to Regulation (EC) No 1432/94 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 156, 23.6.1994, p. 14.

<sup>(2)</sup> OJ L 140, 24.5.2001, p. 13.



## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003
1	100,00

## ANNEX II

(t)

Group	Total quantity available for the period 1 April to 30 June 2003
1	3 400

**COMMISSION REGULATION (EC) No 2295/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences under the regime provided for by tariff quotas for certain products in the pigmeat sector for the period 1 January to 31 March 2003 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Commission Regulation (EC) No 1486/95 of 28 June 1995 opening and providing for the administration of tariff quotas for certain products in the pigmeat sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1006/2001 <sup>(2)</sup>, and in particular Article 5(5) thereof,

1. Applications for import licences for the period 1 January to 31 March 2003 submitted pursuant to Regulation (EC) No 1486/95 shall be met as referred to in Annex I.

2. For the period 1 April to 30 June 2003, applications may be lodged pursuant to Regulation (EC) No 1486/95 for import licences for a total quantity as referred to in Annex II.

Whereas:

- (1) The applications for import licences lodged for the first quarter of 2003 are for quantities less than the quantities available and can therefore be met in full.
- (2) The surplus to be added to the quantity available for the following period should be determined,

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 145, 29.6.1995, p. 58.

<sup>(2)</sup> OJ L 140, 24.5.2001, p. 13.

## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003
G2	100
G3	100
G4	100
G5	100
G6	100
G7	100

## ANNEX II

(t)

Group No	Total quantity available for the period 1 April to 30 June 2003
G2	30 179,5
G3	3 548,9
G4	2 833,0
G5	6 100,0
G6	15 000,0
G7	4 132,5

**COMMISSION REGULATION (EC) No 2296/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences for certain pigmeat products under the regime provided for by the Agreement concluded by the Community with Slovenia can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 571/97 of 26 March 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Slovenia <sup>(1)</sup>, as last amended by Regulation (EC) No 1006/2001 <sup>(2)</sup>, and in particular Article 4(4) thereof,

Whereas:

- (1) The applications for import licences lodged for the first quarter of 2003 are for quantities less than the quantities available and can therefore be met in full.
- (2) The surplus to be added to the quantity available for the following period should be determined.
- (2) It is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

*Article 1*

1. Applications for import licences for the period 1 January to 31 March 2003 submitted pursuant to Regulation (EC) No 571/97 shall be met as referred to in Annex I.
2. For the period 1 April to 30 June 2003, applications may be lodged pursuant to Regulation (EC) No 571/97 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

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

<sup>(1)</sup> OJ L 85, 27.3.1997, p. 56.

<sup>(2)</sup> OJ L 140, 24.5.2001, p. 13.

## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003
23	100,00
24	100,00
25	100,00
26	100,00

## ANNEX II

(t)

Group No	Total quantity available for the period 1 April to 30 June 2003
23	191,9
24	70,3
25	61,45
26	442,0

**COMMISSION REGULATION (EC) No 2297/2002**  
**of 20 December 2002**  
**suspending the buying-in of butter in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream <sup>(3)</sup>, as last amended by Regulation (EC) No 1614/2001 <sup>(4)</sup>, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 1915/2002 suspending the buying-in of butter in certain Member States <sup>(5)</sup> establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Germany under Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1915/2002 should be repealed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Denmark, Greece, the Netherlands, Austria, Luxembourg, Finland and Sweden.

*Article 2*

Regulation (EC) No 1915/2002 is hereby repealed.

*Article 3*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 333, 24.12.1999, p. 11.

<sup>(4)</sup> OJ L 214, 8.8.2001, p. 20.

<sup>(5)</sup> OJ L 289, 26.10.2002, p. 9.

**COMMISSION REGULATION (EC) No 2298/2002**  
**of 20 December 2002**  
**prohibiting fishing for cod by vessels flying the flag of the United Kingdom**

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 2846/98 <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 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 limitations in catch are required <sup>(3)</sup>, as last amended by Regulation (EC) No 2000/2002 <sup>(4)</sup>, lays down quotas for cod for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of cod in the waters of ICES divisions I and II b by vessels flying the flag of the United Kingdom or

registered in the United Kingdom have exhausted the quota allocated for 2002. The United Kingdom has prohibited fishing for this stock from 4 December 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of cod in the waters of ICES divisions I and II b by vessels flying the flag of the United Kingdom or registered in the United Kingdom are hereby deemed to have exhausted the quota allocated to the United Kingdom for 2002.

Fishing for cod in the waters of ICES divisions I and II b by vessels flying the flag of the United Kingdom or registered in the United Kingdom is hereby prohibited, as are the retention on board, transhipment 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 Communities*.

It shall apply from 4 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 358, 31.12.1998, p. 5.

<sup>(3)</sup> OJ L 347, 31.12.2001, p. 1.

<sup>(4)</sup> OJ L 308, 9.11.2002, p. 13.

**COMMISSION REGULATION (EC) No 2299/2002**  
**of 20 December 2002**  
**opening tendering procedure No 44/2002 EC for the sale of wine alcohol for new industrial uses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 2585/2001 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms <sup>(3)</sup>, as last amended by Regulation (EC) No 1795/2002 <sup>(4)</sup>, and in particular Article 80 thereof,

Whereas:

- (1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.
- (2) Tendering procedures should be organised for the sale of wine alcohol for new industrial uses with a view to reducing the stocks of wine alcohol in the Community and enabling small-scale industrial projects to be carried out and such alcohol to be processed into goods intended for export for industrial uses. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine <sup>(5)</sup>, as last amended by Regulation (EC) No 1677/1999 <sup>(6)</sup>, and under Articles 27 and 28 of Regulation (EC) No 1493/1999.
- (3) Since the adoption of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro <sup>(7)</sup>, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.
- (4) Minimum prices should be fixed for the submission of tenders, broken down according to the type of end-use.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Tendering procedure No 44/2002 EC is hereby opened for the sale of wine alcohol for new industrial uses. The alcohol concerned has been produced from distillation under Articles 35 and 39 of Regulation (EEC) No 822/87 and Article 27 of Regulation (EC) No 1493/1999 and is held by the French intervention agency.

The volume put up for sale is 100 000 hectolitres of alcohol at 100 % vol. The vat numbers, places of storage and the volume of alcohol at 100 % vol. contained in each vat are detailed in the Annex hereto.

*Article 2*

The sale shall be conducted in accordance with Articles 79, 81, 82, 83, 84, 85, 95, 96, 97, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

*Article 3*

Tenders must be submitted to the intervention agency holding the alcohol concerned: Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59) or sent by registered mail to that address.

Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 44/2002 EC for new industrial uses', the outer envelope bearing the address of the intervention agency concerned.

Tenders must reach the intervention agency concerned not later than 12 noon Brussels time on 13 January 2003.

All tenders must be accompanied by proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol has been lodged with the intervention agency concerned.

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1.

<sup>(2)</sup> OJ L 345, 29.12.2001, p. 10.

<sup>(3)</sup> OJ L 194, 31.7.2000, p. 45.

<sup>(4)</sup> OJ L 123, 9.5.2002, p. 17.

<sup>(5)</sup> OJ L 84, 27.3.1987, p. 1.

<sup>(6)</sup> OJ L 199, 30.7.1999, p. 8.

<sup>(7)</sup> OJ L 349, 24.12.1998, p. 1.



*Article 4*

The minimum prices which may be offered are EUR 8 per hectolitre of alcohol at 100 % vol intended for the manufacture of baker's yeast, EUR 26 per hectolitre of alcohol at 100 % vol intended for the manufacture of amine- and chloral-type chemical products for export, EUR 35 per hectolitre of alcohol at 100 % vol intended for the manufacture of eau de Cologne for export and EUR 10 per hectolitre of alcohol at 100 % vol intended for other industrial uses.

*Article 5*

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000. The price of samples shall be EUR 10 per litre.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

*Article 6*

The performance guarantee shall be EUR 30 per hectolitre of alcohol at 100 % vol.

*Article 7*

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

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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ANNEX

**INVITATION TO TENDER No 44/2002 EC FOR THE SALE OF ALCOHOL FOR NEW INDUSTRIAL USES**

**Place of storage, volume and characteristics of the alcohol put up for sale**

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol	Alcoholic strength (in % vol)
France	Onivins-Longuefuye F-53200 Longuefuye	8	22 340	27	raw	+ 92
		20	8 350	27	raw	+ 92
		6	22 220	27	raw	+ 92
		5	22 220	27	raw	+ 92
		10	9 270	39	raw	+ 92
		13	440	27	raw	+ 92
		13	160	35	raw	+ 92
	Onivins-Port La Nouvelle Av. Adolphe Turrel BP 62 F-11210 Port La Nouvelle	33	435	35	raw	+ 92
		33	5 635	27	raw	+ 92
		38	8 930	35	raw	+ 92
	Total		100 000			

**COMMISSION REGULATION (EC) No 2300/2002**  
**of 19 December 2002**  
**amending Regulation (EC) No 2603/97 laying down the detailed implementing rules for imports of**  
**rice originating in the ACP countries or the overseas countries and territories (OCT)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) <sup>(1)</sup>, and in particular Article 5 thereof,

Whereas:

- (1) Regulation (EC) No 2286/2002 repeals and replaces Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 <sup>(2)</sup>.
- (2) Commission Regulation (EC) No 2603/97 <sup>(3)</sup>, as last amended by Regulation (EC) No 174/2002 <sup>(4)</sup>, should be amended in order to replace the references to Regulation (EC) No 1706/98 with references to the relevant provisions of Regulation (EC) No 2286/2002.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2603/97 is hereby amended as follows:

1. Article 2(1) is replaced by the following:  
 '1. As regards the quantity of 125 000 tonnes of rice, in husked-rice equivalent, falling within CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 laid down in Council

Regulation (EC) No 2286/2002 <sup>(\*)</sup>, licences for imports at a reduced rate of customs duty shall be issued each year under the following tranches:

— January:	41 668 tonnes
— May:	41 666 tonnes
— September:	41 666 tonnes.

<sup>(\*)</sup> OJ L 348, 21.12.2002, p. 5.'

2. Article 3(1) is replaced by the following:

'1. As regards the quantity of 20 000 tonnes of broken rice falling within CN code 1006 40 00 laid down in Regulation (EC) No 2286/2002, licences for imports at a reduced rate of customs duty shall be issued each year under the following tranches:

— January:	10 000 tonnes
— May:	10 000 tonnes
— September:	0 tonnes.'

3. Article 4 is replaced by the following:

*'Article 4*

For the purposes of Annex II to Regulation (EC) No 2286/2002, the customs duties shall be fixed by the Commission in accordance with the procedure laid down in Article 4 of Commission Regulation (EC) No 1503/96 <sup>(\*)</sup>.

<sup>(\*)</sup> OJ L 189, 30.7.1996, p. 71.'

*Article 2*

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

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

Done at Brussels, 19 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> See page 5 of this Official Journal.

<sup>(2)</sup> OJ L 215, 1.8.1998, p. 12.

<sup>(3)</sup> OJ L 351, 23.12.1997, p. 22.

<sup>(4)</sup> OJ L 30, 31.1.2002, p. 33.

**COMMISSION REGULATION (EC) No 2301/2002  
of 20 December 2002**

**laying down detailed rules for the application of Council Directive 1999/105/EC as regards the  
definition of small quantities of seed**

THE COMMISSION OF THE EUROPEAN COMMUNITIES

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material <sup>(1)</sup>, and in particular Article 14(4) thereof,

Whereas:

- (1) In accordance with Directive 1999/105/EC the supplier's label or document must include information about the germination percentage and the number of germinable seeds of the reproductive material. However, these requirements do not apply to small quantities of seeds.
- (2) The thresholds for small quantities should therefore be determined.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

*Article 1*

For the purposes of Article 14 of Directive 1999/105/EC a quantity of seed shall be considered as small if it does not exceed the amounts specified in the Annex to this Regulation for the different species.

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

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<sup>(1)</sup> OJ L 11, 15.1.2000, p. 17.

## ANNEX

## Small quantities

	amount (in grams)
CONIFERS	
<i>Abies alba</i> Mill.	1 200
<i>Abies cephalonica</i> Loud.	1 800
<i>Abies grandis</i> Lindl.	500
<i>Abies pinsapo</i> Boiss.	1 600
<i>Cedrus atlantica</i> Carr.	2 000
<i>Cedrus libani</i> A. Richard	2 000
<i>Larix decidua</i> Mill.	170
<i>Larix x eurolepis</i> Henry	160
<i>Larix kaempferi</i> Carr.	100
<i>Larix sibirica</i> Ledeb.	100
<i>Picea abies</i> Karst.	200
<i>Picea sitchensis</i> Carr.	60
<i>Pinus brutia</i> Ten.	500
<i>Pinus canariensis</i> C. Smith	300
<i>Pinus cembra</i> Linne	7 000
<i>Pinus contorta</i> Loud.	90
<i>Pinus halepensis</i> Mill.	500
<i>Pinus leucodermis</i> Antoine	600
<i>Pinus nigra</i> Arnold	500
<i>Pinus pinaster</i> Ait.	1 200
<i>Pinus pinea</i> L.	10 000
<i>Pinus radiata</i> D. Don	800
<i>Pinus sylvestris</i> L.	200
<i>Pseudotsuga menzielsi</i> Franco	300
BROAD LEAVES	
<i>Acer platanoides</i> L.	3 500
<i>Acer pseudoplatanus</i> L.	3 000
<i>Alnus glutinosa</i> Gaertn.	40
<i>Alnus incana</i> Moench.	20
<i>Betula pendula</i> Roth	50
<i>Betula pubescens</i> Ehrh.	50
<i>Carpinus betulus</i> L.	2 500
<i>Castanea sativa</i> Mill.	45 000
<i>Fagus sylvatica</i> L.	6 000
<i>Fraxinus angustifolia</i> Vahl.	2 000
<i>Fraxinus excelsior</i> L.	2 000
<i>Populus</i> spp	20
<i>Prunus avium</i> L.	4 500
<i>Quercus cerris</i> L.	40 000
<i>Quercus ilex</i> L.	40 000
<i>Quercus petraea</i> Liebl.	40 000
<i>Quercus pubescens</i> Willd.	40 000

	amount (in grams)
Quercus robur L.	40 000
Quercus rubra L.	40 000
Quercus suber L.	40 000
Robinia pseudoacacia L.	500
Tilia cordata Mill.	900
Tilia platyphyllos Scop.	2 500

**COMMISSION REGULATION (EC) No 2302/2002  
of 20 December 2002**

**amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 2580/2000 <sup>(2)</sup>, and in particular Article 6(2) and Article 7(2) and (3) thereof,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(4)</sup>, and in particular Article 29(1) thereof,

Having regard to Decision 2002/309/EC, Euratom of the Council and of the Commission of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation <sup>(5)</sup>, and in particular Article 5(3) thereof,

Whereas:

- (1) Under Annex 2 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, signed in Luxembourg on 21 June 1999 and approved by Decision 2002/309/EC, Euratom, quota 09.4155 covers all yoghurt, including flavoured yoghurt. The description of the goods covered by that quota should therefore be amended to reflect this.

- (2) Halloumi cheese can be classified in both quota number 2 and quota number 3 in Annex III(C) to Commission Regulation (EC) No 2535/2001 <sup>(6)</sup>, as last amended by Regulation (EC) No 1667/2002 <sup>(7)</sup>. To avoid confusion, the description in that Annex should be adjusted.

- (3) Regulation (EC) No 2535/2001 should therefore be amended accordingly.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the joint meeting of the Management Committees on Milk and Milk Products and on horizontal matters relating to trade in processed agricultural products not covered by Annex I,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2535/2001 is hereby amended as follows:

1. Annex I.F is replaced by the text in Annex I to this Regulation.
2. Annex III.C is replaced by the text in Annex II to this Regulation.

*Article 2*

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

Point 1 of Article 1 shall apply from 1 January 2003.

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

Done at Brussels, 20 December 2002.

For the Commission

Franz FISCHLER

Member of the Commission

<sup>(1)</sup> OJ L 318, 20.12.1993, p. 18.

<sup>(2)</sup> OJ L 298, 25.11.2000, p. 5.

<sup>(3)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(4)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(5)</sup> OJ L 114, 30.4.2002, p. 1.

<sup>(6)</sup> OJ L 341, 22.12.2001, p. 29.

<sup>(7)</sup> OJ L 252, 20.9.2002, p. 8.

## ANNEX I

Quota No	CN code	Description	Customs duty	Quantity (tonnes)	
				Fixed quota	
				2002 from 1 July 2002 to 30 June 2003	2003 et seq. from 1 July to 30 June
'09.4155	ex 0401 30 0403 10	Cream, of a fat content by weight exceeding 6 % Yoghurt	} exemption	2 167 (2 000 + 167)	2 000'

## ANNEX II

## III.C

## PREFERENTIAL IMPORT ARRANGEMENTS — OTHER

Order No	CN Code	Description	Country of origin	Import duty (EUR/100 kg net weight without further indication)	Rules or comple- ting IMA 1 certificates
1	ex 0406 90 29	Kashkaval, made exclusively from sheep's milk, matured for at least two months, of a minimum fat content of 45 % by weight in the dry matter and a minimum dry matter content, by weight, of 58 %, in whole cheeses not exceeding 10 kg, whether wrapped in plastic or not	Cyprus	67,19	See Annex XI(E)
2	ex 0406 90 31 ex 0406 90 50	Cheese, except Halloumi, made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles	Cyprus	67,19	See Annex XI(F)
3	ex 0406 90 50 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Halloumi	Cyprus	27,63	See Annex XI(F)

**COMMISSION REGULATION (EC) No 2303/2002  
of 9 December 2002**

**amending Regulation No 230/2001 imposing a provisional anti-dumping duty on certain iron or steel ropes and cables originating in the Czech Republic, Russia, Thailand and Turkey and accepting undertakings offered by certain exporters in the Czech Republic and Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup>, as last amended by Regulation (EC) No 1972/2002 <sup>(2)</sup>, and in particular Article 8 thereof,

After consulting the Advisory Committee,

Whereas:

*inter alia*, exempted from the anti-dumping duty by Article 2(2).

**B. VOLUNTARY WITHDRAWAL OF THE UNDERTAKING**

- (3) Celik Halat ve Tel Sanayii AS advised the Commission that they wished to withdraw this undertaking. Accordingly, the name of Celik Halat ve Tel Sanayii AS should be deleted from the list of companies from whom an undertaking has been accepted.
- (4) In parallel to this Regulation, the Council, by Regulation (EC) No 2288/2002 <sup>(6)</sup> has also removed the exemption from the definitive anti-dumping duty granted to Celik Halat ve Tel Sanayii AS, by amending Article 2(1) of Regulation (EC) No 1601/2001,

**A. PREVIOUS PROCEDURE**

- (1) On 5 May 2000, an anti-dumping proceeding was initiated by the Commission <sup>(3)</sup> on imports of certain iron or steel ropes and cables originating, *inter alia*, in Turkey. This proceeding resulted in a definitive anti-dumping duty being imposed by Council Regulation (EC) No 1601/2001 <sup>(4)</sup> in August 2001 in order to eliminate the injurious effects of dumping.
- (2) Provisional measures were imposed by Commission Regulation (EC) No 230/2001 <sup>(5)</sup>. In parallel, the Commission accepted, *inter alia*, a price undertaking from the Turkish exporting producer Celik Halat ve Tel Sanayii AS by Article 2(1). Imports of products produced and directly exported by that company were,

HAS ADOPTED THIS REGULATION:

*Article 1*

The undertaking accepted from Celik Halat ve Tel Sanayii AS is hereby withdrawn.

*Article 2*

1. The table in Article 2(1) of Regulation No 230/2001 is replaced by the following table.

Country	Company	Taric additional code
'Czech Republic	ŽDB as	A216
Turkey	Has Celik ve Halat San Tic AS	A220'

2. Article 2(2) of Regulation No 230/2001 is hereby replaced as follows:

'2. Imports declared for release into free circulation under Taric additional codes A216 and A220 shall be exempt from the anti-dumping duties imposed by Article 1 if they are produced and directly exported (i.e. invoiced and shipped) by a company mentioned in Article 2(1) to a company acting as an importer in the Community. Such imports shall also be accompanied by a commercial invoice containing at least the elements listed in the Annex.'

*Article 3*

This Regulation shall be applicable from the day following that of its publication in the *Official Journal of the European Communities*.

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1.

<sup>(2)</sup> OJ L 305, 7.11.2002, p. 1.

<sup>(3)</sup> OJ C 127, 5.5.2000, p. 12.

<sup>(4)</sup> OJ L 211, 4.8.2001, p. 1.

<sup>(5)</sup> OJ L 34, 3.2.2001, p. 4.

<sup>(6)</sup> See page 52 of this Official Journal.



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

Done at Brussels, 9 December 2002.

*For the Commission*

Pascal LAMY

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2304/2002  
of 20 December 2002**

**implementing Council Decision 2001/822/EC on the association of the overseas countries and territories with the European Community ('Overseas Association Decision')**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2001/822/EC<sup>(1)</sup>, and in particular Article 23 thereof,

Having regard to the Internal Agreement between Representatives of the Governments of the Member States, meeting within the Council, on the Financing and Administration of Community Aid under the Financial Protocol to the Partnership Agreement between the African, Caribbean and Pacific States and the European Community and its Member States signed in Cotonou (Benin) on 23 June 2000 and the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies<sup>(2)</sup>,

Having regard to the Council Regulation on a Financial Regulation for the European Development Fund<sup>(3)</sup> (EDF Financial Regulation),

Whereas:

- (1) Decision 2001/822/EC (Overseas Association Decision) requires the Commission to adopt implementing provisions concerning Part III and Annexes II(A) to (D) in cooperation with the overseas countries and territories (OCT) within the framework of the partnership procedure. In particular, Article 4 lays down that OCT shall have primary responsibility for the preparation of Single Programming Documents (SPD) and cooperation programmes.
- (2) The provisions adopted by the Commission pursuant to Article 23 of the Overseas Association Decision should be consistent with the principles of sound financial management, partnership, complementarity and subsidiarity and ensure ownership by the OCT of the development process as well as adequate monitoring and auditing by the OCT themselves and the Commission.
- (3) Taking into account the specific needs, capabilities and constraints of the OCT, financial assistance should be granted to the OCT as budgetary support, provided the OCT management of public expenditure presents sufficient transparency, accountability and effectiveness. In addition, the public procurement procedures there should satisfy to the standards of the EDF Financial Regulation as to transparency and openness. Alternatively to budgetary support, financial assistance may be provided as support for projects or programmes when this is deemed to ensure a more effective or safer implementation.

- (4) Provisions should be established for the preparation of the SPD, its follow-up, audit, evaluation, review and implementation, as well as for reporting and financial corrections. Such provisions should cover the participation of the Commission in those activities. Subject to any necessary adaptation to the specific OCT situation, they should be consistent with the corresponding ones in the context of structural funds, in order to enhance and facilitate the effectiveness of the Commission participation.
- (5) In order to facilitate regional cooperation and integration between the OCT and the ACP countries, identical rules should in principle apply. However, taking into account the geographical situation of certain OCT, which in practice cannot establish close cooperation with ACP countries or other OCT, the possibility should also be provided for regional funds to be allocated at the request of only one OCT.
- (6) The measures provided for in this Regulation have been subject to consultation with the OCTs.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the EDF-OCT Committee established by Article 24 of the Overseas Association Decision,

HAS ADOPTED THIS REGULATION:

PART 1

**SUBJECT MATTER AND PRINCIPLES**

*Article 1*

**Subject matter**

This Regulation lays down the procedures for the programming, implementation and control of the Community financial assistance to the OCT managed by the Commission under the Ninth European Development Fund (EDF), in accordance with the provisions of the Overseas Association Decision and the EDF Financial Regulation.

*Article 2*

**Complementarity and partnership**

1. The programming, implementing, monitoring and evaluation of EDF support shall be carried out in close consultation between the OCT, the Member States concerned and the Commission.

<sup>(1)</sup> OJ L 314, 30.11.2001, p. 1.

<sup>(2)</sup> OJ L 317, 15.12.2002, p. 355.

<sup>(3)</sup> Not yet published — COM (2002)290 final, 11.06.2002.

2. The OCT shall ensure that all the actors of cooperation listed in Article 5(1), second and third indent of the Overseas Association Decision are adequately consulted during the programming process.

3. The OCT, the Member States concerned and the Commission shall promote coordination and consistency between both measures undertaken pursuant to this Regulation, measures undertaken with contributions from the Community budget, and operations undertaken by the European Investment Bank, other international institutions and the Member States concerned.

## PART II

### PROGRAMMABLE AND NON-PROGRAMMABLE AID

#### CHAPTER 1

#### *Programmable aid*

##### Article 3

#### **Territorial programming**

Operations financed by non-repayable aid within the framework of the Overseas Association Decision shall be programmed as soon as possible after the entry into force of this Regulation by means of the adoption of a Single Programming Document (SPD) following the model in the Annex to the present Regulation.

##### Article 4

#### **Preparation of the SPD**

1. The competent OCT authorities shall prepare a proposal for the SPD following consultations with the widest possible range of stakeholders in the development process, and shall draw on lessons learned and best practices.

Each proposal for a SPD shall be adapted to the needs and respond to the specific circumstances of each OCT. It shall prioritise activities and build local ownership of cooperation programmes.

The proposal shall be submitted to the Commission not later than 12 months after the entry into force of this Regulation.

2. The proposal for the draft SPD shall be the subject of an exchange of views between the OCT and Member State concerned and the Commission, via, if applicable, the relevant Delegation.

The OCT shall provide all the necessary information, including the results of any feasibility studies, to make the appraisal of the draft SPD by the Commission as effective as possible.

3. The OCT authorities shall, in particular, indicate to the Commission at the earliest possible stage whether they require that EDF financial allocation be provided as budgetary support.

Any divergences between the country's own analysis and the Community's shall be noted.

##### Article 5

#### **Commission's appraisal of the SPD**

The Commission shall appraise the proposal for the SPD to determine whether it contains all the elements required and is consistent with the aims of the Overseas Association Decision, this Regulation and the relevant Community policies. It shall inform the European Investment Bank on the draft received.

In particular, the Commission shall decide whether EDF financial assistance is to be granted by means of budgetary support, subject to a preliminary assessment of the transparency, accountability and effectiveness of public expenditure management and of the openness and transparency of public procurement in accordance with the standards set out in the EDF Financial Regulation, or as support for programmes or projects.

##### Article 6

#### **Regional programmes**

1. The financial support for regional cooperation and integration laid down in Article 1(1)(a)(ii) of Annex II(A) to the Overseas Association Decision shall be allocated on the basis of programme proposals submitted by one or more OCT in accordance with Article 16 of the 'Overseas Association' Decision.

2. Proposals shall be the result of an exchange of views between the Commission and the OCT Territorial Authorising Officers appointed in accordance with Article 14 of this Regulation or their representatives, including, where appropriate, consultation with eligible non-State actors.

They shall be submitted to the Commission by 30 September 2003.

In its assessment of the proposals, the Commission shall take particular account of the anticipated impact on the integration of the beneficiary OCT within the region to which they belong. Commitment of expenditure shall be preceded by a Commission financing decision covering support for projects and programmes.

3. Where any balance remains after the first allocation, additional proposals may be submitted twice a year, except in cases of particular urgency, and for the first time by 31 December 2003 and 30 June 2004 respectively.

4. In order to achieve an adequate scale and to increase efficiency, regional and territorial funds may be mixed for financing regional programmes with a distinct territorial component.

5. Articles 8 and 16 to 30 apply to regional programmes *mutatis mutandis*.

## CHAPTER 2

**Non-programmable aid**

## Article 7

**Use of the reserve 'C'**

1. The Commission shall allocate the resources from the reserve 'C' for the purposes referred to in Article 3(3)(b) or (c) of Annex II(A) to the Overseas Association Decision on the basis of the mid-term review referred to in Article 22 of this Regulation, or, in the case of Greenland, the mid-term review referred to in Article 3(2) of Annex II to the Overseas Association Decision. The Commission shall adjust the indicative allocations in Article 3(4) of Annex II(A) to the Overseas Association Decision accordingly and inform the OCTs and the Member States of its decision regarding the new allocations.

2. For the purposes of committing the resources laid down in Article 28 and Annex II D of the Overseas Association Decision, any OCT which considers itself to be eligible for the support laid down therein shall submit a complete request on the forms made available by the Commission and include all the information needed for it to be assessed.

The request shall be submitted to the Commission at the latest by 30 April of the year following the year for which the additional support is required.

The Commission shall inform the OCT within the shortest possible time of its decision.

## PART III

**IMPLEMENTATION**

## CHAPTER 1

**Financial procedures**

## Article 8

**Commitments**

1. Expenditure on financial assistance for the OCT shall be committed by the Commission in accordance with the EDF Financial Regulation.

2. Within the scope of the SPD, commitment of expenditure shall be preceded by a Commission financing decision covering budgetary support or support for projects and programmes.

3. Outside the scope of the SPD, expenditure related to the non-allocated reserve 'C' set aside in accordance with Article 3(3) of Annex II(A) to the Overseas Association Decision shall be committed by the Commission and implemented in accordance with Article 15 and 54 of the EDF Financial Regulation.

## Article 9

**Paying agents**

The financial institutions in the OCT with which the Commission opens accounts in accordance with Part I, Title III, Chapter 3, Section 4 of the EDF Financial Regulation for the purposes of implementing cooperation with the OCT shall exercise the functions of 'Paying Agents'.

Interest shall be payable on funds deposited with Paying Agents in the Community.

The Paying Agents shall receive no remuneration for their services and no interest shall be payable on deposited funds.

## CHAPTER 2

**Contracts**

## Article 10

**General regulations for contracts**

1. The procedures governing the award of contracts shall be indicated in the financing agreements.

2. Where financial assistance is granted by means of budgetary support, the procedures for public procurement of the OCT in question shall apply.

3. In all other cases, award of contract shall follow the provisions laid down in Article 75 (1)(1) of the EDF Financial Regulation.

## Article 11

**Tax and customs arrangements**

1. OCT shall apply for contracts implementing programmes or projects financed by EDF tax and customs arrangements no less favourable than the arrangements they apply to the most favoured States or international development organisations with which they have relations. For the purposes of determining the most-favoured-nation (MFN) treatment, account shall not be taken of arrangements applied by the OCT concerned to other OCT or ACP States, or to other developing countries.

2. Subject to paragraph 1, the following shall apply to contracts financed by the Community:

(a) the contract shall not be subject in the beneficiary OCT to stamp or registration duties or to fiscal charges having equivalent effect, whether such charges already exist or are to be instituted in the future; however, such contracts shall be registered in accordance with the laws in force in the OCT and a fee corresponding to the service rendered may be charged therefor;

(b) profits and/or income arising from the performance of contracts shall be taxable according to the internal fiscal arrangements of the OCT concerned, provided that the natural or legal persons who realise such profit and/or income have a permanent place of business in that State, or that the performance of the contract takes longer than six months;

- (c) enterprises having to import professional equipment in order to carry out works contracts shall, if they so request, benefit from the system of temporary admission as laid down by the national legislation of the beneficiary OCT in respect of the said equipment;
- (d) any professional equipment needed to carry out the tasks defined in a service contract shall be temporarily admitted into the beneficiary OCT in accordance with its national legislation free of customs duties, taxes or fiscal charges having equivalent effect where such duties and charges do not constitute remuneration for services rendered;
- (e) imports under supply contracts shall be admitted into the beneficiary OCT without customs duties, taxes or fiscal charges having equivalent effect. The contract for supplies originating in the OCT concerned shall be concluded on the basis of the ex-works price of the supplies, to which may be added such internal fiscal charges as may be applicable to those supplies in the OCT;
- (f) fuels, lubricants and hydrocarbon binders and all materials used in the performance of works contracts shall be deemed to have been purchased on the local market and shall be subject to fiscal rules applicable under the national legislation in force in the beneficiary OCT; and
- (g) personal and household effects imported for use by natural persons, other than those recruited locally, engaged in carrying out the tasks defined in a service contract, as well as members of their families, shall be exempt from customs or import duties, taxes and other fiscal charges having equivalent effect, within the limit of the national legislation in force in the beneficiary OCT.

3. Any matter not covered by paragraphs 1 and 2 on tax and customs arrangements shall remain subject to the legislation of the OCT concerned.

#### CHAPTER 3

### **Management and executing agents**

#### Article 12

### **Implementing procedures**

Without prejudice to the procedures for implementing budgetary support referred to in Articles 8(2) and 10(2), programmes and projects financed according to this Regulation shall be implemented in accordance with Articles 13, 14 and 15.

#### Article 13

### **Delegations**

1. Where the Commission is represented by a Delegation under the authority of a Head of Delegation, it shall inform the OCT concerned accordingly. In such cases, Articles 22(2) and 67 of the EDF Financial Regulation concerning authorising officers and accounting officers by subdelegation shall apply.

2. The Head of Delegation, in close cooperation with the Territorial Authorising Officer, shall:

- (a) at the request of the OCT concerned, participate and give assistance in the preparation of projects and programmes and in negotiating technical assistance contracts;
- (b) participate in appraising projects and programmes, preparing tender dossiers and seeking ways to simplify project and programme appraisal and implementation procedures;
- (c) prepare financing proposals;
- (d) approve, before the Territorial Authorising Officer issues them, the local open invitation to tender and the emergency assistance contract dossiers within 30 days of receiving them from the Territorial Authorising Officer;
- (e) be present at the opening of tenders and receive copies of them and of the results of their examination;
- (f) approve, within 30 days, the Territorial Authorising Officer's proposal for the placing of local open tenders, direct agreement contracts, emergency assistance contracts, service contracts and works contracts with a value less than EUR 5 million and supply contracts with a value less than EUR 1 million;
- (g) for all other contracts not covered by the above, approve, within 30 days, the Territorial Authorising Officer's proposal for the placing of the contract wherever the following conditions are fulfilled:
  - (i) the tender selected is the lowest of those conforming to the requirements of the tender dossier;
  - (ii) the tender selected meets all the selection criteria stated in the tender dossier; and
  - (iii) the tender selected does not exceed the sum earmarked for the contract;
- (h) where the conditions set out in paragraph g are not fulfilled, forward the proposal to the Chief Authorising Officer, who shall decide thereon within 60 days of receipt from the Head of Delegation. Where the price of the selected tender exceeds the sum earmarked for the contract, the Chief Authorising Officer shall, upon giving approval to the award, make the necessary financial commitment;
- (i) endorse contracts and estimates in the case of direct labour, riders thereto as well as payment authorisations issued by the Territorial Authorising Officer;
- (j) ensure that the projects and programmes financed from the resources of the Fund managed by the Commission are properly implemented from a financial and technical viewpoint;



- (k) cooperate with the authorities of the OCT where he represents the Commission in evaluating operations on a regular basis;
- (l) provide the OCT with all the information and relevant documents on the procedures for implementing development finance cooperation, especially as regards appraisal criteria and tender evaluation criteria; and
- (m) inform the OCT authorities, on a regular basis, of Community activities which may directly concern cooperation between the Community and the OCT.

3. Any further delegation of administrative and/or financial powers to the Head of Delegation other than described in this Article shall be notified to the Territorial Authorising Officers.

#### Article 14

##### **Territorial Authorising Officer**

1. The Government of each OCT shall appoint a Territorial Authorising Officer to represent it in all operations financed from the resources of the Fund managed by the Commission and the Bank. The Territorial Authorising Officer may delegate some of these functions and shall inform the Chief Authorising Officer of any such delegation.

2. The functions of the Territorial Authorising Officer shall be as follows:

- (a) in close cooperation with the Head of Delegation, be responsible for the preparation, submission and appraisal of projects and programmes;
- (b) in close cooperation with the Head of Delegation, issue invitations for local open tenders, receive tenders, both local and international (open and restricted), preside over the examination of tenders, establish the results of this examination, sign contracts and riders thereto and approve expenditure;
- (c) submit, before issuing local open invitations to tender, the invitation to tender dossier to the Head of Delegation, who shall give his agreement within 30 days;
- (d) complete the evaluation of tenders within the tender validity period, taking into consideration the period required for the approval of contracts;
- (e) transmit the results of the examination of and a proposal for placing the contract to the Head of Delegation for his approval within the time limits set out in Article 15(f);
- (f) clear and authorise expenditure within the limits of the funds assigned to him; and
- (g) during the execution of operations, make any adaptation arrangements necessary to ensure proper implementation of approved projects or programmes from an economic and technical viewpoint.

3. During the execution of operations and subject to the requirement to inform the Head of Delegation the Territorial Authorising Officer shall enjoy decision-making powers on the following:

- (a) technical adjustments and alterations in matters of detail so long as they do not affect the technical solution adopted and remain within the limits of the reserve for adjustments;
- (b) alterations to estimates during execution;
- (c) transfers from item to item within estimates;
- (d) changes of site for multiple-unit projects or programmes where justified on technical, economic or social grounds;
- (e) imposition or remission of penalties for delay;
- (f) acts discharging guarantors;
- (g) purchase of goods, irrespective of their origin, on the local market;
- (h) use of construction equipment and machinery not originating in the OCT, Member States or ACP States provided there is no production of comparable equipment and machinery in the OCT, Member States or ACP States;
- (i) subcontracting;
- (j) final acceptance, provided that the Head of Delegation is present at provisional acceptance, endorses the corresponding minutes and, where appropriate, is present at the final acceptance, in particular where the extent of the reservations recorded at the provisional acceptance necessitates major additional work; and
- (k) hiring of consultants and other technical assistance experts.

4. In addition the Territorial Authorising Officer shall:

- (a) draw up and, after obtaining the approval of the Monitoring Committee, submit to the Commission the annual implementation report;
- (b) carry out the mid-term review referred to in Article 22;
- (c) ensure that those bodies taking part in the management and implementation of EDF programmes maintain either a separate accounting system or an adequate accounting code for all transactions relating to the assistance; and
- (d) take any necessary measures to ensure the implementation of Articles 16, 19, 24 and 30.

5. When the annual implementation report referred to in Article 21 is submitted, the Commission and the Territorial Authorising Officer shall review the main outcomes of the previous year.

After this review, the Commission may make comments to the Territorial Authorising Officer. The Territorial Authorising Officer shall inform the Commission of any action taken on these comments. Where in duly substantiated cases the Commission considers that the measures taken are inadequate, it may make recommendations to the OCT and the Territorial Authorising Officer for adjustments aimed at improving the effectiveness of the monitoring or management arrangements, together with the reasons for any such recommendations.

On receiving any such recommendations, the Territorial Authorising Officer shall subsequently demonstrate the steps taken to improve the monitoring or management arrangements or shall explain why no such steps have been taken.

#### Article 15

##### Regional stakeholders

1. Proposals for a regional programme shall be submitted by:

- (a) at least two OCT Territorial Authorising Officers; or
- (b) exceptionally, one OCT Territorial Authorising Officer where only one OCT is involved in an action mentioned in Article 16(1)(b) to (e) of the 'Overseas Association' Decision.

2. Regional programmes shall be implemented by the Territorial Authorising Officer or organisation designated in the proposal.

#### PART IV

##### MONITORING, REVIEW, AUDITING AND EVALUATION

#### CHAPTER 1

##### Monitoring

#### Article 16

##### OCT responsibility

1. Without prejudice to the Commission's responsibility for implementing the Community financial support, the OCT shall take responsibility in the first instance for the financial control of such support.

To that end, the Territorial Authorising Officer shall:

- (a) set up and implement management and control arrangements in such a way as to ensure that Community funds are being used efficiently and correctly. Appropriate internal and external financial controls are to be carried out in accordance with internationally accepted audit standards by the competent financial control authority, which must be independent for the purposes of performing this function;
- (b) provide the Commission with a description of these arrangements;

(c) guarantee that assistance is managed in accordance with all the applicable rules and that the funds placed at their disposal are used in accordance with the principles of sound financial management;

(d) certify that the declarations of expenditure presented to the Commission are accurate and that they result from accounting systems based on verifiable supporting documents;

(e) present to the Commission, when each programming period is wound up, a declaration drawn up by a person or department having a function independent of the designated managing authority. This declaration shall summarise the conclusions of the checks carried out during previous years and shall assess the validity of the application for payment of the final balance and the legality and regularity of the transactions covered by the final certificate of expenditure. The OCT may attach their own opinion to this certificate if they consider it necessary;

(f) cooperate with the Commission to ensure that EDF resources are used in accordance with the principles of sound financial management;

(g) prevent, detect and correct irregularities, notify these to the Commission, in accordance with the rules, and keep the Commission informed of the progress of administrative and legal proceedings;

(h) recover any amounts lost as a result of an irregularity detected and, where appropriate, charge interest on late payments;

(i) take all the necessary measures to ensure compliance with the provisions of the indicative programme, including that the timetable of commitments and disbursements agreed at the time of programming is met; and

(j) investigate any causes of delay in implementation and propose suitable measures to remedy the situation.

2. Each year an audit plan and a summary of the findings of the audits carried out shall be sent to the Commission.

Audit reports will be at the disposal of the Commission.

#### Article 17

##### Coordination

1. The Commission and the OCT, represented by the Territorial Authorising Officer, shall cooperate and coordinate plans, methods and implementation of checks so as to maximise the usefulness of the checks carried out. They shall immediately exchange the results of the checks carried out.

2. At least once a year the following shall be examined and assessed:

- (a) the results of the checks carried out by the OCT and the Commission;

- (b) any comments made by other national or Community control bodies or institutions;
- (c) the financial impact of any irregularities noted, the steps already taken or still required to correct them and, where necessary, adjustments to the management and control systems.

3. Following the examination and assessment under paragraph 2, and without prejudice to the measures to be taken immediately by the OCT under Article 16, the Commission may make observations, particularly regarding the financial impact of any irregularities detected.

These observations shall be addressed to the Territorial Authorising Officer of the OCT concerned and be accompanied, where necessary, by requests for corrective measures to remedy the management shortcomings found and address those irregularities detected which have not already been corrected.

The OCT shall have the opportunity to comment on these observations.

#### Article 18

##### Monitoring Committees

1. A Monitoring Committee shall supervise the implementation of each SPD.

The OCT authorities shall set up the Monitoring Committee no more than three months after the approval of the SPD.

2. The Monitoring Committee shall be chaired by the Territorial Authorising Officer or his representative.

A representative of the Commission, and, where appropriate, of the European Investment Bank, may participate in the work of the Monitoring Committee in an advisory capacity.

The authorities or bodies designated by the OCT, the Commission, the Member State concerned and, where appropriate, the European Investment Bank and/or any other co-financing institution shall be represented in the committee. Where regional and local authorities and private enterprises are responsible for the implementation of a project and where they are directly concerned by a project, they shall also be represented in such committees.

3. The Monitoring Committee shall draw up its own rules of procedure within the institutional, legal and financial framework of the OCT concerned and agree on them with the Territorial Authorising Officer.

4. For the meetings of the monitoring committee the Territorial Authorising Officer shall submit progress reports in accordance with the standard model provided by the Commission. The report shall be received by the Commission 15 working days ahead of the scheduled meeting.

5. In order to verify the effectiveness and quality of the implementation of assistance the Monitoring Committee shall:

- (a) periodically review the progress made towards achieving the specific objectives of the SPD;
- (b) examine the mid-term review referred to in Article 22 before it is sent to the Commission;

- (c) consider and approve the annual and final implementation reports before they are sent to the Commission;
- (d) consider and approve any proposal to amend the contents of the SPD.

#### Article 19

##### Monitoring indicators

The Territorial Authorising Officer and the Monitoring Committee shall carry out the monitoring by reference to indicators specified in the SPD.

The indicators shall take account of the indicative methodology made available by the Commission.

They shall relate to the specific character of the projects and their objectives and show:

- (a) inputs, outputs, outcome and as far as possible impacts;
- (b) the stage reached in assistance in terms of physical implementation;
- (c) the progress of the financing plan.

#### CHAPTER 2

##### Review

#### Article 20

##### Review process

1. Financial cooperation shall be sufficiently flexible to ensure that operations are kept constantly in line with the objectives of the Overseas Association Decision and take account of any changes occurring in the economic situation, priorities and objectives of the OCT concerned, in particular by means of the annual implementation report and the mid-term or, if applicable, the annual review SPD referred to in Article 21(5).

2. In the exceptional circumstances referred to in the provisions on humanitarian and emergency assistance, the review may be carried out at the request of either Party.

#### Article 21

##### Annual implementation report

1. The Territorial Authorising Officer shall submit annual implementation reports to the Commission within three months of the end of each full year of implementation from the adoption of the SPD.

2. The annual implementation report on the SPD shall consist of a joint assessment of the implementation of the programme and take into account the results of the relevant activities of monitoring and evaluation.

3. This report shall be made locally and shall be finalised between the Territorial Authorising Officer, the Monitoring Committee and, if applicable, the Head of Delegation concerned within a period of 60 days.



4. It shall in particular include an assessment of:
- the results achieved in the focal sector(s) measured against the identified targets and impact indicators and sectoral policy commitments;
  - any projects and programmes outside the focal sector(s) and/or part of multi-annual programmes;
  - the use of any resources set aside for non-State actors;
  - the effective implementation of current operations and the extent to which the timetable for commitments and payments has been met; and
  - any extension of programming to cover the years ahead.

5. Where appropriate, an annual review shall be carried on the basis of the report at the occasion of a partnership meeting, as laid down in Article 7 of the Overseas Association Decision.

#### Article 22

##### Mid-term review

1. The mid-term review shall be organised to examine the initial results of the SPD, their relevance and the extent to which the targets have been attained.

It shall also assess the use made of financial resources and the operation of monitoring and implementation.

2. The mid-term review shall be carried out under the responsibility of the Commission, in cooperation with the Territorial Authorising Officer and the Member State concerned.

It shall be carried out in general between 24 and 36 months after the entry into force of this Regulation by an independent assessor, submitted to the Monitoring Committee and then sent to the Commission. A different deadline may be set in the SPD, in particular in respect of the indicators adopted in the event of budgetary support.

3. The Commission shall examine the relevance and quality of the review on the basis of criteria defined in the SPD, including in respect of the EDF financial allocation.

#### CHAPTER 3

##### Audits

#### Article 23

##### Audits

1. Without prejudice to checks carried out by beneficiary countries, the Commission and the Court of Auditors may, through their own staff or duly authorised representatives, carry out on-the-spot technical or financial audits, including sample checks and final audits on the operations financed by the EDF and on management and control systems at a minimum of one working day's notice.

The Commission shall give notice to the OCT concerned with a view to obtaining all the assistance necessary. Officials or servants of the OCT concerned may take part in such checks. The Commission may require the OCT concerned to carry out an on-the-spot check to verify the correctness of one or more transactions. Commission officials or servants may take part in such checks.

2. The beneficiary countries shall assist the Commission services and the Court of Auditors in the performance of audits relating to the utilisation of EDF resources.

#### Article 24

##### Audit trail

1. OCT management and control systems shall provide a sufficient audit trail, in accordance with the conditions laid down in each financing agreement.

2. A sufficient audit trail is present where:

- accounting records kept at the appropriate management level provide detailed information of expenditure actually incurred in EDF-financed operations. The accounting records show the date they were created, the amount of each item of expenditure, the nature of the supporting documents and the date and method of payment. The necessary documentary evidence (e.g. invoices) is attached;
- the technical specifications and financial plan of the operation, progress reports, the documents concerning the grant approval and tendering and contracting procedures, and reports on inspections of the products and services financed are also kept at the appropriate management level;
- in the case of computerised transfer of accounting data, all the authorities and bodies concerned obtain sufficient information from the lower level to justify their accounting records and the sums reported upwards, so as to ensure a sufficient audit trail from the total summary amounts certified to the Commission down to the individual expenditure items and the supporting documents at the level of the final beneficiaries and the bodies and firms carrying out the operations;

3. the Territorial Authorising Officer shall take any measures needed to implement this Article.

#### CHAPTER 4

##### Evaluation

#### Article 25

##### Evaluation

1. The evaluation of the SPD shall cover the utilisation of resources, the effectiveness and efficiency of the assistance and its impact and shall draw conclusions and recommendations, using notably evaluation results already available.

It shall cover the factors contributing to the success or failure of implementation and achievements and results, including their sustainability.

2. Evaluations of the SPD shall be the responsibility of the Commission, in coordination with the Monitoring Committee.

3. The evaluation programme should be outlined in the SPD.

Evaluations shall, in particular:

- (a) provide regular and independent assessments of the Fund's operations and activities by comparing planned results and objectives with actual achievements; and thereby
- (b) enable OCT, Member States and the Commission to feed the lessons of experience back into the design and execution of future policies and operations.

4. The results of the evaluation shall be made available to the public.

#### *Article 26*

### **Evaluation procedures**

Without prejudice to evaluations carried out by the OCT or the Commission, evaluations of programmes, projects or other activities implementing the SPD may be performed jointly by the OCT and the Commission, in cooperation with the Member State concerned.

#### *PART V*

### **FINANCIAL ADAPTATIONS**

#### *Article 27*

### **Adaptation of EDF allocations**

Using the results of monitoring, audit and evaluations as a basis and taking account of the comments of the Monitoring Committee, the Commission may adjust the amounts and conditions of the initial SPD on its own initiative or on a proposal from the OCT concerned in the light of the current needs and performance of that OCT.

This adaptation shall normally take place on the occasion of the mid-term review, in accordance with the procedure laid down in Article 24 of the Overseas Association Decision, between 24 and 36 months after the entry into force of this Regulation or, in the case of irregularities, in the shortest possible time.

#### *Article 28*

### **Suspension of payments**

1. The Commission shall suspend the payments and, stating its reasons, request that the OCT submit its comments and, where appropriate, carry out any corrections, within a specified period of time where, after completing the necessary checks, it concludes that:

- (a) an OCT has not complied with its obligations; or

(b) all or part of the SPD justifies neither part nor the whole of the EDF contribution; or

(c) there are serious failings in the management or control systems which could lead to systemic irregularities.

2. The period of time within which the OCT concerned may respond to a request to submit its comments and, where appropriate, make corrections, shall be two months, except in duly justified cases where a longer period may be agreed by the Commission.

3. Where the OCT objects to the observations made by the Commission, the OCT and the Member State concerned shall be invited to a partnership meeting by the Commission, in which all sides shall try to reach an agreement on the observations and the conclusions to be drawn from them.

Whenever the OCT objects to the observations made by the Commission and an ad hoc partnership meeting takes place, the three-month period under paragraph 5 within which the Commission may take a decision shall begin to run from the date of the partnership meeting.

4. Where the Commission proposes financial corrections, the OCT shall be given the opportunity to demonstrate, through an examination of the files concerned, that the actual extent of irregularity was less than the Commission's assessment.

Except in duly justified cases, the time allowed for this examination shall not exceed a further period of two months after the two-month period referred to in paragraph 1.

The Commissions shall take account of any evidence supplied by the OCT within the time limits.

5. At the end of the period set out in paragraph 2, the Commission shall, where no agreement has been reached and the OCT has not made the corrections, take account of any comments made by the OCT and Member States and decide within three months to:

- (a) reduce the payments; or
- (b) make the financial corrections required by cancelling all or part of the EDF allocation.

6. Without prejudice to paragraphs 1 to 5, the Commission may, after due verification, suspend all or part of an interim payment where it finds that the expenditure concerned is linked to a serious irregularity which has not been corrected and that immediate action is needed.

The Commission shall inform the OCT concerned of the action taken and the reasons for it. Where, after five months, the reasons for the suspension persists or the OCT concerned has not notified the Commission of the measures taken to correct the serious irregularity, the provisions laid down in Article 30 shall apply.

## Article 29

**Recovery and repayments**

1. Any repayment due to be made to the Commission shall be made by the due date indicated in the order for recovery drawn up in accordance with Article 45 of the EDF Financial Regulation. This due date shall be the last day of the second month following the issuing of the order.

2. Any delay in effecting repayment shall give rise to interest on account of late payment, starting on the due date referred to in paragraph 1 and ending on the date of actual payment. The rate of such interest shall be one and a half percentage points above the rate applied by the European Central Bank in its main refinancing operations on the first working day of the month in which the due date falls.

3. The Territorial Authorising Officer shall keep an account of amounts recoverable from payments of Community assistance already made, and ensure that the amounts are recovered without unjustified delay.

The beneficiary shall repay any amount to be recovered, together with interest received on account of late payment, by deducting the amounts concerned from its next statement of expenditure and request for payment to the Commission, or, where this is insufficient, by making a refund to the Community.

The Territorial Authorising Officer shall send the Commission a statement once a year of the amounts awaiting recovery at that date, classified by the year of initiation of the recovery proceedings.

## PART VI

**FINAL PROVISIONS**

## Article 30

**Information and publicity**

1. OCT shall ensure that adequate publicity is given to the EDF programmes with a view to:

- (a) making the general public aware of the role played by the Community in relation to those programmes;
- (b) making potential beneficiaries and professional organisations aware of the possibilities afforded.

2. Beneficiary countries shall ensure, in particular, that directly visible display panels are erected showing physical projects financed by the Community, together with the Community logo, and that representatives of the Community institutions are duly involved in the most important public activities connected with EDF-supported programmes.

## Article 31

**Entry into force**

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

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

Done at Brussels, 20 December 2002.

*For the Commission*

Poul NIELSON

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2305/2002  
of 20 December 2002**

**amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the  
system of import and export licences for cereals and rice**

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 1666/2000<sup>(2)</sup>, and in particular Article 13(11) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice<sup>(3)</sup>, as last amended by Commission Regulation (EC) No 411/2002<sup>(4)</sup>, and in particular Article 9(2) and Article 13(15) thereof,

Whereas:

- (1) Negotiations with a view to adopting trade agreements between the European Community and Bulgaria, the Czech Republic, Romania, Slovakia and Slovenia establishing certain concessions in the form of Community tariff quotas for certain agricultural products and the total liberalisation of trade in other agricultural products have recently been concluded. In the cereals sector, one of the concessions provided for is the abolition of export refunds. The abolition of export refunds covers most of the basic products referred to in Article 1(1) of Regulation (EEC) No 1766/92 and certain processed products.
- (2) With a view to adopting these agreements, and in order to clarify the export terms at the beginning of 2003 for all exporters in the cereals sector, in particular in view of the period of validity of export licences, export refunds should be abolished from 1 January 2003.

- (3) The authorities of Bulgaria, the Czech Republic, Romania, Slovakia and Slovenia have undertaken to ensure that only consignments of Community products covered by the trade agreements on which no refund has been granted are allowed for import into those countries. To that end, Article 7a of Commission Regulation (EC) No 1162/95<sup>(5)</sup>, as last amended by Regulation (EC) No 1322/2002<sup>(6)</sup>, governing exports to Estonia, Hungary, Latvia, Lithuania and Poland, should be made to apply also to exports to Bulgaria, the Czech Republic, Romania, Slovakia and Slovenia.
- (4) Regulation (EC) No 1162/95 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex IV to Regulation (EC) No 1162/95 is hereby replaced by the Annex hereto.

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 117, 24.5.1995, p. 2.

<sup>(6)</sup> OJ L 194, 23.7.2002, p. 22.

## ANNEX

## ‘ANNEX IV

**Products affected by the abolition of export refunds — Article 7a of Regulation (EC) No 1162/95**

Third country	Products (CN code)
Bulgaria	1001 10 00 92 00, 1001 10 00 94 00, 1001 90 91 90 00, 1001 90 99 90 00, 1002 00 00 90 00, 1003 00 10 90 00, 1003 00 90 90 00, 1004 00 00 92 00, 1004 00 00 94 00, 1005 10 90 90 00, 1005 90 00 90 00, 1008 20 00 90 00, 1102 10 00 95 00, 1102 10 00 97 00, 1102 10 00 99 00, 1107 10 19 90 00, 1107 10 99 90 00, 1107 20 00 90 00, 1102 90 10 91 00, 1102 90 10 99 00, 1102 90 30 91 00, 1103 20 20 90 00, 1107 10 11 90 00, 1107 10 91 90 00
Estonia	All products referred to in Article 1(1) of Regulation (EEC) No 1766/92 and rice starch falling within CN code 1108 19 10
Hungary	1001 10 00, 1001 90 91, 1001 90 99, 1002 00 00, 1003 00 10, 1003 00 90, 1004 00 00, 1005 10 90, 1005 90 00, 1007 00 90, 1008 20 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1102 20 10, 1102 20 90, 1102 90 10, 1102 90 30, 1103 11 10, 1103 11 90, 1103 13 10, 1103 13 90, 1103 19 10, 1103 19 30, 1103 19 40, 1103 20 20, 1103 20 60, 1104 12 90, 1104 19 10, 1104 19 50, 1104 19 69, 1104 22 20, 1104 22 30, 1104 23 10, 1104 29 01, 1104 29 03, 1104 29 05, 1104 29 11, 1104 29 51, 1104 29 55, 1104 30 10, 1104 30 90, 1107 10 11, 1107 10 19, 1107 10 91, 1107 10 99, 1107 20 00
Latvia	1001 10 00, 1001 90 91, 1001 90 99, 1002 00 00, 1003 00 10, 1003 00 90, 1004 00 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1102 90 10, 1102 90 30, 1103 11 10, 1103 11 90, 1103 19 10, 1103 19 40, 1103 20 60
Lithuania	1001 10 00, 1001 90 91, 1001 90 99, 1002 00 00, 1004 00 00, 1008 20 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1103 11 10, 1103 11 90, 1103 19 40, 1102 90 30, 1103 19 10, 1103 20 60, 1104 12 90, 1104 19 10, 1104 22 20, 1104 22 30, 1104 29 11, 1104 29 51, 1104 29 55, 1104 30 10, 1107 10 11, 1107 10 19, 1107 10 91, 1107 10 99 and 1107 20 00
Poland	1001 90, 1101, 1102 and ex 2302 with the exception of products falling within CN code 2302 50
Czech Republic	1001 90 91 90 00, 1001 90 99 90 00, 1002 00 00 90 00, 1003 00 10 90 00, 1003 00 90 90 00, 1004 00 00 92 00, 1004 00 00 94 00, 1005 10 90 90 00, 1005 90 00 90 00, 1008 20 00 90 00, 1107 10 19 90 00, 1107 10 99 90 00, 1107 20 00 90 00
Romania	1001 10 00 92 00, 1001 10 00 94 00, 1001 90 91 90 00, 1001 90 99 90 00, 1005 10 90 90 00, 1005 90 00 90 00, 1101 00 11 90 00, 1101 00 15 91 00, 1101 00 15 91 30, 1101 00 15 91 50, 1101 00 15 91 70, 1101 00 15 91 80, 1101 00 15 91 90, 1101 00 90 90 00, 1103 11 10 92 00, 1103 11 10 94 00, 1103 11 10 99 00, 1103 11 90 92 00, 1103 11 90 98 00, 1103 20 60 90 00, 1107 10 11 90 00, 1107 10 19 90 00, 1107 10 91 90 00, 1107 10 99 90 00, 1107 20 00 90 00
Slovakia	1001 10 00 92 00, 1001 10 00 94 00, 1001 90 91 90 00, 1001 90 99 90 00, 1002 00 00 90 00, 1003 00 10 90 00, 1003 90 90 00, 1004 00 00 92 00, 1004 00 00 94 00, 1005 10 90 90 00, 1005 90 00 90 00, 1008 20 00 90 00, 1107 10 99 90 00
Slovenia	1001 10 00 92 00, 1001 10 00 94 00, 1001 90 91 90 00, 1001 90 99 90 00, 1002 00 00 90 00, 1003 00 10 90 00, 1003 00 90 90 00, 1004 00 00 92 00, 1004 00 00 94 00, 1005 10 90 90 00, 1005 90 00 90 00, 1102 10 00 95 00, 1102 10 00 97 00, 1102 10 00 99 00, 1107 10 19 90 00, 1107 10 99 90 00, 1107 20 00 90 00, 1102 20 10 92 00, 1102 20 10 94 00, 1102 20 90 92 00, 1102 90 10 91 00, 1102 90 10 99 00, 1102 90 30 91 00, 1103 13 10 91 00, 1103 13 10 93 00, 1103 13 10 95 00, 1103 20 20 90 00, 1107 10 11 90 00, 1107 10 91 90 00, 1703'

**COMMISSION REGULATION (EC) No 2306/2002  
of 20 December 2002**

**laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards  
the notification of the prices of imported fishery products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products, <sup>(1)</sup> and in particular Article 29(5) thereof,

Whereas:

- (1) Article 29(4) of Regulation (EC) No 104/2000 requires Member States to notify the Commission regularly of the prices and quantities of imports of certain products recorded on their markets or in their ports.
- (2) A new list of the markets and ports at which imports are recorded should be established in order to take account of the actual volume of imports.
- (3) Provision should also be made for the rapid transmission, in a new electronic format, of the data needed to monitor the reference prices.
- (4) Commission Regulation (EC) No 2211/94 of 12 September 1994 laying down detailed rules for the application of Council Regulation (EEC) No 3759/92 as regards the notification of the prices of imported fishery products <sup>(2)</sup>, as last amended by Regulation (EC) No 2805/1999 <sup>(3)</sup>, should therefore be repealed.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Member States shall notify the Commission of the prices and quantities of imports of the products listed in Annexes I, II, III and IV to Regulation (EC) No 104/2000 for which a reference price is set and which are released for free circulation. This information shall be broken down by TARIC code and by date of presentation of the import declaration.

2. The requirement to notify the Commission shall apply to at least the products released for free circulation at the markets and ports listed in Table 3 of the Annex.

3. Notification shall take place by the 25th day of each month or the first working day thereafter for products released for free circulation between the first and the 15th day of the month, and by the 10th day of the following month or the first working day thereafter for products released for free circulation between the 16th and the last day of the month. The Commission shall be notified by electronic mail in the format shown in the Annex.

*Article 2*

Regulation (EC) No 2211/94 is repealed.

*Article 3*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 17, 21.2.2000, p. 22.

<sup>(2)</sup> OJ L 238, 13.9.1994, p. 1.

<sup>(3)</sup> OJ L 340, 31.12.1999, p. 51.

## ANNEX

## 1. Data format

No Record	Identification of the record	Data involved	Data format	Max. size	Possible data values
1 <sup>st</sup>	<TTL>	Message identification	Text	9	MK-IMPORT
2 <sup>nd</sup>	<RMS>	Member State	Text	3	See Table 1
3 <sup>rd</sup>	<DSE>	Date sent	YYYYMMDD;	8	( <sup>1</sup> )
4 <sup>th</sup>	<MTYP>	Type of message ( <sup>2</sup> )	Text;	19	INS NOTIFICATION SUP NOTIFICATION REP NOTIFICATION INS IN NOTIFICATION SUP IN NOTIFICATION
5 <sup>th</sup>	<LOT>	Message identification code (optional)	Text;	16	( <sup>3</sup> )
6 <sup>th</sup>	<MON>	Currency code	Text;	3	See Table 2 ( <sup>4</sup> )
7 <sup>th</sup> and seq.	<DAT>	— Date of importation	YYYYMMDD;	8	
		— Country of consignment (optional)	Text;	3	( <sup>7</sup> )
		— Country of origin	Text;	3	( <sup>7</sup> )
		— Combined nomenclature and Taric codes	Text;	10	( <sup>5</sup> )
		— Additional Taric code I	Text;	4	( <sup>5</sup> )
		— Additional Taric code II	Text;	4	( <sup>5</sup> )
		— Imported value	Whole number;	15	( <sup>4</sup> ) ( <sup>6</sup> )
		— Imported quantity, in kg	Whole number;	15	( <sup>6</sup> )
		— Entry port (optional)	Text;	8	See Table 3

(<sup>1</sup>) This should be the date the message was generated. Used for cross-checking during subsequent message updates.

(<sup>2</sup>) Use INS NOTIFICATION for reporting new messages. Other values allow for previously sent messages to be modified or cancelled.

(<sup>3</sup>) If used, it shall uniquely identify all messages from a given Member State. No two INS NOTIFICATION messages from the same <RMS> can use the same <LOT>. If not used, an alternative identification code will be generated by the FIDES system. Further technical details are given in the Vade Mecum.

(<sup>4</sup>) The <MON> record indicates the currency used in the message. All values in all <DAT> lines must be expressed in that currency.

(<sup>5</sup>) Integrated tariff of the European Communities (Taric) (OJ C 104 and C 104 A, 30.4.2002).

(<sup>6</sup>) Decimals are not allowed. For example, 43,56 should become 44.

(<sup>7</sup>) Country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (Commission Regulation (EC) No 2020/01 of 15 October 2001) (OJ L 273, 16.10.2001, p. 6).

## 2. Message format

## 2.1. FIDES I format

For Member State administrations not making full use of FIDES II, the following format shall be used. The file is a text file made up of seven separate records:

- Each item of data is separated from the following item by a semi-colon.
- Each message line is followed by a carriage return.

It looks as follows:

```
<TTL>MK-IMPORT
<RMS>C(3)
<DSE>YYYYMMDD;
<MTYP>C(19);
<LOT>C(16);
<MON>C(3);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
.....
```

## 2.2. FIDES II format

For Member State administrations making full use of FIDES II, the following format shall be used:

```
<FIDES2>
<HEAD>
<REQUEST.NAME>MK-IMPORT
<REQUEST.COUNTRY.ISO_A3>C(3)
</HEAD>
<BODY>
<DSE>YYYYMMDD;
<MTYP>C(19);
<LOT>C(16);
<MON>C(3);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
<DAT>YYYYMMDD;C(3);C(3);C(10);C(4);C(4);N(15);N(15);C(8);
.....
</BODY>
</FIDES2>
```

## 3. Codes

Table 1

**Member State codes**

Code	Membre State
AUT	Austria
BEL	Belgium
DEU	Germany
DNK	Denmark
ESP	Spain
FIN	Finland
FRA	France
GBR	United Kingdom



Code	Membre State
GRC	Greece
IRL	Ireland
ITA	Italy
LUX	Luxembourg
NLD	Netherlands
PRT	Portugal
SWE	Sweden

Table 2  
Currency codes

Code	Currency
DKK	Danish krone
EUR	Euro
SEK	Swedish krona
GBP	Pound sterling

Table 3  
Entry ports

Member State	Code	Port
Belgium	BE001	Oostende
	BE002	Brugge
	BE003	Zeebrugge
	BE004	Antwerpen
Denmark	DK001	Hirtshals
	DK002	Skagen
	DK003	Neksø
	DK004	Hanstholm
Germany	All customs offices involved in the release of goods into free circulation	
Greece	GR000304	Athens — Spata Airport
	GR000701	Patras
	GR000731	Aigio
	GR000832	Oinofyta Voiotias
	GR001102	Elefsina

Member State	Code	Port
	GR001902	Iráklio
	GR002002	Thessaloniki — 2nd Custom Office
	GR002005	Thessaloniki — 5th Custom Office, Airport
	GR002202	Ioannina
	GR002302	Kavala
	GR002602	Corfu
	GR004005	Piraeus — 5th Custom Office
Spain	ES001	La Coruña
	ES002	Vigo-Marín
	ES003	Barcelona
	ES004	Irún
	ES005	Bilbao
	ES006	Madrid
	ES007	Valencia
	ES008	Alicante
	ES009	Algeciras
	ES010	Cádiz
	ES011	La Junquera
	ES012	Las Palmas
France	FR001	Bayonne
	FR002	Bordeaux
	FR003	Boulogne-sur-Mer
	FR004	La Rochelle-Rochefort
	FR005	Le Havre
	FR006	Lorient
	FR007	Marseille
	FR008	Aéroport de Roissy
	FR009	Marché d'intérêt de Rungis
	FR010	St-Denis-de-la-Réunion
	FR011	St Malo
Ireland	IE001	Dublin
	IE002	Killybegs

Member State	Code	Port
Italy	IT001	Genova
	IT002	Livorno
	IT003	Salerno
	IT004	La Spezia
	IT005	Ancona
	IT006	Fortezza
	IT007	Bari
	IT008	Roma 1° centrale
	IT009	Palermo
Netherlands	All customs offices involved in the release of goods into free circulation	
Portugal	PT001	Viana do Castelo
	PT002	Oporto
	PT003	Aveiro
	PT004	Peniche
	PT005	Lisboa
	PT006	Portimão
	PT007	Olhão
	PT008	Funchal (Madeira)
	PT009	Horta (Ilha do Faial, Açores)
	PT010	Praia da Vitória (Ilha Terceira, Açores)
	PT011	Ponta Delgada (Ilha de S. Miguel, Açores)
United Kingdom	GB001	Grimsby
	GB002	Hull
	GB003	Aberdeen
	GB004	Immingham
Finland	FI001	Helsinki
	FI002	Tornio
	FI003	Turku
Sweden	SE001	Karlskrona
	SE002	Svinesund
Austria	All customs offices involved in the release of goods into free circulation	
Luxembourg	All customs offices involved in the release of goods into free circulation	

**COMMISSION REGULATION (EC) No 2307/2002  
of 20 December 2002**

**fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

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 Commission Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular the third subparagraph of Article 13(2) thereof,

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

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid <sup>(5)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined.

(3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.

(4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 288, 25.10.1974, p. 1.

## ANNEX

to the Commission Regulation of 20 December 2002 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)	
Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	4,00
1002 00 00 9000	16,00
1003 00 90 9000	5,00
1005 90 00 9000	18,00
1006 30 92 9100	156,00
1006 30 92 9900	156,00
1006 30 94 9100	156,00
1006 30 94 9900	156,00
1006 30 96 9100	156,00
1006 30 96 9900	156,00
1006 30 98 9100	156,00
1006 30 98 9900	156,00
1006 30 65 9900	156,00
1007 00 90 9000	18,00
1101 00 15 9100	5,50
1101 00 15 9130	5,25
1102 10 00 9500	22,00
1102 20 10 9200	26,64
1102 20 10 9400	22,84
1103 11 10 9200	0,00
1103 13 10 9100	34,25
1104 12 90 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

**COMMISSION REGULATION (EC) No 2308/2002  
of 20 December 2002**

**fixing the maximum subsidy on exports of husked long grain rice B to Réunion pursuant to the  
invitation to tender referred to in Regulation (EC) No 1895/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion <sup>(3)</sup> as amended by Regulation (EC) No 1453/1999 <sup>(4)</sup>, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1895/2002 <sup>(5)</sup> opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

(3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

A maximum subsidy on exports to Réunion of husked long grain rice B falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 16 to 19 December 2002 at 298,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 1895/2002.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 261, 7.9.1989, p. 8.

<sup>(4)</sup> OJ L 167, 2.7.1999, p. 19.

<sup>(5)</sup> OJ L 287, 25.10.2002, p. 3.

**COMMISSION REGULATION (EC) No 2309/2002  
of 20 December 2002**

**fixing the maximum export refund on wholly milled round grain rice to certain third countries in  
connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1896/2002 <sup>(3)</sup>.

(2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1896/2002 is hereby fixed on the basis of the tenders submitted from 16 to 19 December 2002 at 154,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 287, 25.10.2002, p. 5.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 2310/2002  
of 20 December 2002**

**fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1897/2002 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1897/2002 is hereby fixed on the basis of the tenders submitted from 16 to 19 December 2002 at 156,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 287, 25.10.2002, p. 8.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.



**COMMISSION REGULATION (EC) No 2311/2002  
of 20 December 2002**

**fixing the maximum export refund on wholly milled long grain B rice to certain third countries in  
connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1898/2002 <sup>(3)</sup>.

(2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 16 to 19 December 2002 at 261,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 287, 25.10.2002, p. 11.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 2312/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 <sup>(1)</sup> opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1043/2001 <sup>(2)</sup>, and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin <sup>(3)</sup>, as last amended by Regulation (EC) No 1043/2001 and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged for the first quarter of 2003 are, in the case of certain products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applica-

tions are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 January to 31 March 2003 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in the Annex to this Regulation.

2. Applications for import licences for the period 1 April to 30 June 2003 may be lodged pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 for the total quantity as referred to in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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<sup>(1)</sup> OJ L 145, 29.6.1995, p. 19.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 24.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 136.

## ANNEX

Group	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003	Total quantity available for the period 1 April to 30 June 2003 (t)
E1	100,00	127 820,50
E2	39,77	1 750,00
E3	100,00	9 191,56
P1	100,00	4 995,50
P2	100,00	3 916,40
P3	2,58	175,00
P4	100,00	400,00

**COMMISSION REGULATION (EC) No 2313/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 1043/2001 <sup>(2)</sup>, and in particular Article 4(4) thereof,

1. Applications for import licences for the period 1 January to 31 March 2003 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex to this Regulation.

2. Applications for import licences for the period 1 April to 30 June 2003 may be lodged pursuant to Regulation (EC) No 1431/94 for the total quantity as referred to in the Annex to this Regulation.

Whereas:

The applications for import licences lodged for the period 1 January to 31 March 2003 are greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<sup>(1)</sup> OJ L 156, 23.6.1994, p. 9.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 24.

## ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 January to 31 March 2003	Total quantity available for the period 1 April to 30 June 2003 (t)
1	1,67	1 775,00
2	1,67	1 275,00
3	1,77	825,00
4	2,40	450,00
5	2,63	175,00

**COMMISSION REGULATION (EC) No 2314/2002**  
**of 20 December 2002**  
**determining the world market price for unginned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 27,641/100 kg.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 148, 1.6.2001, p. 1.

<sup>(2)</sup> OJ L 148, 1.6.2001, p. 3.

<sup>(3)</sup> OJ L 210, 3.8.2001, p. 10.

<sup>(4)</sup> OJ L 223, 20.8.2002, p. 3.

**COMMISSION REGULATION (EC) No 2315/2002  
of 20 December 2002  
amending Regulation (EC) No 2282/2002 fixing the export refunds on products processed from  
cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13(3) thereof,

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

Whereas:

- (1) Commission Regulation (EC) No 2282/2002 <sup>(5)</sup> sets export refunds on products processed from cereals and rice.

- (2) A check has shown that its Annex is not consistent with the measures presented for an opinion to the Management Committee; therefore, the Regulation should be corrected,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 2282/2002 is replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 347, 20.12.2002, p. 34.

## ANNEX

**to the Commission Regulation of 20 December 2002 fixing the export refunds on products processed from cereals and rice**

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 <sup>(1)</sup>	C11	EUR/t	27,23	1104 23 10 9100	C14	EUR/t	29,18
1102 20 10 9400 <sup>(1)</sup>	C11	EUR/t	23,34	1104 23 10 9300	C14	EUR/t	22,37
1102 20 90 9200 <sup>(1)</sup>	C11	EUR/t	23,34	1104 29 11 9000	C13	EUR/t	0,00
1102 90 10 9100	C14	EUR/t	0,00	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9900	C14	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 30 9100	C15	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1103 19 40 9100	C16	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	4,86
1103 13 10 9100 <sup>(1)</sup>	C14	EUR/t	35,01	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9300 <sup>(1)</sup>	C14	EUR/t	27,23	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9500 <sup>(1)</sup>	C14	EUR/t	23,34	1108 11 00 9200	C10	EUR/t	0,00
1103 13 90 9100 <sup>(1)</sup>	C14	EUR/t	23,34	1108 11 00 9300	C10	EUR/t	0,00
1103 19 10 9000	C16	EUR/t	21,45	1108 12 00 9200	C10	EUR/t	31,12
1103 19 30 9100	C14	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	31,12
1103 20 60 9000	C16	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	31,12
1103 20 20 9000	C14	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	31,12
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	51,68
1104 12 90 9100	C13	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	51,68
1104 12 90 9300	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 19 10 9000	C13	EUR/t	0,00	1702 30 51 9000 <sup>(2)</sup>	C10	EUR/t	30,49
1104 19 50 9110	C14	EUR/t	31,12	1702 30 59 9000 <sup>(2)</sup>	C10	EUR/t	23,34
1104 19 50 9130	C14	EUR/t	25,29	1702 30 91 9000	C10	EUR/t	30,49
1104 29 01 9100	C14	EUR/t	0,00	1702 30 99 9000	C10	EUR/t	23,34
1104 29 03 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	23,34
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	30,49
1104 29 05 9300	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	23,34
1104 22 20 9100	C13	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	31,95
1104 22 30 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	22,17
				2106 90 55 9000	C10	EUR/t	23,34

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

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

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

The numeric destination codes are set out in Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C10: All destinations except for Estonia,

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

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

C13: All destinations except for Estonia, Hungary and Lithuania,

C14: All destinations except for Estonia and Hungary,

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

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



**COMMISSION REGULATION (EC) No 2316/2002**  
**of 20 December 2002**  
**amending Regulation (EC) No 2283/2002 fixing the export refunds on cereal-based compound**  
**feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 2283/2002 <sup>(3)</sup> sets export refunds on cereal-based compound feedingstuffs.

(2) A check has shown that its Annex is not consistent with the measures presented for an opinion to the Management Committee; therefore, the Regulation should be corrected,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 2283/2002 is replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 347, 20.12.2002, p. 37.

## ANNEX

**to the Commission Regulation of 20 December 2002 fixing the export refunds on cereal-based compound feedingsuffs**

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	19,45
Cereal products excluding maize and maize products	C10	EUR/t	0,00

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

The other destinations are as follows:

C10 All destinations except for Estonia.

**COMMISSION REGULATION (EC) No 2317/2002  
of 20 December 2002**

**determining the extent to which applications lodged in December 2002 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1899/97, of 29 September 1997, setting rules of application in the poultrymeat and egg sectors for the arrangements covered by the Europe Agreements with central and east European countries provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 <sup>(1)</sup>, as amended by Regulation (EC) No 1525/2002 <sup>(2)</sup> and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the first quarter of 2003 are for quantities less than or equal to the quantities available and can therefore be met in full,

*Article 1*

1. Applications for import licences for the period 1 January to 31 March 2003 submitted under Regulation (EC) No 1899/97 shall be met as referred to in the Annex to this Regulation.
2. Applications for import licences for the period 1 April to 30 June 2003 may be lodged pursuant to Regulation (EC) No 1899/97 for the total quantity as referred to in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

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

Done at Brussels, 20 December 2002.

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

<sup>(1)</sup> OJ L 267, 30.9.1997, p. 67.

<sup>(2)</sup> OJ L 229, 27.8.2002, p. 10.

## ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 2003	Total quantity available for the period 1 April to 30 June 2003 (t)
17	100,00	745,51
18	—	375,00
25	100,00	4 502,10
26	—	375,00
27	—	2 750,00
34	—	3 125,00
35	—	250,00
36	—	1 250,00
40	—	750,00

**COMMISSION REGULATION (EC) No 2318/2002**  
**of 20 December 2002**  
**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 1666/2000 <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 597/2002 <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 2231/2002 <sup>(5)</sup>, as amended by Regulation (EC) No 2254/2002 <sup>(6)</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 2231/2002,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EC) No 2231/2002 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 21 December 2002.

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

Done at Brussels, 20 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

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

<sup>(4)</sup> OJ L 91, 6.4.2002, p. 9.

<sup>(5)</sup> OJ L 338, 14.12.2002, p. 23.

<sup>(6)</sup> OJ L 343, 18.12.2002, p. 13.

## ANNEX I

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

CN code	Description	Import duty <sup>(2)</sup> (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality <sup>(1)</sup>	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing <sup>(3)</sup>	0,00
	medium quality	0,00
	low quality	0,00
1002 00 00	Rye	15,56
1003 00 10	Barley, seed	15,56
1003 00 90	Barley, other <sup>(4)</sup>	15,56
1005 10 90	Maize seed other than hybrid	36,92
1005 90 00	Maize other than seed <sup>(5)</sup>	36,92
1007 00 90	Grain sorghum other than hybrids for sowing	15,56

<sup>(1)</sup> In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

<sup>(2)</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>(3)</sup> The importer may benefit from a flat-rate reduction of EUR 14 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

<sup>(4)</sup> The importer may benefit from a flat-rate reduction of EUR 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

<sup>(5)</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 13 December to 19 December 2002)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	147,87	148,01	130,95	93,44	211,50 (**)	201,50 (**)	122,44 (**)
Gulf premium (EUR/t)	32,60	23,35	21,32	14,89	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—	—

(\*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(\*\*) Fob Duluth.

## 2. Freight/cost: Gulf of Mexico–Rotterdam: 14,68 EUR/t; Great Lakes–Rotterdam: 23,66 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 16 December 2002

**on the signing on behalf of the Community and the provisional application of the Agreement on trade in textile products between the European Community and the Kingdom of Nepal, initialled in Brussels on 23 October 2002**

(2002/993/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Commission has negotiated on behalf of the European Community an Agreement on trade in textile products with the Kingdom of Nepal.
- (2) The Agreement was initialled on 23 October 2002.
- (3) It is appropriate to apply this Agreement on a provisional basis as from 1 January 2003 pending the completion of the relevant procedures for its formal conclusion, subject to reciprocity.
- (4) Subject to its possible conclusion at a later date, the Agreement should be signed on behalf of the Community,

*Article 1*

The signing of the Agreement between the European Community and the Kingdom of Nepal on trade in textile products is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement on behalf of the Community subject to its conclusion.

*Article 3*

Subject to reciprocity, the Agreement shall be applied on a provisional basis as from 1 January 2003 pending the completion of the procedures for its conclusion.

Done at Brussels, 16 December 2002.

*For the Council*

*The President*

M. FISCHER BOEL



## AGREEMENT

### between the European Community and the Kingdom of Nepal on trade in textile products

THE EUROPEAN COMMUNITY,

of the one part, and

THE KINGDOM OF NEPAL,

of the other part,

DESIRING to promote, with a view to permanent cooperation and in conditions providing every security for trade, the orderly and equitable development of trade in textile products between the European Community (hereinafter referred to as 'the Community') and the Kingdom of Nepal (hereinafter referred to as 'Nepal'),

HAVE AGREED AS FOLLOWS:

#### Article 1

1. This Agreement shall apply to trade in textile products listed in Annex I and originating in Nepal.

2. Exports from Nepal to the Community of products listed in Annex I and originating in Nepal shall, from the date of entry into force of this Agreement, be free from quantitative limits. However, quantitative limits may subsequently be introduced under conditions specified in Article 4.

3. Should quantitative limits be introduced, exports of the textile products made subject to quantitative limits shall be subject to a double-checking system as specified in Protocol A.

4. From the time of entry into force of this Agreement, exports of products listed in Annex II not subject to quantitative limits shall be subject to the double-checking system referred to in paragraph 3.

5. Following consultations in accordance with the procedures set out in Article 11, exports of products listed in Annex I not subject to quantitative limits other than those listed in Annex II may be subject, subsequent to the entry into force of this Agreement, to the double-checking system referred to in paragraph 2 or to a prior surveillance system introduced by the Community.

6. At the latest six weeks before the end of every Agreement year, the Commission and Nepal will hold consultations on the necessity to maintain the categories listed in Annex II under double-checking, with a view of possible suspension of categories from double-checking.

#### Article 2

1. Imports into the Community of textile products covered by this Agreement shall not be subject to the quantitative limits established under this Agreement, provided that they are declared to be for re-export outside the Community in the same state or after processing, within the framework of the administrative system of control which exists within the Community. However, the release for home use of products imported into the Community under the conditions referred to

above shall be subject to the production of an export licence issued by the authorities of Nepal, and to proof of origin in accordance with the provisions of Protocol A.

2. Where the Community authorities ascertain that imports of textile products have been set off against a quantitative limit established under this Agreement, but that the products have subsequently been re-exported outside the Community, the authorities shall inform the Nepalese authorities within four weeks of the quantities involved and authorize imports of identical quantities of the same products, which shall not be set off against the quantitative limit established under this Agreement for the current or the following year, as appropriate.

#### Article 3

Should quantitative limits be introduced under Article 4, the following provisions shall apply:

1. In any Agreement year advance use of a portion of the quantitative limit established for the following Agreement year is authorised for each category of products up to 5 % of the quantitative limit for the current Agreement year.

Amounts delivered in advance shall be deducted from the corresponding quantitative limits established for the following Agreement year.

2. Carryover to the corresponding quantitative limit for the following Agreement year of the amounts not used during any Agreement year is authorised for each category of products up to 10 % of the quantitative limit for the current Agreement year.

3. Transfers in respect of categories in group I shall not be made from any category except as follows:

— transfers between categories 2 and 3 and from category 1 to categories 2 and 3 may be made up to 12 % of the quantitative limits for the category to which the transfer is made,

— transfers between categories 4, 5, 6, 7 and 8 may be made up to 12 % of the quantitative limit for the category to which the transfer is made.

Transfers into any category in groups II, III, IV and V may be made from any category or categories in groups I, II, III, IV and V up to 12 % of the quantitative limit for the category to which the transfer is made.

4. The table of equivalence applicable to the transfers referred to above is given in Annex I.
5. The increase in any category of products resulting from the cumulative application of the provisions in paragraphs 1, 2 and 3 above during an Agreement year shall not exceed the following limits:
  - 17 % for categories of products in groups I, II, III, IV and V.
6. Prior notification shall be given by the Nepalese authorities in the event of recourse to the provisions of paragraphs 1, 2 and 3, at least 15 days in advance.

#### Article 4

1. Exports of textile products listed in Annex I may be made subject to quantitative limits on the conditions laid down in the following paragraphs.

2. Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category listed in Annex I originating in Nepal exceeds, in relation to the preceding year's total imports into the Community from all sources of products in that category, the following rates:

- 2 % for categories of products in group I,
- 8 % for categories of products in group II,
- 15 % for categories of products in groups III, IV and V,

it may request the opening of consultations in accordance with the procedure described in Article 11, with a view to reaching agreement on an appropriate restraint level for the products in such category.

3. Pending a mutually satisfactory solution, Nepal undertakes, from the date of notification of the request for consultations, to suspend or limit at the level indicated by the Community exports of the category of products in question to the Community or to the region or regions of the Community market specified by the Community.

The Community shall authorize the import of products of the said category shipped from Nepal before the date on which the request for consultations was submitted.

4. Should the Parties be unable in the course of consultations to reach a satisfactory solution within the period specified in Article 11, the Community shall have the right to introduce a definitive quantitative limit at an annual level not lower than the level resulting from the application of the formula set out in paragraph 2, or 106 % of the level of imports reached during the calendar year preceding that in which imports exceeded the level resulting from the application of the formula set out in paragraph 2 and gave rise to the request for consultations, whichever is the higher.

The annual level so fixed shall be revised upwards after consultations in accordance with the procedure referred to in Article 11, with a view to fulfilling the conditions set out in paragraph 2, should the trend of total imports into the Community of the product in question make this necessary.

5. The annual growth rate for the quantitative limits introduced under this article shall be determined in accordance with the provisions of Protocol B.

6. This Article shall not apply where the rates specified in paragraph 2 have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in Nepal.

7. In the event of paragraphs 2, 3 or 4 being applied, Nepal shall issue export licences for products covered by contracts concluded before the introduction of the quantitative limit, up to the volume of the quantitative limit fixed.

8. Up to the date of communication of the statistics referred to in Article 9(6), paragraph 2 of this Article shall apply on the basis of the annual statistics previously communicated by the Community.

#### Article 5

1. With a view to ensuring the effective functioning of this Agreement, the Community and Nepal agree to cooperate fully in order to prevent, to investigate and to take any necessary legal and/or administrative action against circumvention by transshipment, re-routing, false declaration concerning the country or place of origin, falsification of documents, false declaration concerning fibre content, quantities description or classification of merchandise and by whatever other means. Accordingly, Nepal and the Community agree to establish the necessary legal provisions and administrative procedures permitting effective action to be taken against such circumvention, which shall include the adoption of legally binding corrective measures against exporters and/or importers involved.

2. Should the Community believe on the basis of information available that this Agreement is being circumvented, the Community will consult with Nepal with a view to reaching a mutually satisfactory solution. These consultations will be held as early as possible and at the latest within 30 days from the date of request.

3. Pending the results of the consultations referred to in paragraph 2, Nepal shall, as a precautionary measure, if so requested by the Community, take all necessary measures to ensure that, where sufficient evidence of circumvention is provided, adjustments of quantitative limits established under Article 4 liable to be agreed following the consultations referred to in paragraph 2 may be carried out for the quota year in which the request to open consultations in accordance with paragraph 2 was made, or for the following year if the quota for the current year is exhausted.

4. Should the Parties be unable, in the course of the consultation referred to in paragraph 2 to reach a mutually satisfactory solution, the Community shall have the right:

- (a) where there is sufficient evidence that products originating in Nepal have been imported in circumvention of this Agreement, to set off the relevant quantities against the quantitative limits established under Article 4;
- (b) where sufficient evidence shows that false declaration concerning fibre content, quantities, description or classification of products originating in Nepal has occurred, to refuse to import the products in question;
- (c) should it appear that the territory of Nepal is involved in transshipment or re-routing of products not originating in Nepal, to introduce quantitative limits against the same products originating in Nepal if they are not already subject to quantitative limits, or to take any other appropriate measures.

5. The Parties agree to establish a system of administrative cooperation to prevent and to address effectively all problems arising from circumvention in accordance with the provisions of Protocol A.

#### Article 6

1. Nepal shall monitor its exports of products under restraint or surveillance into the Community. Should a sudden and prejudicial change in traditional trade flows arise, the Community will be entitled to request consultations in order to find a satisfactory solution to those problems. Such consultations must be held within fifteen working days of their being requested by the Community.

2. Nepal shall endeavour to ensure that exports of textile products subject to quantitative limits into the Community are spaced out as evenly as possible over the year due account being taken in particular of seasonal factors.

#### Article 7

In the event of denunciation of this Agreement as provided for in Article 14(3), the quantitative limits established pursuant to this Agreement shall be reduced on a pro rata temporis basis unless the Parties decide otherwise by common agreement.

#### Article 8

1. The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'combined nomenclature', or form 'CN').

Where any decision on classification results in a change of classification practice or a change of category of any product subject to this Agreement the affected products shall follow the trade regime applicable to the practice or category they fall into after such changes.

Any amendment to the combined nomenclature made in accordance with the procedures in force in the Community concerning categories of products covered by this Agreement or any decision relating to the classification of goods shall not have the effect of reducing quantitative limits introduced pursuant to this Agreement.

2. The origin of the products covered by this Agreement shall be determined in accordance with the rules of origin in force in the Community.

Any amendment to these rules of origin shall be communicated to Nepal and shall not have the effect of reducing any quantitative limit established pursuant to this Agreement.

The procedures for control of the origin of the products referred to above are laid down in Protocol A.

#### Article 9

1. Nepal shall supply the Commission with precise statistical information on all export licences issued for categories of textile products subject to the quantitative limits established under this Agreement, or to a double checking system expressed in quantities and in terms of value and broken down by Community Member States.

2. The Community shall likewise transmit to Nepalese authorities precise statistical information on import authorisations issued by the Community authorities and import statistics for products covered by the system referred to in Article 4(2).

3. The information referred to above shall, for all categories of products, be forwarded before the end of the month following the month to which the statistics relate.

4. Upon request by the Community, Nepal shall supply import statistics for all products covered by Annex I.

5. Should it be found on analysis of the information exchanged that there are significant discrepancies between the returns for exports and those for imports, consultations may be initiated in accordance with the procedure specified in Article 11.

6. For the purpose of applying the provisions of Article 4, the Community undertakes to provide Nepalese authorities before 15 April of each year with the preceding year's statistics on imports of all textile products covered by this Agreement, broken down by supplying country and Community Member State.

#### Article 10

The Parties agree to examine the trend of trade in textile products and garments each year, in the framework of the consultations provided for in Article 11 and on the basis of the statistics referred to in Article 9.

*Article 11*

1. Save where it is otherwise provided for in this Agreement, the consultation procedures referred to in this Agreement shall be governed by the following provisions:

- as far as possible consultations shall be held periodically. Specific additional consultations may also be held;
- any request for consultations shall be notified in writing to the other Party;
- where appropriate, the request for consultations shall be followed within a reasonable period, and in any case not later than 15 days following the notification, by a report setting out the circumstances which, in the opinion of the requesting Party, justify the submission of such a request;
- the Parties shall enter into consultations within one month of notification of the request at the latest, with a view to reaching agreement or a mutually acceptable conclusion within one further month at the latest;
- these periods may be extended by common accord.

2. The Community may request consultations in accordance with paragraph 1 when it ascertains that during a particular year of application of the Agreement difficulties arise in the Community or one of its regions due to a sharp and substantial increase, by comparison to the preceding year, in imports of a given category of Group I subject to the quantitative limits established pursuant to this Agreement.

3. At the request of either of the Parties, consultations shall be held on any problems arising from the application of this Agreement. Any consultations held under this article shall take place in a spirit of cooperation and with a desire to reconcile the differences between the Parties.

*Article 12*

In case problems arise in relation to the protection of trademarks, industrial designs or other intellectual property rights, consultations shall be held at the request of either Party in accordance with the procedure laid down in Article 11 with a view to finding a satisfactory solution.

*Article 13*

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Nepal.

*Article 14*

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties notify each other of the completion of the procedures necessary for that purpose. In the meantime, it shall be applicable on a provisional basis, subject to reciprocity.

2. This Agreement shall apply until 31 December 2004.

The operation of this Agreement shall be reviewed prior to the accession of Nepal to the WTO in order to take account of the consequences thereof.

3. Either Party may at any time propose modifications to this Agreement or denounce it, provided that at least six months' notice is given. In that event, this Agreement shall come to an end on the expiry of the period of notice.

4. The Parties agree to enter into consultations not later than six months before the expiration of this Agreement with a view to possibly concluding a new Agreement.

5. The Annexes, Protocols, Agreed Minutes, Declaration and letters exchanged or attached to this Agreement, shall form an integral part thereof.

*Article 15*

This Agreement shall be drawn up in two copies in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Nepalese languages, each text being equally authentic.

*For the European Community*

*For the Kingdom of Nepal*

## ANNEX I

## TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1

1. Without prejudice to the rules for the interpretation of the combined nomenclature, the wording of the description of goods is considered to be of indicative value only, since the products covered by each category are determined, within this Annex, by CN codes. Where there is an 'ex' symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description.
2. When the constitutive material of the products of categories 1 to 114 is not specifically mentioned, these products are to be taken to be made exclusively of wool or of fine animal hair, of cotton or of man-made fibres.
3. Garments which are not recognizable as being garments for men or boys or as being garments for women or girls are classified with the latter.
4. Where the expression 'babies' garments' is used, this is meant to cover garments up to and including commercial size 86.

Category	Description CN-code 2002	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)
GROUP I A			
1	<p>Cotton yarn, not put up for retail sale</p> <p>5204 11 00, 5204 19 00, 5205 11 00, 5205 12 00, 5205 13 00, 5205 14 00, 5205 15 10, 5205 15 90, 5205 21 00, 5205 22 00, 5205 23 00, 5205 24 00, 5205 26 00, 5205 27 00, 5205 28 00, 5205 31 00, 5205 32 00, 5205 33 00, 5205 34 00, 5205 35 00, 5205 41 00, 5205 42 00, 5205 43 00, 5205 44 00, 5205 46 00, 5205 47 00, 5205 48 00, 5206 11 00, 5206 12 00, 5206 13 00, 5206 14 00, 5206 15 10, 5206 15 90, 5206 21 00, 5206 22 00, 5206 23 00, 5206 24 00, 5206 25 10, 5206 25 90, 5206 31 00, 5206 32 00, 5206 33 00, 5206 34 00, 5206 35 00, 5206 41 00, 5206 42 00, 5206 43 00, 5206 44 00, 5206 45 00, ex 5604 90 00</p>		
2	<p>Woven fabrics of cotton, other than gauze, terry fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics</p> <p>5208 11 10, 5208 11 90, 5208 12 16, 5208 12 19, 5208 12 96, 5208 12 99, 5208 13 00, 5208 19 00, 5208 21 10, 5208 21 90, 5208 22 16, 5208 22 19, 5208 22 96, 5208 22 99, 5208 23 00, 5208 29 00, 5208 31 00, 5208 32 16, 5208 32 19, 5208 32 96, 5208 32 99, 5208 33 00, 5208 39 00, 5208 41 00, 5208 42 00, 5208 43 00, 5208 49 00, 5208 51 00, 5208 52 10, 5208 52 90, 5208 53 00, 5208 59 00, 5209 11 00, 5209 12 00, 5209 19 00, 5209 21 00, 5209 22 00, 5209 29 00, 5209 31 00, 5209 32 00, 5209 39 00, 5209 41 00, 5209 42 00, 5209 43 00, 5209 49 10, 5209 49 90, 5209 51 00, 5209 52 00, 5209 59 00, 5210 11 10, 5210 11 90, 5210 12 00, 5210 19 00, 5210 21 10, 5210 21 90, 5210 22 00, 5210 29 00, 5210 31 10, 5210 31 90, 5210 32 00, 5210 39 00, 5210 41 00, 5210 42 00, 5210 49 00, 5210 51 00, 5210 52 00, 5210 59 00, 5211 11 00, 5211 12 00, 5211 19 00, 5211 21 00, 5211 22 00, 5211 29 00, 5211 31 00, 5211 32 00, 5211 39 00, 5211 41 00, 5211 42 00, 5211 43 00, 5211 49 10, 5211 49 90, 5211 51 00, 5211 52 00, 5211 59 00, 5212 11 10, 5212 11 90, 5212 12 10, 5212 12 90, 5212 13 10, 5212 13 90, 5212 14 10, 5212 14 90, 5212 15 10, 5212 15 90, 5212 21 10, 5212 21 90, 5212 22 10, 5212 22 90, 5212 23 10, 5212 23 90, 5212 24 10, 5212 24 90, 5212 25 10, 5212 25 90, ex 5811 00 00, ex 6308 00 00</p>		

(1)	(2)	(3)	(4)
2 a)	<p>Of which: Other than unbleached or bleached</p> <p>5208 31 00, 5208 32 16, 5208 32 19, 5208 32 96, 5208 32 99,  5208 33 00, 5208 39 00, 5208 41 00, 5208 42 00, 5208 43 00,  5208 49 00, 5208 51 00, 5208 52 10, 5208 52 90, 5208 53 00,  5208 59 00, 5209 31 00, 5209 32 00, 5209 39 00, 5209 41 00,  5209 42 00, 5209 43 00, 5209 49 10, 5209 49 90, 5209 51 00,  5209 52 00, 5209 59 00, 5210 31 10, 5210 31 90, 5210 32 00,  5210 39 00, 5210 41 00, 5210 42 00, 5210 49 00, 5210 51 00,  5210 52 00, 5210 59 00, 5211 31 00, 5211 32 00, 5211 39 00,  5211 41 00, 5211 42 00, 5211 43 00, 5211 49 10, 5211 49 90,  5211 51 00, 5211 52 00, 5211 59 00, 5212 13 10, 5212 13 90,  5212 14 10, 5212 14 90, 5212 15 10, 5212 15 90, 5212 23 10,  5212 23 90, 5212 24 10, 5212 24 90, 5212 25 10, 5212 25 90,  ex 5811 00 00, ex 6308 00 00</p>		
3	<p>Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics ( incl. terry fabrics) and chenille fabrics</p> <p>5512 11 00, 5512 19 10, 5512 19 90, 5512 21 00, 5512 29 10,  5512 29 90, 5512 91 00, 5512 99 10, 5512 99 90, 5513 11 20,  5513 11 90, 5513 12 00, 5513 13 00, 5513 19 00, 5513 21 10,  5513 21 30, 5513 21 90, 5513 22 00, 5513 23 00, 5513 29 00,  5513 31 00, 5513 32 00, 5513 33 00, 5513 39 00, 5513 41 00,  5513 42 00, 5513 43 00, 5513 49 00, 5514 11 00, 5514 12 00,  5514 13 00, 5514 19 00, 5514 21 00, 5514 22 00, 5514 23 00,  5514 29 00, 5514 31 00, 5514 32 00, 5514 33 00, 5514 39 00,  5514 41 00, 5514 42 00, 5514 43 00, 5514 49 00, 5515 11 10,  5515 11 30, 5515 11 90, 5515 12 10, 5515 12 30, 5515 12 90,  5515 13 11, 5515 13 19, 5515 13 91, 5515 13 99, 5515 19 10,  5515 19 30, 5515 19 90, 5515 21 10, 5515 21 30, 5515 21 90,  5515 22 11, 5515 22 19, 5515 22 91, 5515 22 99, 5515 29 10,  5515 29 30, 5515 29 90, 5515 91 10, 5515 91 30, 5515 91 90,  5515 92 11, 5515 92 19, 5515 92 91, 5515 92 99, 5515 99 10,  5515 99 30, 5515 99 90, 5803 90 30, ex 5905 00 70, ex 6308 00 00</p>		
3 a)	<p>Of which: Other than unbleached or bleached</p> <p>5512 19 10, 5512 19 90, 5512 29 10, 5512 29 90, 5512 99 10,  5512 99 90, 5513 21 10, 5513 21 30, 5513 21 90, 5513 22 00,  5513 23 00, 5513 29 00, 5513 31 00, 5513 32 00, 5513 33 00,  5513 39 00, 5513 41 00, 5513 42 00, 5513 43 00, 5513 49 00,  5514 21 00, 5514 22 00, 5514 23 00, 5514 29 00, 5514 31 00,  5514 32 00, 5514 33 00, 5514 39 00, 5514 41 00, 5514 42 00,  5514 43 00, 5514 49 00, 5515 11 30, 5515 11 90, 5515 12 30,  5515 12 90, 5515 13 19, 5515 13 99, 5515 19 30, 5515 19 90,  5515 21 30, 5515 21 90, 5515 22 19, 5515 22 99, 5515 29 30,  5515 29 90, 5515 91 30, 5515 91 90, 5515 92 19, 5515 92 99,  5515 99 30, 5515 99 90, ex 5803 90 30, ex 5905 00 70,  ex 6308 00 00</p>		
GROUP I B			
4	<p>Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted</p> <p>6105 10 00, 6105 20 10, 6105 20 90, 6105 90 10, 6109 10 00,  6109 90 10, 6109 90 30, 6110 20 10, 6110 30 10</p>	6,48	154
5	<p>Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (others than jackets and blazers), anoraks, wind-cheaters, waister jackets and the like, knitted or crocheted</p> <p>6101 10 90, 6101 20 90, 6101 30 90, 6102 10 90, 6102 20 90,  6102 30 90, 6110 11 10, 6110 11 30, 6110 11 90, 6110 12 10,  6110 12 50, 6110 19 10, 6110 19 90, 6110 20 91, 6110 20 99,  6110 30 91, 6110 30 99</p>	4,53	221

(1)	(2)	(3)	(4)
6	Men's or boys' woven breeches, shorts other than swimwear and trousers (incl. slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man made fibres; lower parts of track suits with lining, others than category 16 or 29, of cotton or of man-made fibres 6203 41 10, 6203 41 90, 6203 42 31, 6203 42 33, 6203 42 35, 6203 42 90, 6203 43 19, 6203 43 90, 6203 49 19, 6203 49 50, 6204 61 10, 6204 62 31, 6204 62 33, 6204 62 39, 6204 63 18, 6204 69 18, 6211 32 42, 6211 33 42, 6211 42 42, 6211 43 42	1,76	568
7	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or man-made fibres 6106 10 00, 6106 20 00, 6106 90 10, 6206 20 00, 6206 30 00, 6206 40 00	5,55	180
8	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres 6205 10 00, 6205 20 00, 6205 30 00	4,60	217

## GROUP II A

9	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton 5802 11 00, 5802 19 00, ex 6302 60 00		
20	Bed linen, other than knitted or crocheted 6302 21 00, 6302 22 90, 6302 29 90, 6302 31 10, 6302 31 90, 6302 32 90, 6302 39 90		
22	Yarn of staple or waste synthetic fibres, not put up for retail sale 5508 10 11, 5508 10 19, 5509 11 00, 5509 12 00, 5509 21 10, 5509 21 90, 5509 22 10, 5509 22 90, 5509 31 10, 5509 31 90, 5509 32 10, 5509 32 90, 5509 41 10, 5509 41 90, 5509 42 10, 5509 42 90, 5509 51 00, 5509 52 10, 5509 52 90, 5509 53 00, 5509 59 00, 5509 61 10, 5509 61 90, 5509 62 00, 5509 69 00, 5509 91 10, 5509 91 90, 5509 92 00, 5509 99 00		
22 a)	Of which acrylic ex 5508 10 19, 5509 31 10, 5509 31 90, 5509 32 10, 5509 32 90, 5509 61 10, 5509 61 90, 5509 62 00, 5509 69 00		
23	Yarn of staple or waste artificial fibres, not put up for retail sale 5508 20 10, 5510 11 00, 5510 12 00, 5510 20 00, 5510 30 00, 5510 90 00		
32	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres 5801 10 00, 5801 21 00, 5801 22 00, 5801 23 00, 5801 24 00, 5801 25 00, 5801 26 00, 5801 31 00, 5801 32 00, 5801 33 00, 5801 34 00, 5801 35 00, 5801 36 00, 5802 20 00, 5802 30 00		
32 a)	Of which: Cotton corduroy 5801 22 00		

(1)	(2)	(3)	(4)
39	Table linen, toilet linen and kitchen linen, other than knitted or crocheted, other than of terry towelling or a similar terry fabrics of cotton 6302 51 10, 6302 51 90, 6302 53 90, ex 6302 59 00, 6302 91 10, 6302 91 90, 6302 93 90, ex 6302 99 00		
GROUP II B			
12	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sock-ettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70 6115 12 00, 6115 19 00, 6115 20 11, 6115 20 90, 6115 91 00, 6115 92 00, 6115 93 10, 6115 93 30, 6115 93 99, 6115 99 00	24,3 pairs	41
13	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, of cotton or of man-made fibres 6107 11 00, 6107 12 00, 6107 19 00, 6108 21 00, 6108 22 00, 6108 29 00, ex 6212 10 10	17	59
14	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6201 11 00, ex 6201 12 10, ex 6201 12 90, ex 6201 13 10, ex 6201 13 90, 6210 20 00	0,72	1 389
15	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6202 11 00, ex 6202 12 10, ex 6202 12 90, ex 6202 13 10, ex 6202 13 90, 6204 31 00, 6204 32 90, 6204 33 90, 6204 39 19, 6210 30 00	0,84	1 190
16	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boys' track suits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres 6203 11 00, 6203 12 00, 6203 19 10, 6203 19 30, 6203 21 00, 6203 22 80, 6203 23 80, 6203 29 18, 6211 32 31, 6211 33 31	0,80	1 250
17	Men's or boys' jackets or blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6203 31 00, 6203 32 90, 6203 33 90, 6203 39 19	1,43	700
18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6207 11 00, 6207 19 00, 6207 21 00, 6207 22 00, 6207 29 00, 6207 91 10, 6207 91 90, 6207 92 00, 6207 99 00 Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6208 11 00, 6208 19 10, 6208 19 90, 6208 21 00, 6208 22 00, 6208 29 00, 6208 91 11, 6208 91 19, 6208 91 90, 6208 92 00, 6208 99 00, ex 6212 10 10		
19	Handkerchiefs, other than knitted or crocheted 6213 20 00, 6213 90 00	59	17



(1)	(2)	(3)	(4)
21	<p>Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres</p> <p>ex 6201 12 10, ex 6201 12 90, ex 6201 13 10, ex 6201 13 90, 6201 91 00, 6201 92 00, 6201 93 00, ex 6202 12 10, ex 6202 12 90, ex 6202 13 10, ex 6202 13 90, 6202 91 00, 6202 92 00, 6202 93 00, 6211 32 41, 6211 33 41, 6211 42 41, 6211 43 41</p>	2,3	435
24	<p>Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted</p> <p>6107 21 00, 6107 22 00, 6107 29 00, 6107 91 10, 6107 91 90, 6107 92 00, ex 6107 99 00</p> <p>Women's or girls' night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, knitted or crocheted</p> <p>6108 31 10, 6108 31 90, 6108 32 11, 6108 32 19, 6108 32 90, 6108 39 00, 6108 91 10, 6108 91 90, 6108 92 00, 6108 99 10</p>	3,9	257
26	<p>Women's or girls' dresses, of wool, of cotton or of man-made fibres</p> <p>6104 41 00, 6104 42 00, 6104 43 00, 6104 44 00, 6204 41 00, 6204 42 00, 6204 43 00, 6204 44 00</p>	3,1	323
27	<p>Women's or girls' skirts, including divided skirts</p> <p>6104 51 00, 6104 52 00, 6104 53 00, 6104 59 00, 6204 51 00, 6204 52 00, 6204 53 00, 6204 59 10</p>	2,6	385
28	<p>Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or of man-made fibres</p> <p>6103 41 10, 6103 41 90, 6103 42 10, 6103 42 90, 6103 43 10, 6103 43 90, 6103 49 10, 6103 49 91, 6104 61 10, 6104 61 90, 6104 62 10, 6104 62 90, 6104 63 10, 6104 63 90, 6104 69 10, 6104 69 91</p>	1,61	620
29	<p>Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; women's or girls' track suits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres</p> <p>6204 11 00, 6204 12 00, 6204 13 00, 6204 19 10, 6204 21 00, 6204 22 80, 6204 23 80, 6204 29 18, 6211 42 31, 6211 43 31</p>	1,37	730
31	<p>Brassières, woven, knitted or crocheted</p> <p>ex 6212 10 10, 6212 10 90</p>	18,2	55
68	<p>Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88</p> <p>6111 10 90, 6111 20 90, 6111 30 90, ex 6111 90 00, ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00</p>		
73	<p>Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres</p> <p>6112 11 00, 6112 12 00, 6212 19 00</p>	1,67	600

(1)	(2)	(3)	(4)
76	Men's or boys' industrial or occupational clothing, other than knitted or crocheted 6203 22 10, 6203 23 10, 6203 29 11, 6203 32 10, 6203 33 10, 6203 39 11, 6203 42 11, 6203 42 51, 6203 43 11, 6203 43 31, 6203 49 11, 6203 49 31, 6211 32 10, 6211 33 10 Women's or girls' aprons, smock overalls and other industrial or occupational clothing, other than knitted or crocheted 6204 22 10, 6204 23 10, 6204 29 11, 6204 32 10, 6204 33 10, 6204 39 11, 6204 62 11, 6204 62 51, 6204 63 11, 6204 63 31, 6204 69 11, 6204 69 31, 6211 42 10, 6211 43 10		
77	Ski suits, other than knitted or crocheted ex 6211 20 20		
78	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77 6203 41 30, 6203 42 59, 6203 43 39, 6203 49 39, 6204 61 80, 6204 61 90, 6204 62 59, 6204 62 90, 6204 63 39, 6204 63 90, 6204 69 39, 6204 69 50, 6210 40 00, 6210 50 00, 6211 31 00, 6211 32 90, 6211 33 90, 6211 41 00, 6211 42 90, 6211 43 90		
83	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, 75 6101 10 10, 6101 20 10, 6101 30 10, 6102 10 10, 6102 20 10, 6102 30 10, 6103 31 00, 6103 32 00, 6103 33 00, ex 6103 39 00, 6104 31 00, 6104 32 00, 6104 33 00, ex 6104 39 00, 6112 20 00, 6113 00 90, 6114 10 00, 6114 20 00, 6114 30 00		

## GROUP III A

33	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide 5407 20 11 Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like 6305 32 81, 6305 32 89, 6305 33 91, 6305 33 99		
34	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, 3 m or more wide 5407 20 19		
35	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114 5407 10 00, 5407 20 90, 5407 30 00, 5407 41 00, 5407 42 00, 5407 43 00, 5407 44 00, 5407 51 00, 5407 52 00, 5407 53 00, 5407 54 00, 5407 61 10, 5407 61 30, 5407 61 50, 5407 61 90, 5407 69 10, 5407 69 90, 5407 71 00, 5407 72 00, 5407 73 00, 5407 74 00, 5407 81 00, 5407 82 00, 5407 83 00, 5407 84 00, 5407 91 00, 5407 92 00, 5407 93 00, 5407 94 00, ex 5811 00 00, ex 5905 00 70		

(1)	(2)	(3)	(4)
35 a)	Of which: Other than unbleached or bleached ex 5407 10 00, ex 5407 20 90, ex 5407 30 00, 5407 42 00, 5407 43 00, 5407 44 00, 5407 52 00, 5407 53 00, 5407 54 00, 5407 61 30, 5407 61 50, 5407 61 90, 5407 69 90, 5407 72 00, 5407 73 00, 5407 74 00, 5407 82 00, 5407 83 00, 5407 84 00, 5407 92 00, 5407 93 00, 5407 94 00, ex 5811 00 00, ex 5905 00 70		
36	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114 5408 10 00, 5408 21 00, 5408 22 10, 5408 22 90, 5408 23 10, 5408 23 90, 5408 24 00, 5408 31 00, 5408 32 00, 5408 33 00, 5408 34 00, ex 5811 00 00, ex 5905 00 70		
36 a)	Of which: Other than unbleached or bleached ex 5408 10 00, 5408 22 10, 5408 22 90, 5408 23 10, 5408 23 90, 5408 24 00, 5408 32 00, 5408 33 00, 5408 34 00, ex 5811 00 00, ex 5905 00 70		
37	Woven fabrics of artificial staple fibres 5516 11 00, 5516 12 00, 5516 13 00, 5516 14 00, 5516 21 00, 5516 22 00, 5516 23 10, 5516 23 90, 5516 24 00, 5516 31 00, 5516 32 00, 5516 33 00, 5516 34 00, 5516 41 00, 5516 42 00, 5516 43 00, 5516 44 00, 5516 91 00, 5516 92 00, 5516 93 00, 5516 94 00, 5803 90 50, ex 5905 00 70		
37 a)	Of which: Other than unbleached or bleached 5516 12 00, 5516 13 00, 5516 14 00, 5516 22 00, 5516 23 10, 5516 23 90, 5516 24 00, 5516 32 00, 5516 33 00, 5516 34 00, 5516 42 00, 5516 43 00, 5516 44 00, 5516 92 00, 5516 93 00, 5516 94 00, ex 5803 90 50, ex 5905 00 70		
38 a)	Knitted or crocheted synthetic curtain fabric including net curtain fabric 6005 31 10, 6005 32 10, 6005 33 10, 6005 34 10, 6006 31 10, 6006 32 10, 6006 33 10, 6006 34 10		
38 b)	Net curtains, other than knitted or crocheted ex 6303 91 00, ex 6303 92 90, ex 6303 99 90		
40	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres ex 6303 91 00, ex 6303 92 90, ex 6303 99 90, 6304 19 10, ex 6304 19 90, 6304 92 00, ex 6304 93 00, ex 6304 99 00		
41	Yarn of synthetic filament (continuous), not put up for retail sale, other than non textured single yarn untwisted or with a twist of not more than 50 turns/m 5401 10 11, 5401 10 19, 5402 10 10, 5402 10 90, 5402 20 00, 5402 31 00, 5402 32 00, 5402 33 00, 5402 39 10, 5402 39 90, 5402 49 10, 5402 49 91, 5402 49 99, 5402 51 00, 5402 52 00, 5402 59 10, 5402 59 90, 5402 61 00, 5402 62 00, 5402 69 10, 5402 69 90, ex 5604 20 00, ex 5604 90 00		

(1)	(2)	(3)	(4)
42	<p>Yarn of continuous man-made fibres, not put up for retail sale 5401 20 10</p> <p>Yarn of artificial fibres; yarn of artificial filaments, not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns/m and single non textured yarn of cellulose acetate 5403 10 00, 5403 20 10, 5403 20 90, ex 5403 32 00, 5403 33 90, 5403 39 00, 5403 41 00, 5403 42 00, 5403 49 00, ex 5604 20 00</p>		
43	<p>Yarn of man-made filament, yarn of artificial staple fibres, cotton yarn, put up for retail sale 5204 20 00, 5207 10 00, 5207 90 00, 5401 10 90, 5401 20 90, 5406 10 00, 5406 20 00, 5508 20 90, 5511 30 00</p>		
46	<p>Carded or combed sheep's or lambs' wool or other fine animal hair 5105 10 00, 5105 21 00, 5105 29 00, 5105 31 00, 5105 39 10, 5105 39 90</p>		
47	<p>Yarn of carded sheeps' or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale 5106 10 10, 5106 10 90, 5106 20 10, 5106 20 91, 5106 20 99, 5108 10 10, 5108 10 90</p>		
48	<p>Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale 5107 10 10, 5107 10 90, 5107 20 10, 5107 20 30, 5107 20 51, 5107 20 59, 5107 20 91, 5107 20 99, 5108 20 10, 5108 20 90</p>		
49	<p>Yarn of sheep's or lambs' wool or of combed fine animal hair, put up for retail sale 5109 10 10, 5109 10 90, 5109 90 10, 5109 90 90</p>		
50	<p>Woven fabrics of sheeps' or lambs' wool or of fine animal hair 5111 11 11, 5111 11 19, 5111 11 91, 5111 11 99, 5111 19 11, 5111 19 19, 5111 19 31, 5111 19 39, 5111 19 91, 5111 19 99, 5111 20 00, 5111 30 10, 5111 30 30, 5111 30 90, 5111 90 10, 5111 90 91, 5111 90 93, 5111 90 99, 5112 11 10, 5112 11 90, 5112 19 11, 5112 19 19, 5112 19 91, 5112 19 99, 5112 20 00, 5112 30 10, 5112 30 30, 5112 30 90, 5112 90 10, 5112 90 91, 5112 90 93, 5112 90 99</p>		
51	<p>Cotton, carded or combed 5203 00 00</p>		
53	<p>Cotton gauze 5803 10 00</p>		
54	<p>Artificial staple fibres, including waste, carded, combed or otherwise processed for spinning 5507 00 00</p>		
55	<p>Synthetic staple fibres, including waste, carded, combed or otherwise processed for spinning 5506 10 00, 5506 20 00, 5506 30 00, 5506 90 10, 5506 90 90</p>		

(1)	(2)	(3)	(4)
56	Yarn of synthetic staple fibres (including waste), put up for retail sale 5508 10 90, 5511 10 00, 5511 20 00		
58	Carpets, carpentines and rugs, knotted (made up or not) 5701 10 10, 5701 10 91, 5701 10 93, 5701 10 99, 5701 90 10, 5701 90 90		
59	Carpets and other textile floor coverings, other than the carpets of category 58 5702 10 00, 5702 31 00, 5702 32 00, 5702 39 10, 5702 41 00, 5702 42 00, 5702 49 10, 5702 51 00, 5702 52 00, ex 5702 59 00, 5702 91 00, 5702 92 00, ex 5702 99 00, 5703 10 00, 5703 20 11, 5703 20 19, 5703 20 91, 5703 20 99, 5703 30 11, 5703 30 19, 5703 30 51, 5703 30 59, 5703 30 91, 5703 30 99, 5703 90 00, 5704 10 00, 5704 90 00, 5705 00 10, 5705 00 30, ex 5705 00 90		
60	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needlework tapestries (e.g. petit point and cross stitch) made in panels and the like by hand 5805 00 00		
61	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft, assembled by means of an adhesive, other than labels and similar articles of category 62 Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread ex 5806 10 00, 5806 20 00, 5806 31 00, 5806 32 10, 5806 32 90, 5806 39 00, 5806 40 00		
62	Chenille yarn (incl. flock chenille yarn), gimped yarn (other than metallised yarn and gimped horsehair yarn) 5606 00 91, 5606 00 99 Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs 5804 10 11, 5804 10 19, 5804 10 90, 5804 21 10, 5804 21 90, 5804 29 10, 5804 29 90, 5804 30 00 Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven 5807 10 10, 5807 10 90 Braids and ornamental trimmings in the piece; tassels, pompons and the like 5808 10 00, 5808 90 00 Embroidery, in the piece, in strips or in motifs 5810 10 10, 5810 10 90, 5810 91 10, 5810 91 90, 5810 92 10, 5810 92 90, 5810 99 10, 5810 99 90		
63	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more elastomeric yarn and knitted or crocheted fabrics containing by weight 5 % or more of rubber thread 5906 91 00, ex 6002 40 00, 6002 90 00, ex 6004 10 00, 6004 90 00 Raschel lace and long-pile fabric of synthetic fibres ex 6001 10 00, 6003 30 10, 6005 31 50, 6005 32 50, 6005 33 50, 6005 34 50		

(1)	(2)	(3)	(4)
65	Knitted or crocheted fabric, other than those of categories 38 A and 63, of wool, of cotton or of man-made fibres 5606 00 10, ex 6001 10 00, 6001 21 00, 6001 22 00, 6001 29 10, 6001 91 10, 6001 91 30, 6001 91 50, 6001 91 90, 6001 92 10, 6001 92 30, 6001 92 50, 6001 92 90, 6001 99 10, ex 6002 40 00, 6003 10 00, 6003 20 00, 6003 30 90, 6003 40 00, ex 6004 10 00, 6005 10 00, 6005 21 00, 6005 22 00, 6005 23 00, 6005 24 00, 6005 31 90, 6005 32 90, 6005 33 90, 6005 34 90, 6005 41 00, 6005 42 00, 6005 43 00, 6005 44 00, 6006 10 00, 6006 21 00, 6006 22 00, 6006 23 00, 6006 24 00, 6006 31 90, 6006 32 90, 6006 33 90, 6006 34 90, 6006 41 00, 6006 42 00, 6006 43 00, 6006 44 00		
66	Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6301 10 00, 6301 20 91, 6301 20 99, 6301 30 90, ex 6301 40 90, ex 6301 90 90		

## GROUP III B

10	Gloves, mittens and mitts, knitted or crocheted 6111 10 10, 6111 20 10, 6111 30 10, ex 6111 90 00, 6116 10 20, 6116 10 80, 6116 91 00, 6116 92 00, 6116 93 00, 6116 99 00	17 pairs	59
67	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (incl. drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories 5807 90 90, 6113 00 10, 6117 10 00, 6117 20 00, 6117 80 10, 6117 80 90, 6117 90 00, 6301 20 10, 6301 30 10, 6301 40 10, 6301 90 10, 6302 10 10, 6302 10 90, 6302 40 00, ex 6302 60 00, 6303 11 00, 6303 12 00, 6303 19 00, 6304 11 00, 6304 91 00, ex 6305 20 00, 6305 32 11, ex 6305 32 90, 6305 33 10, ex 6305 39 00, ex 6305 90 00, 6307 10 10, 6307 90 10		
67 a)	Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip 6305 32 11, 6305 33 10		
69	Women's and girls' slips and petticoats, knitted or crocheted 6108 11 00, 6108 19 00	7,8	128
70	Panty-hose and tights of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex) 6115 11 00, 6115 20 19 Women's full length hosiery of synthetic fibres 6115 93 91	30,4 pairs	33
72	Swimwear, of wool, of cotton or of man-made fibres 6112 31 10, 6112 31 90, 6112 39 10, 6112 39 90, 6112 41 10, 6112 41 90, 6112 49 10, 6112 49 90, 6211 11 00, 6211 12 00	9,7	103

(1)	(2)	(3)	(4)
74	Women's or girls' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits 6104 11 00, 6104 12 00, 6104 13 00, ex 6104 19 00, 6104 21 00, 6104 22 00, 6104 23 00, ex 6104 29 00	1,54	650
75	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suit 6103 11 00, 6103 12 00, 6103 19 00, 6103 21 00, 6103 22 00, 6103 23 00, 6103 29 00	0,80	1 250
84	Shawls, scarves, mufflers, mantillas, veils and the like other than knitted or crocheted, of wool, of cotton or of man-made fibres 6214 20 00, 6214 30 00, 6214 40 00, 6214 90 10		
85	Ties, bow ties and cravats other than knitted or crocheted, of wool, of cotton or of man-made fibres 6215 20 00, 6215 90 00	17,9	56
86	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted 6212 20 00, 6212 30 00, 6212 90 00	8,8	114
87	Gloves, mittens and mitts, not knitted or crocheted ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00, 6216 00 00		
88	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories other than for babies, other than knitted or crocheted ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00, 6217 10 00, 6217 90 00		
90	Twine, cordage, ropes and cables of synthetic fibres, plaited or not 5607 41 00, 5607 49 11, 5607 49 19, 5607 49 90, 5607 50 11, 5607 50 19, 5607 50 30, 5607 50 90		
91	Tents 6306 21 00, 6306 22 00, 6306 29 00		
93	Sacks and bags, of a kind used for the packing of goods of woven fabrics, other than made from polyethylene or polypropylene strip ex 6305 20 00, ex 6305 32 90, ex 6305 39 00		
94	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps 5601 10 10, 5601 10 90, 5601 21 10, 5601 21 90, 5601 22 10, 5601 22 91, 5601 22 99, 5601 29 00, 5601 30 00		
95	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings 5602 10 19, 5602 10 31, 5602 10 39, 5602 10 90, 5602 21 00, 5602 29 90, 5602 90 00, ex 5807 90 10, ex 5905 00 70, 6210 10 10, 6307 90 91		

(1)	(2)	(3)	(4)
96	<p>Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated</p> <p>5603 11 10, 5603 11 90, 5603 12 10, 5603 12 90, 5603 13 10, 5603 13 90, 5603 14 10, 5603 14 90, 5603 91 10, 5603 91 90, 5603 92 10, 5603 92 90, 5603 93 10, 5603 93 90, 5603 94 10, 5603 94 90, ex 5807 90 10, ex 5905 00 70, 6210 10 91, 6210 10 99, ex 6301 40 90, ex 6301 90 90, 6302 22 10, 6302 32 10, 6302 53 10, 6302 93 10, 6303 92 10, 6303 99 10, ex 6304 19 90, ex 6304 93 00, ex 6304 99 00, ex 6305 32 90, ex 6305 39 00, 6307 10 30, ex 6307 90 99</p>		
97	<p>Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope</p> <p>5608 11 11, 5608 11 19, 5608 11 91, 5608 11 99, 5608 19 11, 5608 19 19, 5608 19 30, 5608 19 90, 5608 90 00</p>		
98	<p>Other articles made from yarn, twine, cordage, cables or rope, other than textile fabrics, articles made from such fabrics and articles of category 97</p> <p>5609 00 00, 5905 00 10</p>		
99	<p>Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations</p> <p>5901 10 00, 5901 90 00</p> <p>Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape</p> <p>5904 10 00, 5904 90 00</p> <p>Rubberised textile fabric, not knitted or crocheted, excluding those for tyres</p> <p>5906 10 00, 5906 99 10, 5906 99 90</p> <p>Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths, other than of category 100</p> <p>5907 00 10, 5907 00 90</p>		
100	<p>Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials</p> <p>5903 10 10, 5903 10 90, 5903 20 10, 5903 20 90, 5903 90 10, 5903 90 91, 5903 90 99</p>		
101	<p>Twine, cordage, ropes and cables, plaited or not, other than of synthetic fibres</p> <p>ex 5607 90 90</p>		
109	<p>Tarpaulins, sails, awnings and sunblinds</p> <p>6306 11 00, 6306 12 00, 6306 19 00, 6306 31 00, 6306 39 00</p>		
110	<p>Woven pneumatic mattresses</p> <p>6306 41 00, 6306 49 00</p>		
111	<p>Camping goods, woven, other than pneumatic mattresses and tents</p> <p>6306 91 00, 6306 99 00</p>		



(1)	(2)	(3)	(4)
112	Other made up textile articles, woven, excluding those of categories 113 and 114 6307 20 00, 6307 90 99		
113	Floor cloth, dish cloth and dusters, other than knitted or crocheted 6307 10 90		
114	Woven fabrics and articles for technical uses 5902 10 10, 5902 10 90, 5902 20 10, 5902 20 90, 5902 90 10, 5902 90 90, 5908 00 00, 5909 00 10, 5909 00 90, 5910 00 00, 5911 10 00, ex 5911 20 00, 5911 31 11, 5911 31 19, 5911 31 90, 5911 32 10, 5911 32 90, 5911 40 00, 5911 90 10, 5911 90 90		
GROUP IV			
115	Flax or ramie yarn 5306 10 10, 5306 10 30, 5306 10 50, 5306 10 90, 5306 20 10, 5306 20 90, 5308 90 12, 5308 90 19		
117	Woven fabrics of flax or of ramie 5309 11 10, 5309 11 90, 5309 19 00, 5309 21 10, 5309 21 90, 5309 29 00, 5311 00 10, 5803 90 90, 5905 00 30		
118	Table linen, toilet linen and kitchen linen of flax or ramie, other knitted or crocheted 6302 29 10, 6302 39 10, 6302 39 30, 6302 52 00, ex 6302 59 00, 6302 92 00, ex 6302 99 00		
120	Curtains ( incl. drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie ex 6303 99 90, 6304 19 30, ex 6304 99 00		
121	Twine, cordage, ropes and cables, plaited or not, of flax or ramie ex 5607 90 90		
122	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted ex 6305 90 00		
123	Woven pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics 5801 90 10, ex 5801 90 90 Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted 6214 90 90		
GROUP V			
124	Synthetic staple fibres 5501 10 00, 5501 20 00, 5501 30 00, 5501 90 10, 5501 90 90, 5503 10 11, 5503 10 19, 5503 10 90, 5503 20 00, 5503 30 00, 5503 40 00, 5503 90 10, 5503 90 90, 5505 10 10, 5505 10 30, 5505 10 50, 5505 10 70, 5505 10 90		
125 A	Synthetic filament yarn (continuous) not put up for retail sale, other than yarn of category 41 5402 41 00, 5402 42 00, 5402 43 00		

(1)	(2)	(3)	(4)
125 B	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials 5404 10 10, 5404 10 90, 5404 90 11, 5404 90 19, 5404 90 90, ex 5604 20 00, ex 5604 90 00		
126	Artificial staple fibres 5502 00 10, 5502 00 40, 5502 00 80, 5504 10 00, 5504 90 00, 5505 20 00		
127 A	Yarn of artificial filaments (continuous) not put up for retail sale, other than yarn of category 42 5403 31 00, ex 5403 32 00, 5403 33 10		
127 B	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials 5405 00 00, ex 5604 90 00		
128	Coarse animal hair, carded or combed 5105 40 00		
129	Yarn of coarse animal hair or of horsehair 5110 00 00		
130 A	Silk yarn other than yarn spun from silk waste 5004 00 10, 5004 00 90, 5006 00 10		
130 B	Silk yarn other than of category 130 A; silk-worm gut 5005 00 10, 5005 00 90, 5006 00 90, ex 5604 90 00		
131	Yarn of other vegetable textile fibres 5308 90 90		
132	Paper yarn 5308 90 50		
133	Yarn of true hemp 5308 20 10, 5308 20 90		
134	Metallised yarn 5605 00 00		
135	Woven fabrics of coarse animal hair or of horse hair 5113 00 00		
136	Woven fabrics of silk or of silk waste 5007 10 00, 5007 20 11, 5007 20 19, 5007 20 21, 5007 20 31, 5007 20 39, 5007 20 41, 5007 20 51, 5007 20 59, 5007 20 61, 5007 20 69, 5007 20 71, 5007 90 10, 5007 90 30, 5007 90 50, 5007 90 90, 5803 90 10, ex 5905 00 90, ex 5911 20 00		
137	Woven pile fabric and chenille fabrics and narrow woven fabrics of silk, or of silk waste ex 5801 90 90, ex 5806 10 00		
138	Woven fabrics of paper yarn and other textile fibres other than of ramie 5311 00 90, ex 5905 00 90		

(1)	(2)	(3)	(4)
139	Woven fabrics of metal threads or of metallised yarn 5809 00 00		
140	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man made fibres ex 6001 10 00, 6001 29 90, 6001 99 90, 6003 90 00, 6005 90 00, 6006 90 00		
141	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man made fibres ex 6301 90 90		
142	Carpets and other textile floor coverings of sisal, of other fibres of the agave family or the Manila hemp ex 5702 39 90, ex 5702 49 90, ex 5702 59 00, ex 5702 99 00, ex 5705 00 90		
144	Felt of coarse animal hair 5602 10 35, 5602 29 10		
145	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp 5607 90 10, ex 5607 90 00		
146 A	Binder or baler twine for agricultural machines, of sisal or other fibres of the agave family ex 5607 21 00		
146 B	Twine, cordage, ropes and cables of sisal or other fibres of the agave family, other than the products of category 146 A ex 5607 21 00, 5607 29 10, 5607 29 90		
146 C	Twine, cordage, ropes and cables, whether or not plaited or braided, of jute or of other textile bast fibres of heading No 5303 5607 10 00		
147	Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed 5003 90 00		
148 A	Yarn of jute or of other textile bast fibres of heading No 5303 5307 10 10, 5307 10 90, 5307 20 00		
148 B	Coir yarn 5308 10 00		
149	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm 5310 10 90, ex 5310 90 00		
150	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm; sacks and bags of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used 5310 10 10, ex 5310 90 00, 5905 00 50, 6305 10 90		
151 A	Floor coverings of coconut fibres (coir) 5702 20 00		

(1)	(2)	(3)	(4)
151 B	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flocked ex 5702 39 90, ex 5702 49 90, ex 5702 59 00, ex 5702 99 00		
152	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings 5602 10 11		
153	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303 6305 10 10		
154	<p>Silkworm cocoons suitable for reeling 5001 00 00</p> <p>Raw silk (not thrown) 5002 00 00</p> <p>Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed 5003 10 00</p> <p>Wool not carded or combed 5101 11 00, 5101 19 00, 5101 21 00, 5101 29 00, 5101 30 00</p> <p>Fine or coarse animal hair, not carded or combed 5102 11 00, 5102 19 10, 5102 19 30, 5102 19 40, 5102 19 90, 5102 20 00</p> <p>Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock 5103 10 10, 5103 10 90, 5103 20 10, 5103 20 91, 5103 20 99, 5103 30 00</p> <p>Garnetted stock of wool or of fine or coarse animal hair 5104 00 00</p> <p>Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock) 5301 10 00, 5301 21 00, 5301 29 00, 5301 30 10, 5301 30 90</p> <p>Ramie and other vegetable textile fibres, raw or processed but not spun: tow, noils and waste, other than coir and abaca of heading No 5304 5305 90 00</p> <p>Cotton, not carded nor combed 5201 00 10, 5201 00 90</p> <p>Cotton waste (incl. yarn waste and garnetted stock) 5202 10 00, 5202 91 00, 5202 99 00</p> <p>True hemp (cannabis sativa L.), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock) 5302 10 00, 5302 90 00</p> <p>Abaca (Manila hemp or Musa Textilis Nee), raw or processed but not spun: tow and waste of abaca (including yarn waste and garnetted stock) 5305 21 00, 5305 29 00</p> <p>Jute or other textile bast fibres (excl. flax, true hemp and ramie), raw or processed but not spun: tow and waste of jute or other textile bast fibres (including yarn waste and garnetted stock) 5303 10 00, 5303 90 00</p> <p>Other vegetable textile fibres, raw or processed but not spun: tow and waste of such fibres (including yarn waste and garnetted stock) 5304 10 00, 5304 90 00, 5305 11 00, 5305 19 00, 5305 90 00</p>		

(1)	(2)	(3)	(4)
156	Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls 6106 90 30, ex 6110 90 90		
157	Garments, knitted or crocheted, other than those of categories 1 to 123 and 156 6101 90 10, 6101 90 90, 6102 90 10, 6102 90 90, ex 6103 39 00, 6103 49 99, ex 6104 19 00, ex 6104 29 00, ex 6104 39 00, 6104 49 00, 6104 69 99, 6105 90 90, 6106 90 50, 6106 90 90, ex 6107 99 00, 6108 99 90, 6109 90 90, 6110 90 10, ex 6110 90 90, ex 6111 90 00, 6114 90 00		
159	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste 6204 49 10, 6206 10 00 Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste 6214 10 00 Ties, bow ties and cravats of silk or silk waste 6215 10 00		
160	Handkerchiefs of silk or silk waste 6213 10 00		
161	Garments, not knitted or crocheted, other than those of categories 1 to 123 and category 159 6201 19 00, 6201 99 00, 6202 19 00, 6202 99 00, 6203 19 90, 6203 29 90, 6203 39 90, 6203 49 90, 6204 19 90, 6204 29 90, 6204 39 90, 6204 49 90, 6204 59 90, 6204 69 90, 6205 90 10, 6205 90 90, 6206 90 10, 6206 90 90, ex 6211 20 00, 6211 39 00, 6211 49 00		

*ANNEX II***Products without quantitative limits subject to the double-checking system referred to in Article 1(4) of this Agreement**

(The full products descriptions of the categories listed in this Annex are to be found in Annex I to this Agreement.)

Categories:

4, 5, 6, 7, 26.

Should imports of products of category 8 originating in Nepal reach 2 % of the preceding years total imports into the Community from all sources of products in that category, they will be subject automatically to the double-checking system.

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## PROTOCOL A

### TITLE I

#### CLASSIFICATION

##### Article 1

1. The competent authorities of the Community undertake to inform Nepal of any changes in the combined nomenclature (CN) before the date of their entry into force in the Community.

2. The competent authorities of the Community undertake to inform the competent authorities of Nepal of any decisions relating to the classification of products subject to this Agreement, within one month of their adoption at the latest. Such communication shall include:

- (a) a description of the products concerned;
- (b) the relevant category and the related CN codes;
- (c) the reasons which have led to the decision.

3. Where a decision on classification results in a change of classification practice or a change of category of any product subject to this Agreement, the competent authorities of the Community shall provide 30 days's notice, from the date of the Community's communication, before the decision is put into effect. Products shipped before the date of entry into effect of the decision shall remain subject to the earlier classification practice, provided that the goods in question are presented for importation into the Community within 60 days of that date.

4. Where a Community decision on classification resulting in a change of classification practice or a change of categorization of any product subject to the Agreement affects a category subject to quantitative limits, the Parties agree to enter into consultation in accordance with the procedures described in Article 11 of this Agreement with a view to honouring the obligation under the second subparagraph of Article 8(1) of this Agreement.

5. In case of divergent opinions between Nepal and the competent Community authorities at the point of entry into the Community on the classification of products covered by this Agreement, classification shall provisionally be based on indications provided by the Community, pending consultations in accordance with Article 11 of this Agreement with a view to reaching agreement on definitive classification of the product concerned.

### TITLE II

#### ORIGIN

##### Article 2

1. Products originating in Nepal for export to the Community in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Nepalese origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be certified by Nepalese competent governmental authorities if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.

3. However, the products in Groups III, IV and V may be imported into the Community in accordance with the arrangements established by this Agreement on production of a declaration by the exporter on the invoice or other commercial document stating that the products in question originate in Nepal within the meaning of the relevant rules in force in the Community.

4. The certificate of origin referred to in paragraph 1 shall not be required for import of goods covered by a certificate of origin Form A completed in accordance with the relevant Community rules in order to qualify for generalised tariff preferences.

##### Article 3

The certificate of origin shall be issued only on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative. The competent Nepalese authorities shall ensure that the certificate of origin is properly completed and for this purpose they shall call for any necessary documentary evidence or carry out any check which they consider appropriate.

##### Article 4

Where different criteria for determining origin are laid down for products falling within the same category, the certificates or declarations of origin must contain a sufficiently detailed description of the goods, on the basis of which the certificate was issued or the declaration drawn up.

##### Article 5

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* cast doubt upon the statements in the certificate.

### TITLE III

#### DOUBLE-CHECKING SYSTEM

##### Section I

#### Exportation

##### Article 6

The competent authorities of Nepal shall issue an export licence in respect of all consignments from Nepal of textile products subject to any definitive or provisional quantitative limits established under Article 4 of this Agreement, up to the relevant quantitative limits as may be modified by Articles 3, 5 and 7 of this Agreement, as well as of all consignments of textile products subject to a double-checking system without quantitative limits as provided for in Article 1(4) and (5) of this Agreement.

## Article 7

1. For products subject to quantitative limits under this Agreement the export licence shall conform to the model 1 annexed to this Protocol and it shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.

2. Where quantitative limits have been introduced pursuant to this Agreement, each export licence must certify *inter alia* that the quantity of the product in question has been set off against the quantitative limit established for the category of the products concerned and shall only cover one of the categories of products subject to quantitative limits. It may be used for one or more consignments of the products in question.

3. For products subject to a double-checking system without quantitative limits the export licence shall conform to the model 2 annexed to this Protocol. It shall only cover one category of products and may be used for one or more consignments of the products in question. It shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.

## Article 8

The competent authorities of the Community must be informed immediately of the withdrawal or modification of any export licence already issued.

## Article 9

1. Exports of textile products subject to quantitative limits pursuant to this Agreement shall be set off against the quantitative limits established for the year in which the shipment of the goods has been effected even if the export licence is issued after such shipment.

2. For the purpose of applying paragraph 1, shipment of the goods is considered to have taken place on the date of their loading onto the exporting aircraft, vehicle or vessel.

## Article 10

The presentation of an export licence, in application of Article 12 hereafter, shall be effected not later than 31 March of the year following that in which the goods covered by the licence have been shipped.

## Section II

**Importation**

## Article 11

Importation into the Community of textile products subject to quantitative limits or to a double-checking system pursuant to this Agreement shall be subject to the presentation of an import authorisation.

## Article 12

1. The competent authorities of the Community shall issue the import authorisation referred to in Article 11, within five working days of the presentation by the importer of the original of the corresponding export licence.

2. The import authorisations concerning products subject to quantitative limits under this Agreement shall be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Community applies.

3. The import authorisations for products subject to a double-checking system without quantitative limits shall be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Community applies.

4. The competent authorities of the Community shall cancel the import authorisation already issued whenever the corresponding export licence has been withdrawn.

However, if the competent authorities of the Community are notified of the withdrawal or the cancellation of the export licence only after the importation of the products into the Community, the relevant quantities shall be set off against the quantitative limits established for the category and the quota year concerned.

## Article 13

1. If the competent authorities of the Community find that the total quantities covered by export licences issued by the competent authorities of Nepal for a particular category in any year exceed the quantitative limit established in accordance with Articles 4 of this Agreement for that category, as may be modified by Articles 3, 5 or 7 of this Agreement, the said authorities may suspend the further issue of import authorisations. In this event, the competent authorities of the Community shall immediately inform the authorities of Nepal and the special consultation procedure set out in Article 11 of this Agreement shall be initiated forthwith.

2. Exports of products of Nepalese origin subject to quantitative limits or double checking system and not covered by Nepalese export licences issued in accordance with the provisions of this Protocol may be refused an import authorisation by the competent Community authorities.

However, without prejudice to Article 5 of this Agreement if the import of such products is allowed into the Community by the competent authorities of the Community, the quantities involved shall not be set off against the appropriate quantitative limits established pursuant to this Agreement, without the express agreement of the competent authorities of Nepal.



## TITLE IV

**FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS CONCERNING EXPORTS TO THE COMMUNITY***Article 14*

1. The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English or French. If they are completed by hand, entries must be in ink and in printed script.

These documents shall measure 210 × 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m<sup>2</sup>. If the documents have several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked as 'original' and the other copies as 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the purpose of export to the Community in accordance with the provisions of this Agreement.

2. Each document shall bear a standardized serial number, whether or not printed, by which it can be identified.

This number shall be composed of the following elements:

- two letters identifying the exporting country as follows: NP
- two letters identifying the intended Member State of customs clearance as follows:

AT = Austria

BL = Benelux

DE = Federal Republic of Germany

DK = Denmark

EL = Greece

ES = Spain

FI = Finland

FR = France

GB = United Kingdom

IE = Ireland

IT = Italy

PT = Portugal

SE = Sweden

- one-digit number identifying quota year, as follows: 3 for 2003, 4 for 2004;
- two-digit number from 01 to 99, identifying the particular issuing office concerned in Nepal;
- a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.

*Article 15*

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement 'délivré a posteriori' or the endorsement 'issued retrospectively'.

*Article 16*

1. In the event of a theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent Nepalese authorities which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate or licence so issued shall bear the endorsement 'duplicata' or 'duplicate'.

2. The duplicate shall bear the date of the original export licence or certificate of origin.

## TITLE V

**ADMINISTRATIVE COOPERATION***Article 17*

The Community and Nepal shall cooperate closely in the implementation of the provisions of this Protocol. To this end, contacts and exchanges of views, including on technical matters, shall be facilitated by both Parties.

*Article 18*

In order to ensure the correct application of this Protocol, the Community and Nepal offer mutual assistance for the verification of the authenticity and the accuracy of export licences and certificates of origin issued or of any declarations made within the terms of this Protocol.

*Article 19*

Nepal shall transmit to the Commission of the European Communities the names and addresses of the authorities competent to issue and verify the export licences and the certificates of origin, together with specimens of the stamps used by these authorities and specimen signatures of officials responsible for signing the export licences and the certificates of origin. Nepal shall also notify the Community of any change in this information.

*Article 20*

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent authorities of the Community have reasonable doubt as to the authenticity of the certificate or licence or as to the accuracy of the information regarding the true origin of the products in question.

2. In such cases, the competent authorities of the Community shall return the certificate of origin or the export licence or a copy thereof to the competent Nepalese authorities, giving, where appropriate, the reasons of form or substance which justify an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or to the licence or their copies. The competent authorities of the Community shall also forward any information that has been obtained suggesting that the particulars given on the said certificate or licence are inaccurate.

3. Paragraph 1 shall also apply to subsequent verifications of the declarations of origin provided for in Article 2 of this Protocol.

4. The results of the subsequent verifications referred to in paragraphs 1 and 2 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration, applies to the goods actually exported and whether these goods are eligible for export under the arrangements established by this Agreement. The information shall also include, at the request of the Community, copies of all the documentation necessary to fully determine the facts, and in particular the true origin of the goods.

Should such verifications reveal systematic irregularities in the use of declarations of origin, the Community may subject imports of the products in question to the provisions of Article 2(1) of this Protocol.

5. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least three years by the competent Nepalese authorities.

6. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for home use of the products in question.

#### *Article 21*

1. Where the verification procedure referred to in Article 20 or where information available to the competent authorities of the Community or of Nepal indicates or appears to indicate that the provisions of this Agreement are being circumvented or infringed, the two Parties shall cooperate closely and with the appropriate urgency in order to prevent or remedy any such circumvention or infringement.

2. To this end, the competent Nepalese authorities shall, on their own initiative or at the request of the Community, carry out appropriate inquiries, or arrange for such inquiries to be carried out, concerning operations which are, or appear to the Community to be, in circumvention or infringement of this Protocol. Nepal shall communicate the results of these inquiries to the Community, including any other pertinent information enabling the cause of the circumvention or infringement, including the true origin of the goods, to be determined.

3. By agreement between the Community and Nepal, officials designated by the Community may be present at the inquiries referred to in paragraph 2.

4. In pursuance of the cooperation referred to in paragraph 1, the competent authorities of the Community and Nepal shall exchange any information considered by either Party to be of use in preventing or remedying circumvention or infringement of the provisions of this Agreement. These exchanges may include information on the production of textile products in Nepal and on the trade in the type of products covered by this Agreement between Nepal and third countries, particularly where the Community has reasonable grounds to consider that the products in question may be in transit across the territory of Nepal prior to their importation into the Community. This information may include at the request of the Community copies of all available relevant documentation.

5. Where sufficient evidence shows that the provisions of this Protocol have been circumvented or infringed, the competent authorities of Nepal and the Community may agree to take the measures set out in Article 5(4) of this Agreement, and any other measures as are necessary to prevent a recurrence of such circumvention or infringement.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No	
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<div>CERTIFICATE OF ORIGIN (Textile products)</div> <div>CERTIFICAT D'ORIGINE (Produits textiles)</div>		
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity (¹) Quantité (¹)	12 FOB value (²) Valeur fob (²)
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community. Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté européenne.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At — À ..... , on — le .....  (Signature) (Stamp — Cachet)		

(¹) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
(²) In the currency of the sale contract — Dans la monnaie du contrat de vente.



(<sup>1</sup>) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
 (<sup>2</sup>) In the currency of the sale contract — Dans la monnaie du contrat de vente.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>	2 <b>No</b>	
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE</b> <b>(Textile products)</b> <hr/> <b>LICENCE D'EXPORTATION</b> <b>(Produits textiles)</b>		
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity ( <sup>1</sup> ) Quantité ( <sup>1</sup> )	12 FOB value ( <sup>2</sup> ) Valeur fob ( <sup>2</sup> )
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Community. Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté européenne.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At — À ..... , on — le ..... <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <span>(Signature)</span> <span>(Stamp — Cachet)</span> </div>		



1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No	
	3 Export year Année d'exportation	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<div>EXPORT LICENCE (Textile products)</div> <div>LICENCE D'EXPORTATION (Produits textiles)</div>		
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires  NON-RESTRAINED TEXTILE CATEGORY CATÉGORIE TEXTILE NON LIMITÉE		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity <sup>(1)</sup> Quantité <sup>(1)</sup>	12 FOB value <sup>(2)</sup> Valeur fob <sup>(2)</sup>
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE  I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the Agreement on trade in textile products between the European Community and the Kingdom of Nepal.  Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans l'accord sur le commerce des produits textiles entre la Communauté européenne et le Royaume du Népal.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At — À ..... , on — le .....  (Signature) (Stamp — Cachet)		

<sup>(1)</sup> Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
<sup>(2)</sup> In the currency of the sale contract — Dans la monnaie du contrat de vente.





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## PROTOCOL B

The annual growth rate for quantitative limits which could be introduced under Article 4 of this Agreement shall be fixed by agreement between the Parties in accordance with the consultation procedure established in Article 11 of this Agreement. Such growth rate may in no case be higher than the highest rate applicable to corresponding products under bilateral agreements on trade in textiles concluded between the Community and other third countries having a level of trade equal to or comparable with that of Nepal.

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## AGREED MINUTE

### Market access

In the context of negotiations for an Agreement on trade in textile products between the European Community and Nepal, the Parties recorded their mutual understanding on the following matter:

Without prejudice to the other provisions of this agreement, each Party agrees not to take any measures, which may adversely affect the trade flows of textile and clothing products between the Parties during the validity of this Agreement.

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## DECLARATION

Having regard to the exceptional importance of exports of carpets in the Nepalese economy, in terms of source of foreign currency, of employment and share in the total foreign trade, the European Community declares its intention not to invoke Article 4 of this Agreement for products of category 58 manufactured in Nepal.

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# COMMISSION

## COMMISSION DECISION

of 20 December 2002

**concerning certain protective measures with regard to the products of animal origin imported from China**

(notified under document number C(2002) 5377)

(Text with EEA relevance)

(2002/994/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Under Directive 97/78/EC the necessary measures must be adopted as regards the import of certain products from third countries where any cause likely to constitute a serious risk to animal or human health appears or is spreading.
- (2) Under Council Directive 95/53/EC of 25 October, 1995 fixing the principles governing the organisation of official inspections in the field of animal nutrition <sup>(2)</sup>, as last amended by Directive 2001/46/EC of the European Parliament and of the Council <sup>(3)</sup>, the necessary measures must be adopted as regards the import of certain products from third countries and intended for animal nutrition, where any cause likely to constitute a serious danger to animal or human health appears or is spreading.
- (3) Under Council Directive 96/23/EC of 29 April 1996, on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC <sup>(4)</sup>, the production process of animals and primary products of animal origin shall be monitored for the purpose of detecting the presence of certain residues and substances in live animals, their excrements and body fluids and in tissue, animal products, animal feed and drinking water.

- (4) Following the detection of chloramphenicol in certain aquaculture and fishery products imported from China, the Commission adopted Decision 2001/699/EC, of 9 September 2001 concerning certain protective measures intended for human consumption and originating in China and Vietnam <sup>(5)</sup>, modified by Decision 2002/770/EC <sup>(6)</sup>. Furthermore, and following the shortcomings identified during an inspection visit to China as regards veterinary medicines regulation and the residue control system in live animals and animal products, the Commission adopted Decision 2002/69/EC of 30 January 2002 concerning certain protective measures with regard to the products of animal origin imported from China <sup>(7)</sup>, as last amended by Commission Decision 2002/933/EC <sup>(8)</sup>.

- (5) Decision 2002/69/EC provides that it shall be reviewed in the light of information provided by the competent authorities of China, any results from the increased monitoring and testing carried out by Member States on consignments arriving at the Community border inspection posts and, if necessary, on the basis of the results of a new inspection visit carried out on the spot by Community experts. The information provided by Chinese authority and the favourable results of the checks carried out by Member States have allowed authorisation of importation of certain products of animal origin and therefore several modifications of Decision 2002/69/EC.
- (6) In view of the information provided by the Chinese authorities, imports of the categories of products of animal origin for which the Chinese residue monitoring plans are approved are authorised.

<sup>(1)</sup> OJ L 24, 30.1.1998, p. 9.

<sup>(2)</sup> OJ L 265, 8.11.1995, p. 17.

<sup>(3)</sup> OJ L 234, 1.9.2001, p. 55.

<sup>(4)</sup> OJ L 125, 23.5.1996, p. 10.

<sup>(5)</sup> OJ L 251, 20.1.2001, p. 11.

<sup>(6)</sup> OJ L 265, 3.10.2002, p. 16.

<sup>(7)</sup> OJ L 30, 31.1.2002, p. 50.

<sup>(8)</sup> OJ L 324, 29.11.2002, p. 71.

- (7) For certain other categories of products of animal origin, it is necessary in view of the results of the checks carried out by Member States to maintain the monitoring mechanisms established under Decision 2002/69/EC. The frequency of the tests to be carried out on the consignments should be fixed in accordance with the level of risk observed.
- (8) Fishery products obtained by other means than aquaculture are not concerned by the risks identified above and should therefore be exempted from monitoring. However, for eels and shrimps, it is not possible to distinguish between aquaculture and wild catches for the time being, except for catches of shrimps made in the Atlantic Ocean; therefore, those products should remain prohibited except for the latter category of crustacean.
- (9) The monitoring provided for by Decision 2001/669/EC was maintained for a transitional period with regard to China, while it was subsequently deleted with regard to Vietnam by Decision 2002/770/EC.
- (10) It is therefore appropriate to update and consolidate in the present Decision the provisions in Decision 2002/69/EC and to repeal Decisions 2001/669/EC and 2002/69/EC accordingly.
- (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*

This Decision shall apply to all products of animal origin imported from China and intended for human consumption or animal feed use.

#### *Article 2*

1. Member States shall prohibit the imports of products referred in Article 1.
2. By derogation from paragraph 1, Member States shall authorise the imports of products listed in the Annex to the present decision in accordance with the following provisions, and with the specific animal and public health conditions applicable to the products concerned. In the case of products listed in Part II and III of the Annex to the present Decision, imports shall be authorised only if the results of the test referred to in Article 3 are favourable.

#### *Article 3*

1. Member States shall, using appropriate sampling plans and detection methods, subject consignments of products listed in sections II and III of the Annex to the present Decision, to a

chemical test in order to ensure that the products concerned do not present a hazard to human health. This test must be carried out, in particular, with a view to detecting the presence of residues of veterinary drugs, pesticides, contaminants and prohibited substances.

2. For products listed in section II of the Annex, the tests shall be carried out on 20 % of all consignments; for products listed in section III, each consignment shall be tested.

3. Member States shall inform the Commission of the results of the tests referred to in paragraph 1 by means of the Rapid Alert System for food and feed set up by Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>(1)</sup>, immediately when they are positive, and every week for negative results.

#### *Article 4*

All expenditures incurred by the application of this Decision shall be charged to the consignor, the consignee, or their agent.

#### *Article 5*

Member States shall modify the measures they apply to trade to bring them into line with this Decision. They shall immediately inform the Commission thereof.

#### *Article 6*

This Decision shall be reviewed on the basis of the information and guarantees provided by the Chinese competent authorities, the results of the tests referred to in Article 3 and, if necessary, the results of an on the spot inspection visit by Community experts.

#### *Article 7*

Decision 2001/699/EC and Decision 2002/69/EC are repealed.

#### *Article 8*

This Decision shall apply from 24 December 2002.

#### *Article 9*

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 31, 1.2.2002, p. 1.

## ANNEX

## PART I

**List of products of animal origin intended for human consumption or animal feed use authorised to be imported into the Community without testing**

- Fishery products, except:
  - those obtained by aquaculture,
  - eels,
  - shrimps other than those caught in the Atlantic Ocean as referred to below.
- Entire shrimps caught in the Atlantic Ocean, which have not undergone any preparation or processing operation other than freezing and packaging in their final package at sea and landed directly on Community territory.
- Gelatine.

## PART II

**List of products of animal origin intended for human consumption or animal feed use authorised to be imported into the Community, subject to a chemical test under the conditions of paragraph 2 of Article 3**

- Casings,
- Crayfish of the species *Procambrus clarkii* caught in natural fresh waters by fishing operations,
- Surimi obtained from the fishery products authorised in Part I.

## PART III

**List of products of animal origin intended for human consumption or animal feed use authorised to be imported into the Community, subject to a chemical test under the conditions of paragraph 2 of Article 3**

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