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Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 1104/2003 of 26 May 2003 amending Regulation (EC) No 1766/92 with regard to the calculation of import duties on certain cereals** 1
- ★ **Council Regulation (EC) No 1105/2003 of 26 May 2003 amending Regulation (EC) No 1260/1999 laying down general provisions on the Structural Funds** 3
- Commission Regulation (EC) No 1106/2003 of 26 June 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables 4
- Commission Regulation (EC) No 1107/2003 of 26 June 2003 altering the export refunds on white sugar and raw sugar exported in the natural state 6
- Commission Regulation (EC) No 1108/2003 of 26 June 2003 fixing the maximum export refund for white sugar to certain third countries for the 34rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002 8
- Commission Regulation (EC) No 1109/2003 of 26 June 2003 fixing the export refunds on rice and broken rice and suspending the issue of export licences 9
- ★ **Commission Regulation (EC) No 1110/2003 of 26 June 2003 amending Regulation (EC) No 1249/96 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92** 12
- ★ **Commission Regulation (EC) No 1111/2003 of 26 June 2003 amending Regulation (EC) No 2375/2002 opening and providing for the administration of a Community tariff quota for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EEC) No 1766/92** 21

★ Commission Regulation (EC) No 1112/2003 of 26 June 2003 amending Regulation (EC) No 2377/2002 opening and providing for the administration of a Community tariff quota for malting barley from third countries and derogating from Council Regulation (EC) No 1766/92	23
★ Commission Regulation (EC) No 1113/2003 of 26 June 2003 amending Regulation (EC) No 2376/2002 opening and providing for the administration of a Community tariff quota for barley from third countries and derogating from Council Regulation (EC) No 1766/92	24
★ Commission Regulation (EC) No 1114/2003 of 26 June 2003 establishing the quantities to be allocated to importers from the Community quantitative quotas on certain products originating in the People's Republic of China redistributed by Regulation (EC) No 538/2003	26
Commission Regulation (EC) No 1115/2003 of 26 June 2003 opening import quotas in respect of special preferential raw cane sugar from the ACP States and India for supply to refineries in the period 1 July 2003 to 29 February 2004	30
Commission Regulation (EC) No 1116/2003 of 26 June 2003 applying reduction coefficients to the third tranche of inward processing certificates issued in accordance with Regulation (EC) No 1488/2001	32
Commission Regulation (EC) No 1117/2003 of 26 June 2003 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty	33
Commission Regulation (EC) No 1118/2003 of 26 June 2003 fixing the export refunds on milk and milk products	37
★ Commission Regulation (EC) No 1119/2003 of 26 June 2003 prohibiting fishing for whiting by vessels flying the flag of the Netherlands	43
Commission Regulation (EC) No 1120/2003 of 26 June 2003 concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 936/2003	44
Commission Regulation (EC) No 1121/2003 of 26 June 2003 concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 935/2003	45
Commission Regulation (EC) No 1122/2003 of 26 June 2003 fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1582/2002	46
Commission Regulation (EC) No 1123/2003 of 26 June 2003 concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 934/2003	47
Commission Regulation (EC) No 1124/2003 of 26 June 2003 fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 581/2003	48
Commission Regulation (EC) No 1125/2003 of 26 June 2003 fixing the export refunds on products processed from cereals and rice	49

Commission Regulation (EC) No 1126/2003 of 26 June 2003 fixing the export refunds on cereal-based compound feedingstuffs	52
Commission Regulation (EC) No 1127/2003 of 26 June 2003 fixing production refunds on cereals and rice	54

II Acts whose publication is not obligatory

Council

2003/475/EC:

- ★ **Council Decision of 18 June 2003 amending Council Decision 2000/604/EC on the Composition and the Statutes of the Economic Policy Committee** 55

2003/476/EC:

- ★ **Council Decision of 18 June 2003 on a revision of the Statutes of the Economic and Financial Committee** 58

Commission

2003/477/EC:

- ★ **Commission Decision of 24 June 2003 amending Decision 2002/251/EC to revoke the protective measures with regard to the fishery and aquaculture products imported from Thailand ⁽¹⁾ (notified under document number C(2003) 425)** 61

Corrigenda

- ★ **Corrigendum to Council Joint Action 2003/449/CFSP of 16 June 2003 extending the mandate of the Special Representative of the European Union to act as a Special Coordinator of the Stability Pact for South-Eastern Europe (OJ L 150 of 18.6.2003)** 63

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1104/2003
of 26 May 2003
amending Regulation (EC) No 1766/92 with regard to the calculation of import duties on certain
cereals**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Article 1

In Article 10 of Regulation (EEC) No 1766/92, paragraphs 2, 3 and 4 shall be replaced by the following:

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

‘1. Notwithstanding paragraph 1, the import duty on products covered by CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrid for sowing, shall be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

Having regard to the opinion of the European Parliament ⁽²⁾,

2. For the purposes of calculating the import charge referred to in paragraph 2 representative cif import prices shall be established for the products referred to in that paragraph.

Whereas:

Such representative cif import prices shall be established on a regular basis.

(1) For the purposes of calculating import duty, Article 10(2) of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽³⁾ provides for a complementary, derogating mechanism for certain basic cereals.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 23.

(2) This derogation has been abolished for average and poor quality wheat and for barley following the conclusion of the negotiations with the United States and Canada under Article XXVIII of the GATT, approved by Council Decisions 2003/253/EC ⁽⁴⁾ and 2003/254/EC ⁽⁵⁾ concerning the conclusion of Agreements in the form of an Exchange of Letters between the European Community, on the one hand, and Canada and the United States of America respectively, on the other hand.

The detailed rules shall in particular specify:

- (a) the minimum requirements for high quality common wheat,
- (b) the price quotations to be taken into consideration,
- (c) the possibility, where appropriate in specific cases, of giving operators the opportunity of knowing the charge applicable before the arrival of the consignments concerned.’

(3) Regulation (EEC) No 1766/92 should therefore be amended accordingly,

Article 2

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

It shall apply from 1 January 2003.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ 8 April 2003 (not yet published in the Official Journal).

⁽³⁾ 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).

⁽⁴⁾ OJ L 95, 11.4.2003, p. 36.

⁽⁵⁾ OJ L 95, 11.4.2003, p. 40.

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

Done at Brussels, 26 May 2003.

For the Council

The President

G. DRYG

COUNCIL REGULATION (EC) No 1105/2003
of 26 May 2003
amending Regulation (EC) No 1260/1999 laying down general provisions on the Structural Funds

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 161 thereof,

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

Having regard to the assent of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

After consulting the Committee of the Regions,

Whereas:

- (1) The provisions of Article 47(2) and 3 of Regulation (EC) No 1260/1999 ⁽⁴⁾ respectively provide for recourse to the Type I Committee procedure and to the Type IIa and IIb procedures established by Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.
- (2) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁶⁾ repealed and replaced Decision 87/373/EEC.
- (3) In accordance with the joint statement of the Council and of the Commission ⁽⁷⁾ on Decision 1999/468/EC, the provisions relating to committees which assist the Commission in the exercise of its implementing powers, provided for pursuant to Decision 87/373/EEC, should

be adapted in order to bring them into line with the provisions of Articles 3, 4 and 7 of Decision 1999/468/EC.

- (4) The necessary measures should be taken to bring into line Regulation (EC) No 1260/1999 with Decision 1999/468/EC.

- (5) Regulation (EC) No 1260/1999 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Article 47(2) and (3) of Regulation (EC) No 1260/1999 shall be replaced by the following:

‘2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.

3. 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.

3a. The committees shall adopt their rules of procedure.’

Article 2

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

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

Done at Brussels, 26 May 2003.

For the Council
The President
G. DRYG

⁽¹⁾ OJ C 75 E, 26.3.2003, p. 383.

⁽²⁾ Assent given on 11.3.2003 (not yet published in the Official Journal).

⁽³⁾ OJ C 241, 7.10.2002, p. 128.

⁽⁴⁾ OJ L 161, 26.6.1999, p. 1.

⁽⁵⁾ OJ L 197, 18.7.1987, p. 33.

⁽⁶⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁷⁾ OJ C 203, 17.7.1999, p. 1.

COMMISSION REGULATION (EC) No 1106/2003
of 26 June 2003
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 26 June 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	58,0
	064	80,7
	999	69,3
0707 00 05	052	85,6
	999	85,6
0709 90 70	052	78,0
	999	78,0
0805 50 10	382	60,3
	388	58,5
	528	64,7
	999	61,2
0808 10 20, 0808 10 50, 0808 10 90	388	77,4
	400	101,7
	508	83,0
	512	80,5
	524	37,3
	528	60,4
	720	132,3
	804	92,1
	999	83,1
0809 10 00	052	225,3
	999	225,3
0809 20 95	052	312,4
	060	156,6
	068	129,2
	400	324,8
	999	230,8
0809 40 05	052	203,9
	624	184,6
	999	194,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1107/2003**of 26 June 2003****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1051/2003 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1051/2003 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1051/2003 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 139, 6.6.2003, p. 20.

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	43,65 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	43,91 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	43,65 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	43,91 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4745
1701 99 10 9100	S00	EUR/100 kg	47,45
1701 99 10 9910	S00	EUR/100 kg	47,73
1701 99 10 9950	S00	EUR/100 kg	47,73
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4745

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.).

The numeric destination codes are set out in Commission Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999) and the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 1108/2003**of 26 June 2003****fixing the maximum export refund for white sugar to certain third countries for the 34rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1331/2002 of 23 July 2002 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EC) No 432/2003 ⁽⁴⁾, for the 2002/2003 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1331/2002 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 34rd partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 34rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund to certain third countries is fixed at 50,764 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 195, 24.7.2002, p. 6.

⁽⁴⁾ OJ L 65, 8.3.2003, p. 21.

COMMISSION REGULATION (EC) No 1109/2003

of 26 June 2003

fixing the export refunds on rice and broken rice and suspending the issue of export licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 800 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 498/2003 ⁽⁵⁾, should be used. Account should be taken of this when the refunds are fixed.
- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) 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 export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 800 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 27 June 2003.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 74, 20.3.2003, p. 15.

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

Done at Brussels, 26 June 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 26 June 2003 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds ⁽¹⁾	Product code	Destination	Unit of measurement	Amount of refunds ⁽¹⁾
1006 20 11 9000	R01	EUR/t	84	1006 30 65 9900	R01	EUR/t	105
1006 20 13 9000	R01	EUR/t	84		064 and 066	EUR/t	131
1006 20 15 9000	R01	EUR/t	84		A97	EUR/t	111
1006 20 17 9000	—	EUR/t	—	1006 30 67 9100	021 and 023	EUR/t	111
1006 20 92 9000	R01	EUR/t	84		064 and 066	EUR/t	131
1006 20 94 9000	R01	EUR/t	84	1006 30 67 9900	064 and 066	EUR/t	131
1006 20 96 9000	R01	EUR/t	84	1006 30 92 9100	R01	EUR/t	105
1006 20 98 9000	—	EUR/t	—		R02	EUR/t	111
1006 30 21 9000	R01	EUR/t	84		R03	EUR/t	116
1006 30 23 9000	R01	EUR/t	84		064 and 066	EUR/t	131
1006 30 25 9000	R01	EUR/t	84		A97	EUR/t	111
1006 30 27 9000	—	EUR/t	—		021 and 023	EUR/t	111
1006 30 42 9000	R01	EUR/t	84	1006 30 92 9900	R01	EUR/t	105
1006 30 44 9000	R01	EUR/t	84		A97	EUR/t	111
1006 30 46 9000	R01	EUR/t	84		064 and 066	EUR/t	131
1006 30 48 9000	—	EUR/t	—	1006 30 94 9100	R01	EUR/t	105
1006 30 61 9100	R01	EUR/t	105		R02	EUR/t	111
	R02	EUR/t	111		R03	EUR/t	116
	R03	EUR/t	116		064 and 066	EUR/t	131
	064 and 066	EUR/t	131		A97	EUR/t	111
	A97	EUR/t	111		021 and 023	EUR/t	111
1006 30 61 9900	021 and 023	EUR/t	111	1006 30 94 9900	R01	EUR/t	105
	R01	EUR/t	105		A97	EUR/t	111
	A97	EUR/t	111		064 and 066	EUR/t	131
1006 30 63 9100	064 and 066	EUR/t	131	1006 30 96 9100	R01	EUR/t	105
	R01	EUR/t	105		R02	EUR/t	111
	R02	EUR/t	111		R03	EUR/t	116
	R03	EUR/t	116		064 and 066	EUR/t	131
	064 and 066	EUR/t	131		A97	EUR/t	111
	A97	EUR/t	111		021 and 023	EUR/t	111
1006 30 63 9900	021 and 023	EUR/t	111	1006 30 96 9900	R01	EUR/t	105
	R01	EUR/t	105		A97	EUR/t	111
	064 and 066	EUR/t	131		064 and 066	EUR/t	131
	A97	EUR/t	111	1006 30 98 9100	021 and 023	EUR/t	111
1006 30 65 9100	021 and 023	EUR/t	111	1006 30 98 9900	—	EUR/t	—
	R01	EUR/t	105	1006 40 00 9000	—	EUR/t	—
	R02	EUR/t	111				
	R03	EUR/t	116				
	064 and 066	EUR/t	131				
	A97	EUR/t	111				
	021 and 023	EUR/t	111				

⁽¹⁾ The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:

all destinations R01, R02, R03, 064, 066 and A97: 760 t,
destinations 021 and 023: 40 t.

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 Commission Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Former Yugoslav Republic of Macedonia, Albania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40 except the Netherlands Antilles, Aruba, Turks and Caicos Islands, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 1110/2003**of 26 June 2003****amending Regulation (EC) No 1249/96 on rules of application (cereal sector import duties) for
Council Regulation (EEC) No 1766/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Following discussions of interpretation concerning the method for the fixation and adjustment of import duties and relevant costs associated with sea freight, it is necessary to modify the relevant provisions of Commission Regulation (EC) No 1249/96 ⁽³⁾, as last amended by Regulation (EC) No 1900/2002 ⁽⁴⁾, in order to improve clarity.
- (2) In accordance with Decision 2003/254/EC ⁽⁵⁾ and Decision 2003/253/EC ⁽⁶⁾, the Council approved the conclusion of Agreements in the form of an Exchange of Letters between the European Community and the United States of America, and the European Community and Canada, respectively, relating to the modification of concessions with respect to cereals provided for in Schedule CXL annexed to the GATT. The Agreements amend the conditions for importing barley and medium and low quality common wheat by fixing import quotas for these products from 1 January 2003.
- (3) Pursuant to the above Decisions the Council authorised the Commission to derogate temporarily for these products from the system of import duties provided for in Article 10(2) of Regulation (EEC) No 1766/92, pending approval of a formal amendment of that Regulation. To allow the Agreements approved by the Council to be implemented as from 1 January 2003, the Commission adopted temporary implementing provisions in Regulation (EC) No 2378/2002 ⁽⁷⁾, as amended by Regulation (EC) No 611/2003 ⁽⁸⁾. These temporary arrangements expire on 30 June 2003.
- (4) At this stage, the permanent rules of application of the Agreements approved by the Council should be adopted.
- (5) Consequently, it is appropriate to insert in Regulation (EC) No 1249/96, on a permanent basis, the provisions of Regulation (EC) No 2378/2002, since they have operated satisfactorily during the first semester of 2003.

- (6) Taking into consideration that the malting barley deduction is abolished and the high quality milling wheat deduction will operate as a premium, specific product abatements linked to end-use provisions will be applicable only to flint maize. In these conditions, current arrangements for end-use provisions need to be simplified and harmonised with general customs legislation.
- (7) In cases where certificates of conformity are accepted for high quality products (high quality common and durum wheat with Canada and the United States and flint maize with Argentina), it is important to limit the amount of the securities to the minimum level possible. The only security applicable in the case of certification of conformity should be the security linked to the import licence.
- (8) Regulation (EC) No 1249/96 should therefore be amended accordingly.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1249/96 is amended as follows:

- (1) Article 2 is amended as follows:

- (a) Paragraphs 1 and 2 are replaced by the following:

'1. The import duties indicated in Article 10(2) of Regulation (EEC) No 1766/92 on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 shall be calculated daily but fixed on the 15th day and the last working day of each month by the Commission for application from the 16th day of the month and the first day of the following month. Where the 15th is not a Commission working day the duties shall be fixed on the working day preceding the 15th of the month in question. However, if during the period of application of the duties thus fixed the average import duty calculated differs by EUR 5 per tonne or more from that fixed, the corresponding adjustment shall be made.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 287, 25.10.2002, p. 15.

⁽⁵⁾ OJ L 95, 11.4.2003, p. 40.

⁽⁶⁾ OJ L 95, 11.4.2003, p. 36.

⁽⁷⁾ OJ L 358, 31.12.2002, p. 101.

⁽⁸⁾ OJ L 87, 4.4.2003, p. 4.

2. The price to be used for the calculation of the import duty shall be the daily cif representative import price determined as specified in Article 4. For each fixing, the import duty considered is the average of import duties calculated during the previous 10 working days. For fixing and adjustments, the Commission shall not take account of daily import duties used for the previous fixing.

The intervention price to be used for calculation of the duties shall be that of the month in which the import duty applies.'

(b) The second subparagraph of paragraph 3 is deleted.

(c) Paragraph 5 is replaced by the following:

'5. Import duties shall be reduced by EUR 24 per tonne on flint maize meeting the specifications laid down in Annex I. In order to benefit from this reduction, flint maize must be processed into a product of CN codes 1904 10 10, 1103 13 or 1104 23 within six months from the date of entry for free circulation. The end-use provisions of Article 82 of Council Regulation (EEC) No 2913/92 (*) and Articles 291 to 300 of Commission Regulation (EC) No 2454/93 (**) shall apply.

Notwithstanding Article 293(1)(e) of Regulation (EC) No 2454/93, the importer shall lodge with the competent authority an additional security of EUR 24 per tonne for flint maize, except when import licence applications are accompanied by certificates of conformity issued by the Argentine Servicio Nacional de Sanidad y Calidad Agroalimentaria (Senasa) mentioned in Article 6(1) of the present Regulation. In this case, the import licence shall contain in box 24 the mention of the type of certificate of conformity.

If however the duty applicable on the date of the acceptance of the customs declaration of release for free circulation is less than EUR 24 per tonne for maize, the security shall be equal to the duty amount.

(*) OJ L 302, 19.10.1992, p. 1.

(**) OJ L 253, 11.10.1993, p. 1.'

(2) Articles 4 and 5 are replaced by the following:

'Article 4

1. For common wheat of high quality, durum wheat, maize and the other feed grains referred to in Article 2(1), the components determining the representative cif import prices indicated in Article 10(2) of Regulation (EC) No 1766/92 shall be:

(a) the representative exchange quotation on the market of the United States of America;

(b) the known commercial premiums and discounts attached to this quotation in the United States market on the quotation day and in particular, in the case of durum wheat, attached to the meal quality;

(c) sea freight and associated costs between the United States (Gulf of Mexico or Duluth) and the port of Rotterdam for a vessel of at least 25 000 tonnes.

2. The Commission shall record each working day:

(a) the component referred to in point (a) of paragraph 1 from the exchanges and using the reference qualities shown in Annex II;

(b) components referred to in points (b) and (c) of paragraph 1 from publicly available information.

3. With a view to calculating the component referred to in point (b) of paragraph 1 or the relevant fob quotation, the following premiums and discounts apply:

— premium of EUR 14 per tonne for high quality common wheat,

— discount of EUR 10 per tonne for medium quality durum wheat,

— discount of EUR 30 per tonne for low quality durum wheat.

4. The representative cif import prices for durum wheat, high quality common wheat and maize shall be the sum of the components referred to in points (a), (b) and (c) of paragraph 1. The representative cif import prices for rye and sorghum shall be calculated using the barley quotations in the United States, according to the provisions of Annex II.

5. The representative cif import prices for common wheat seed of CN code 1001 90 91 and maize seed of CN code 1005 10 90 shall be those calculated for high quality common wheat and maize respectively.

Article 5

1. Import licence applications for high quality common wheat shall be valid only if the applicant:

(a) enters the quality to be imported in box 20 of the import licence;

(b) gives a written commitment to lodge with the relevant competent body on the date of acceptance of the declaration of release for free circulation a specific security additional to those required under Commission Regulation (EC) No 1162/95 (*).

The additional security referred to in point (b) of the first subparagraph, shall be EUR 95 per tonne. However, in cases where the import licence is to be accompanied by certificates of conformity issued by the Federal Grain Inspection Service (FGIS) and by the Canadian Grain Commission (CGC) as referred to in Article 6, no additional security is required. In this case, the import licence shall contain in box 24 the mention of the type of certificate of conformity.

2. Import licence applications for durum wheat shall be valid only if the applicant:

- (a) enters the quality to be imported in box 20 of the import licence;
- (b) gives a written commitment to lodge with the relevant competent body on the day of the acceptance of the declaration of release for free circulation a specific security additional to those required under Regulation (EC) No 1162/95, if the import duty on the quality shown in box 20 is not the highest duty for the product category in question.

The amount of the additional security referred to in point (b) of the first subparagraph shall be the difference on the day of the acceptance of the declaration of release for free circulation between the highest duty and that applicable to the quality shown, plus a supplement of EUR 5 per tonne. However, where the import duty applicable to the different qualities of durum wheat is zero, the commitment referred to in point (b) of the first subparagraph shall not be required.

Where the import licence is to be accompanied by certificates of conformity issued by the Federal Grain Inspection Service (FGIS) and by the Canadian Grain Commission (CGC) as referred to in Article 6, no additional security is required. In this case, the import licence shall contain in box 24 the mention of the type of certificate of conformity.

(*) OJ L 117, 24.5.1995, p. 2.'

(3) Article 6 is amended as follows:

(a) Paragraph 1 is replaced by the following:

'1. The customs office of release for free circulation shall take representative samples, in accordance with the Annex to Commission Directive 76/371/EEC (*), of every consignment of durum wheat, high quality common wheat and of flint maize. However, sampling shall not take place where the import duty for the different qualities is the same.

If, however, the Commission officially recognises a quality certificate for common wheat, durum wheat or flint maize issued by the country of origin of the cereals, samples shall be taken for verification of the certified quality only from a sufficiently representative number of consignments.

1a. The following certificates of conformity shall be officially recognised by the Commission pursuant to the principles laid down in Articles 63 to 65 of Regulation (EEC) No 2454/93:

- certificates issued by the Servicio Nacional de Sanidad y Calidad Agroalimentaria (Senasa) of Argentina for flint maize,
- certificates issued by the Federal Grains Inspection Service (FGIS) of the United States of America for high quality common wheat and high quality durum wheat,
- certificates issued by the Canadian Grain Commission (CGC) of Canada for high quality common wheat and high quality durum wheat.

A blank specimen of the certificates of conformity issued by Senasa is given in Annex IV. Reproduction of the stamps authorised by the Argentine government shall be published in the *Official Journal of the European Union*.

Blank specimens of the certificates of conformity and stamps issued by the FGIS are given in Annex IVa.

Blank specimens of the certificates of conformity, export grade specifications and stamps issued by the CGC are given in Annex IVb.

When the analytical parameters entered in the certificates of conformity issued by the entities referred to in the first subparagraph show conformity with the common wheat, durum wheat and flint maize quality standards given in Annex I of the present Regulation, samples shall be taken of at least 3 % of the cargoes arriving at each entry port during the marketing year.

The goods shall be classed in the standard quality for which all the requirements indicated in Annex I are met.

(*) OJ L 102, 15.4.1976, p. 1.'

(b) Paragraph 3 is replaced by the following:

'3. If the analysis results show the imported common wheat, durum wheat and flint maize to be of a lower standard quality than entered on the import licence the importer shall pay the difference between the import duty applicable to the product shown on the licence and that on the product actually imported. In this case, the security for the import licence referred to in Article 10(a) of Regulation (EC) No 1162/95 and the additional security referred to in Articles 2(5), 5(1) and 5(2) to this Regulation shall be released, except for the EUR 5 supplement provided for in Article 5(2).

If the difference referred to in the first subparagraph is not paid within one month the security indicated in Article 2(5) and Article 5(1) and (2) shall be forfeit.'

- (4) The text in Annex I to this Regulation is inserted as Annex IVa.
- (5) The text in Annex II to this Regulation is inserted as Annex IVb.

Article 2

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

It shall apply from 1 July 2003.

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

Done at Brussels, 26 June 2003.

For the Commission


Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX IVa

BLANK CERTIFICATE OF CONFORMITY AUTHORISED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR
COMMON WHEAT

FGIS FORM 909-L FEB 00	 <div style="margin-top: 10px;">UNITED STATES DEPARTMENT OF AGRICULTURE FEDERAL GRAIN INSPECTION SERVICE U.S. GRAIN STANDARDS ACT OFFICIAL EXPORT GRAIN INSPECTION CERTIFICATE</div>	APPROVED OMB NO. 0580-0013 ORIGINAL NOT NEGOTIABLE US-				
ISSUED AT _____		DATE OF SERVICE _____				
<small>I certify that I am licensed or authorized under the United States Grain Standards Act (7 U.S.C. 71 et seq.) to inspect the kind of grain covered by this certificate and that on the above date the following identified grain was inspected under the Act, with the following results:</small>						
<table style="width: 100%;"><tr><td style="text-align: center;"><input type="checkbox"/> Original Inspection</td><td style="text-align: center;"><input type="checkbox"/> Reinspection</td><td style="text-align: center;"><input type="checkbox"/> Appeal Inspection</td><td style="text-align: center;"><input type="checkbox"/> Board Appeal Inspection</td></tr></table>			<input type="checkbox"/> Original Inspection	<input type="checkbox"/> Reinspection	<input type="checkbox"/> Appeal Inspection	<input type="checkbox"/> Board Appeal Inspection
<input type="checkbox"/> Original Inspection	<input type="checkbox"/> Reinspection	<input type="checkbox"/> Appeal Inspection	<input type="checkbox"/> Board Appeal Inspection			
QUANTITY (This is NOT a Weight Certificate)						
LOCATION		IDENTIFICATION OF CARRIER				
GRADE AND KIND (In accordance with the Official Grain Standards of the United States)						
STOWAGE						
REMARKS Protein: Test weight (kg/hl): Impurities:						
APPEAL NO (if applicable)	APPLICANT	NAME AND SIGNATURE				
<small>This certificate is issued under the authority of the United States Grain Standards Act, as amended (7 U.S.C. 71 et seq.), and the regulations thereunder (7 CFR 800.0 et seq.). It is issued to show the kind, class, grade, quality, condition, or quantity of grain, or the condition of a carrier or container for the storage or transportation of grain, or other facts relating to grain as determined by official personnel. The statements on the certificate are considered true at the time and place the inspection or weighing service was performed. The certificate is not considered representative of the lot if the grain is transhipped or is otherwise transferred from the identified carrier or container or if grain or other material is added to or removed from the total lot. If this certificate is not canceled by a superseding certificate, it is receivable by all officers and all courts of the United States as prima facie evidence of the truth of the facts stated therein. This certificate does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal law.</small> <small>WARNING: Any person who shall knowingly falsely make, issue, alter, forge, or counterfeit this certificate, or participate in any such actions, or otherwise violate provisions in the U.S. Grain Standards Act, the U.S. Warehouse Act, or related Federal laws is subject to criminal, civil, and administrative penalties.</small> <small>The conduct of all services and the licensing of personnel under the regulations governing such services shall be accomplished without discrimination as to race, color, religion, sex, national origin, age, or handicap.</small>						
EXPORT						

BLANK CERTIFICATE OF CONFORMITY AUTHORISED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR DURUM
WHEATFGIS FORM 909-L
FEB 00UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL GRAIN INSPECTION SERVICEU.S. GRAIN STANDARDS ACT
OFFICIAL EXPORT GRAIN INSPECTION CERTIFICATE

APPROVED OMB NO. 0580-0013

ORIGINAL
NOT NEGOTIABLE

US-

ISSUED AT

DATE OF SERVICE

I certify that I am licensed or authorized under the United States Grain Standards Act (7 U.S.C. 71 *et seq.*) to inspect the kind of grain covered by this certificate and that on the above date the following identified grain was inspected under the Act, with the following results:

**Original
Inspection****Reinspection****Appeal
Inspection****Board Appeal
Inspection**

QUANTITY (This is NOT a Weight Certificate)

LOCATION

IDENTIFICATION OF CARRIER

GRADE AND KIND (in accordance with the Official Grain Standards of the United States)

STOWAGE

REMARKS

Protein:
Test weight (kg/hl):
Impurities:
Hard Vitreous Amber Color:

APPEAL NO (if applicable)

APPLICANT

NAME AND SIGNATURE

This certificate is issued under the authority of the United States Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*), and the regulations thereunder (7 CFR 800.0 *et seq.*). It is issued to show the kind, class, grade, quality, condition, or quantity of grain, or the condition of a carrier or container for the storage or transportation of grain, or other facts relating to grain as determined by official personnel. The statements on the certificate are considered true at the time and place the inspection or weighing service was performed. The certificate is not considered representative of the lot if the grain is transhipped or is otherwise transferred from the identified carrier or container or if grain or other material is added to or removed from the total lot. If this certificate is not canceled by a superseding certificate, it is receivable by all officers and all courts of the United States as prima facie evidence of the truth of the facts stated therein. This certificate does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal law.

WARNING: Any person who shall knowingly falsely make, issue, alter, forge, or counterfeit this certificate, or participate in any such actions, or otherwise violate provisions in the U.S. Grain Standards Act, the U.S. Warehouse Act, or related Federal laws is subject to criminal, civil, and administrative penalties.

The conduct of all services and the licensing of personnel under the regulations governing such services shall be accomplished without discrimination as to race, color, religion, sex, national origin, age, or handicap.

EXPORT

ANNEX II

ANNEX IVb

BLANK CERTIFICATE OF CONFORMITY AUTHORISED BY THE GOVERNMENT OF CANADA FOR
COMMON AND DURUM WHEAT AND EXPORT GRADE SPECIFICATIONS

 Canadian Grain Commission CERTIFICATE FINAL FOR CANADIAN GRAIN EXPORT CARGO INSPECTION	 Commission canadienne des grains CERTIFICAT FINAL DE GRAIN CANADIEN INSPECTION D'UNE CARGAISON DESTINÉE À L'EXPORTATION	
CERTIFICATE NO. A 44280 No DE CERTIFICAT		
VESSELAUVIRE	PORT	DATE
GRADE	DOCKAGE % IMPURETÉS	WEIGHT IN TONNES/POIDS EN TONNES MÉTRIQUES
STOWAGE/ARRIMAGE	VOID	
FOR ACCOUNT OF /POUR LE COMPTE DE		
Canada	CERTIFICATION AS TO GRADE AND WEIGHT ONLY CERTIFICATION DU GRADE ET DU POIDS SEULEMENT	
INSPECTOR /INSPECTEUR AGR 3588 (82/05)	WEIGHER/PESEUR	VERIFIED BY /VÉRIFIÉ PAR I-301

Export grade specifications for Canadian common and durum wheat

COMMON WHEAT

Canada Western Red Spring (CWRS)	Test weight	Total foreign material including other cereal grains
No 1 CWRS	(Min.) 79,0 kg/hL	(Max.) 0,4 % including 0,2 % other seeds
No 2 CWRS	(Min.) 77,5 kg/hL	(Max.) 0,75 % including 0,2 % other seeds
No 3 CWRS	(Min.) 76,5 kg/hL	(Max.) 1,25 % including 0,2 % other seeds
Canada Western Extra Strong Red Spring (CWES)	Test weight	Total foreign material including other cereal grains
No 1 CWES	(Min.) 78,0 kg/hL	(Max.) 0,75 % including 0,2 % other seeds
No 2 CWES	(Min.) 76,0 kg/hL	(Max.) 1,5 % including 0,2 % other seeds
Canada Prairie Spring Red (CPSR)	Test weight	Total foreign material including other cereal grains
No 1 CPSR	(Min.) 77,0 kg/hL	(Max.) 0,75 % including 0,2 % other seeds
No 2 CPSR	(Min.) 75,0 kg/hL	(Max.) 1,5 % including 0,2 % other seeds
Canada Prairie Spring White (CPSW)	Test weight	Total foreign material including other cereal grains
No 1 CPSW	(Min.) 77,0 kg/hL	(Max.) 0,75 % including 0,2 % other seeds
No 2 CPSW	(Min.) 75,0 kg/hL	(Max.) 1,5 % including 0,2 % other seeds
Canada Western Red Winter (CWRW)	Test weight	Total foreign material including other cereal grains
No 1 CWRW	(Min.) 78,0 kg/hL	(Max.) 1,0 % including 0,2 % other seeds
No 2 CWRW	(Min.) 74,0 kg/hL	(Max.) 2,0 % including 0,2 % other seeds
Canada Western Soft White Spring (CWSWS)	Test weight	Total foreign material including other cereal grains
No 1 CWSWS	(Min.) 78,0 kg/hL	(Max.) 0,75 % including 0,2 % other seeds
No 2 CWSWS	(Min.) 75,5 kg/hL	(Max.) 1,0 % including 0,2 % other seeds
No 3 CWSWS	(Min.) 75,0 kg/hL	(Max.) 1,5 % including 0,2 % other seeds

DURUM

Canada Western Amber Durum (CWAD)	Test weight	Total foreign material including other cereal grains
No 1 CWAD	(Min.) 80,0 kg/hL	(Max.) 0,5 % including 0,2 % other seeds
No 2 CWAD	(Min.) 79,5 kg/hL	(Max.) 0,8 % including 0,2 % other seeds
No 3 CWAD	(Min.) 78,0 kg/hL	(Max.) 1,0 % including 0,2 % other seeds
No 4 CWAD	(Min.) 75,0 kg/hL	(Max.) 3,0 % including 0,2 % other seeds

NOTES:

“Other Cereal Grains”: In these grades, include only oats, barley, rye and triticale.

“Common wheat”: For common wheat exports, the Canadian Grain Commission will supply documentation with the certificate specifying the protein percentage for the cargo in question.

“Durum wheat”: For durum wheat exports, the Canadian Grain Commission will supply documentation with the certificate attesting to the vitreous kernel percentage and specific weight (kilograms/hectolitre) of the cargo in question.

COMMISSION REGULATION (EC) No 1111/2003

of 26 June 2003

amending Regulation (EC) No 2375/2002 opening and providing for the administration of a Community tariff quota for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EEC) No 1766/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1104/2003⁽²⁾, and in particular Article 12(1) thereof,

Having regard to Council Decision 2003/253/EC of 19 December 2002 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Canada pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the GATT 1994⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Decision 2003/254/EC of 19 December 2002 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC Schedule CXL to the GATT 1994⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

(1) Commission Regulation (EC) No 2375/2002⁽⁵⁾, as amended by Regulation (EC) No 531/2003⁽⁶⁾, opens a tariff quota for the import of 2 981 600 tonnes of low and medium quality common wheat falling under CN code 1001 90 99. This tariff quota includes 572 000 tonnes for imports originating in the United States of America and 38 000 tonnes for imports originating in Canada.

(2) In the first and second quarter of 2003 for imports under subquota III, that covers all third countries except the United States of America and Canada, there has been substantial interest from operators, leading to oversubscription. There have also been communication problems between the Commission and authorities in some Member States, leading to uncertainties about the

actual quantities requested in the whole of the Community and to difficulties in checking availability within the quota. It is appropriate to clarify the obligations of Member States in this context.

(3) The validity of import licences is currently regulated by Article 6(1) of Commission Regulation (EC) No 1162/95⁽⁷⁾, as last amended by Regulation (EC) No 498/2003⁽⁸⁾. In view of the uncertainty as to the validity of import licences, it is appropriate to insert an express provision in Regulation (EC) No 2375/2002 in order to ensure that the validity of import licences under the tariff-rate quota is not shorter than 45 days.

(4) Regulation (EC) No 2375/2002 was initially adopted for a transitional period, from 1 January 2003 to 30 June 2003, pending the amendment of Regulation (EC) No 1766/92. Since the provisions of that Regulation have operated satisfactorily during the period concerned, it is appropriate to apply them on a permanent basis.

(5) Regulation (EC) No 2375/2002 should therefore be amended accordingly.

(6) 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 2375/2002 is amended as follows:

1. Article 5 is amended as follows:

(a) In paragraph 1, the second subparagraph is replaced by the following:

'Each licence application must be for a quantity that may not exceed the quantity available under the subquota for the import of the product concerned in the period concerned. Applicants may submit only one licence application in the Member State concerned.'

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ L 95, 11.4.2003, p. 36.

⁽⁴⁾ OJ L 95, 11.4.2003, p. 40.

⁽⁵⁾ OJ L 358, 31.12.2002, p. 88.

⁽⁶⁾ OJ L 79, 26.3.2003, p. 3.

⁽⁷⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁸⁾ OJ L 74, 20.3.2003, p. 15.

(b) Paragraph 2 is replaced by the following:

‘2. No later than 18.00 Brussels time on the day of lodging of licence applications, the competent authorities shall forward to the Commission by fax a notification in accordance with the model set out in the Annex and the total quantity resulting from the sum of all quantities indicated on the import licence applications. Notifications shall be made even where no applications have been lodged in a Member State. That information must be communicated separately from the information on other import licence applications for cereals.

If Member States fail to send the notification of applications to the Commission within the prescribed time limits, the Commission shall consider that no applications were lodged in the Member State concerned.’

2. The following Article 6 is inserted:

‘Article 6

Import licences shall be valid for 45 days from the day of issue. In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual date of issue.’

3. The third paragraph of Article 12 is deleted.

Article 2

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

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1112/2003**of 26 June 2003****amending Regulation (EC) No 2377/2002 opening and providing for the administration of a Community tariff quota for malting barley from third countries and derogating from Council Regulation (EC) No 1766/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 12(1) thereof,

Having regard to Council Decision 2003/253/EC of 19 December 2002 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Canada pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC schedule CXL annexed to the GATT 1994 ⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Decision 2003/254/EC of 19 December 2002 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC schedule CXL to the GATT 1994 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2377/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 626/2003 ⁽⁶⁾, opens a tariff quota for the import of 50 000 tonnes of malting barley falling within HS code 1003 00.

- (2) Regulation (EC) No 2377/2002 was initially adopted for a transitional period, from 1 January 2003 to 30 June 2003, pending the amendment of Regulation (EC) No 1766/92. Since the provisions of that Regulation have operated satisfactorily during the period concerned, it is appropriate to apply them on a permanent basis.

- (3) Regulation (EC) No 2377/2002 should therefore be amended accordingly.

- (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 third paragraph of Article 14 of Regulation (EC) No 2377/2002 is deleted.

Article 2

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

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ L 95, 11.4.2003, p. 36.

⁽⁴⁾ OJ L 95, 11.4.2003, p. 40.

⁽⁵⁾ OJ L 358, 31.12.2002, p. 95.

⁽⁶⁾ OJ L 90, 8.4.2003, p. 32.

COMMISSION REGULATION (EC) No 1113/2003**of 26 June 2003****amending Regulation (EC) No 2376/2002 opening and providing for the administration of a Community tariff quota for barley from third countries and derogating from Council Regulation (EC) No 1766/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1104/2003⁽²⁾, and in particular Article 12(1) thereof,

Having regard to Council Decision 2003/253/EC of 19 December 2002 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Canada pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC schedule CXL annexed to the GATT 1994⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Decision 2003/254/EC of 19 December 2002 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC schedule CXL to the GATT 1994⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

(1) Commission Regulation (EC) No 2376/2002⁽⁵⁾, as amended by Regulation (EC) No 539/2003⁽⁶⁾, opens a tariff quota for the import of 300 000 tonnes of barley falling in CN 1003 00. The implementing provisions are similar to the ones of Commission Regulation (EC) No 2375/2002⁽⁷⁾, as amended by Regulation (EC) No 531/2003⁽⁸⁾, opening a tariff quota for the import of 2 981 600 tonnes of low and medium quality common wheat.

(2) In the framework of the common wheat tariff quota, it is convenient to clarify the obligations of Member States in relation to weekly communications of import licence requests. The same provisions should be made applicable for the barley tariff quota as well.

- (3) The validity of import licences is currently regulated by Article 6(1) of Commission Regulation (EC) No 1162/95⁽⁹⁾, as last amended by Regulation (EC) No 498/2003⁽¹⁰⁾. In view of the uncertainty as to the validity of import licences, it is appropriate to insert an express provision in Regulation (EC) No 2376/2002 in order to ensure that the validity of import licences under the tariff-rate quota is not shorter than 45 days.
- (4) Regulation (EC) No 2376/2002 was initially adopted for a transitional period from 1 January 2003 to 30 June 2003, pending the amendment of Regulation (EC) No 1766/92. Since the provisions of that Regulation have operated satisfactorily during the period concerned, it is appropriate to apply them on a permanent basis.
- (5) Regulation (EC) No 2376/2002 should therefore be amended accordingly.
- (6) 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 2376/2002 is amended as follows:

1. Article 4 is amended as follows:

- (a) in paragraph 1, the second subparagraph is replaced by the following:

‘Each licence application must be for a quantity that may not exceed the quantity available under the subquota for the import of the product concerned in the period concerned. Applicants may submit only one licence application in the Member State concerned.’;

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ L 95, 11.4.2003, p. 36.

⁽⁴⁾ OJ L 95, 11.4.2003, p. 40.

⁽⁵⁾ OJ L 358, 31.12.2002, p. 92.

⁽⁶⁾ OJ L 80, 27.3.2003, p. 21.

⁽⁷⁾ OJ L 358, 31.12.2002, p. 88.

⁽⁸⁾ OJ L 79, 26.3.2003, p. 3.

⁽⁹⁾ OJ L 117, 24.5.1995, p. 2.

⁽¹⁰⁾ OJ L 74, 20.3.2003, p. 15.

(b) paragraph 2 is replaced by the following:

'2. No later than 18.00 hours Brussels time on the day of lodging of licence applications, the competent authorities shall forward to the Commission by fax a notification in accordance with the model set out in the Annex, and the total quantity resulting from the sum of all quantities indicated on the import licence applications. Notifications shall be made even where no applications have been lodged in a Member State. That information must be communicated separately from the information on other import licence applications for cereals.

If Member States fail to send the notification of applications to the Commission within the prescribed time limits, the Commission shall consider that no applications were lodged in the Member State concerned.'

2. The following Article 5 is inserted:

'Article 5

Import licences shall be valid for 45 days from the day of issue. In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual date of issue.'

3. The third paragraph of Article 10 is deleted.

Article 2

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

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1114/2003

of 26 June 2003

establishing the quantities to be allocated to importers from the Community quantitative quotas on certain products originating in the People's Republic of China redistributed by Regulation (EC) No 538/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83 ⁽¹⁾, as last amended by Commission Regulation (EC) No 428/2003 ⁽²⁾,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽³⁾, as last amended by Regulation (EC) No 138/96 ⁽⁴⁾, and in particular Articles 9 and 13 thereof,

Having regard to Commission Regulation (EC) No 538/2003 of 26 March 2003 redistributing the unused portions of the 2002 quantitative quotas for certain products originating in the People's Republic of China ⁽⁵⁾, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 538/2003 established the portion of each of the quotas concerned reserved for traditional and non-traditional importers and the conditions and methods for participating in the allocation of the quantities available. Importers lodged applications for import licences with the competent national authorities between 28 March 2003 and 3 p.m. Brussels time on 9 May 2003, in accordance with Article 3 of Regulation (EC) No 538/2003.
- (2) The Commission has received from the Member States, pursuant to Article 5 of Regulation (EC) No 538/2003, particulars of the numbers and aggregate volume of import licence applications submitted and the total volume imported by traditional importers in 1998 or 1999, the reference years.
- (3) The Commission is now able, on the basis of that information, to establish uniform quantitative criteria by which the competent national authorities may satisfy licence applications submitted by importers in the Member States for the quantitative quotas redistributed by Regulation (EC) No 538/2003.

- (4) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by traditional importers for the products listed in Annex I to this Regulation exceeds the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex I to the imports, expressed in volume terms, of each importer over the reference period.
- (5) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by non-traditional importers for the products listed in Annex II to this Regulation exceeds the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex II to the amounts requested by each importer, as limited by Regulation (EC) No 538/2003.
- (6) Quantities not taken up by non-traditional importers were transferred to traditional importers,

HAS ADOPTED THIS REGULATION:

Article 1

In response to licence applications in respect of the products originating in the People's Republic of China listed in Annex I, duly submitted by traditional importers, the competent national authorities shall allocate each importer a quantity equal to his imports for 1998 or 1999, adjusted by the rate of reduction specified in the said Annex for each quota.

Where the use of this quantitative criterion would entail allocating an amount greater than that applied for, the quantity allocated shall be limited to that specified in the application.

Article 2

In response to licence applications in respect of the products originating in the People's Republic of China listed in Annex II, duly submitted by non-traditional importers, the competent national authorities shall allocate each importer a quantity equal to the amount requested within the limits set by Regulation (EC) No 538/2003, adjusted by the rate of reduction specified in the said Annex for each quota.

⁽¹⁾ OJ L 67, 10.3.1994, p. 89.

⁽²⁾ OJ L 65, 8.3.2003, p. 12.

⁽³⁾ OJ L 66, 10.3.1994, p. 1.

⁽⁴⁾ OJ L 21, 27.1.1996, p. 6.

⁽⁵⁾ OJ L 80, 27.3.2003, p. 13.

Article 3

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

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

Done at Brussels, 26 June 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

RATE OF REDUCTION APPLICABLE TO IMPORTS IN 1998 OR 1999

(traditional importers)

Product description	HS/CN	Rate of reduction (%)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	85,79
	6403 51 6403 59	19,28
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	87,44
	ex 6404 11 ⁽²⁾	86,80
	6404 19 10	67,00
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	86,48
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	77,94

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

**RATE OF REDUCTION APPLICABLE TO THE VOLUME REQUESTED WITHIN THE LIMITS OF THE
MAXIMUM AMOUNTS FIXED BY REGULATION (EC) NO 538/2003**

(non-traditional importers)

Product description	HS/CN	Rate of reduction (%)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	57,68
	6403 51 6403 59	29,21
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	88,23
	ex 6404 11 ⁽²⁾	78,01
	6404 19 10	17,71
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	40,89
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	29,29

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

COMMISSION REGULATION (EC) No 1115/2003

of 26 June 2003

opening import quotas in respect of special preferential raw cane sugar from the ACP States and India for supply to refineries in the period 1 July 2003 to 29 February 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 39(6) thereof,

Whereas:

(1) Article 39(1) of Regulation (EC) No 1260/2001 lays down that, during the 2001/02 to 2005/06 marketing years and in order to ensure adequate supplies to Community refineries, a special reduced duty is to be levied on imports of raw cane sugar originating in States with which the Community has concluded supply arrangements on preferential terms. At present such agreements have been concluded by Council Decision 2001/870/EC ⁽³⁾ with the ACP States referred to in Protocol No 3 on ACP sugar ⁽⁴⁾ attached to Annex V to the ACP-EC Partnership Agreement, and with the Republic of India.

(2) The agreements in the form of an exchange of letters concluded by Decision 2001/870/EC lay down that the refiners in question must pay a minimum purchase price equal to the guaranteed price for raw sugar, minus the adjustment aid fixed for the marketing year in question. This minimum price must therefore be fixed by taking account of the factors applying in the 2003/04 marketing year.

(3) The quantities of special preferential sugar to be imported are calculated in accordance with the said Article 39 on the basis of a Community forecast supply balance. The balance indicates the need to import raw sugar and to open for the 2003/04 marketing year tariff quotas at the special reduced rate of duty as provided for in the above agreements so that the Community refineries' supply needs can be met for part of the year. In view of the forecasts for raw cane sugar production which are now available for the 2003/04 marketing year and as a result of the presumed maximum refining needs fixed by Member State and the shortfall resulting from the forecast supply balance, provision should be made to authorise imports for each refining Member State for the period 1 July 2003 to 29 February 2004.

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

HAS ADOPTED THIS REGULATION:

Article 1

The following quotas are hereby opened for the period 1 July 2003 to 29 February 2004 pursuant to Decision 2001/870/EC in respect of imports of raw cane sugar for refining falling within CN code 1701 11 10:

- (a) a tariff quota of 146 070 tonnes expressed as white sugar originating in the ACP States parties to the agreements in the form of an exchange of letters approved by Decision 2001/870/EC, bearing the serial number 09.4322; and
- (b) a tariff quota of 10 000 tonnes expressed as white sugar originating in India, bearing the serial number 09.4322.

Article 2

1. The special reduced duty per 100 kg of standard-quality raw sugar applying to imports of the quantities referred to in Article 1 shall be EUR 0.

2. The minimum purchase price to be paid by Community refiners for the period referred to in Article 1 shall be EUR 49,68 per 100 kg of standard-quality raw sugar.

Article 3

The following quantities expressed as white sugar may be imported by the Member States under the quotas referred to in Article 1 and on the terms laid down in Article 2(1):

- (a) Finland 24 000 tonnes;
- (b) mainland Portugal 131 000 tonnes;
- (c) United Kingdom 1 070 tonnes.

Article 4

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

It shall apply from 1 July 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 325, 8.12.2001, p. 21.

⁽⁴⁾ OJ L 317, 15.12.2000, p. 3.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1116/2003
of 26 June 2003**

**applying reduction coefficients to the third tranche of inward processing certificates issued in
accordance with Regulation (EC) No 1488/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1488/2001 of 19 July 2001 laying down rules for the application of Council Regulation (EC) No 3448/93 as regards the placement of certain quantities of certain basic products listed in Annex I to the Treaty establishing the European Community under the inward processing arrangements without prior examination of the economic conditions ⁽³⁾, and in particular Article 23(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 914/2003 ⁽⁴⁾ set out the remaining quantities of certain basic products which may be placed under inward processing arrangements without prior examination of the economic conditions, in accordance with Article 22 of Regulation (EC) No 1488/2001.
- (2) The total quantities for which inward processing certificates have been applied for in respect of skimmed milk powder, butter and sugar, as notified by the Member

States by 23 June 2003, exceeds the available quantities of those products as set out in Regulation (EC) No 914/2003.

- (3) The total of the quantities notified to the Commission are admissible.
- (4) Reduction coefficients should therefore be applied to the quantities of skimmed milk powder, butter and sugar applied for the period beginning on 28 May and ending on 16 June 2003,

HAS ADOPTED THIS REGULATION:

Article 1

Inward processing certificates applied for during the period beginning on 28 May and ending on 16 June 2003 shall be subject to the following reduction coefficients:

- (a) 97,10 % in respect of skimmed milk powder, CN code ex 0402 10 19;
- (b) 51,10 % in respect of butter, CN code ex 0405 10 19; and
- (c) 10,00 % in respect of sugar, CN code 1701 99 10.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 196, 20.7.2001, p. 9.

⁽⁴⁾ OJ L 130, 27.5.2003, p. 3.

COMMISSION REGULATION (EC) No 1117/2003

of 26 June 2003

fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, 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 ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 740/2003 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 June 2003.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 117, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

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

Done at Brussels, 26 June 2003.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 26 June 2003 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	2,531	2,531
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	2,135	2,135
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,083	1,083
	– – in other cases	2,717	2,717
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	1,456	1,456
	– – where goods falling within subheading 2208 ⁽²⁾ are exported	0,812	0,812
	– – in other cases	2,038	2,038
	– where goods falling within subheading 2208 ⁽²⁾ are exported	1,083	1,083
	– other (including unprocessed)	2,717	2,717
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾	2,135	2,135
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,083	1,083
	– in other cases	2,717	2,717

		(EUR/100 kg)	
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	11,100	11,100
	– medium grain	11,100	11,100
	– long grain	11,100	11,100
1006 40 00	Broken rice	2,900	2,900
1007 00 90	Sorghum	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1118/2003
of 26 June 2003
fixing the export refunds on milk and milk products

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices

which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 833/2003 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽⁵⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽⁶⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 14.4.2003, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 120, 15.5.2003, p. 18.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

⁽⁶⁾ OJ L 104, 20.4.2002, p. 26.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.
- Article 2*
- This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 26 June 2003 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,991	0402 91 39 9300	L07	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	1,991	0402 91 99 9000	L07	EUR/100 kg	39,54
0401 20 11 9100	970	EUR/100 kg	0,000	0402 99 11 9350	L07	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	3,076	0402 99 19 9350	L07	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	0,000	0402 99 31 9150	L07	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	3,076	0402 99 31 9300	L07	EUR/kg	0,2366
0401 20 91 9000	970	EUR/100 kg	3,893	0402 99 31 9500	L07	EUR/kg	0,0000
0401 20 99 9000	970	EUR/100 kg	0,000	0402 99 39 9150	L07	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	8,983	0403 90 11 9000	L07	EUR/100 kg	59,16
0401 30 11 9700	970	EUR/100 kg	13,49	0403 90 13 9200	L07	EUR/100 kg	59,16
0401 30 19 9700	970	EUR/100 kg	0,00	0403 90 13 9300	L07	EUR/100 kg	91,25
0401 30 31 9100	L06	EUR/100 kg	32,77	0403 90 13 9500	L07	EUR/100 kg	95,23
0401 30 31 9400	L06	EUR/100 kg	51,19	0403 90 13 9900	L07	EUR/100 kg	101,49
0401 30 31 9700	L06	EUR/100 kg	56,46	0403 90 19 9000	L07	EUR/100 kg	102,11
0401 30 39 9100	L06	EUR/100 kg	32,77	0403 90 33 9400	L07	EUR/kg	0,9125
0401 30 39 9400	L06	EUR/100 kg	51,19	0403 90 33 9900	L07	EUR/kg	1,0149
0401 30 39 9700	L06	EUR/100 kg	56,46	0403 90 51 9100	970	EUR/100 kg	1,991
0401 30 91 9100	L06	EUR/100 kg	64,34	0403 90 59 9170	970	EUR/100 kg	13,49
0401 30 91 9500	L06	EUR/100 kg	0,00	0403 90 59 9310	L07	EUR/100 kg	32,77
0401 30 99 9100	L06	EUR/100 kg	64,34	0403 90 59 9340	L07	EUR/100 kg	47,95
0401 30 99 9500	L06	EUR/100 kg	94,56	0403 90 59 9370	L07	EUR/100 kg	47,95
0402 10 11 9000	L07	EUR/100 kg	60,00	0403 90 59 9510	L07	EUR/100 kg	47,95
0402 10 19 9000	L07	EUR/100 kg	60,00	0404 90 21 9120	L07	EUR/100 kg	51,18
0402 10 91 9000	L07	EUR/kg	0,6000	0404 90 21 9160	L07	EUR/100 kg	60,00
0402 10 99 9000	L07	EUR/kg	0,6000	0404 90 23 9120	L07	EUR/100 kg	60,00
0402 21 11 9200	L07	EUR/100 kg	60,00	0404 90 23 9130	L07	EUR/100 kg	92,07
0402 21 11 9300	L07	EUR/100 kg	92,07	0404 90 23 9140	L07	EUR/100 kg	96,09
0402 21 11 9500	L07	EUR/100 kg	96,09	0404 90 23 9150	L07	EUR/100 kg	102,40
0402 21 11 9900	L07	EUR/100 kg	102,40	0404 90 29 9110	L07	EUR/100 kg	103,04
0402 21 17 9000	L07	EUR/100 kg	60,00	0404 90 29 9115	L07	EUR/100 kg	103,64
0402 21 19 9300	L07	EUR/100 kg	92,07	0404 90 29 9125	L07	EUR/100 kg	104,71
0402 21 19 9500	L07	EUR/100 kg	96,09	0404 90 29 9140	L07	EUR/100 kg	112,54
0402 21 19 9900	L07	EUR/100 kg	102,40	0404 90 81 9100	L07	EUR/kg	0,6000
0402 21 91 9100	L07	EUR/100 kg	103,04	0404 90 83 9110	L07	EUR/kg	0,6000
0402 21 91 9200	L07	EUR/100 kg	103,64	0404 90 83 9130	L07	EUR/kg	0,9207
0402 21 91 9350	L07	EUR/100 kg	104,71	0404 90 83 9150	L07	EUR/kg	0,9609
0402 21 91 9500	L07	EUR/100 kg	112,54	0404 90 83 9170	L07	EUR/kg	1,0240
0402 21 99 9100	L07	EUR/100 kg	103,04	0404 90 83 9936	L07	EUR/kg	0,1734
0402 21 99 9200	L07	EUR/100 kg	103,64	0405 10 11 9500	L05	EUR/100 kg	180,49
0402 21 99 9300	L07	EUR/100 kg	104,71	0405 10 11 9700	L05	EUR/100 kg	185,00
0402 21 99 9400	L07	EUR/100 kg	110,51	0405 10 19 9500	L05	EUR/100 kg	180,49
0402 21 99 9500	L07	EUR/100 kg	112,54	0405 10 19 9700	L05	EUR/100 kg	185,00
0402 21 99 9600	L07	EUR/100 kg	120,47	0405 10 30 9100	L05	EUR/100 kg	180,49
0402 21 99 9700	L07	EUR/100 kg	124,96	0405 10 30 9300	L05	EUR/100 kg	185,00
0402 21 99 9900	L07	EUR/100 kg	130,16	0405 10 30 9700	L05	EUR/100 kg	185,00
0402 29 15 9200	L07	EUR/kg	0,6000	0405 10 50 9300	L05	EUR/100 kg	185,00
0402 29 15 9300	L07	EUR/kg	0,9207	0405 10 50 9500	L05	EUR/100 kg	180,49
0402 29 15 9500	L07	EUR/kg	0,9609	0405 10 50 9700	L05	EUR/100 kg	185,00
0402 29 15 9900	L07	EUR/kg	1,0240	0405 10 90 9000	L05	EUR/100 kg	191,78
0402 29 19 9300	L07	EUR/kg	0,9207	0405 20 90 9500	L05	EUR/100 kg	169,22
0402 29 19 9500	L07	EUR/kg	0,9609	0405 20 90 9700	L05	EUR/100 kg	175,98
0402 29 19 9900	L07	EUR/kg	1,0240	0405 90 10 9000	L05	EUR/100 kg	235,07
0402 29 91 9000	L07	EUR/kg	1,0304	0405 90 90 9000	L05	EUR/100 kg	185,00
0402 29 99 9100	L07	EUR/kg	1,0304	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	L07	EUR/kg	1,1051	0406 10 20 9230	L03	EUR/100 kg	—
0402 91 11 9370	L07	EUR/100 kg	6,804		L04	EUR/100 kg	31,53
0402 91 19 9370	L07	EUR/100 kg	6,804		400	EUR/100 kg	—
0402 91 31 9300	L07	EUR/100 kg	8,058		A01	EUR/100 kg	39,41

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9290	L03	EUR/100 kg	—	0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,33		L04	EUR/100 kg	6,48
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,66		A01	EUR/100 kg	15,17
0406 10 20 9300	L03	EUR/100 kg	—	0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	12,87		L04	EUR/100 kg	9,50
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	16,09		A01	EUR/100 kg	22,26
0406 10 20 9610	L03	EUR/100 kg	—	0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	42,77		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	53,46		A01	EUR/100 kg	32,38
0406 10 20 9620	L03	EUR/100 kg	—	0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	43,38		L04	EUR/100 kg	9,50
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	54,22		A01	EUR/100 kg	22,26
0406 10 20 9630	L03	EUR/100 kg	—	0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	48,42		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	60,52		A01	EUR/100 kg	32,38
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	71,15		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	88,94		A01	EUR/100 kg	32,38
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	59,29		L04	EUR/100 kg	15,62
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	74,11		A01	EUR/100 kg	36,60
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	L03	EUR/100 kg	—
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	16,38
	L04	EUR/100 kg	21,99		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	38,40
0406 10 20 9850	A01	EUR/100 kg	27,49	0406 40 50 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	75,31
	L04	EUR/100 kg	26,66		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	94,14
0406 10 20 9870	A00	EUR/100 kg	—	0406 40 90 9000	L03	EUR/100 kg	—
0406 10 20 9900	A00	EUR/100 kg	—		L04	EUR/100 kg	77,33
0406 20 90 9100	A00	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9913	L03	EUR/100 kg	—		A01	EUR/100 kg	96,66
	L04	EUR/100 kg	49,17	0406 90 13 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	17,96		L04	EUR/100 kg	85,03
	A01	EUR/100 kg	61,46		400	EUR/100 kg	34,20
0406 20 90 9915	L03	EUR/100 kg	—		A01	EUR/100 kg	121,71
	L04	EUR/100 kg	64,90	0406 90 15 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	23,93		L04	EUR/100 kg	87,87
	A01	EUR/100 kg	81,13		400	EUR/100 kg	35,25
0406 20 90 9917	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
	L04	EUR/100 kg	68,96	0406 90 17 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	25,44		L04	EUR/100 kg	87,87
	A01	EUR/100 kg	86,20		400	EUR/100 kg	35,25
0406 20 90 9919	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
	L04	EUR/100 kg	77,06	0406 90 21 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	28,38		L04	EUR/100 kg	86,10
	A01	EUR/100 kg	96,33		400	EUR/100 kg	25,29
0406 20 90 9990	A00	EUR/100 kg	—		A01	EUR/100 kg	122,94
0406 30 31 9710	L03	EUR/100 kg	—	0406 90 23 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	6,48		L04	EUR/100 kg	75,61
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	15,17		A01	EUR/100 kg	108,69
0406 30 31 9730	L03	EUR/100 kg	—	0406 90 25 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	9,50		L04	EUR/100 kg	75,11
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	22,26		A01	EUR/100 kg	107,52

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund	
0406 90 27 9900	L03	EUR/100 kg	—	0406 90 76 9500	L03	EUR/100 kg	—	
	L04	EUR/100 kg	68,03		L04	EUR/100 kg	75,50	
	400	EUR/100 kg	—		400	EUR/100 kg	13,13	
	A01	EUR/100 kg	97,38		A01	EUR/100 kg	107,15	
0406 90 31 9119	L03	EUR/100 kg	—	0406 90 78 9100	L03	EUR/100 kg	—	
	L04	EUR/100 kg	62,52		L08	EUR/100 kg	73,22	
	400	EUR/100 kg	14,50		092	EUR/100 kg	—	
	A01	EUR/100 kg	89,64		400	EUR/100 kg	—	
0406 90 33 9119	L03	EUR/100 kg	—	0406 90 78 9300	A01	EUR/100 kg	106,96	
	L04	EUR/100 kg	62,52		L03	EUR/100 kg	—	
	400	EUR/100 kg	14,50		L08	EUR/100 kg	77,63	
	A01	EUR/100 kg	89,64		092	EUR/100 kg	—	
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 78 9500	400	EUR/100 kg	—	
	L04	EUR/100 kg	57,14		A01	EUR/100 kg	110,84	
	400	EUR/100 kg	—		L03	EUR/100 kg	—	
	A01	EUR/100 kg	82,21		L08	EUR/100 kg	76,90	
0406 90 33 9951	L03	EUR/100 kg	—	0406 90 79 9900	092	EUR/100 kg	—	
	L04	EUR/100 kg	57,71		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	109,15	
	A01	EUR/100 kg	82,27		L03	EUR/100 kg	—	
0406 90 35 9190	L03	EUR/100 kg	—	0406 90 81 9900	L04	EUR/100 kg	62,78	
	L04	EUR/100 kg	88,45		400	EUR/100 kg	—	
	400	EUR/100 kg	34,88		A01	EUR/100 kg	90,23	
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—	
0406 90 35 9990	L03	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	79,36	
	L04	EUR/100 kg	88,45		400	EUR/100 kg	27,02	
	400	EUR/100 kg	22,80		A01	EUR/100 kg	113,61	
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—	
0406 90 37 9000	L03	EUR/100 kg	—	0406 90 85 9970	L04	EUR/100 kg	85,71	
	L04	EUR/100 kg	85,03		400	EUR/100 kg	33,67	
	400	EUR/100 kg	34,20		A01	EUR/100 kg	123,32	
	A01	EUR/100 kg	121,71		L03	EUR/100 kg	—	
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 85 9999	L04	EUR/100 kg	78,58	
	L04	EUR/100 kg	93,71		400	EUR/100 kg	29,46	
	400	EUR/100 kg	32,46		A01	EUR/100 kg	113,03	
	A01	EUR/100 kg	135,59		A00	EUR/100 kg	—	
0406 90 63 9100	L03	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—	
	L04	EUR/100 kg	93,22	0406 90 86 9200	L03	EUR/100 kg	—	
	400	EUR/100 kg	36,31	L04	EUR/100 kg	72,10		
	A01	EUR/100 kg	134,46	400	EUR/100 kg	17,68		
0406 90 63 9900	L03	EUR/100 kg	—	0406 90 86 9300	A01	EUR/100 kg	106,94	
	L04	EUR/100 kg	89,62		L03	EUR/100 kg	—	
	400	EUR/100 kg	27,77		L04	EUR/100 kg	73,14	
	A01	EUR/100 kg	129,88		400	EUR/100 kg	19,38	
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9400	A01	EUR/100 kg	108,06	
0406 90 69 9910	L03	EUR/100 kg	—		L03	EUR/100 kg	—	
	L04	EUR/100 kg	89,62		L04	EUR/100 kg	77,70	
	400	EUR/100 kg	27,77		400	EUR/100 kg	21,93	
0406 90 73 9900	A01	EUR/100 kg	129,88	0406 90 86 9900	A01	EUR/100 kg	113,61	
	L03	EUR/100 kg	—		L03	EUR/100 kg	—	
	L04	EUR/100 kg	78,05		L04	EUR/100 kg	85,71	
	400	EUR/100 kg	29,89		400	EUR/100 kg	25,67	
0406 90 75 9900	A01	EUR/100 kg	111,82	0406 90 87 9100	A01	EUR/100 kg	123,32	
	L03	EUR/100 kg	—		A00	EUR/100 kg	—	
	L04	EUR/100 kg	78,58		0406 90 87 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	12,61			L04	EUR/100 kg	60,09
0406 90 76 9300	A01	EUR/100 kg	113,03	400		EUR/100 kg	15,81	
	L03	EUR/100 kg	—	A01		EUR/100 kg	89,10	
	L04	EUR/100 kg	70,86	0406 90 87 9300	L03	EUR/100 kg	—	
	400	EUR/100 kg	—		L04	EUR/100 kg	67,16	
0406 90 76 9400	A01	EUR/100 kg	101,43		400	EUR/100 kg	17,85	
	L03	EUR/100 kg	—		A01	EUR/100 kg	99,25	
	L04	EUR/100 kg	79,36	0406 90 87 9400	L03	EUR/100 kg	—	
	400	EUR/100 kg	13,13		L04	EUR/100 kg	68,92	
	A01	EUR/100 kg	113,61		400	EUR/100 kg	19,55	
					A01	EUR/100 kg	100,75	

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9951	L03	EUR/100 kg	—	0406 90 87 9974	L03	EUR/100 kg	—
	L04	EUR/100 kg	77,94		L04	EUR/100 kg	83,06
	400	EUR/100 kg	27,03		400	EUR/100 kg	15,39
	A01	EUR/100 kg	111,58		A01	EUR/100 kg	118,38
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	77,94		L04	EUR/100 kg	84,72
	400	EUR/100 kg	21,93		400	EUR/100 kg	20,40
	A01	EUR/100 kg	111,58		A01	EUR/100 kg	119,70
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	33,21		L04	EUR/100 kg	75,61
	400	EUR/100 kg	—		400	EUR/100 kg	15,39
	A01	EUR/100 kg	47,73		A01	EUR/100 kg	108,69
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	76,53	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	15,39		L04	EUR/100 kg	59,33
	A01	EUR/100 kg	109,55		400	EUR/100 kg	19,38
					A01	EUR/100 kg	87,34

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 Commission Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are defined as follows:

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Malta, Turkey, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Canada, Cyprus, Australia and New Zealand,

L04 Albania, Slovenia, Croatia, Bosnia and Herzegovina, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia,

L05 all destinations except Poland, Estonia, Latvia, Lithuania, Hungary, the Czech Republic, Slovakia and the United States of America,

L06 all destinations except Estonia, Latvia, Lithuania, Hungary and the United States of America,

L07 all destinations except Estonia, Latvia, Lithuania, Hungary, the Czech Republic, Slovakia and the United States of America,

L08 Albania, Slovenia, Bosnia and Herzegovina, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia,

'970' includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 1119/2003
of 26 June 2003
prohibiting fishing for whiting by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Catches of whiting in the waters of ICES division VII b-k, by vessels flying the flag of the Netherlands or registered in the Netherlands are hereby deemed to have exhausted the quota allocated to the Netherlands for 2003.

Fishing for whiting in the waters of ICES division VII b-k, by vessels flying the flag of the Netherlands or registered in the Netherlands is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 7 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

COMMISSION REGULATION (EC) No 1120/2003
of 26 June 2003
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 936/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2003 ⁽⁶⁾.

(2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(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

No action shall be taken on the tenders notified from 20 to 26 June 2003 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 936/2003.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 127, 9.5.2002, p. 11.

COMMISSION REGULATION (EC) No 1121/2003
of 26 June 2003
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 935/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to certain third countries was opened pursuant to Commission Regulation (EC) No 935/2003 ⁽⁶⁾.

(2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(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

No action shall be taken on the tenders notified from 20 to 26 June 2003 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 935/2003.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 133, 29.5.2003, p. 45.

COMMISSION REGULATION (EC) No 1122/2003**of 26 June 2003****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1582/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 1582/2002 of 5 September 2002 on a special intervention measure for cereals in Finland and Sweden ⁽⁶⁾, as amended by Regulation (EC) No 2329/2002 ⁽⁷⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1582/2002, except for Estonia, Lithuania, Latvia und Hungary.

- (2) Article 8 of Regulation (EC) No 1582/2002 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 20 to 26 June 2003, pursuant to the invitation to tender issued in Regulation (EC) No 1582/2002, the maximum refund on exportation of oats shall be EUR 9,95/t.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 243, 13.9.2001, p. 15.

⁽⁷⁾ OJ L 349, 24.12.2002, p. 17.

COMMISSION REGULATION (EC) No 1123/2003
of 26 June 2003
concerning tenders notified in response to the invitation to tender for the export of common
wheat issued in Regulation (EC) No 934/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1163/2002⁽⁴⁾, as amended by Regulation (EC) No 1324/2002⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 934/2003⁽⁶⁾.

- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (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

No action shall be taken on the tenders notified from 20 to 26 June 2003 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 934/2003.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 133, 29.5.2003, p. 42.

**COMMISSION REGULATION (EC) No 1124/2003
of 26 June 2003**

**fixing the maximum reduction in the duty on maize imported in connection with the invitation to
tender issued in Regulation (EC) No 581/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

(1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal from third countries was opened pursuant to Commission Regulation (EC) No 581/2003⁽³⁾.

(2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty 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

For tenders notified from 20 to 26 June 2003, pursuant to the invitation to tender issued in Regulation (EC) No 581/2003, the maximum reduction in the duty on maize imported shall be 42,38 EUR/t and be valid for a total maximum quantity of 15 770 t.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 83, 1.4.2003, p. 36.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 1125/2003
of 26 June 2003
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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.
- (2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.
- (3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.
- (4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tégument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

- (5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) The refund must be fixed once a month. It may be altered in the intervening period.
- (8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 June 2003.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 26 June 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 26 June 2003 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 ⁽¹⁾	C11	EUR/t	38,04	1104 23 10 9300	C14	EUR/t	31,25
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	32,60	1104 29 11 9000	C13	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	32,60	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9100	C17	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 10 9900	C17	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1102 90 30 9100	C18	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	6,79
1103 19 40 9100	C16	EUR/t	0,00	1107 10 11 9000	C21	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C19	EUR/t	48,91	1107 10 91 9000	C21	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C19	EUR/t	38,04	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C19	EUR/t	32,60	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	32,60	1108 12 00 9200	C10	EUR/t	43,47
1103 19 10 9000	C16	EUR/t	25,31	1108 12 00 9300	C10	EUR/t	43,47
1103 19 30 9100	C14	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	43,47
1103 20 60 9000	C20	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	43,47
1103 20 20 9000	C17	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	44,08
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	44,08
1104 12 90 9100	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C13	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	42,59
1104 19 10 9000	C13	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	32,60
1104 19 50 9110	C14	EUR/t	43,47	1702 30 91 9000	C10	EUR/t	42,59
1104 19 50 9130	C14	EUR/t	35,32	1702 30 99 9000	C10	EUR/t	32,60
1104 29 01 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	32,60
1104 29 03 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	42,59
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	32,60
1104 29 05 9300	C14	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	44,63
1104 22 20 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	30,97
1104 22 30 9100	C13	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	32,60
1104 23 10 9100	C14	EUR/t	40,76				

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

⁽²⁾ 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 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are as follows:

C10 All destinations except for Estonia,

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

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,

C17 All destinations except for Bulgaria, Estonia, Hungary, Poland and Slovenia,

C18 All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland and Slovenia,

C19 All destinations except for Estonia, Hungary and Slovenia,

C20 All destinations except for Estonia, Hungary, Latvia, Lithuania and Romania,

C21 All destinations except for Bulgaria, Estonia, Hungary, Lithuania, Romania and Slovenia.

COMMISSION REGULATION (EC) No 1126/2003
of 26 June 2003
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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and 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 ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 June 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 26 June 2003 fixing the export refunds on cereal-based compound feedingstuffs

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	27,17
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.

C10 All destinations except for Estonia.

COMMISSION REGULATION (EC) No 1127/2003
of 26 June 2003
fixing production refunds on 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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1786/2001 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund. The basis for the calculation is established in Article 3 of the said Regula-

tion. The refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 1 July 2003.

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

Done at Brussels, 26 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 18 June 2003

amending Council Decision 2000/604/EC on the Composition and the Statutes of the Economic Policy Committee

(2003/475/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 209 thereof,

Having regard to the opinion of the Commission ⁽¹⁾,

Whereas:

- (1) The Economic Policy Committee is provided for in Article 272 of the Treaty.
- (2) The Council adopted on 29 September 2000 Decision 2000/604/EC on the Composition and the Statutes of the Economic Policy Committee ⁽²⁾.
- (3) These Statutes have enabled the Committee to function properly so far.
- (4) Following the decision by Heads of State or Government taken at the December 2002 Copenhagen European Council, 10 new members signed on 16 April 2003 an Accession Treaty to the European Union and are expected to join on 1 May 2004.
- (5) The Economic Policy Committee should continue to work effectively after enlargement.
- (6) The Composition and the Statutes of the Economic Policy Committee should accordingly be revised,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2000/604/EC is hereby amended as follows:

(a) recital 14 shall be replaced by the following:

‘(14) The Member States, the Commission and the European Central Bank should be adequately represented in the Committee. They should each nominate two members.’;

(b) the Annex shall be replaced by the Annex hereto.

Article 2

This Decision shall enter into force on 1 July 2003.

Done at Luxembourg, 18 June 2003.

For the Council

The President

G. DRYG

⁽¹⁾ OJ C 127, 29.5.2003, p. 33.

⁽²⁾ OJ L 257, 11.10.2000, p. 28.

ANNEX

‘ANNEX

STATUTES OF THE ECONOMIC POLICY COMMITTEE**PART I****TASKS OF THE COMMITTEE***Article 1*

1. Without prejudice to Articles 114 and 207 of the Treaty, the Economic Policy Committee (hereinafter referred to as the Committee), shall contribute to the preparation of the work of the Council of coordinating the economic policies of the Member States and of the Community and provide advice to the Commission and the Council.

2. The Committee shall contribute to the preparation of the work of the Council by providing economic analyses, opinions on methodologies and draft formulations for policy recommendations, particularly on structural policies for improving growth potential and employment in the Community. In this context, it shall focus in particular on:

- (a) the functioning of goods, capital, services and labour markets, including wage, productivity, employment and competitiveness developments,
- (b) the role and efficiency of the public sector and the long-term sustainability of public finances,
- (c) the economy-wide implications of specific policies, such as those relating to the environment, to research and development and to social cohesion.

3. In the areas mentioned above, the Committee shall, without prejudice to Articles 114 and 207 of the Treaty, provide support for the work of the Council, in particular in the formulation of the broad economic policy guidelines, and shall contribute to the multilateral surveillance procedure referred to in Article 99(3) of the Treaty. In this context, the Committee shall conduct regular country reviews focused in particular on structural reforms in Member States.

4. Without prejudice to Articles 130 and 207 of the Treaty, the Committee shall contribute to the work of the Council under the Employment Title of the Treaty.

5. The Committee shall support the Economic and Financial Committee, in particular in keeping under review the short and medium-term macroeconomic developments in the Member States and the Community by providing analysis and opinions mainly on methodological questions relating to the interaction between structural and macroeconomic policies and on wage developments in the Member States and the Community.

6. The Committee shall provide the framework within which the macroeconomic dialogue involving representatives of the Committee (including the European Central Bank), the Economic and Financial Committee, the Employment Committee, the Commission and social partners shall take place at technical level.

7. The Committee shall be consulted by the Commission on the maximum rate of increase for non-compulsory expenditure of the general budget of the European Union as provided for in Article 272 of the Treaty.

Article 2

The Committee shall deliver opinions at the request of the Council, the Commission or the Economic and Financial Committee or on its own initiative.

Article 3

In the fulfilment of its tasks the Committee shall work in close relation with the Economic and Financial Committee when reporting to the Council. In contributing to the preparation of the broad economic policy guidelines, the Committee will report to the Economic and Financial Committee. It shall coordinate its work with the Employment Committee and other committees and working groups preparing the work of the Council in the areas where these committees and working groups are competent.

PART II**COMPOSITION***Article 4*

1. The Member States, the Commission and the European Central Bank shall each appoint two members of the Committee.

2. The members of the Committee shall be selected from among senior officials possessing outstanding competence in the field of economic and structural policy formulation.

Article 5

Members of the Committee shall be guided, in the performance of their duties, by the general interests of the Community.

PART III**PRESIDENT AND SECRETARIAT***Article 6*

1. The Committee shall elect from among its members, by a majority of its members, a president and up to three vice-presidents for a period of two years. As a rule, the two-year term shall not be renewable.

2. The president shall delegate his/her voting right to another member of his/her delegation.

Article 7

In the event of being unable to fulfil his/her duties, the president shall be replaced by one of the vice-presidents of the Committee.

Article 8

1. The Committee shall be assisted by a secretariat under the direction of a secretary. The secretary and the staff of the secretariat needed for carrying out the tasks of the secretariat shall be supplied by the Commission. The secretary shall be appointed by the Commission after consultation of the Committee. The secretary and his/her staff shall act on the instructions of the Committee when carrying out their responsibilities to the Committee.

2. The expenses of the Committee shall be included in the estimates of the Commission.

PART IV

PROCEEDINGS*Article 9*

Opinions or reports shall be adopted by a majority of members if a vote is requested. Each member shall have one vote. However, when advice or an opinion is given on questions on which the Council may subsequently take a decision, members from central banks and the Commission may participate fully in the discussion but shall not participate in a vote. The Committee shall also report on minority or dissenting views expressed in the course of the discussion.

Article 10

As a rule only members may speak during the meetings of the Committee. In exceptional circumstances the president may agree to alternative arrangements.

Article 11

The Committee may entrust the study of specific questions to subcommittees or working parties. The presidency of such groups shall be assumed by a member of the Committee, appointed by the Committee.

Article 12

The Committee, the subcommittees or working parties may invite experts to assist them.

Article 13

The Committee shall be convened by the president on his/her own initiative, or at the request of the Council, the Commission or at least five members.

Article 14

1. As a rule the president shall represent the Committee; in particular the president may be authorised by the Committee to report on discussions and deliver oral comments on opinions and reports prepared by the Committee.

2. The president of the Committee shall have the responsibility of maintaining the Committee's relations with the European Parliament, which shall be kept informed of the Committee's work, as appropriate.

Article 15

1. Unless decided otherwise, the proceedings of the Committee shall be confidential. The same rule shall apply to the proceedings of its subcommittees or working parties.

2. Reports or opinions prepared by the Committee shall be publicly available after they have been transmitted to the addressee unless there are overriding reasons to keep them confidential.

Article 16

The Committee shall adopt its own procedural arrangements.'

COUNCIL DECISION
of 18 June 2003
on a revision of the Statutes of the Economic and Financial Committee

(2003/476/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 209 thereof,

Having regard to the opinion of the Commission ⁽¹⁾,

Whereas:

- (1) In accordance with Article 114(2) of the Treaty an Economic and Financial Committee was set up on 1 January 1999.
- (2) The Council adopted on 21 December 1998 Decision 98/743/EC on the composition of the Economic and Financial Committee ⁽²⁾.
- (3) The Council adopted on 31 December 1998 Decision 1999/8/EC on the Statutes of the Economic and Financial Committee ⁽³⁾; these Statutes enabled the Committee to function properly so far.
- (4) Following the decision by Heads of State or Government taken at the December 2002 Copenhagen European Council, 10 new members signed on 16 April 2003 an Accession Treaty to the European Union and are expected to join on 1 May 2004.
- (5) The Economic and Financial Committee should continue to work effectively after the enlargement.
- (6) It is important to preserve the elements which have contributed to the Committee's efficiency.
- (7) This will require an adjustment of the Committee's working methods.

(8) This adjustment will have a bearing on the participation of central bankers; it will be important to retain their expertise and analytical insight and to keep them involved in issues on which they carry responsibility.

(9) The Statutes of the Economic and Financial Committee should therefore be revised,

HAS DECIDED AS FOLLOWS:

Article 1

The Statutes of the Economic and Financial Committee, as set out in the Annex to Decision 1999/8/EC, shall be replaced by the text set out in the Annex hereto.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

It shall take effect as from 1 July 2003.

Done at Luxembourg, 18 June 2003.

For the Council

The President

G. DRYS

⁽¹⁾ Opinion delivered on 21 May 2003 (not yet published in the Official Journal).

⁽²⁾ OJ L 358, 31.12.1998, p. 109.

⁽³⁾ OJ L 5, 9.1.1999, p. 71.

ANNEX

‘ANNEX

STATUTES OF THE ECONOMIC AND FINANCIAL COMMITTEE

Article 1

The Economic and Financial Committee (Committee) shall carry out the tasks described in paragraphs 2 and 4 of Article 114 of the Treaty establishing the European Community.

Article 2

The Committee may, *inter alia*:

- be consulted in the procedure leading to decisions relating to the exchange-rate mechanism of the third stage of economic and monetary union,
- without prejudice to Article 207 of the Treaty, prepare the Council's reviews of the development of the exchange-rate of the euro,
- provide the framework within which the dialogue between the Council and the European Central Bank (ECB) can be prepared and continued at the level of senior officials from ministries, national central banks, the Commission and the ECB.

Article 3

Members of the Committee and alternates shall be guided, in the performance of their duties, by the general interests of the Community.

Article 4

The Committee shall meet in two configurations: either with the members selected from the administrations, the national central banks, the Commission and the ECB, or with the members from administrations, the Commission and the ECB. The Committee in its full composition shall regularly review the list of the issues on which the national central bank members are expected to attend the meetings.

Article 5

Opinions, reports or communications shall be adopted by a majority of the members if a vote is requested. Each member of the Committee shall have one vote. However, when advice or an opinion is given on questions on which the Council may subsequently take a decision, members from central banks, when they are present, and the Commission may participate fully in the discussions but shall not participate in a vote. The Committee shall also report on minority or dissenting views expressed in the course of the discussion.

Article 6

The Committee shall elect from among its members, by a majority of its members, a President for a two-year term. The two-year term shall be renewable. The President shall be elected

from among members who are senior officials in the national administrations. The President shall delegate his/her voting right to his/her alternate.

Article 7

In the event of being prevented from fulfilling his/her duties, the President shall be replaced by the Vice-President of the Committee who shall be elected according to the same rules.

Article 8

Unless the Committee decides otherwise, alternates may attend meetings of the Committee. The alternates shall not vote. Unless the Committee decides otherwise, they shall not take part in the discussions.

A member who is unable to attend a meeting of the Committee may delegate his/her functions to one of the alternates. He/she may also delegate them to another member. The Chairman and the Secretary should be informed in writing before a meeting. In exceptional circumstances the President may agree to alternative arrangements.

Article 9

The Committee may entrust the study of specific questions to its alternate members, to subcommittees or to working parties. In these cases, the Presidency shall be assumed by a member or an alternate member of the Committee, appointed by the Committee. The members of the Committee, its alternates, and its subcommittees or working parties may call upon experts to assist them.

Article 10

The Committee shall be convened by the President on his/her own initiative, or at the request of the Council, of the Commission or of at least four members of the Committee.

Article 11

As a rule, the President represents the Committee; in particular, the President may be authorised by the Committee to report on discussions and deliver oral comments on opinions and communications prepared by the Committee. The President shall have the responsibility of maintaining the Committee's relations with the European Parliament.

Article 12

The proceedings of the Committee shall be confidential. The same rule shall apply to the proceedings of its alternates, subcommittees or working parties.

Article 13

The Committee shall be assisted by a Secretariat under the direction of a Secretary. The Secretary and the staff needed for the Secretariat shall be supplied by the Commission. The Secretary shall be appointed by the Commission after consultation of the Committee. The Secretary and his/her staff shall act on the instructions of the Committee when carrying out their responsibilities to the Committee.

The expenses of the Committee shall be included in the estimates of the Commission.

Article 14

The Committee shall adopt its own procedural arrangements.'

COMMISSION

COMMISSION DECISION

of 24 June 2003

amending Decision 2002/251/EC to revoke the protective measures with regard to the fishery and aquaculture products imported from Thailand

(notified under document number C(2003) 425)

(Text with EEA relevance)

(2003/477/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1) thereof,

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 ⁽²⁾, and in particular Article 22(1) thereof,

Whereas:

- (1) Commission Decision 2002/251/EC of 27 March 2002 concerning certain protective measures with regard to poultrymeat and certain fishery and aquaculture products intended for human consumption and imported from Thailand ⁽³⁾ was adopted because of the presence of nitrofurans in poultrymeat and shrimps imported from Thailand.
- (2) Decision 2002/251/EC provides that it will be reviewed on the basis of the guarantees provided by the Thailand competent authority and on the basis of the results of the tests carried out by Member States.
- (3) The results of the checks carried out by Member States in shrimps imported from Thailand have been favourable. The competent authority of Thailand has provided the appropriate guarantees. In particular they have guaranteed that all the consignments certified by the competent authority after the date of 21 September 2002 are submitted to a systematic pre-shipment check to control

the presence of nitrofurans and their metabolites. Only consignments which are free of such substances are authorised for export to the Community. Therefore, the systematic checks imposed by Decision 2002/251/EC to all the consignments of shrimps should be revoked for consignments certified by the Thai authority after the date of 21 September 2002 as having been submitted to a systematic pre-shipment check.

- (4) Decision 2002/251/EC should therefore be amended accordingly.
- (5) 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

Article 2 paragraph 1 of Decision 2002/251/EC is replaced by the following:

‘1. Member States shall, using appropriate sampling plans and detection methods, subject each consignment of poultrymeat imported from Thailand, and each consignment of shrimps imported from Thailand and accompanied by a health certificate issued before the date of 21 September 2002, to a chemical test in order to ensure that the products concerned do not present a danger to human health. This test must be carried out, in particular, with a view to detecting the presence of antimicrobial substances and in particular nitrofurans and their metabolites.’

Article 2

This Decision shall apply from 30 June 2003.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ OJ L 84, 28.3.2002, p. 77.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 24 June 2003.

For the Commission

David BYRNE

Member of the Commission

CORRIGENDA**Corrigendum to Council Joint Action 2003/449/CFSP of 16 June 2003 extending the mandate of the Special Representative of the European Union to act as a Special Coordinator of the Stability Pact for South-Eastern Europe**

(Official Journal of the European Union L 150 of 18 June 2003)

On page 74, Articles of the Joint Action

The following Article shall be inserted:

'Article 1a

1. The financial reference amount intended to cover the expenditure related to the mission of the Special Representative shall be EUR 743 000.
 2. The amount specified in paragraph 1 shall be allocated to financing the operational expenditure of the Central Office of the Stability Pact for South-Eastern Europe in Brussels over the period in question.
 3. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the European Community procedures and rules applicable to the budget with the exception that any pre-financing shall not remain the property of the Community.
 4. The management of operational expenditure shall be subject to a contract between the Special Representative and the Commission.'
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