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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2300/2003
of 29 December 2003
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 December 2003.

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

Done at Brussels, 29 December 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 29 December 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	73,8
	204	45,9
	212	133,5
	999	84,4
0707 00 05	052	120,6
	999	120,6
0709 90 70	052	98,7
	204	38,0
	999	68,4
0805 10 10, 0805 10 30, 0805 10 50	052	63,7
	204	63,2
	999	63,5
0805 20 10	204	71,0
	999	71,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	79,6
	999	79,6
0805 50 10	052	57,3
	528	24,5
	600	74,2
	999	52,0
0808 10 20, 0808 10 50, 0808 10 90	052	53,6
	060	40,6
	400	76,9
	404	90,8
	720	82,0
	800	126,2
	999	78,4
0808 20 50	060	59,1
	064	59,7
	400	102,4
	999	73,7

⁽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 2301/2003
of 29 December 2003
fixing the production refund on white sugar used in the chemical industry

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 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of

each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) 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 production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 45,448 EUR/100 kg net.

Article 2

This Regulation shall enter into force on 1 January 2004.

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

Done at Brussels, 29 December 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 178, 30.6.2001, p. 63.

**COMMISSION REGULATION (EC) No 2302/2003
of 29 December 2003**

**derogating from Regulation (EC) No 192/2002 laying down detailed rules for issuing import
licences for sugar and sugar and cocoa mixtures with ACP/OCT or EC/OCT cumulation of origin**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community⁽¹⁾, and in particular Article 6(4) of Annex III thereto,

Whereas:

- (1) Commission Regulation (EC) No 192/2002⁽²⁾ lays down detailed rules for issuing import licences for products falling within CN Chapter 17 and CN codes 1806 10 30 and 1806 10 90 with ACP/OCT or EC/OCT cumulation of origin.
- (2) In view of the enlargement of the European Union on 1 May 2004, a derogation should be made, for 2004, from the timetable for the submission of applications laid down in that Regulation to enable economic operators in the new Member States to participate in imports of these products from the date of accession. To the same end, it is also necessary to lay down a maximum quantity available on 1 January 2004 for the first period of submission of applications, corresponding to one third of the maximum annual quantity laid down in the second subparagraph of Article 6(4) of Annex III to Decision 2001/822/EC,

HAS ADOPTED THIS REGULATION:

Article 1

1. For 2004, by derogation from Article 3(2) of Regulation (EC) No 192/2002, import licence applications shall relate to a quantity of not less than 25 tonnes and not more than the quantity laid down in paragraph 3 for the period of submission of applications for the month of January, and the quantity available for the subsequent periods of submission of applications.

2. For 2004, by derogation from Article 6(1) of Regulation (EC) No 192/2002, licence applications shall be submitted to the competent authorities of the Member States in the first five working days of January, May, July and October 2004.

3. For 2004, by derogation from Article 6(3) of Regulation (EC) No 192/2002, where licence applications submitted in the first five working days of January 2004 exhaust or exceed 9 333 tonnes, the Commission shall fix the single reducing coefficient to be applied to each of the applications submitted within 10 working days of the closing date for submitting licence applications.

Article 2

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

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 314, 30.11.2001, p. 1.

⁽²⁾ OJ L 31, 1.2.2002, p. 55.

COMMISSION REGULATION (EC) No 2303/2003
of 29 December 2003
on specific labelling rules for wines imported from the United States of America

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 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 53 thereof,

Whereas:

- (1) Commission Regulation (EC) No 753/2002 of 29 April 2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products ⁽²⁾ contains certain derogations as regards the labelling of wines imported from the United States of America which expire on 31 December 2003.
- (2) Since the bilateral negotiations in progress with the United States of America will not end before the end of the year, in order to prevent any disruption of trade, the rules applicable to wines imported from the United States of America should be extended in the light of the progress of the negotiations.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

Article 1

1. Wine imported from the United States of America may be identified by the name of a Federal State supplemented, where relevant, by the name of a county or wine-growing region even if only 75 % of the wine concerned is made from grapes harvested in that State or a single county whose name it bears, provided the wine is made entirely from grapes harvested in the United States of America.

2. Wine imported from the United States of America may use the name of a variety even if only 75 % of the wine in question is made from grapes of the variety whose name it bears, provided that that variety determines the character of the wine in question.

Article 2

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

It shall apply from 1 January 2004 until the entry into force of the agreement resulting from the negotiations with the United States of America with a view to concluding no later than 31 December 2005 an agreement on trade in wine and on oenological practices in particular and on the protection of geographical indications.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1; Regulation as last amended by Commission Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 118, 4.5.2002, p. 1; Regulation as last amended by Regulation (EC) No 1205/2003 (OJ L 168, 5.7.2003, p. 13).

**COMMISSION REGULATION (EC) No 2304/2003
of 29 December 2003**

amending Regulation (EC) No 2808/98 laying down detailed rules for the application of the agri-monetary system for the euro in agriculture

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Under Article 4(1) of Commission Regulation (EC) No 2808/98 ⁽²⁾, the operative event for the exchange rate in the case of aid per hectare is the start of the marketing year in respect of which the aid is granted.
- (2) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 ⁽³⁾, includes aid for energy crops, which applies from 1 January 2004.

(3) This aid for energy crops is granted for the calendar year and not the marketing year. The operative event for the exchange rate for this aid should therefore be established.

(4) Regulation (EC) No 2808/98 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The following second subparagraph is added to Article 4(1) of Regulation (EC) No 2808/98:

‘However, for the aid referred to in Chapter 5 of Title IV of Council Regulation (EC) No 1782/2003 ^(*), the operative event for the exchange rate shall be 1 January of the year in which the aid is granted.

(*) OJ L 270, 21.10.2003, p. 1.’

Article 2

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

It shall apply from 1 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 36. Regulation as last amended by Regulation (EC) No 816/2003 (OJ L 116, 13.5.2003, p. 12).

⁽³⁾ OJ L 270, 21.10.2003, p. 1.

COMMISSION REGULATION (EC) No 2305/2003

of 29 December 2003

opening and providing for the administration of a Community tariff quota for imports of barley from third countries

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⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) Following trade negotiations which resulted in the conclusion of agreements in the form of an Exchange of Letters with Canada and the United States of America, approved respectively by Council Decisions 2003/253/EC ⁽²⁾ and 2003/254/EC ⁽³⁾, the Community changed the conditions for the import of common wheat of low and medium quality and of barley by creating import quotas from 1 January 2003. For barley, the Community decided to replace the system of preference margins by two tariff quotas, one for malting barley and one for barley, under Commission Regulation (EC) No 2376/2002 ⁽⁴⁾.
- (2) Regulation (EC) No 2376/2002 opens a tariff quota of 300 000 tonnes for imports of barley falling within CN code 1003 00 from third countries and derogates from Regulation (EC) No 1766/92. Following the amendment of Article 10(2) of Regulation (EC) No 1766/92 by Regulation (EC) No 1104/2003 with regard to the calculation of import duties on certain cereals, that tariff quota has become definitive. As a result, Regulation (EC) No 2376/2002 may no longer provide for a derogation. For the sake of clarity and transparency, therefore, that Regulation should be repealed and replaced by a new Regulation.
- (3) On 1 May 2004 the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia become Member States of the European Union. Since the tariff quota for the import of 300 000 tonnes of barley is an annual quota awarded weekly from 1 January 2004, it is possible that it will be exhausted or largely used up on the scheduled accession date. For 2004 only, therefore, specific provisions should be laid down to enable the new Member States to make use of these quotas.

- (4) To ensure that imports of the barley covered by this tariff quota are orderly and not speculative, they should be made subject to the issue of import licences. These licences will be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of a reduction coefficient in respect of the quantities applied for.
- (5) To ensure the proper management of this quota, deadlines should be laid down for the lodging of licence applications and the information to be included in applications and licences should be specified.
- (6) To take account of supply conditions, a derogation should be made concerning the period of validity of the licences.
- (7) With a view to the sound management of the quota, a derogation should be made from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾ as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.
- (8) The security on the import licences should also be set at a relatively high level, by derogation from Article 12 of Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽⁶⁾.
- (9) Rapid two-way communication should be established between the Commission and the Member States regarding the quantities applied for and imported.
- (10) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tariff import quota is hereby opened for 300 000 tonnes of barley falling within CN code 1003 00.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 95, 11.4.2003, p. 36.

⁽³⁾ OJ L 95, 11.4.2003, p. 40.

⁽⁴⁾ OJ L 358, 31.12.2002, p. 92. Regulation as last amended by Regulation (EC) No 1113/2003 (OJ L 158, 27.6.2003, p. 24).

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 325/2003 (OJ L 47, 21.2.2003, p. 21).

⁽⁶⁾ OJ L 189, 29.7.2003, p. 12.

2. The tariff quota shall be opened on 1 January each year. Duties on imports within the tariff quota shall be levied at a rate of EUR 16 per tonne.

Article 10(1) of Regulation (EEC) No 1766/92 shall apply to imports of the products referred to in this Regulation in excess of the quantity provided for in paragraph 1 of this Article.

For 2004, the second subparagraph shall apply to imports in excess of the quantities provided for in paragraph 3 of this Article in the period concerned.

3. For 2004, the annual quota is divided into two tranches for the following periods:

- (a) tranche 1: 1 January to 30 April 2004 — 100 000 tonnes;
- (b) tranche 2: 1 May to 31 December 2004 — 200 000 tonnes.

Unused quantities from tranche 1 will automatically be allocated to tranche 2.

Article 2

All imports under the quota referred to in Article 1(1) shall be conditional upon the production of an import licence issued in accordance with Regulation (EC) No 1291/2000, subject to the provisions of this Regulation.

Article 3

1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 (Brussels time) every Monday.

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

For 2004, the quantity referred to in the second subparagraph may not exceed the quantity available for the import of the product concerned in the period concerned.

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 annexed hereto, and the total quantity resulting from the sum of all quantities indicated on the import licence applications. Such notifications shall be made even when no applications have been submitted in a Member State. That information must be communicated separately from the information on other import licence applications for cereals.

If the Member State does not send the Commission notification of applications within the given deadlines, the Commission shall consider that no applications have been submitted in the Member State concerned.

3. If the total of the quantities granted since the start of the year and the quantity referred to in paragraph 2 exceeds the quota for the year concerned, the Commission shall set, no

later than the third working day after the applications are lodged, a single reduction coefficient to be applied to the quantities requested.

For 2004, the single reduction coefficients referred to in the first subparagraph shall be set if the total of the quantities granted since the start of the period and the quantities referred to in paragraph 2 exceeds the quota for the period concerned.

4. Without prejudice to paragraph 3, licences shall be issued on the fourth working day following the day on which the application was lodged. No later than 18.00 Brussels time on the day the licences are issued the competent authorities shall fax the Commission, at the number mentioned in the Annex hereto, the total quantity resulting from the sum of the quantities for which import licences have been issued that same day.

Article 4

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.

Article 5

By derogation from Article 9 of Regulation (EC) No 1291/2000, rights deriving from the import licence shall not be transferable.

Article 6

By derogation from Article 8(4) of Regulation (EC) No 1291/2000, the quantity released into free circulation may not exceed that indicated in boxes 17 and 18 of the import licence. To that end, the figure '0' shall be entered in box 19 of the licence.

Article 7

The import licence application and the import licence shall contain the following information:

(a) in box 20, one of the following entries:

- Reglamento (CE) n° 2305/2003
- Forordning (EF) nr. 2305/2003
- Verordnung (EG) Nr. 2305/2003
- Κανονισμός (ΕΚ) αριθ. 2305/2003
- Regulation (EC) No 2305/2003
- Règlement (CE) n° 2305/2003
- Regolamento (CE) n. 2305/2003
- Verordening (EG) nr. 2305/2003
- Regulamento (CE) n.º 2305/2003
- Asetus (EY) N:o 2305/2003
- Förordning (EG) nr 2305/2003

(b) in box 24, the words 'EUR 16/tonne'.

Article 8

By derogation from Article 12(a) and (b) of Regulation (EC) No 1342/2003, the security for the import licences provided for in this Regulation shall be EUR 30 per tonne.

Article 9

Regulation (EC) No 2376/2002 is hereby repealed.

Article 10

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 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***MODEL OF THE NOTIFICATION REFERRED TO IN ARTICLE 3(2)(*)****Import quotas for barley opened by Regulation (EC) No 2305/2003**

Week from ... to ...

Quota/Product	Operator No	Quantity applied for (tonnes)	Origin

(*) Notification to be sent by fax to number (32-2) 295 25 15.

**COMMISSION REGULATION (EC) No 2306/2003
of 29 December 2003**

amending Regulation (EC) No 280/98 derogating from certain provisions of Council Regulation (EC) No 2597/97 laying down additional rules on the common organisation of the market in milk and milk products as regards drinking milk produced in Finland and Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149(1) thereof,

Whereas:

- (1) Council Regulation (EC) No 2596/97 of 18 December 1997 extending the period provided for in Article 149(1) of the Act of Accession of Austria, Finland and Sweden ⁽¹⁾, extends the period during which transitional measures may be adopted to facilitate the changeover from the arrangements applying in Austria, Finland and Sweden at the time of accession to those resulting from the application of the common organisations of markets. With regard to the requirements for the fat content of drinking milk produced in Finland and Sweden, that period has been extended until 30 April 2009.

- (2) It is appropriate to provide for a corresponding extension of the implementing provisions set out in Commission Regulation (EC) No 280/98 ⁽²⁾.
- (3) Regulation (EC) No 280/98 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 280/98, '31 December 2003' is replaced by '30 April 2009'.

Article 2

This Regulation shall enter into force on 1 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 351, 23.12.1997, p. 12; Regulation as last amended by Regulation (EC) No 1805/2003 (OJ L 265, 16.10.2003, p. 5).

⁽²⁾ OJ L 28, 4.2.1998, p. 3; Regulation as amended by Regulation (EC) No 169/2000 (OJ L 21, 26.1.2000, p. 10).

COMMISSION REGULATION (EC) No 2307/2003
of 29 December 2003
amending Regulation (EC) No 2550/2001 as regards the areas eligible for the goat premium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2529/2001 of 19 December 2001 on the common organisation of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

(1) The areas eligible for the premium for goatmeat producers are listed in Annex I to Commission Regulation (EC) No 2550/2001 of 21 December 2001 laying down detailed rules for the application of Council Regulation (EC) No 2529/2001 on the common organisation of the market in sheepmeat and goatmeat as regards premium schemes and amending Regulation (EC) No 2419/2001 ⁽²⁾, as amended by Regulation (EC) No 623/2002 ⁽³⁾.

(2) A further examination has shown that the list of geographical areas should be updated. Following an analysis of the goat production system in the overseas departments, the French authorities have established that those departments meet the criteria laid down in Article 4(2) of Regulation (EC) No 2529/2001.

(3) This update does not prejudice *ex post* checks concerning the conditions for the grant of aid laid down in Article 4(2) of Regulation (EC) No 2529/2001.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 2550/2001 is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 341, 22.12.2001, p. 3.

⁽²⁾ OJ L 341, 22.12.2001, p. 105.

⁽³⁾ OJ L 95, 12.4.2002, p. 12.

ANNEX

'ANNEX I

Areas eligible for the goat premium

1. France: Corsica, the overseas departments and all mountain areas within the meaning of Article 18 of Council Regulation (EC) No 1257/1999 ⁽¹⁾, situated outside those regions.
 2. Greece: the whole country.
 3. Italy: Lazio, Abruzzi, Molise, Campania, Apulia, Basilicata, Calabria, Sicily and Sardinia and all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 situated outside those regions.
 4. Spain: the Autonomous Communities of Andalusia, Aragon, the Balearic Islands, Castile-La Mancha, Castile-Leon, Catalonia, Extremadura, Galicia (with the exception of the Provinces of La Coruña and Lugo), Madrid, Murcia, Rioja, Valencia and the Canary Islands and all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 situated outside those regions.
 5. Portugal: the whole country, with the exception of the Azores.
 6. Austria: all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999.
 7. Germany: all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999.'
-

⁽¹⁾ OJ L 160, 26.6.1999, p. 80.

**COMMISSION REGULATION (EC) No 2308/2003
of 29 December 2003**

**laying down rules for the management and distribution of textile quotas established for the year
2004 under Council Regulation (EC) No 517/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules ⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a 'first come, first served' basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2004 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 2357/2002 establishing rules for the management and distribution of textile quotas established for the year 2003 under Council Regulation (EC) No 517/94 ⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2004.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.
- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2004 equivalent to the quantity which they imported in 2003.
- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.
- (8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary that he/she has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2005 licences of which at least one half has been used by the application date.
- (9) Given that on 1 May 2004 the European Union will be enlarged, the allocation amongst importers of the 2004 quota should be divided into two tranches, corresponding to the Union's current and future membership respectively. Acceding States should be permitted to issue import authorisations only for goods to be imported on or after 1 May.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annexes IIIB and IV to Regulation (EC) No 517/94 for the year 2004.

The 2004 quotas shall be allocated in two separate tranches, of which the second shall become available from 1 May 2004 for the acceding States. The quantitative limits for the tranches shall be as listed in Annex I.

⁽¹⁾ OJ L 67, 10.3.1994, p. 1; Regulation as last amended by Commission Regulation (EC) No 1484/2003 (OJ L 212, 22.8.2003, p. 46).

⁽²⁾ OJ L 351, 28.12.2002, p. 45.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex II.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2004, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2003.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2003 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 % or more of the amount allocated to him/her under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex II.

Article 4

1. The competent national authorities listed in Annex III may, from 10.00 on 5 January 2004, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

Requests from the competent national authorities of Member States set out in section A of Annex III shall be processed initially by deduction from the first tranche. When the quantitative

limit on a category of the first tranche is exhausted further requests shall be processed against the second tranche. Requests from the competent national authorities of Member States set out in section B of Annex III shall be processed only against the second tranche.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation. The competent national authorities of acceding States may only issue import authorisations for goods to be imported on or after 1 May.

They shall issue authorisations only if an operator:

- (a) proves the existence of a contract relating to the provision of the goods; and
- (b) certifies in writing that, in respect of the categories and countries concerned:
 - (i) he/she has not already been allocated an authorisation under this Regulation; or
 - (ii) he/she has been allocated an authorisation under this Regulation but has used up at least 50 % of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2004 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 % used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2005.

Article 5

This Regulation shall enter into force on 1 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Quantitative limits for the tranches referred to in Article 1

Serbia and Montenegro ⁽¹⁾

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
1	Tonne	770	1 580
2	Tonne	949	1 904
2a	Tonne	215	430
3	Tonne	104	208
5	1 000 pieces	429	897
6	1 000 pieces	185	409
7	1 000 pieces	96	215
8	1 000 pieces	355	754
9	Tonne	97	195
15	1 000 pieces	143	317
16	1 000 pieces	77	155
67	Tonne	80	164

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

North Korea

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
1	Tonne	43	85
2	Tonne	48	102
3	Tonne	16	65
4	1 000 pieces	95	194
5	1 000 pieces	62	126
6	1 000 pieces	72	146
7	1 000 pieces	31	66
8	1 000 pieces	100	202
9	Tonne	24	47
12	1 000 pairs	430	878
13	1 000 pieces	503	1 006
14	1 000 pieces	51	103
15	1 000 pieces	58	117
16	1 000 pieces	29	59
17	1 000 pieces	20	41
18	Tonne	20	41
19	1 000 pieces	137	274
20	Tonne	47	95
21	1 000 pieces	1 137	2 279
24	1 000 pieces	88	175
26	1 000 pieces	58	117
27	1 000 pieces	95	193

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
28	1 000 pieces	95	191
29	1 000 pieces	40	80
31	1 000 pieces	98	195
36	Tonne	30	65
37	Tonne	119	259
39	Tonne	17	34
59	Tonne	155	311
61	Tonne	13	27
68	Tonne	40	80
69	1 000 pieces	61	123
70	1 000 pieces	90	180
73	1 000 pieces	50	99
74	1 000 pieces	44	89
75	1 000 pieces	13	26
76	Tonne	40	80
77	Tonne	5	9
78	Tonne	61	123
83	Tonne	18	36
87	Tonne	2	6
109	Tonne	4	7
117	Tonne	17	34
118	Tonne	8	15
142	Tonne	3	7
151A	Tonne	3	7
151B	Tonne	3	7
161	Tonne	50	102

ANNEX II

Maximum amounts referred to in Articles 2 and 3

Country concerned	Category	Unit	Maximum amount
North Korea	1	Kilogram	10 000
	2	Kilogram	10 000
	3	Kilogram	10 000
	4	Piece	10 000
	5	Piece	10 000
	6	Piece	10 000
	7	Piece	10 000
	8	Piece	10 000
	9	Kilogram	10 000
	12	Pairs	10 000
	13	Piece	10 000
	14	Piece	10 000
	15	Piece	10 000
	16	Piece	10 000
	17	Piece	10 000
	18	Kilogram	10 000
	19	Piece	10 000
	20	Kilogram	10 000
	21	Piece	10 000
	24	Piece	10 000
	26	Piece	10 000
	27	Piece	10 000
	28	Piece	10 000
	29	Piece	10 000
	31	Piece	10 000
	36	Kilogram	10 000
	37	Kilogram	10 000
	39	Kilogram	10 000
	59	Kilogram	10 000
	61	Kilogram	10 000
	68	Kilogram	10 000
	69	Piece	10 000
	70	Piece	10 000
	73	Piece	10 000
	74	Piece	10 000
	75	Piece	10 000
	76	Kilogram	10 000
	77	Kilogram	5 000
	78	Kilogram	5 000
	83	Kilogram	10 000
	87	Kilogram	10 000
	109	Kilogram	10 000
	117	Kilogram	10 000
	118	Kilogram	10 000
	142	Kilogram	10 000
	151A	Kilogram	10 000
	151B	Kilogram	10 000
	161	Kilogram	10 000

Country concerned	Category	Unit	Maximum amount
Serbia and Montenegro ⁽¹⁾	1	Kilogram	20 000
	2	Kilogram	20 000
	2a	Kilogram	10 000
	3	Kilogram	10 000
	5	Piece	10 000
	6	Piece	10 000
	7	Piece	10 000
	8	Piece	10 000
	9	Kilogram	10 000
	15	Piece	10 000
	16	Piece	10 000
	67	Kilogram	10 000

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

ANNEX III

List of licensing offices referred to in Article 4

Section A: List of the competent national authorities in the current Member States

1. **België**

Ministerie van Economische Zaken
Bestuur Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Tel. (32-2) 206 58 11
Fax (32-2) 230 83 22

1. **Belgique**

Ministère des affaires économiques
Administration des relations économiques
Service des Licences
Rue Général Leman 60
B-1040 Bruxelles
Tel. (32-2) 206 58 11
Fax (32-2) 230 83 22

2. **Danmark**

Erhvervs- og Boligstyrelsen
Økonomi- og Erhvervsministeriet
Vejlsovej 29
DK-8600 Silkeborg
Tel. (45) 35 46 64 30
Fax: (45) 35 46 64 01

3. **Deutschland**

Bundesamt für Wirtschaft und Ausfuhrkontrolle
(BAFA)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel. (49 61 96) 9 08-0
Fax: (49 61 96) 9 42 26

4. **text missing**

Υπουργείο Οικονομίας & Οικονομικών
Γενική Γραμματεία Διεθνών Σχέσεων
Γενική Διεύθυνση Σχεδιασμού & Διαχείρισης Πολιτικής
Διεύθυνση Διεθνών Οικονομικών Ροών
Κορνάρου 1
GR-10563 Αθήνα
Τηλ (3010) 328 60 31-5
Φαξ (3010) 328 60 94

5. **España**

Ministerio de Economía
Secretaría General de Comercio Exterior
Paseo de la Castellana nº 162
E-28046 Madrid
Tel. (34 91) 349 38 17, 349 37 48
Fax (34 91) 563 18 23, 349 38 31

6. **France**

Ministère de l'économie, des finances et de l'industrie
Direction générale de l'industrie, des technologies
de l'information et des postes
Service des industries manufacturières (SIM)
Mission 'Textile-Importations'
Le Bervil, 12 rue Villiot
F-75572 Paris Cedex 12
Tél. (33-1) 44 87 17 17
Fax (33-1) 53 44 91 81

7. **Ireland**

Department of Enterprise, Trade and Employment
Internal Market
Kildare Street
Dublin 2
Ireland
Tel. (353-1) 631 21 21
Fax (353-1) 631 28 26

8. **Italy**

Ministero del Commercio con l'Estero
Direzione Generale per la Politica Commerciale e
per la Gestione del Regime degli Scambi
DIV. III
Viale America 341
I-00144 Roma
Tel. (39-6) 59 64 75 17/59 93 22 02/59 93 22 15
Fax (39-6) 59 93 22 35/59 93 22 35
Telex: (39-6) 59 64 75 31

9. **Luxembourg**

Ministère des affaires étrangères
Office des licences
Boîte postale 113
L-2011 Luxembourg
Tel. (352) 47 82 371
Fax (352) 46 61 38

10. **Nederland**

Belastingdienst/Douane
Centrale dienst voor in- en uitvoer
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
Nederland
Tel. (31-50) 523 91 11
Fax (31-50) 523 22 10

11. **Portugal**

Ministério das Finanças
Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 Lisboa
Tel. (351-1) 218 814 263
Fax (351-1) 218 814 261
E-mail: dsl@dgaiec.min-financas.pt

12. United Kingdom

Department of Trade and Industry
Import Licensing Branch
Queensway House
West Precinct
Billingham
TS23 2NF
United Kingdom
Tel. (44-1642) 36 43 33/36 43 34
Fax (44-1642) 53 35 57

13. Österreich

Bundesministerium für Wirtschaft und Arbeit
Außenwirtschaftsadministration
Abteilung C2/2
Stubenring 1
A-1011 Wien
Tel. (43-1) 71100-0
Fax (43-1) 71100-8386

14. Sweden

National Board of Trade (Kommerskollegium)
Box 6803
S-113 86 Stockholm
Tel. (46-8) 690 48 00
Fax (46-8) 30 67 59

15. Suomi

Tullihallitus
Erottajankatu 2
FIN-00101 Helsinki
Tel. (358-9) 61 41
Fax (358-9) 61 42 852

Section B: List of the competent national authorities in the Acceding countries**1. Cyprus**

Ministry of Commerce, Industry and Tourism
Trade Department
6 Andrea Araouzou Str.
1421 Nicosia
Tel. (357-2) 86 71 00
Fax (357-2) 37 51 20

2. Czech Republic

Ministerstvo průmyslu a obchodu
Licenční správa
Na Frantisku 32
110 15 Praha 1
Tel. (420) 224 06 2206
Fax (420) 224 21 2133

3. Estonia

Majandus- ja Kommunikatsiooniministeerium
Harju 11
15072 Tallinn
Estonia
Tel. (372) 6256 400
Fax (372) 6313 660

4. Hungary

Gazdasági és Közlekedési Minisztérium
Engedélyezési és Közigazgatási Hivatala
1024 Budapest Margit krt. 85.
Postafiók: 1537 Budapest Pf. 345.
Tel. 0036(1) 336 7300
Fax 0036(1)336 7302

5. Latvia

Ekonomikas ministrija
Brīvības iela 55
LV-1519 Rīga
Tel. (371) 701 30 06
Fax: (371) 728 08 82

6. Lithuania

Lietuvos Respublikos Ūkio Ministerija
Gedimino Ave 38/2
LT-2600 Vilnius
Tel. (370-5) 262 50 30/262 87 50
Fax (370-5) 262 39 74

7. Malta

Ministry of Finance and Economic Affairs
Trade Services Directorate, Commerce Division
Lascaris
Valletta CMR02
Malta
Tel. (356-21) 24 68 00
Fax (356-21) 25 15 15

8. Poland

Ministerstwo Gospodarki, Pracy i Polityki
Społecznej
Pl. Trzech Krzyży 3/5
00-950 Warszawa
Tel. (48-22) 693 55 53
Fax (48-22) 693 40 21

9. Slovakia

Ministerstvo Hospodárstva SR
Odbor výkonu obchodno-politických opatrení
Mierová 19
827 15 Bratislava
Tel. (421-2) 43 42 39 13/48 54 21 60
Fax (421-2) 43 42 39 19

10. Slovenia

Ministrstvo za gospodarstvo
Področje ekonomskih odnosov s tujino
Kotnikova 5
1000 Ljubljana
Tel. (386(0)1) 478 35 42
Fax (386(0)1) 478 36 11

COMMISSION REGULATION (EC) No 2309/2003
of 29 December 2003
amending Annexes III B, IV and VI to Council Regulation (EC) No 517/94 as regards textile quotas
for 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 establishes the annual quantitative limits for certain textile products originating in Serbia and Montenegro and in North Korea.
- (2) As from 1 May 2004, the European Union will include 10 new Member States. Article 6(7) of the Act of Accession provides that the new Member States are to apply the common trade policy concerning textiles and that the quantitative restrictions applied by the Community to imports of textile and clothing products must be adjusted to take account of the accession of the new Member States to the Community. The quantitative restrictions applicable to imports of certain textile products from third countries into the enlarged Community must consequently be adjusted to include imports into the 10 new Member States. This requires the amendment of certain Annexes to Regulation (EC) No 517/94.
- (3) It is appropriate to use a methodology for amending the quantities which takes into account the traditional imports into the new Member States in adjusting the new quota levels. A formula consisting of the average of

the last three years' imports from third countries into the 10 new Member States, adjusted pro rata temporis, would provide an adequate measurement of historic flows. The years 2000 to 2002 have been selected as the most significant, as they represent the latest available information about the 10 new Member States' imports of textiles and clothing.

- (4) Annexes III B, IV and VI to Regulation (EEC) No 517/94 should therefore be amended so as to list quota levels applicable for the year 2004. The detailed rules governing 2004 quota allocation are those contained in Commission Regulation (EC) No 2308/2003 of 29 December 2003 on the management of textile quotas established under Council Regulation (EC) No 517/94 for the year 2004⁽²⁾.
- (5) Regulation (EC) No 517/94 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III B, IV and VI to Regulation (EC) No 517/94 are amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 29 December 2003.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 67, 10.3.1994, p. 1, as last amended by Commission Regulation (EC) No 1484/2003 (OJ L 212, 22.8.2003, p. 46).

⁽²⁾ See page 13 of this Official Journal.

ANNEX

Annexes III B, IV and VI to Regulation (EC) No 517/94 are amended as follows:

1. Annex III B is replaced by the following:

‘ANNEX III B

Annual Community quantitative limits referred to in the fourth indent of Article 2(1)**Serbia and Montenegro ⁽¹⁾**

Category	Unit	Quantity
1	tonnes	2 350
2	tonnes	2 853
2a	tonnes	645
3	tonnes	312
5	1 000 pieces	1 326
6	1 000 pieces	594
7	1 000 pieces	311
8	1 000 pieces	1 109
9	tonnes	292
15	1 000 pieces	460
16	1 000 pieces	232
67	tonnes	244

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.’

2. Annex IV is replaced by the following:

‘ANNEX IV

Annual Community quantitative limits referred to in Article 3(1)**North Korea**

Category	Unit	Quantity
1	tonnes	128
2	tonnes	150
3	tonnes	81
4	1 000 pieces	289
5	1 000 pieces	188
6	1 000 pieces	218
7	1 000 pieces	97
8	1 000 pieces	302
9	tonnes	71
12	1 000 pairs	1 308
13	1 000 pieces	1 509
14	1 000 pieces	154
15	1 000 pieces	175
16	1 000 pieces	88
17	1 000 pieces	61
18	tonnes	61
19	1 000 pieces	411

Category	Unit	Quantity
20	tonnes	142
21	1 000 pieces	3 416
24	1 000 pieces	263
26	1 000 pieces	175
27	1 000 pieces	288
28	1 000 pieces	286
29	1 000 pieces	120
31	1 000 pieces	293
36	tonnes	95
37	tonnes	378
39	tonnes	51
59	tonnes	466
61	tonnes	40
68	tonnes	120
69	1 000 pieces	184
70	1 000 pieces	270
73	1 000 pieces	149
74	1 000 pieces	133
75	1 000 pieces	39
76	tonnes	120
77	tonnes	14
78	tonnes	184
83	tonnes	54
87	tonnes	8
109	tonnes	11
117	tonnes	51
118	tonnes	23
142	tonnes	10
151A	tonnes	10
151B	tonnes	10
161	tonnes	152'

3. Annex VI is replaced by the following:

'ANNEX VI

OUTWARD PROCESSING TRAFFIC

Annual Community quantitative limits referred to in Article 4

Serbia and Montenegro ⁽¹⁾

Category	Unit	Quantity
5	1 000 pieces	1 501
6	1 000 pieces	4 457
7	1 000 pieces	2 190
8	1 000 pieces	4 936
15	1 000 pieces	2 576
16	1 000 pieces	1 374

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.'

COMMISSION REGULATION (EC) No 2310/2003**of 29 December 2003****opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables
(tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 47/2003 ⁽²⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1961/2001 ⁽³⁾, as last amended by Regulation (EC) No 1176/2002 ⁽⁴⁾, lays down the detailed rules of application for export refunds on fruit and vegetables.
- (2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 118/2003 ⁽⁶⁾. These quantities must be allocated taking account of the perishability of the products concerned.
- (4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges, lemons and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.

(9) The Management Committee for Fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.
2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁷⁾ shall not count against the eligible quantities in the Annex hereto.
3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be two months.

Article 2

This Regulation shall enter into force on 7 January 2004.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 268, 9.10.2001, p. 8.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 69.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 20, 24.1.2003, p. 3.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)

Tender submission period: 7 to 8 January 2004

Product code ⁽¹⁾	Destination ⁽²⁾	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	25	5 989
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	F00	19	50 409
0805 50 10 9100	F00	26	14 412
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F04, F09	25	5 137

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

⁽²⁾ The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). The other destinations are defined as follows:

F00: All destinations except Estonia,

F03: All destinations except Switzerland and Estonia,

F04: Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica,

F08: All destinations except Slovakia, Latvia, Lithuania, Bulgaria and Estonia,

F09: The following destinations:

- Norway, Iceland, Greenland, Faeroe Islands, Poland, Hungary, Romania, Albania, Bosnia and Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro, Malta, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,
- African countries and territories except South Africa,
- destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

**COMMISSION REGULATION (EC) No 2311/2003
of 29 December 2003**

**opening a standing invitation to tender for the resale on the Community market of barley held by
the Swedish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

The Swedish intervention agency shall open a standing invitation to tender for the sale on the Community market of 48 048 tonnes of barley held by it.

Whereas:

Article 2

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽²⁾, provides, in particular, that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.

The sale provided for in Article 1 shall take place in accordance with Regulation (EEC) No 2131/93.

However, notwithstanding that Regulation:

(2) Sweden still has intervention stocks of barley.

(a) tenders shall be drawn up on the basis of the actual quality of the lot to which they apply;

(3) Because of the difficult weather conditions in much of the Community, cereal production has been significantly reduced in the 2003/04 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

(b) the minimum selling price shall be set at a level which does not disturb the cereals market.

Article 3

Notwithstanding Article 13(4) of Regulation (EEC) No 2131/93 the tender security is set at EUR 10 per tonne.

(4) It is therefore appropriate to make stocks of barley held by the Swedish intervention agency available on the internal market. The period of presentation of the offers for the last partial invitation to tender under Regulation (EC) No 1965/2003 ⁽³⁾ having expired on 18 December 2003, it is advisable to open a new standing invitation to tender.

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender shall be 8 January 2004 at 09.00 (Brussels time).

The closing dates for the submission of tenders for subsequent partial invitations to tender shall be each Thursday at 09.00 (Brussels time), with the exception of 8 April and 20 May 2004.

(5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender. In addition, provision must be made for an award coefficient for tenders offering the minimum selling price.

The closing date for the submission of tenders for the last partial tendering procedure shall be 27 May 2004 at 09.00 (Brussels time).

(6) When the Swedish intervention agency notifies the Commission, the tenderers should remain anonymous.

2. Tenders shall be lodged with the Swedish intervention agency:

(7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.

Statens Jordbruksverk
S-551 82 Jönköping
Fax (46-36) 71 95

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

Article 5

Within two hours of the expiry of the time limit for the submission of tenders, the Swedish intervention agency shall notify the Commission of tenders received. They must be sent by electronic mail in accordance with the form set out in the Annex.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 1630/2000 (OJ L 187, 26.7.2000, p. 24).

⁽³⁾ OJ L 290, 8.11.2003, p. 32.

Article 6

In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall set the minimum sale price or decide not to accept the tenders. If tenders are submitted for the same lot and for a total quantity larger than that available, a separate price may be fixed for each lot.

Where tenders offer the minimum selling price, the Commission may fix an award coefficient for the quantities offered at the same time as it sets the minimum selling price.

Article 7

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, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Standing invitation to tender for the resale of 48 048 tonnes of barley held by the Swedish intervention agency

Regulation (EC) No 2311/2003

1	2	3	4
Numbering of tenderers	Lot No	Quantity (t)	Tender price EUR/t
1			
2			
3			
etc.			

Address for electronic transmission of information in accordance with Article 5:
AGRI-C1-ORGE-S-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 2312/2003
of 29 December 2003**

**opening a standing invitation to tender for the resale on the Community market of barley held by
the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽²⁾, provides, in particular, that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.

(2) France still has intervention stocks of barley.

(3) Because of the difficult weather conditions in much of the Community, cereal production has been significantly reduced in the 2003/04 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

(4) It is therefore appropriate to make stocks of barley held by the French intervention agency available on the internal market. The period of presentation of the offers for the last partial invitation to tender under Regulation (EC) No 1513/2003 ⁽³⁾ having expired on 18 December 2003, it is advisable to open a new standing invitation to tender.

(5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender. In addition, provision must be made for an award coefficient for tenders offering the minimum selling price.

(6) When the French intervention agency notifies the Commission, the tenderers should remain anonymous.

(7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 1630/2000 (OJ L 187, 26.7.2000, p. 24).

⁽³⁾ OJ L 217, 29.8.2003, p. 20.

Article 1

The French intervention agency shall open a standing invitation to tender for the sale on the Community market of 18 367 tonnes of barley held by it.

Article 2

The sale provided for in Article 1 shall take place in accordance with Regulation (EEC) No 2131/93.

However, notwithstanding that Regulation:

- (a) tenders shall be drawn up on the basis of the actual quality of the lot to which they apply;
- (b) the minimum selling price shall be set at a level which does not disturb the cereals market.

Article 3

Notwithstanding Article 13(4) of Regulation (EEC) No 2131/93 the tender security is set at EUR 10 per tonne.

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender shall be 8 January 2004 at 09.00 (Brussels time).

The closing dates for the submission of tenders for subsequent partial invitations to tender shall be each Thursday at 09.00 (Brussels time), with the exception of 8 April and 20 May 2004.

The closing date for the submission of tenders for the last partial tendering procedure shall be 27 May 2004 at 09.00 (Brussels time).

2. Tenders shall be lodged with the French intervention agency:

Office national interprofessionnel des céréales
21, avenue Bosquet
F-7534 Paris Cedex 07
Fax (33) 144 18 20 80

Article 5

Within two hours of the expiry of the time limit for the submission of tenders, the French intervention agency shall notify the Commission of tenders received. They must be sent by electronic mail in accordance with the form set out in the Annex.

Article 6

In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall set the minimum sale price or decide not to accept the tenders. If

tenders are submitted for the same lot and for a total quantity larger than that available, a separate price may be fixed for each lot.

Where tenders offer the minimum selling price, the Commission may fix an award coefficient for the quantities offered at the same time as it sets the minimum selling price.

Article 7

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, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Standing invitation to tender for the resale of 18 367 tonnes of barley held by the French intervention agency**

Regulation (EC) No 2312/2003

1	2	3	4
Numbering of tenderers	Lot No	Quantity (t)	Tender price EUR/t
1			
2			
3			
etc.			

Address for electronic transmission of information in accordance with Article 5:
AGRI-C1-ORGE-F-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 2313/2003
of 29 December 2003**

**opening a standing invitation to tender for the resale on the Community market of barley held by
the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

The German intervention agency shall open a standing invitation to tender for the sale on the Community market of 23 683 tonnes of barley held by it.

Whereas:

Article 2

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽²⁾ provides in particular that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.

The sale provided for in Article 1 shall take place in accordance with Regulation (EEC) No 2131/93.

However, notwithstanding that Regulation:

(2) Germany still has intervention stocks of barley.

(a) tenders shall be drawn up on the basis of the actual quality of the lot to which they apply;

(3) Because of the difficult weather conditions in much of the Community, cereal production has been significantly reduced in the 2003/04 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

(b) the minimum selling price shall be set at a level which does not disturb the cereals market.

Article 3

Notwithstanding Article 13(4) of Regulation (EEC) No 2131/93 the tender security is set at EUR 10 per tonne.

(4) It is therefore appropriate to make stocks of barley held by the German intervention agency available on the internal market. The period of presentation of the offers for the last partial invitation to tender under Regulation (EC) No 1509/2003 ⁽³⁾ having expired on 18 December 2003, it is advisable to open a new standing invitation to tender.

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender shall be 8 January 2004 at 09.00 (Brussels time).

The closing dates for the submission of tenders for subsequent partial invitations to tender shall be each Thursday at 09.00 (Brussels time), with the exception of 8 April and 20 May 2004.

The closing date for the submission of tenders for the last partial tendering procedure shall be 27 May 2004 at 09.00 (Brussels time).

(5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender. In addition, provision must be made for an award coefficient for tenders offering the minimum selling price.

2. Tenders shall be lodged with the German intervention agency:

(6) When the German intervention agency notifies the Commission, the tenderers should remain anonymous.

Bundesanstalt für Landwirtschaft und Ernährung BLE
Adickesallee 40
D-60322 Frankfurt am Main
Fax (49-691) 564 96 2

(7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.

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

Article 5

Within two hours of the expiry of the time limit for the submission of tenders, the German intervention agency shall notify the Commission of tenders received. They must be sent by electronic mail in accordance with the form set out in the Annex.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 1630/2000 (OJ L 187, 26.7.2000, p. 24).

⁽³⁾ OJ L 217, 29.8.2003, p. 8. Regulation as last amended by Regulation (EC) No 2045/2003 (OJ L 303, 21.11.2003, p. 10).

Article 6

In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall set the minimum sale price or decide not to accept the tenders. If tenders are submitted for the same lot and for a total quantity larger than that available, a separate price may be fixed for each lot.

Where tenders offer the minimum selling price, the Commission may fix an award coefficient for the quantities offered at the same time as it sets the minimum selling price.

Article 7

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, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Standing invitation to tender for the resale of 23 683 tonnes of barley held by the German intervention agency**

Regulation (EC) No 2313/2003

1	2	3	4
Numbering of tenderers	Lot No	Quantity (t)	Tender price EUR/t
1			
2			
3			
etc.			

Address for electronic transmission of information in accordance with Article 5:
AGRI-C1-ORGE-D-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 2314/2003
of 29 December 2003**

**opening a standing invitation to tender for the resale on the Community market of rye held by
the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

The German intervention agency shall open a standing invitation to tender for the sale on the Community market of 1 139 000 tonnes of rye held by it.

Whereas:

Article 2

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽²⁾ provides in particular that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.

The sale provided for in Article 1 shall take place in accordance with Regulation (EEC) No 2131/93.

(2) Germany still has intervention stocks of rye.

However, notwithstanding that Regulation:

- (a) tenders shall be drawn up on the basis of the actual quality of the lot to which they apply;
- (b) the minimum selling price shall be set at a level which does not disturb the cereals market.

(3) Because of the difficult weather conditions in much of the Community, cereal production has been significantly reduced in the 2003/04 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

Article 3

Notwithstanding Article 13(4) of Regulation (EEC) No 2131/93 the tender security is set at EUR 10 per tonne.

(4) It is therefore appropriate to make stocks of rye held by the German intervention agency available on the internal market. The period of presentation of the offers for the last partial invitation to tender under Regulation (EC) No 1510/2003 ⁽³⁾ having expired on 18 December 2003, it is advisable to open a new standing invitation to tender.

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender shall be 8 January 2004 at 09.00 (Brussels time).

The closing dates for the submission of tenders for subsequent partial invitations to tender shall be each Thursday at 09.00 (Brussels time), with the exception of 8 April and 20 May 2004.

The closing date for the submission of tenders for the last partial tendering procedure shall be 27 May 2004 at 09.00 (Brussels time).

(5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender. In addition, provision must be made for an award coefficient for tenders offering the minimum selling price.

2. Tenders shall be lodged with the German intervention agency:

(6) When the German intervention agency notifies the Commission, the tenderers should remain anonymous.

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Adickesallee 40
D-60322 Frankfurt am Main
Fax: (49-691) 56 49 62

(7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.

(8) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

Article 5

Within two hours of the expiry of the time limit for the submission of tenders, the German intervention agency shall notify the Commission of tenders received. They must be sent by electronic mail in accordance with the form set out in the Annex.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 1630/2000 (OJ L 187, 26.7.2000, p. 24).

⁽³⁾ OJ L 217, 29.8.2003, p. 11. Regulation as last amended by Regulation (EC) No 2110/2003 (OJ L 317, 2.12.2003, p. 3).

Article 6

In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall set the minimum sale price or decide not to accept the tenders. If tenders are submitted for the same lot and for a total quantity larger than that available, a separate price may be fixed for each lot.

Where tenders offer the minimum selling price, the Commission may fix an award coefficient for the quantities offered at the same time as it sets the minimum selling price.

Article 7

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, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Standing invitation to tender for the resale of 1 139 000 tonnes of rye held by the German intervention agency**

Regulation (EC) No 2314/2003

1	2	3	4
Numbering of tenderers	Lot No	Quantity (t)	Tender price EUR/t
1			
2			
3			
etc.			

Address for electronic transmission of information in accordance with Article 5:
AGRI-C1-SEIGLE-D-STOCKS@CEC.EU.INT

COMMISSION REGULATION (EC) No 2315/2003
of 29 December 2003
opening an invitation to tender for the reduction in the duty on maize imported into Portugal
from third countries

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⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) Under the Agreement on agriculture ⁽²⁾ concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a quantity of maize into Portugal.
- (2) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal ⁽³⁾, lays down the special detailed rules necessary for implementing invitations to tender.
- (3) In the light of current market needs in Portugal, an invitation to tender for the reduction in the duty on imports of maize should be opened.
- (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

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10(2) of Regulation (EEC) No 1766/92 on maize to be imported into Portugal.

2. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

The invitation to tender shall be open until 25 March 2004. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

Article 3

Import licences issued under this invitation to tender shall be valid 50 days from the date they are issued within the meaning of Article 10(4) of Regulation (EC) No 1839/95.

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, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Commission Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 336, 23.12.1994, p. 22.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 2235/2000 (OJ L 256, 10.10.2000, p. 13).

**COMMISSION REGULATION (EC) No 2316/2003
of 29 December 2003**

**amending Regulation (EC) No 98/2003 as regards the forecast supply balance for the Canary Islands
for fat-free milk preparations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽¹⁾, and in particular Article 3(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 98/2003 of 20 January 2003 establishing the supply balances and Community aid for the supply of certain essential products for human consumption, for processing and as agricultural inputs and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 ⁽²⁾ establishes a forecast supply balance and Community aid for the products covered by the specific supply arrangements for the Azores, Madeira and the Canary Islands.
- (2) Current implementation of the annual supply balance for the Canary Islands for fat-free milk preparations indicates that the quantities fixed for the supply are below requirements because of a higher demand than expected.
- (3) The quantity of the above product should therefore be adjusted in line with the actual needs of the outermost regions concerned.
- (4) Regulation (EC) No 98/2003 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the relevant Management Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The table in Annex V, part 11, of Regulation (EC) No 98/2003 is replaced by the following:

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽²⁾	0401	114 800 ⁽³⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter ⁽²⁾	0402	28 000 ⁽⁵⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter of a non-fat milk solid content of 15 % or more by weight and a fat content by weight not exceeding 3 % ⁽⁶⁾	0402 91 19 9310		—	97	—

⁽¹⁾ OJ L 198, 21.7.2001, p. 45; Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 14, 21.1.2003, p. 32; Regulation as last amended by Regulation (EC) No 1987/2003 (OJ L 295, 13.11.2003, p. 47).

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Butter and other fats and oils derived from milk; dairy spreads ⁽²⁾	0405	4 000	72	90	⁽⁴⁾
Cheese ⁽²⁾	0406 0406 30 0406 90 23 0406 90 25 0406 90 27 0406 90 76 0406 90 78 0406 90 79 0406 90 81	15 000	72	—	⁽⁴⁾
	0406 90 86 0406 90 87 0406 90 88	1 900			
Fat-free milk preparations	1901 90 99	800	—	59	⁽⁷⁾
Milk preparations for children containing no milk fat etc.	2106 90 92	45			

⁽¹⁾ In EUR/100 kg net weight, unless otherwise specified.

⁽²⁾ The products concerned and the related footnotes are the same as those covered by the Commission Regulation fixing the export refunds under Article 31 of Council Regulation (EC) No 1255/1999 (OJ L 160, 26.6.1999, p. 48).

⁽³⁾ Including 1 300 tonnes for the processing and/or packaging sector.

⁽⁴⁾ The amount shall be equal to the amount of the refund for products falling within the same CN code granted under Article 31 of Regulation (EC) No 1255/1999. Where the refunds granted under Article 31 of Regulation (EC) No 1255/1999 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code of the agricultural product nomenclature for export refunds (Regulation (EEC) No 3846/87).

⁽⁵⁾ To be allocated as follows:

- 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for direct consumption,
- 4 750 tonnes falling within CN codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,
- 16 000 tonnes falling within CN codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.

⁽⁶⁾ Where the milk protein content (nitrogen content \times 6,38) in the non-fatty milk solid of a product under this position is less than 34 %, no aid shall be granted. Where the water content by weight of the powdered products under this position is greater than 5 %, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose the minimum milk protein content in the non-fatty milk solid, and the maximum water content for powdered products.

⁽⁷⁾ The amount shall be equal to the refund set in the Commission Regulation fixing the refund rates applicable to certain milk products exported in the goods not covered by Annex I, granted under Regulation (EC) No 1520/2000.

Article 2

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

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

Done at Brussels, 29 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 15 December 2003

on the conclusion of an agreement in the form of an Exchange of Letters relating to the provisional application of the Protocol modifying the fourth Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Local Government of Greenland, on the other with regard to the provisions for experimental fisheries and the budgetary support programme

(2003/908/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37, in conjunction with Article 300(2), first subparagraph thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with Article 14 of the Agreement on fisheries between the European Economic Community, on the one hand and the Government of Denmark and the Local Government of Greenland, on the other⁽¹⁾, the two Parties held negotiations with a view to determining the amendments to be made to the fourth Protocol laying down the conditions relating to fishing provided for in that Agreement.
- (2) As a result of these negotiations, a Protocol modifying the fourth Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Local Government of Greenland, on the other, was initialised on 18 June 2003.
- (3) The Protocol contains provisions on experimental fisheries which the Parties agreed to apply from 1 July 2003. For this reason, the two Parties initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of those provisions, from 1 July 2003, and of the budgetary support programme for a structural policy in the fisheries sector in Greenland. The Agreement in the form of an Exchange of Letters does not provide for the provisional application of other provisions of the Protocol modifying the fourth Protocol. The Agreement in the form of an Exchange of Letters should be approved pending the

completion of the necessary procedures for the conclusion of the Protocol modifying the fourth Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters relating to the provisional application of the Protocol modifying the Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Local Government of Greenland, on the other, for the period 1 January 2004 to 31 December 2006, with regard to the provisions for experimental fisheries and the budgetary support programme for a structural policy in the fisheries sector in Greenland, is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Protocol modifying the fourth Protocol are attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 15 December 2003.

For the Council
The President
A. MARZANO

⁽¹⁾ OJ L 29, 1.2.1985, p. 9.

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

relating to the provisional application of the Protocol modifying the fourth Protocol laying down the conditions relating to fishing provided for in the agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Local Government of Greenland, on the other, for the period 1 January 2004 to 31 December 2006

A. Letter of the Government of Denmark and the Home Rule Government of Greenland

Sir,

With reference to the Protocol, initialled on 25 June 2001, setting out the fishing opportunities and the financial contribution for the period from 1 January 2001 to 31 December 2006, and to the Joint Committee Meeting of 16 to 18 June 2003, I have the honour to inform you that the Home Rule Government of Greenland is prepared to apply the modifications to the Protocol concerning the provisions for experimental fisheries, as set out in the Protocol annexed, on a provisional basis with effect from 1 July 2003, pending its entry into force, provided that the European Community is disposed to do the same.

In order to implement the provisions for experimental fisheries, the Greenland authorities will communicate to the European Commission all available scientific information and data (zoning, observations, etc.) before the 17 July 2003. The Greenland authorities will decide before 31 July 2003 the allocation of licences and the conditions linked. The technical conditions referred to in Annex V to the Protocol may be modified by an administrative arrangement between the Parties.

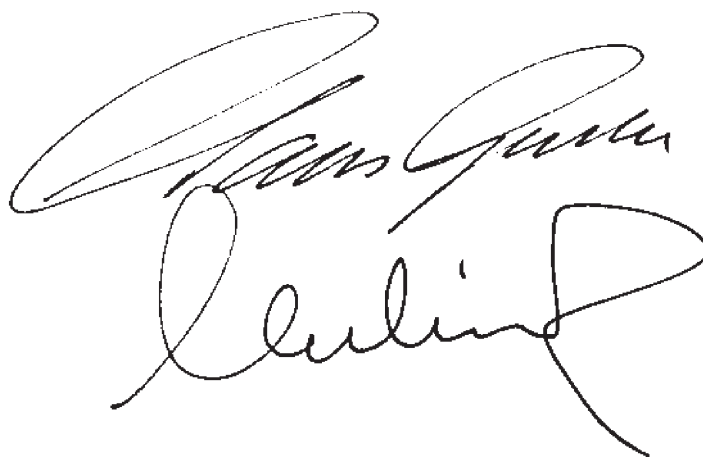
Greenland shall implement a structural reform of the fisheries sector and the European Community will provide a budgetary support programme in accordance with Article 11(6) of the Protocol annexed and as described in the 'Details of Implementation for a budgetary support for structural policy in the fisheries sector in Greenland' annexed to this Exchange of Letters.

The modifications to the fourth Protocol follow the guidelines set out in the communication from the Commission to the Council and the European Parliament on an integrated framework for fisheries partnerships agreements with third countries (COM(2002) 637 final).

I should be obliged if you could confirm the European Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of Denmark and the Home Rule
Government of Greenland*

A large, stylized handwritten signature in black ink, which appears to read 'Hans Jørgen Lauritzen'. The signature is written in a cursive, flowing style with large loops and flourishes.

B. Letter of the European Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol, initialled on 25 June 2001, setting out the fishing opportunities and the financial contribution for the period from 1 January 2001 to 31 December 2006, and to the Joint Committee Meeting of 16 to 18 June 2003, I have the honour to inform you that the Home Rule government of Greenland is prepared to apply the modifications to the Protocol concerning the provisions for experimental fisheries, as set out in the Protocol annexed, on a provisional basis with effect from 1 July 2003, pending its entry into force, provided that the European Community is disposed to do the same.

In order to implement the provisions for experimental fisheries, the Greenland authorities will communicate to the European Commission all available scientific information and data (zoning, observations, etc.) before the 17 July 2003. The Greenland authorities will decide before 31 July 2003 the allocation of licences and the conditions linked. The technical conditions referred to in Annex V to the Protocol may be modified by an administrative arrangement between the Parties.

Greenland shall implement a structural reform of the fisheries sector and the European Community will provide a budgetary support programme in accordance with Article 11(6) of the Protocol annexed and as described in the "Details of Implementation for a budgetary support for a structural policy in the fisheries sector in Greenland" annexed to this Exchange of Letters.

The modifications to the fourth Protocol follow the guidelines set out in the communication from the Commission to the Council and the European Parliament on an integrated framework for fisheries partnerships agreements with third countries (COM(2002) 637 final).

I should be obliged if you could confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

12. 10/10/10

ANNEX

DETAILS OF IMPLEMENTATION FOR A BUDGETARY SUPPORT FOR A STRUCTURAL POLICY IN THE FISHERIES SECTOR IN GREENLAND

When the Greenland Home Rule Government presented its paper on a general structural action plan ('A vision for the future') to the Parliament in the autumn of 2000, it appeared clearly that it did not include arrangements for specific sectors of industry but rather a description of the framework of conditions needed to develop Greenlandic industry in general on the international front.

However, in the meantime a need for the formulation of a coherent structural policy for the fisheries sector has arisen, partly because the cabinet coalition agreement paper stresses that, '... it will work for a commercial and political separation of the industry and its companies through clearer frameworks', and '... the fisheries sector must be made commercial/profitable', and partly because the fisheries sector has such a fundamental importance for the Greenland national economy. Both abovementioned statements presuppose that a structural policy is formulated for the fisheries sector and that it is relevant.

A structural policy for the fisheries sector will also meet the EU's wishes in connection with the development support that the Greenland Home Rule Government will be receiving as a result of the conclusion of the budgetary support agreement. The agreement assumes the existence of an overall long term, coherent policy within a sector-specific area, in this case fisheries. Currently the Home Rule Government has no coherent fisheries policy, so this is a good opportunity to draw up such a policy, too.

The objective of the sustainable structural fisheries policy is to create a framework and conditions, which will provide the best possible conditions for industry and through this guarantee continued growth, employment, and profits. In this regard, focus will be on the fishing industry, but it should be seen in the perspective that the development of other industry sectors is equally important.

A structural policy for the fisheries sector will only define indicators for the desired development.

The political approval, and hopefully the broadest possible approval, is an absolute necessity for creating a successful structural policy for the fisheries sector. It is therefore of utmost relevance that broad and strong political approval is behind these indicators that will emerge from the forthcoming policy. As in all other sectors covered by the general structural policy, it is important that the support, political as well as administrative, of such an agreement is maintained over a long period of time in order to guarantee proper implementation of the structural policy for the fisheries sector.

It is therefore of absolute importance that Greenland in its relations with the EU appears as a reliable cooperation partner with a stable government, etc.

To sum up, the general objective of the future fisheries policy can be formulated as follows:

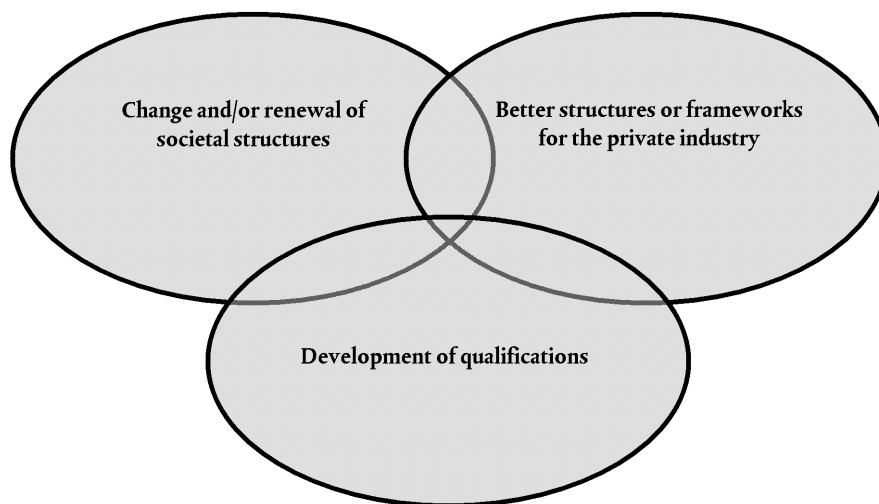
'We must achieve the maximum long-term economic benefit of the fishable resources existing in the Greenlandic waters.'

The policy pursued so far has to a large degree focused on issues of a more short-term nature, of which can be mentioned the following:

- subsidies including among others things a minimum price system, subsidies for petrol, subsidies for the development of industry (ESU), a special fishing industry tariff on electricity and water, and capacity management,
- the issue of ownership which among other things includes:
 - a blend of the role of ownership and the role of authority,
 - limitations on ownership of quotas,
 - limitations on access to licences.

One of the aims is to change the focus on the problems of the fishing industry so that the considerations will become more predictable and long-term oriented. In this connection, the current problems relating to the measurement of socio-economic values and profits must be stressed. There is a need for an economic model for the fisheries sector in Greenland that will contribute qualitatively to the estimation of socioeconomic output and yields.

In accordance with the principles of good governance, the general structural policy action plan has three focus points which alone and together play a focus role for the long term strategy and development of the industry:



The problems and challenges that the formulation of a structural policy for the fisheries sector represents are placed under the above focus points. There is a need to create a parallel to the general structural action plan, also to fit it in along with the other initiatives of a structural policy nature.

Regarding the future structural policy for the fisheries sector, there will be a continuous need for public regulation of some sort. This will be done in accordance with the legislation in the fisheries, tax and finance fields.

The aim is to present a proposal for a structural policy for the fisheries sector to the Greenland Parliament for reading in the 2004 autumn session. A time schedule for the entire process is given below. To meet this schedule all the initiatives must be described thoroughly, one by one, in order for these initiative policies to be implemented in the global structural policy for the fisheries sector. Furthermore it is the intention of the Home Rule Government that an economic model should be elaborated and drawn up at the same time so that it can be used as an instrument to measure what initiatives serve the society best and to show the actual situation in the fisheries sector.

The following objectives apply to the focus points of all partial policies and to the structural policy in general:

1. the objectives must be clear and achievable over time;
2. they must be measurable based on predefined indicators;
3. they must be controllable; and
4. initiatives implemented or carried out must be capable of evaluation in terms of goals.

Furthermore, it must also appear clearly what the consequences will be if the objectives are not achieved within the time limit given.

1. The focus points of a structural policy for fisheries

The elements of the individual focus points are listed below. This listing will also be used in the formulation of the framework for the continued policy formulation.

1.1. Renewal of societal structures

The public sector in Greenland is very dominant in the global range of industries because of the many publicly owned companies and because of the special geographical and economic conditions in Greenland where the public sector handles a number of subsidies and aids.

The public sector has to a large degree created the framework for the development of the Greenlandic society into a modern welfare society. The question is, however, whether the public sector should continue to dominate the fisheries sector. The Government believes that it is time to evaluate what the future role of the public sector is to be in the Greenlandic fishing industry.

As regards the future fisheries policy, it is necessary to look at the following areas:

- 'logistics': the political objective is to ensure an infrastructure that supports the basic needs of Greenlandic business, including the fisheries,
- 'ownership': the political objective is to improve the operations and financial position of the Home Rule companies to enable them to mature and be privatised in whole or in part,
- 'subsidies': the political objective is to remove existing subsidies entirely or to reduce them to a level which will promote the industry's movement towards greater market orientation. This applies to both direct and indirect subsidies including the existing fishing industry tariffs on electricity and water, the minimum prices of raw materials, oil grants for vessels and the existing commercial support scheme (ESU),
- 'streamlining': the political objective is to carry out the structural adjustment both on land and at sea in such a way that public grants and cross-subsidies are significantly reduced.

1.2. Better framework for the fishing industry

The Greenland Home Rule Government creates, through legislation and regulation, frameworks and conditions for the fishing industry. This applies to areas such as:

- 'investment': provision of risk capital. The framework within which more risk capital can be provided for the improvement of Greenlandic fisheries, with the ultimate aim of reducing public financial intervention,
- 'resource management': an evaluation of the existing quota system and the technical control measures is required. The evaluation will have to be done in order to maintain a sustainable development of the fisheries,
- 'biological advice': in the field of biological advice the political objective is to improve the scientific knowledge of the biomass for fish and shellfish through combined efforts,
- 'development': the political objective is to find and develop new commercial species including developing methods to utilise these new resources. Utilisation of new species in the fisheries will be done with respect of the principle of sustainable development.

In all areas affecting the possibilities and conditions of the various companies, it is the task of the Government to secure good frameworks and conditions. The aim is to ensure that the efforts in each of these areas are coordinated to achieve a common goal.

1.3. Development of qualifications — education and labour market

The education and labour market policies play an important role for the development of the public sector as well as the private sector in Greenland. The ability and willingness to learn is a precondition if the industrial political frameworks are to be achieved and utilised in an optimal way. One of the challenges facing fisheries is the ability to handle the necessary continuous development of employee qualifications throughout the fishing industry in Greenland.

The precondition 'strengthened development of qualifications' is among other things created through:

- 'education and labour market': the political objective is to ensure the appropriate use and development of the available labour force in Greenland. Structural adjustments will create a need to adapt the labour force to changed or new forms of production at both land-based plants and on board fishing vessels.

2. The Cabinet's 2004 budget

The Cabinet's 2004 budget will be published before the beginning of August 2003. The reading of the budget will take place during the 2003 autumn session of the Greenland Parliament, and the budget is expected to be adopted on or before 15 November 2003.

The Cabinet's 2004 budget incorporates an increase in the amount appropriated for administration in the field covered by the Ministry of Fisheries, Hunting and Agriculture. This increase is expected to improve the Ministry's possibilities of making the necessary qualitative evaluations of the economic consequences of various initiatives, for example through the establishment, follow-up, maintenance and analysis of fisheries economy models both within Greenland and worldwide. In addition, a strengthening of the Ministry's legal responsibilities will improve the servicing of the Cabinet in terms of the regulatory aspects of local, regional, bilateral and international fisheries.

3. Time schedule.

Time	Heading	Comments
30 June 2003	Budgetary support is decided	The Greenland Home Rule Government and the EU Commission make an agreement on budgetary support. The agreement is described in the explanatory notes to the Cabinet's 2004 budget, which will be presented to the Greenland Parliament in the 2003 autumn session.
August 2003	A steering group is set up	A steering group is set up to coordinate the whole project. Its members include the directors of the departments involved (board secretariat, Office of Foreign Affairs, Department of Finance, Department of Fisheries, Hunting and Farming, Department of Business and Department of Education, Culture, Church and Science), with the head of the structural policy office and the chairmen of the individual working groups as delegates. The members of the steering group meet regularly and are kept up to date on the progress made by the working groups.
August 2003	The steering group sets up three working groups	The prepared project plan for a structural policy for the fisheries sector is adopted by the steering group. The project plan must at least contain: Three working groups on the focus points 1. Renewal of societal structures; 2. Better framework for the fishing industry; 3. Development of qualifications
August 2003	Planning of a fisheries policy seminar is initiated	To achieve the broadest possible debate on a structural policy for the fisheries sector the results of the working groups will be presented to the most important stakeholders in the fishing industry at a seminar.
End of February 2004	The working groups deliver their draft for partial policies	The individual working groups have finished their work and have drawn up a proposal for partial policies on the subjects comprised by the focus point within which the working group has been working.
May 2004	The Cabinet holds a fisheries policy seminar, at which a draft structural policy for fisheries is discussed	The seminar is held with participation of the most important stakeholders in the fishing industry. Responses are invited to presentations based on proposals made by the three working groups for partial policies.
August 2004	A proposal for a structural policy for fisheries is delivered to the Greenland Parliament	The Cabinet delivers its proposal for a structural policy for the fisheries sector in Greenland for reading during the autumn session of the Greenland Parliament.
Autumn 2004	The Greenland Parliament's reading of the proposal for a structural policy for the fisheries sector	

Time	Heading	Comments
December 2004	First report to the Commission	Measurable subjects for the rest of the budgetary support agreement period 2005 and 2006 are specified in the report to the Commission. In relation to the political reading of the Cabinet's proposal for a structural policy for fisheries in Greenland, new goals have emerged in accordance with the principles of the budgetary support area.
December 2005	Second report to the Commission	The second annual report to the Commission will be the first with a report on the progress of the initiatives implemented following the presentation of the structural policy for fisheries. The evaluation of initiatives carried out can also be incorporated into this report.
December 2006	Third report to the Commission	The third and last report within Protocol IV. The report will follow up on the initiatives implemented following the presentation of the structural policy for fisheries.

PROTOCOL

modifying the fourth Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Local Government of Greenland, on the other

Further to the Joint Committee meeting of 16 to 18 June 2003, the fourth Protocol⁽¹⁾ is modified as follows, with effect from 1 January 2004:

- Article 1 is replaced by the following:

'Article 1

- This Protocol shall apply to fishing activities from 1 January 2001 to 31 December 2006.
- The quotas referred to in Article 2 of the Agreement shall be fixed each year in the light of available scientific information. They shall be calculated as the remainder of Greenland's total allowable catches after subtraction of the quantities referred to in the first paragraph of Article 7 of the Agreement and indicated in Article 2, but shall not exceed the following quantities:

(in tonnes)		
Species	Western stock (NAFO 0/1)	Eastern stock (ICES XIV/V)
Cod	pm ⁽¹⁾	
Redfish	0 ⁽²⁾	25 500 ⁽³⁾
Greenland halibut	1 500 ⁽⁴⁾	9 000 ⁽⁵⁾
Shrimp	4 000	5 675
Atlantic halibut	200 ⁽⁶⁾	1 000 ⁽⁶⁾
Capelin		⁽⁷⁾
Roundnose grenadier	1 350	2 000
Snowcrab	1 000	
By-catches	2 000 ⁽⁸⁾	

⁽¹⁾ In the event of stock recovery, the Community may fish up to 31 000 tonnes, with a corresponding increase in the part of the financial compensation referred to in Article 11(2). May be fished in the east or west.

⁽²⁾ The Community may ask for an increase in the quota, by the end of November for the following year, up to a maximum of 5 500 tonnes, with a corresponding increase in the part of the financial compensation referred to in Article 11(2).

⁽³⁾ May be fished in the east or west and of which a maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately. The Community may ask for an increase in the quota, by the end of November for the following year, up to a maximum of 47 320 tonnes, with a corresponding increase in the part of the financial compensation referred to in Article 11(2).

⁽⁴⁾ 500 tonnes may be fished either in the north or south in agreement with Greenland authorities.

⁽⁵⁾ This figure may be revised in the light of the agreement for the allocation of catch possibilities between coastal countries. The fishery shall be managed through a limitation on the number of vessels at the same time.

⁽⁶⁾ If by-catches by Community vessels of Atlantic halibut in trawl cod and redfish fisheries would imply overruns of Community quotas of Atlantic halibut, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries nevertheless can continue until the cod and redfish quotas have been exhausted.

⁽⁷⁾ 7,7 % of the capelin TAC for the season.

⁽⁸⁾ Refers to the combined by-catch of cod, catfish, skate, ling and tusk. The by-catch quantities of cod shall not exceed 100 tonnes. May be fished in the east or west.

⁽¹⁾ OJ L 209, 2.8.2001, p. 2.

3. The quota for shrimp in east Greenland may be fished in areas west of Greenland provided that arrangements for quota transfers between shipowners from Greenland and the European Community have been established on a company-to-company basis. The Greenland Home Rule Government shall undertake to facilitate such arrangements. The transfers of quotas can only take place within a maximum of 2 000 tonnes annually in areas of west Greenland. The fishery carried out by the Community vessels shall take place on the same conditions as laid down in the license issued to the Greenlandic shipowner.

4. Authorisations for experimental fisheries will be made available for a trial period of a maximum of six month each, in accordance with Article 9 and Annex V.

5. When the Parties conclude that the experimental campaigns have achieved positive results, the Greenland Home Rule Government will allocate 50 % of the fishing opportunities on the new species to the Community fleet, until the end of this Protocol. This, with a corresponding increase in the part of the financial compensation referred to in Article 11(2).'

2. Article 2 is replaced by the following:

'Article 2

The quantities referred to in the first paragraph of Article 7 of the Agreement are hereby set at the following levels each year:

(in tonnes)		
Species	Western stock (NAFO 0/1)	Eastern stock (ICES XIV/V)
Cod	50 000 ⁽¹⁾	
Redfish	2 500	5 000
Greenland halibut	4 700	4 000
Shrimp	25 000	1 500

(¹) May be fished in the west or east.'

3. Article 3 is deleted;

4. Article 9 is replaced by the following:

'Article 9

The Parties shall promote the conduct of experimental fisheries on, *inter alia*, deep sea species, cephalopods, clams and capelin (western stock) in Greenland waters. To this end, they shall hold consultations whenever one of the Parties so requests and determine, on a case-by-case basis, relevant species, conditions and other parameters. The Parties shall implement the experimental fishery in accordance with Annex V.'

5. Article 11 is replaced by the following:

'Article 11

1. The financial compensation referred to in Article 6 of the Agreement shall, during the period of validity of this Protocol, be fixed at EUR 42 820 000 per annum payable at the beginning of each fishing year.

2. The part of the financial compensation representing EUR 31 760 679 is considered to be the amount in return for fishing possibilities. That amount shall be adjusted during the course of each fishing year where any supplementary quota are allocated to the Community in excess of the quota quantities referred to in the table in Article 1. The adjustment shall be calculated on the basis of the market prices of the different species for which the supplementary quota are allocated.

3. Greenland shall make available to the Community a quantity of 20 000 tonnes of cod equivalents, which the Community may use for the purposes of acquiring supplementary catch possibilities. The adjusted compensation referred to in paragraph 2 may consist of up to 50 % of these cod equivalents.

4. The procedure to be followed as regards the allocation of supplementary catch possibilities under Article 8 of the Agreement is set out in Annex III.

5. The financial contribution deriving from the direct payment of licences by the vessels owners will be deducted from the Community global compensation as set out in Article 11(1). The licence fees per species and per tonnes allocated to vessels shall be set in accordance with Annex VI. The implementing technical modalities for the attribution of fisheries licences shall be agreed by an administrative arrangement between the Parties.

6. Greenland shall implement budgetary support to the fisheries sector for the three remaining years of the Protocol in accordance with the policy commitments undertaken in the Greenland Prime Minister's letter to President Prodi of 12 June 2003. The orientations on strategy and objectives of the reform of the Greenland fisheries policy, as defined and programmed independently and autonomously by the Greenland Home Rule Government, as well as the technical details concerning the definition, the implementation and the monitoring of the budget support to the fisheries sector in Greenland shall be determined in an administrative arrangement between Greenland and the European Community. Greenland shall affect EUR 500 000 to increase the budget of the Greenland Institute of Natural Resources.'

6. Article 14 is replaced by the following:

'Article 14

Not later than 30 June 2005, the Parties shall assess the implementation of this Protocol with a view to preparing the negotiations for the next Agreement.'

7. Annex I is deleted;

8. Annex V is added, as follows:

'ANNEX V

Details of implementation for experimental fisheries

The Home Rule Government of Greenland and the European Commission shall jointly decide on the European Community operators, the most suitable time as well as the arrangements for the implementation of experimental fisheries. In order to facilitate the exploratory work of the vessels, the Home Rule Government of Greenland (through the Greenland Institute of Natural resources) shall provide existing scientific and other basic information.

The Greenland fishing industry shall be closely associated (coordination and dialogue on the arrangements for experimental fisheries).

Length of the campaigns shall be of a maximum of six month and a minimum of three month, unless changed by the parties in agreement.

Selection of candidates for the implementation of the experimental campaigns

The European Commission shall communicate to the Greenland authorities the requests for licences for experimental fishery. A technical dossier specifying:

- the technical characteristics of the vessel,
- the level of expertise on the fishery of the ship's officers,
- the proposal for the technical parameters of the campaign (length, gear, exploration regions, etc.).

The Home Rule Government of Greenland will organise a technical dialogue between the administrations of the Greenland Government and the European Commission with the shipowners concerned, if it considers this necessary.

Before the beginning of the campaign, the vessel owners shall submit to the Greenland authorities and to the European Commission:

- a declaration of the catches already on board,
- the technical characteristics of the fishing gear to be used for the campaign,
- an assurance that they comply with the Greenland regulations for fisheries.

During the campaign at sea, the owners of the vessels concerned shall:

- provide the Greenland Institute of Natural Resources, the Greenland authorities and the European Commission with a weekly report on catches per day and by haul, including the description of the campaign's technical parameters (position, depth, date and time, catches and other observations or comments),
- communicate the vessel's position, speed and heading by VMS,
- ensure the presence on board of one Greenlandic scientific observer or an observer chosen by the Greenland authorities. The role of the observer will be to gather scientific information from the catches, as well as to sample the catches. The observer shall be treated as a ship's officer and the vessel-owner shall cover the living costs of the observer during his or her stay on the vessel. The decision on the observer's time on board, the length of his or her stay, the boarding and landing harbour will be fixed in agreement with the Greenland authorities. Unless there is agreement between the parties to the contrary, the vessel will never be obliged to put into harbour more than once per two months,
- submit the vessels to inspection on leaving Greenland's waters if the Greenland authorities so request,
- ensure that they comply with the Greenland Regulations for fisheries.

The catches including the by-catches obtained during the scientific campaign remain the property of the vessel-owner.

The Greenland authorities will designate a contact person responsible for addressing any unforeseen problems that might hinder the development of the experimental fisheries.'

9. Annex VI is added as follows:

'ANNEX VI

Licence fees

The following rates ⁽¹⁾ shall apply:

Species	EUR per tonne
Redfish	52
Greenland halibut	85
Shrimp	74
Atlantic halibut	199
Capelin	7
Roundnose grenadier	10
Snowcrab	122

⁽¹⁾ The rates may be adapted periodically by administrative arrangement between the Parties, taking into account the market and fisheries situation.'

COUNCIL DECISION

of 22 December 2003

amending Decisions 97/375/EC, 98/23/EC and 98/198/EC authorising the United Kingdom to apply measures derogating from Articles 28e(1), 6 and 17 of the Sixth Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes

(2003/909/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽¹⁾, and in particular Article 27(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By letter received by the Secretariat-General of the Commission on 22 October 2003 the United Kingdom requested the extension of Council Decisions 92/546/EEC of 23 November 1992 ⁽²⁾, 95/252/EC of 29 June 1995 ⁽³⁾ and 97/375/EC of 9 June 1997 ⁽⁴⁾ authorising it to apply measures derogating from Articles 28e(1), 6 and 17 of the Sixth Directive 77/388/EEC. The United Kingdom also requested to increase the turnover limit for the simplified cash accounting authorised by Decision 97/375/EC from 600 000 GBP to 660 000 GBP.
- (2) Council Decision 98/23/EC of 19 December 1997 ⁽⁵⁾ authorises the United Kingdom to combat tax avoidance and tax evasion for intra-Community acquisitions between related parties until 31 December 2003.
- (3) Council Decision 98/198/EC of 9 March 1998 ⁽⁶⁾ allows the United Kingdom to restrict to 50 % the right of the hirer or lessee to deduct input tax on charges for hire or lease of a business passenger car where the car is used for private purposes and not to treat as supplies of services for consideration the private use of a business car hired or leased by a taxable person. The derogation removes the need for the hirer or lessee to keep records of private mileage travelled in business cars and to account for tax on the actual mileage of each car and it is therefore a simplification; the derogation in question applies until 31 December 2003, when it expires.

- (4) Decision 97/375/EC authorises the United Kingdom to operate a special optional scheme in which tax is accounted for on the basis of the cash paid and received (cash accounting) by enterprises with a turnover limit set at 600 000 GBP; the scheme is a simplification for small and medium enterprises and applies until 31 December 2003, when it expires.

- (5) The matters of law and of fact which justified the application of the special measures in question have not been changed and still pertain. However, the measures authorised under Decision 98/198/EC allowing the United Kingdom to restrict to 50 % the right of the hirer or lessee to deduct input tax on charges for hire or lease of a business passenger car where the car is used for private purposes and not to treat as supplies of services for consideration the private use of a business car hired or leased by a taxable person, might be affected by a preliminary ruling (Case C-17/01), which the Court has yet to deliver. Subject of this Court proceeding is the practice to limit to 50 % the right to deduct the VAT charged on all expenditure relating to vehicles (purchase, hire, running costs). The outcome of this preliminary ruling might therefore be of a considerable importance for the question whether such measures could be authorised in future under Article 27 of the Sixth Directive 77/388/EEC. The requested increase of the turnover limit for the simplified cash accounting in Decision 97/375/EC from 600 000 GBP to 660 000 GBP, is in line with inflation.

- (6) The authorisation granted by Decisions 98/23/EC and 97/375/EC should therefore be extended until 31 December 2006. The prolongation of the authorisation granted by Decision 98/198/EC should be extended until 31 December 2004. This maximum period will allow the derogation to be evaluated in the light of the ruling on Case C-17/01. The requested increase of the turnover limit to 660 000 GBP corresponds to inflation and should therefore be authorised.

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2003/92/EC (OJ L 260, 11.10.2003, p. 8).

⁽²⁾ OJ L 351, 2.12.1992, p. 34.

⁽³⁾ OJ L 159, 11.7.1995, p. 19.

⁽⁴⁾ OJ L 158, 17.6.1997, p. 43. Decision as last amended by Decision 2000/435/EC (OJ L 172, 12.7.2000, p. 24).

⁽⁵⁾ OJ L 8, 14.1.1998, p. 24. Decision as amended by Decision 2000/435/EC.

⁽⁶⁾ OJ L 76, 13.3.1998, p. 31. Decision as last amended by Decision 2000/747/EC (OJ L 302, 1.12.2000, p. 63).

- (7) The derogation in question has no impact on the European Communities' own resources from valued added tax.
- (8) Given the urgency of the matter, in order to avoid a legal gap, it is imperative to grant an exception to the six-week period mentioned in point I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

turnover not higher than GBP 660 000 must postpone the right of deduction of tax until it has been paid to the supplier.'

Article 2

In Article 1 of Decision 98/23/EC, the date 31 December 2003 shall be replaced by 31 December 2006.

In Article 3 of Decision 98/198/EC, the date 31 December 2003 shall be replaced by 31 December 2004.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 97/375/EC shall be replaced by the following:

'Article 1

By way of derogation from the provisions of Article 17(1) of Sixth Directive 77/388/EEC, the United Kingdom is hereby authorised, until 31 December 2006, to provide, within an optional scheme, that enterprises with an annual

Done at Brussels, 22 December 2003.

For the Council
The President
A. MATTEOLI

COUNCIL DECISION
of 22 December 2003
on the appointment of the Special Coordinator of the Stability Pact for South-Eastern Europe
(2003/910/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR) and the Stability Pact for South-Eastern Europe (SP) ⁽¹⁾, and in particular Article 1a thereof,

Dr Erhard BUSEK is hereby appointed Special Coordinator of the Stability Pact for South-Eastern Europe.

Article 2

Having regard to the proposal from the Commission,

The Special Coordinator shall carry out the functions provided for in point 13 of the Stability Pact document of 10 June 1999.

Whereas:

Article 3

- (1) On 10 June 1999 the Foreign Ministers of the Member States of the European Union and the European Commission, together with the other participants in the Stability Pact for South-Eastern Europe agreed to establish a Stability Pact for South-Eastern Europe, hereinafter called the 'Stability Pact'.
- (2) Council Joint Action 2002/964/CFSP of 10 December 2002 amending and extending the mandate of the Special Representative of the European Union to act as Special Coordinator of the Stability Pact for South-Eastern Europe ⁽²⁾, is due to expire on 31 December 2003.
- (3) Article 1a of Regulation (EC) No 1080/2000 provides for a procedure for the appointment of the Special Coordinator of the Stability Pact as from 1 January 2004.
- (4) It is necessary to establish, together with the appointment, a mandate for the Special Coordinator. The mandate laid down in Joint Action 2002/964/CFSP for the Special Representative is suitable to apply to the Special Coordinator.
- (5) It is appropriate to lay down clear lines of responsibility as well as guidance on coordination and reporting,

In order to achieve the objective referred to in Article 2, the mandate of the Special Coordinator shall be to:

- (a) promote achievement of the Stability Pact's objectives within, and between, the individual countries, where the Stability Pact proves to have an added value;
- (b) chair the South-Eastern Europe Regional Table;
- (c) maintain close contact with all participants and facilitating States, organisations and institutions of the Stability Pact, as well as relevant regional initiatives and organisations, with a view to fostering regional cooperation and enhancing regional ownership;
- (d) cooperate closely with all institutions of the European Union and its Member States in order to promote the role of the European Union in the Stability Pact in accordance with points 18, 19, and 20 of the Stability Pact document and to ensure complementarity between the work of the Stability Pact and the Stabilisation and Association Process;
- (e) meet periodically and collectively as appropriate with the Chairs of the Working Tables to ensure strategic overall coordination and provide the secretariat of the South-Eastern Europe Regional Table and its instruments;
- (f) work on the basis of a list, agreed in advance and in consultation with the participants of the Stability Pact, of priority actions for the Stability Pact to implement during the course of 2004, and keep the working methods and structures of the Stability Pact under review, ensuring consistency and efficient use of resources.

⁽¹⁾ OJ L 122, 24.5.2000, p. 27. Regulation as amended by Regulation (EC) 2098/2003 (OJ L 316, 29.11.2003, p. 1).

⁽²⁾ OJ L 334, 11.12.2002, p. 9. Joint Action as extended by Joint Action 2003/449/CFSP (OJ L 150, 18.6.2003, p. 74).

Article 4

The Special Coordinator shall conclude a financing agreement with the Commission.

Article 5

The activities of the Special Coordinator shall be coordinated with those of the Secretary-General of the Council/High Representative for the CFSP, the Presidency of the Council and the Commission, notably in the framework of the Informal Consultative Committee. In the field, close liaison shall be maintained with the Presidency of the Council, the Commission, the Member States' Heads of Mission, the Special Representatives of the European Union, as well as with the Office of the High Representative in Bosnia and Herzegovina and with the United Nations Civil Administration in Kosovo.

Article 6

The Special Coordinator shall report, as appropriate, to the Council and the Commission. He will continue to inform the European Parliament regularly about his activities.

Article 7

This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2004 until 31 December 2004.

Done at Brussels, 22 December 2003.

For the Council

The President

A. MATTEOLI

COUNCIL DECISION

of 22 December 2003

establishing a Community action programme for bodies promoting reciprocal understanding of relations between the European Union and certain regions in the world

(2003/911/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Community maintains relations with certain countries and regions, in particular by providing substantial assistance under the ALA ⁽²⁾, MEDA ⁽³⁾, TACIS ⁽⁴⁾ and CARDS ⁽⁵⁾ Regulations.
- (2) The European Council has, on at least two occasions ⁽⁶⁾, underlined the importance it attaches to relations between the European Union and its partners.
- (3) Special attention should be given to the regional dimension of Community assistance, taking account of the divergence of needs and priorities among the main regions covered by the aforementioned Regulations and stepping up regional cooperation in a balanced and coordinated manner.
- (4) Increased reciprocal knowledge and understanding between the European Union and partners receiving assistance from it should be promoted.
- (5) Strengthening reciprocal knowledge and understanding between the European Union and its partners will be assisted by the work of bodies specialising in the analysis of relations between the European Union and the regions concerned.
- (6) Several budget lines are designed to support institutes, bodies or networks with a view to reinforcing relations between the European Union and other regions in the world.

(7) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁷⁾ (hereinafter referred to as the 'Financial Regulation') requires a legal basis to be established for existing support actions.

(8) The geographical scope of the programme which is the subject of this Decision should be extended to all the regions covered by the ALA, MEDA, TACIS and CARDS Regulations and to the candidate countries.

(9) The operations covered by this Decision are not cooperation measures falling directly under the policies of development cooperation or cooperation with other third countries and yet are necessary to achieve one of the Community's objectives.

(10) A financial reference amount, within the meaning of point 34 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽⁸⁾, is inserted in this Decision for the entire duration of the programme, without the powers of the budgetary authority as defined by the Treaty being affected thereby.

(11) For the adoption of this Decision, the Treaty does not provide powers of action other than those laid down in Article 308 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

Objective of the programme

1. A Community action programme is hereby established for the promotion of centres, institutes and networks specialising in the analysis of relations between the European Union and certain regions.

⁽¹⁾ Opinion delivered on 20 November 2003 (not yet published in the Official Journal).

⁽²⁾ Regulation (EEC) No 443/92 (OJ L 52, 27.2.1992, p. 1).

⁽³⁾ Regulation (EC) No 1488/96 (OJ L 189, 30.7.1996, p. 1).

⁽⁴⁾ Regulation (EC, Euratom) No 99/2000 (OJ L 12, 18.1.2000, p. 1).

⁽⁵⁾ Regulation (EC) No 2666/2000 (OJ L 306, 7.12.2000, p. 1).

⁽⁶⁾ Cannes European Council, 26-27 June 1995 and Lisbon European Council, 23-24 March 2000.

⁽⁷⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁸⁾ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC of the European Parliament and of the Council (OJ L 147, 14.6.2003, p. 25).

2. The general objective of this programme shall be to increase understanding and dialogue between the European Union and the regions covered by the ALA, MEDA, TACIS and CARDS Regulations and the candidate countries through support to the activities of the bodies mentioned in paragraph 1. The activities shall consist of the annual work programme of a centre, institute or network and shall be in keeping with those described in the Annex. The activities supported must contribute to increasing understanding and dialogue between the European Union and the regions covered by the ALA, MEDA, TACIS and CARDS Regulations and the candidate countries.

Article 2

Access to the programme

1. To qualify for a grant, an applicant body must comply with the provisions laid down in the Annex and meet the following requirements:

- it shall be an independent and non-profit making legal entity active chiefly in promoting understanding of relations between the European Union and the regions concerned, with an objective that serves the public good;
- it shall have been legally established for more than two years and have had its accounts for the preceding two years certified by a registered auditor;
- its activities shall be in keeping with the principles underlying Community external relations action and take account of the priority areas identified in point 4 of the Annex.

2. For a body pursuing an objective in keeping with European Union external relations policy to qualify for an operating grant under its annual work programme, it shall also be active at a European level or in the region concerned and its structure and activities must have potential at the level of the European Union and/or these regions.

Article 3

Participation

Participation in the programme shall be open to bodies, institutes and networks established in:

- (a) the Member States;
- (b) countries whose accession to the European Union in 2004 was approved at the 2002 Copenhagen Summit;
- (c) Bulgaria, Romania and Turkey;
- (d) countries or regions covered by the ALA, MEDA, TACIS or CARDS Regulations.

Article 4

Selection of beneficiaries

1. The Commission shall implement the Community action programme in accordance with the Financial Regulation.

2. The award of an operating grant on the basis of the annual work programme of a body shall comply with the general criteria laid down in the Annex.

3. Bodies entitled to receive such operating grants shall be selected following a call for proposals covering the full duration of the programme, with a view to establishing a partnership between these bodies and the European Union.

On the basis of the call for proposals, the Commission shall adopt the list of recipients and the amounts approved in accordance with Article 116 of the Financial Regulation.

Article 5

Award of the grant

1. The operating grants awarded under this programme may not finance the body's entire eligible expenditure for the calendar year for which the grant is awarded.

2. The amount of an operating grant awarded may not exceed 70 % of the organisation's eligible expenditure for the calendar year for which the grant is awarded.

3. Pursuant to Article 113(2) of the Financial Regulation, where such operating grants are renewed, they shall be gradually decreased. If a grant is awarded to a body which received an operating grant the preceding year, the percentage of Community cofinancing represented by the new grant shall be at least 10 percentage points lower than the Community cofinancing percentage represented by the grant in the preceding year.

Article 6

Financial provisions

1. This programme shall start on 1 January 2004 and end on 31 December 2006.

2. The financial reference amount for the implementation of the programme for the period referred to in paragraph 1 shall be EUR 4,1 million.

3. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.

*Article 7***Monitoring and evaluation**

By 31 December 2005 the Commission shall report to the Council on the achievement of the objectives of the programme. The report shall be based on the results obtained by the beneficiaries and shall assess, in particular, their relevance, effectiveness and usefulness in achieving the objectives defined in Article 1 and the Annex.

*Article 8***Transitional provisions**

The principle of the gradual decrease of the rate of Community cofinancing provided for in Article 5 in the case of renewal of an operating grant to bodies having received such a grant for the same activities the year before this Decision enters into force and for the two preceding years shall apply only from the

third year following the entry into force of this Decision provided that these bodies have fully satisfied all requirements regarding sound management.

*Article 9***Entry into force**

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

Done at Brussels, 22 December 2003.

For the Council

The President

A. MATTEOLI

ANNEX

1. Activities supported

The activities of bodies that may help to reinforce and increase the effectiveness of Community action shall include the following:

- study and analysis of the policies of the European Union and of the region targeted by the call for proposal,
- production of discussion documents,
- round tables,
- thematic seminars,
- various publications.

2. Implementation of activities supported

- 2.1. The activities covered by this programme shall be carried out by a body whose objective is to increase understanding and reciprocal knowledge between the European Union and the regions covered by the ALA, MEDA, TACIS or CARDS Regulations.
- 2.2. The programme shall apply to all non-profit making bodies, institutes or networks active in the countries and/or regions covered in Article 2 of the Decision that promote principles and policies forming part of the objectives of the Treaties.
- 2.3. An annual operating grant may be awarded to support the implementation of such a body's annual work programme.

3. Selection of beneficiaries

Bodies entitled to receive an operating grant shall be selected on the basis of calls for proposals, as provided for in the Financial Regulation. These calls for proposals will be launched at the beginning of this programme in order to select the partners with which the European Union will implement it.

4. Characteristics of grant applications on which assessment is based

Grant applications shall be assessed on the basis of:

- their complementarity with the objectives of the programme,
- the quality of the activities,
- prior experience in the field,
- the existence of well established information sources and contacts in the regions concerned and the European Union,
- the proportionality of the costs and benefits of the activity proposed,
- the geographic scope of the activities.

The exact characteristics and criteria for awarding the grants shall be specified in the calls for proposals.

5. Eligible expenditure

- 5.1. The only costs to be taken into account in determining the operating grant shall be those necessary for the proper conduct of the normal activities of the body selected, in particular personnel costs, overheads (such as rental and property charges, equipment, office supplies, telecommunications and postal charges), costs of internal meetings, publication, information and dissemination costs.
- 5.2. The bodies concerned receive budget cofinancing from sources other than Community sources. Such cofinancing may be partly contributed in kind, provided the contribution is valued at no more than the cost actually incurred and evidenced by accounting documents or the cost generally obtaining on the market in question and with the exception of contributions in kind in the form of real estate.

6. Checks and Audits

- 6.1. The beneficiary of an operating grant shall keep available for the Commission all the supporting documents, including the audited financial statement, regarding expenditure incurred during the grant year, for a period of five years following the last payment. The beneficiary of a grant shall ensure that, where applicable, supporting documents in the possession of partners or members are made available to the Commission.
 - 6.2. The Commission may have an audit of the use made of the grant carried out either directly by its own staff or by any other qualified outside body of its choice. Such audits may be carried out throughout the lifetime of the agreement and for a period of five years from the date of payment of the balance. Where appropriate, the audit findings may lead to recovery decisions by the Commission.
 - 6.3. Commission staff and outside personnel authorised by the Commission shall have appropriate right of access to sites and premises where the action is carried out and to all the information, including information in electronic format, needed in order to conduct such audits.
 - 6.4. The Court of Auditors and the European Anti-Fraud Office (OLAF) shall enjoy the same rights, especially of access, as the Commission.
 - 6.5. In order to protect the European Community's financial interests against fraud and other irregularities, the Commission may also carry out on-the-spot checks and inspections under this programme in accordance with Council Regulation (Euratom, EC) No 2185/96 ⁽¹⁾. Where necessary, investigations shall be conducted by the European Anti-Fraud Office (OLAF) and shall be governed by European Parliament and Council Regulation (EC) No 1073/1999 ⁽²⁾.
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⁽¹⁾ OJ L 292, 15.11.1996, p. 2.

⁽²⁾ OJ L 136, 31.5.1999, p. 1.

CORRIGENDA

Corrigendum to Commission Directive 2002/79/EC of 2 October 2002 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards the fixing of maximum levels for certain pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables

(Official Journal of the European Communities L 291 of 28 October 2002)

On page 14, against the entry '(iii)(b) Cucurbits — edible peel', in the column headed 'Abamectin ...':

for: '0,02 (*)',

read: '0,01 (*)'.
