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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 117/2003
of 23 January 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 24 January 2003.

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

Done at Brussels, 23 January 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 23 January 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	100,6
	204	51,8
	212	102,0
	999	84,8
0707 00 05	052	122,6
	628	151,4
	999	137,0
0709 10 00	220	137,7
	999	137,7
0709 90 70	052	138,6
	204	178,3
	999	158,4
0805 10 10, 0805 10 30, 0805 10 50	052	44,8
	204	47,2
	212	43,2
	220	43,7
	600	73,2
	624	80,1
	999	55,4
0805 20 10	204	74,7
	999	74,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,0
	204	51,0
	220	83,4
	464	138,3
	600	47,1
	624	81,6
	999	77,6
0805 50 10	052	64,8
	600	70,5
	999	67,7
0808 10 20, 0808 10 50, 0808 10 90	052	131,9
	066	35,6
	400	84,4
	404	100,9
	720	74,2
	999	85,4
0808 20 50	388	87,3
	400	111,9
	720	50,1
	999	83,1

⁽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 118/2003

of 23 January 2003

fixing the export refunds on beef and veal and amending Regulations (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds and (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 33(12) thereof,

Whereas:

- (1) Article 33 of Regulation (EC) No 1254/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EEC) No 32/82 ⁽³⁾, as last amended by Regulation (EC) No 744/2000 ⁽⁴⁾, Regulation (EEC) No 1964/82 ⁽⁵⁾, as last amended by Regulation (EC) No 2772/2000 ⁽⁶⁾, and Regulation (EEC) No 2388/84 ⁽⁷⁾, as last amended by Regulation (EEC) No 3661/92 ⁽⁸⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products.
- (3) It follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below.
- (4) With regard to live animals, for reasons of simplification export refunds should no longer be granted for categories with insignificant trade with third countries. Moreover, in light of the general concern of animal welfare, export refunds for live animals for slaughter should be limited as much as possible. Consequently, export refunds for such animals should only be granted for third countries which for cultural and/or religious reasons traditionally import substantial numbers of animals for domestic slaughter. As to live animals for reproduction, in order to prevent any abuse export refunds for pure-bred breeding animals should be limited to heifers and cows of no more than 30 months of age.
- (5) Export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10.
- (6) In view of the wide differences in products covered by CN codes 0201 20 90 9700 and 0202 20 90 9100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third.
- (7) In the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland. To allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States.
- (8) In the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community presence of international trade may be maintained by granting a refund corresponding to that at present available.
- (9) In the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant.
- (10) Commission Regulation (EEC) No 3846/87 ⁽⁹⁾, as last amended by Regulation (EC) No 2319/2002 ⁽¹⁰⁾, establishes the agricultural product nomenclature for the purposes of export refunds. Following the introduction of refunds for pure-bred breeding female animals of maximum 30 months of age, the product nomenclature referred to above should be modified.
- (11) In order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought into line with those on fresh or chilled cuts other than those from adult male bovine animals.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 4, 8.1.1982, p. 11.

⁽⁴⁾ OJ L 89, 11.4.2000, p. 3.

⁽⁵⁾ OJ L 212, 21.7.1982, p. 48.

⁽⁶⁾ OJ L 321, 19.12.2000, p. 35.

⁽⁷⁾ OJ L 221, 18.8.1984, p. 28.

⁽⁸⁾ OJ L 370, 19.12.1992, p. 16.

⁽⁹⁾ OJ L 366, 24.12.1987, p. 1.

⁽¹⁰⁾ OJ L 354, 30.12.2002, p. 1.

- (12) Checks on products covered by CN code 1602 50 should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 2026/83 ⁽²⁾.
- (13) Refunds should be granted only on products that are allowed to move freely in the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC ⁽³⁾, as last amended by Directive 95/23/EC ⁽⁴⁾, Council Directive 94/65/EC ⁽⁵⁾ and Council Directive 77/99/EEC ⁽⁶⁾, as last amended by Directive 97/76/EC ⁽⁷⁾, respectively.
- (14) Under Article 6(2) of Regulation (EEC) No 1964/82, the special refund is to be reduced if the quantity of boned meat to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning.
- (15) The negotiations on the adoption of additional concessions, held within the framework of the Europe Agreements between the European Community and the associated Central and Eastern European Countries, aim in particular to liberalise trade in products covered by the common organisation of the market in beef and veal. On this background, Romania should be removed from the list of destinations giving rise to the grant of a refund. The abolition of refunds may not, however, lead to the creation of a differentiated refund for exports to other countries.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which export refunds as referred to in Article 33 of Regulation (EC) No 1254/1999 are granted and the amount thereof and the destinations shall be as set out in Annex I to this Regulation.
2. The products must meet the relevant health marking requirements of:
 - Chapter XI of Annex I to Directive 64/433/EEC,
 - Chapter VI of Annex I to Directive 94/65/EC,
 - Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

In the case referred to in the third subparagraph of Article 6(2) of Regulation (EEC) No 1964/82 the rate of the refund on products falling within product CN code 0201 30 00 9100 shall be reduced by EUR 14,00/100 kg.

Article 3

The fact that no refund has been fixed for exports to Estonia, Lithuania, Latvia, Hungary and Romania shall not be considered to mean that there is a differentiated refund.

Article 4

1. Section 5 of the Annex to Regulation (EEC) No 3846/87 is replaced by Annex II to this Regulation.
2. Annex III to Regulation (EC) No 1445/95 is replaced by Annex III to this Regulation.

Article 5

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

It shall apply to export licences applied for from 3 February 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 62, 7.3.1980, p. 5.

⁽²⁾ OJ L 199, 22.7.1983, p. 12.

⁽³⁾ OJ L 121, 29.7.1964, p. 2012.

⁽⁴⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁵⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁶⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁷⁾ OJ L 10, 16.11.1998, p. 25.

ANNEX I

to the Commission Regulation of 23 January 2003 fixing export refunds on beef

Product code	Destination	Unit of measurement	Refunds (°)
0102 10 10 9140	B00	EUR/100 kg live weight	53,00
0102 10 30 9140	B00	EUR/100 kg live weight	53,00
0102 90 71 9000	B11	EUR/100 kg live weight	41,00
0201 10 00 9110 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 10 00 9120	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 10 00 9130 ⁽¹⁾	B02	EUR/100 kg net weight	97,00
	B03	EUR/100 kg net weight	56,50
	039	EUR/100 kg net weight	33,50
0201 10 00 9140	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0201 20 20 9110 ⁽¹⁾	B02	EUR/100 kg net weight	97,00
	B03	EUR/100 kg net weight	56,50
	039	EUR/100 kg net weight	33,50
0201 20 20 9120	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0201 20 30 9110 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 20 30 9120	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 20 50 9110 ⁽¹⁾	B02	EUR/100 kg net weight	123,00
	B03	EUR/100 kg net weight	71,50
	039	EUR/100 kg net weight	41,00
0201 20 50 9120	B02	EUR/100 kg net weight	58,50
	B03	EUR/100 kg net weight	17,50
	039	EUR/100 kg net weight	19,50
0201 20 50 9130 ⁽¹⁾	B02	EUR/100 kg net weight	71,50
	B03	EUR/100 kg net weight	43,00
	039	EUR/100 kg net weight	23,50
0201 20 50 9140	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 20 90 9700	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0201 30 00 9050	400 ⁽³⁾	EUR/100 kg net weight	23,50
	404 ⁽⁴⁾	EUR/100 kg net weight	23,50

Product code	Destination	Unit of measurement	Refunds (°)
0201 30 00 9060 (°)	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0201 30 00 9100 (°) (°)	B08, B09	EUR/100 kg net weight	172,00
	B03	EUR/100 kg net weight	102,00
	039	EUR/100 kg net weight	60,00
	809, 822	EUR/100 kg net weight	152,50
	220	EUR/100 kg net weight	205,00
0201 30 00 9120 (°) (°)	B08	EUR/100 kg net weight	94,50
	B09	EUR/100 kg net weight	88,00
	B03	EUR/100 kg net weight	56,50
	039	EUR/100 kg net weight	33,00
	809, 822	EUR/100 kg net weight	83,50
	220	EUR/100 kg net weight	123,00
0202 10 00 9100	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0202 10 00 9900	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0202 20 10 9000	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	14,00
	039	EUR/100 kg net weight	16,00
0202 20 30 9000	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0202 20 50 9100	B02	EUR/100 kg net weight	58,50
	B03	EUR/100 kg net weight	17,50
	039	EUR/100 kg net weight	19,50
0202 20 50 9900	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0202 20 90 9100	B02	EUR/100 kg net weight	33,50
	B03	EUR/100 kg net weight	10,00
	039	EUR/100 kg net weight	11,50
0202 30 90 9100	400 (°)	EUR/100 kg net weight	23,50
	404 (°)	EUR/100 kg net weight	23,50
0202 30 90 9200 (°)	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0206 10 95 9000	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00
0206 29 91 9000	B02	EUR/100 kg net weight	46,00
	B03	EUR/100 kg net weight	13,00
	039	EUR/100 kg net weight	15,00
	809, 822	EUR/100 kg net weight	37,00

Product code	Destination	Unit of measurement	Refunds (°)
0210 20 90 9100	039	EUR/100 kg net weight	23,00
1602 50 10 9170 ⁽⁸⁾	B02	EUR/100 kg net weight	22,50
	B03	EUR/100 kg net weight	15,00
	039	EUR/100 kg net weight	17,50
1602 50 31 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	88,50
1602 50 31 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	79,00
1602 50 39 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	88,50
1602 50 39 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	79,00
1602 50 39 9425 ⁽⁵⁾	B00	EUR/100 kg net weight	30,00
1602 50 39 9525 ⁽⁵⁾	B00	EUR/100 kg net weight	30,00
1602 50 80 9535 ⁽⁸⁾	B00	EUR/100 kg net weight	17,50

⁽¹⁾ Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

⁽²⁾ The refund is granted subject to compliance with the conditions laid down in amended Regulation (EEC) No 1964/82.

⁽³⁾ Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ L 336, 29.12.1979, p. 44).

⁽⁴⁾ Carried out in accordance with amended Commission Regulation (EC) No 2051/96 (OJ L 274, 26.10.1996, p. 18).

⁽⁵⁾ OJ L 221, 18.8.1984, p. 28.

⁽⁶⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39).

The term 'average content' refers to the sample quantity as defined in Article 2(1) of Regulation (EC) No 765/2002 (OJ L 117, 4.5.2002, p. 6). The sample is to be taken from that part of the consignment presenting the highest risk.

⁽⁷⁾ Article 33(10) of amended Regulation (EC) No 1254/1999 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

⁽⁸⁾ The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Council Regulation (EEC) No 565/80.

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

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

The other destinations are defined as follows:

B00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Estonia, Lithuania, Latvia, Hungary and Romania.

B02: B08, B09 and destination 220.

B03: Ceuta, Melilla, Iceland, Norway, Faroe Islands, Andorra, Gibraltar, Vatican City, Poland, Czech Republic, Slovakia, Bulgaria, Albania, Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia, Former Yugoslav Republic of Macedonia, the communes of Livigno and Campione d'Italia, Helgoland, Greenland, Cyprus, stores and provisions (destinations referred to in Articles 36 and 45, and if appropriate in Article 44, of Commission Regulation (EC) No 800/1999, as amended (OJ L 102, 17.4.1999, p. 11)).

B08: Malta, Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Morocco, Algeria, Tunisia, Libya, Lebanon, Syria, Iraq, Iran, Israel, West Bank/Gaza Strip, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Oman, Yemen, Pakistan, Sri Lanka, Myanmar (Burma), Thailand, Vietnam, Indonesia, Philippines, China, North Korea, Hong Kong.

B09: Sudan, Mauritania, Mali, Burkina Faso, Niger, Chad, Cape Verde, Senegal, Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroon, Central African Republic, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Congo (Democratic Republic), Rwanda, Burundi, Saint Helena and dependencies, Angola, Ethiopia, Eritrea, Djibouti, Somalia, Uganda, Tanzania, Seychelles and dependencies, British Indian Ocean Territory, Mozambique, Mauritius, Comoros, Mayotte, Zambia, Malawi, South Africa, Lesotho.

B11: Lebanon and Egypt.

ANNEX II

CN code	Description of goods	Product code
ex 0102	Live bovine animals:	
ex 0102 10	– Pure-bred breeding animals:	
ex 0102 10 10	– – Heifers (female bovines that have never calved):	
	– – – With a live weight equal to or greater than 250 kg:	
	– – – – Up to the age of 30 months	0102 10 10 9140
	– – – – Other	0102 10 10 9150
ex 0102 10 30	– – Cows:	
	– – – With a live weight equal to or greater than 250 kg:	
	– – – – Up to the age of 30 months	0102 10 30 9140
	– – – – Other	0102 10 30 9150
ex 0102 10 90	– – Other:	
	– – – With a live weight equal to or greater than 300 kg	0102 10 90 9120
ex 0102 90	– Other:	
	– – Domestic species:	
	– – – Of a weight exceeding 160 kg but not exceeding 300 kg:	
ex 0102 90 41	– – – – For slaughter:	
	– – – – – Of a weight exceeding 220 kg	0102 90 41 9100
	– – – – Of a weight exceeding 300 kg:	
	– – – – – Heifers (female bovines that have never calved):	
0102 90 51	– – – – – For slaughter	0102 90 51 9000
0102 90 59	– – – – – Other	0102 90 59 9000
	– – – – Cows:	
0102 90 61	– – – – – For slaughter	0102 90 61 9000
0102 90 69	– – – – – Other	0102 90 69 9000
	– – – – Other:	
0102 90 71	– – – – – For slaughter	0102 90 71 9000
0102 90 79	– – – – – Other	0102 90 79 9000
0201	Meat of bovine animals, fresh and chilled:	
0201 10 00	– Carcases and half-carcases:	
	– – The front part of a carcase or of a half-carcase comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs:	
	– – – From male adult bovine animals ⁽¹⁾	0201 10 00 9110
	– – – Other	0201 10 00 9120
	– – Other:	
	– – – From male adult bovine animals ⁽¹⁾	0201 10 00 9130
	– – – Other	0201 10 00 9140

CN code	Description of goods	Product code
0201 20	– Other cuts with bone in:	
0201 20 20	– – ‘Compensated’ quarters:	
	– – – From male adult bovine animals ⁽¹⁾	0201 20 20 9110
	– – – Other	0201 20 20 9120
0201 20 30	– – Unseparated or separated forequarters:	
	– – – From male adult bovine animals ⁽¹⁾	0201 20 30 9110
	– – – Other	0201 20 30 9120
0201 20 50	– – Unseparated or separated hindquarters:	
	– – – With a maximum of eight ribs or eight pairs of ribs:	
	– – – – From male adult bovine animals ⁽¹⁾	0201 20 50 9110
	– – – – Other	0201 20 50 9120
	– – – With more than eight ribs or eight pairs of ribs:	
	– – – – From male adult bovine animals ⁽¹⁾	0201 20 50 9130
	– – – – Other	0201 20 50 9140
ex 0201 20 90	– – Other:	
	– – – The weight of bone not exceeding one third of the weight of the cut	0201 20 90 9700
ex 0201 30 00	– Boneless:	
	– – Boneless cuts exported to the United States of America under the conditions laid down in Commission Regulation (EEC) No 2973/79 ⁽³⁾ or to Canada under the conditions laid down in Regulation (EC) No 2051/96 ⁽⁴⁾	0201 30 00 9050
	– – Boneless cuts, including minced meat, with an average lean bovine meat content (excluding fat) of 78 % or more ⁽⁶⁾	0201 30 00 9060
	– – Other, each piece individually wrapped with an average lean bovine meat content (excluding fat) of 55 % or more ⁽⁶⁾ :	
	– – – from the hindquarters of adult male bovine animals with a maximum of eight ribs or eight pairs of ribs, straight out or ‘Pistola’ cut ⁽²⁾	0201 30 00 9100
	– – – from unseparated or separated forequarters of adult male bovine animals, straight cut or ‘Pistola’ cut ⁽²⁾	0201 30 00 9120
	– – Other	0201 30 00 9140
ex 0202	Meat of bovine animals, frozen:	
0202 10 00	– Carcasses and half-carcasses:	
	– – The front part of a carcase or of a half-carcase comprising all the bones and the scrag, neck and shoulder but with more than 10 ribs	0202 10 00 9100
	– – Other	0202 10 00 9900

CN code	Description of goods	Product code
ex 0202 20	– Other cuts, with bone in:	
0202 20 10	-- ‘Compensated’ quarters	0202 20 10 9000
0202 20 30	-- Unseparated or separated forequarters	0202 20 30 9000
0202 20 50	-- Unseparated or separated hindquarters:	
	--- With a maximum of eight ribs or eight pairs of ribs	0202 20 50 9100
	--- With more than eight ribs or eight pairs of ribs	0202 20 50 9900
ex 0202 20 90	-- Other:	
	--- The weight of bone not exceeding one third of the weight of the cut	0202 20 90 9100
0202 30	– Boneless:	
0202 30 90	-- Other:	
	--- Boneless cuts exported to the United States of America under the conditions laid down in Regulation (EEC) No 2973/79 ⁽³⁾ or to Canada under the conditions laid down in Regulation (EC) No 2051/96 ⁽⁴⁾	0202 30 90 9100
	--- Other, including minced meat, with an average lean bovine meat content (excluding fat) of 78 % or more ⁽⁶⁾	0202 30 90 9200
	--- Other	0202 30 90 9900
0206	Edible offal of bovine animals, swine, goats, horses, asses, mules or hinnies, fresh, chilled or frozen:	
0206 10	– Of bovine animals, fresh and chilled:	
	-- Other:	
0206 10 95	--- Thick skirt and thin skirt	0206 10 95 9000
	– Of bovine animals, frozen:	
0206 29	-- Other:	
	--- Other:	
0206 29 91	---- Thick skirt and thin skirt	0206 29 91 9000
ex 0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:	
ex 0210 20	– Meat of bovine animals:	
ex 0210 20 90	-- Boneless:	
	--- Salted and dried	0210 20 90 9100
ex 1602	Other prepared or preserved meat, meat offal or blood:	
ex 1602 50	– Of bovine animals:	
ex 1602 50 10	-- Uncooked; mixtures of cooked meat or offal and uncooked meat or offal:	
	--- Uncooked; not containing meat other than that of animals of the bovine species:	
	---- Containing by weight the following percentages of bovine meats (excluding offal and fat):	
	----- Manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80 ⁽⁷⁾ :	
	----- 40 % or more	1602 50 10 9170
	-- Other:	

CN code	Description of goods	Product code
ex 1602 50 31	--- In hermetically sealed containers: ---- 'Corned beef'; not containing meat other than that of the bovine species: ----- With a collagen/protein ratio of no more than 0,35 ⁽⁸⁾ and containing by weight the following percentages of bovine meats (excluding offal and fat): ----- 90 % or more: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾ ----- 80 % or more, but less than 90 %: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾	1602 50 31 9125 1602 50 31 9325
ex 1602 50 39	---- Other: ----- Not containing meat other than that of animals of the bovine species: ----- With a collagen/protein ratio of no more than 0,35 ⁽⁸⁾ and containing by weight the following percentages of bovine meats (excluding offal and fat): ----- 90 % or more: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾ ----- 80 % or more, but less than 90 %: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾ ----- 60 % or more, but less than 80 %: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾ ----- With a collagen/protein ratio of more than 0,35 but no more than 0,45 ⁽⁸⁾ and containing by weight the following percentages of bovine meat (excluding offal and fat): ----- 60 % or more: ----- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 ⁽⁵⁾	1602 50 39 9125 1602 50 39 9325 1602 50 39 9425 1602 50 39 9525
ex 1602 50 80	---- Other: ----- Not containing meat other than that of animals of the bovine species: ----- With a collagen/protein ratio of no more than 0,45 ⁽⁸⁾ and containing by weight the following percentages of bovine meat (excluding offal and fat): ----- 40 % or more: ----- Manufactured under the arrangements provided for in Article 4 of Regulation (EEC) No 565/80 ⁽⁷⁾	1602 50 80 9535

⁽¹⁾ Entry within this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82 (OJ L 4, 8.1.1982, p. 11), as last amended by Regulation (EC) No 2326/97 (OJ L 323, 26.11.1997, p. 1).

⁽²⁾ OJ L 336, 29.12.1979, p. 44.

⁽³⁾ OJ L 274, 26.10.1996, p. 18.

⁽⁴⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39). The term 'average content' refers to the sample quantity as defined in Article 2(1) of Regulation (EC) No 2457/97 (OJ L 340, 11.12.1997, p. 29). The sample is to be taken from that part of the consignment presenting the highest risk.

⁽⁵⁾ The granting of the refund is subject to compliance with the conditions laid down in Commission Regulation (EEC) No 1964/82 (OJ L 212, 21.7.1982, p. 48), as last amended by Regulation (EC) No 2772/2000 (OJ L 321, 19.12.2000, p. 35).

⁽⁶⁾ OJ L 62, 7.3.1980, p. 5.

⁽⁷⁾ Determination of collagen content:

The collagen content shall be taken to mean the hydrosyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

⁽⁸⁾ OJ L 221, 18.8.1984, p. 28.

NB: Article 33 of Council Regulation (EC) No 1254/1999 (OJ L 160, 26.6.1999, p. 21) provides that no export refunds are to be granted on products imported from third countries and re-exported to third countries.

ANNEX III

‘ANNEX III

List indicated in Article 8(4)

Category	Product code
011	0102 10 10 9140 and 0102 10 30 9140
021	0102 10 10 9150, 0102 10 30 9150 and 0102 10 90 9120
031	0102 90 71 9000
041	0102 90 41 9100, 0102 90 51 9000, 0102 90 59 9000, 0102 90 61 9000, 0102 90 69 9000 and 0102 90 79 9000
050	0201 10 00 9110, 0201 20 30 9110 and 0201 20 50 9130
060	0201 10 00 9120, 0201 20 30 9120, 0201 20 50 9140 and 0201 20 90 9700
070	0201 10 00 9130 and 0201 20 20 9110
080	0201 10 00 9140 and 0201 20 20 9120
090	0201 20 50 9110
100	0201 20 50 9120
110	0201 30 00 9050
111	0201 30 00 9060
120	0201 30 00 9100
121	0201 30 00 9120
131	0201 30 00 9140
150	0202 10 00 9100, 0202 20 30 9000, 0202 20 50 9900 and 0202 20 90 9100
160	0202 10 00 9900 and 0202 20 10 9000
170	0202 20 50 9100
180	0202 30 90 9100
200	0202 30 90 9200
210	0202 30 90 9900
220	0206 10 95 9000 and 0206 29 91 9000
230	0210 20 90 9100
280	1602 50 10 9170
320	1602 50 31 9125 and 1602 50 39 9125
350	1602 50 31 9325 and 1602 50 39 9325
380	1602 50 39 9425 and 1602 50 39 9525
490	1602 50 80 9535'

COMMISSION REGULATION (EC) No 119/2003
of 23 January 2003
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, as last amended by Regulation (EC) No 1365/2000⁽²⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for these products within the Community may be covered by an export refund.

(2) It follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below.

(3) In the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market. It is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81.

(4) Because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account. Steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations.

(5) Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements

of certain markets may make it necessary to vary the refund on the products listed in Article 1(1) of Regulation (EEC) No 2759/75 according to destination.

(6) The refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EC) No 1007/2002⁽⁴⁾.

(7) Refunds should be granted only on products that are allowed to circulate freely within the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC⁽⁵⁾, as last amended by Directive 95/23/EC⁽⁶⁾, Council Directive 94/65/EC⁽⁷⁾ and Council Directive 77/99/EEC⁽⁸⁾, as last amended by Directive 97/76/EC⁽⁹⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

The products concerned must comply with the relevant provisions on health marks laid down in:

- Chapter XI of Annex I to Directive 64/433/EEC,
- Chapter VI of Annex I to Directive 94/65/EC,
- Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

This Regulation shall enter into force on 27 January 2003.

⁽³⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁴⁾ OJ L 153, 13.6.2002, p. 8.

⁽⁵⁾ OJ L 121, 29.7.1964, p. 2012/64.

⁽⁶⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁷⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁸⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁹⁾ OJ L 10, 16.1.1998, p. 25.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 23 January 2003 fixing the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P05	EUR/100 kg	61,50
0210 11 31 9910	P05	EUR/100 kg	61,50
0210 19 81 9100	P05	EUR/100 kg	65,00
0210 19 81 9300	P05	EUR/100 kg	51,50
1601 00 91 9120	P05	EUR/100 kg	18,50
1601 00 99 9110	P05	EUR/100 kg	14,00
1602 41 10 9110	P05	EUR/100 kg	27,50
1602 41 10 9130	P05	EUR/100 kg	16,50
1602 42 10 9110	P05	EUR/100 kg	22,00
1602 42 10 9130	P05	EUR/100 kg	16,50
1602 49 19 9130	P05	EUR/100 kg	16,50

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 27.3.2002, p. 1) as amended.

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:

P05 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Bulgaria, Latvia, Estonia, Lithuania.

COMMISSION REGULATION (EC) No 120/2003
of 23 January 2003
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001, laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector⁽¹⁾, as last amended by Regulation (EC) No 2380/2002⁽²⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽³⁾, as last amended by Regulation (EC) No 2585/2001⁽⁴⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 22 January 2003, the quantity still available for the period until 15 March 2003, for destination zones 1: Africa and 3: eastern

Europe, referred to in Article 9(5) of Regulation (EC) No 883/2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 15 to 21 January 2003 should be applied and the submission of applications and the issue of licences suspended for these zones until 16 March 2003,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 15 to 21 January 2003 under Regulation (EC) No 883/2001 shall be issued for 100,00 % of the quantities requested for zone 1: Africa and issued in concurrence with 8,00 % of the quantities requested for zone 3: eastern Europe.

2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 22 January 2003 and the submission of export licence applications from 24 January 2003 for destination zones 1: Africa and 3: eastern Europe shall be suspended until 16 March 2003.

Article 2

This Regulation shall enter into force on 25 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 128, 10.5.2001, p. 1.

⁽²⁾ OJ L 358, 31.12.2002, p. 117.

⁽³⁾ OJ L 179, 14.7.1999, p. 1.

⁽⁴⁾ OJ L 345, 29.12.2001, p. 10.

**COMMISSION REGULATION (EC) No 121/2003
of 23 January 2003**

determining the extent to which applications submitted in January 2003 for import licences for the tariff quota for beef and veal provided for in Council Regulation (EC) No 2475/2000 for the Republic of Slovenia can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2673/2000 of 6 December 2000 laying down detailed rules for the application of the tariff quota for beef and veal provided for in Council Regulation (EC) No 2475/2000 for the Republic of Slovenia ⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Article 2(1) of Regulation (EC) No 2673/2000 fixes the quantity of fresh or chilled beef and veal originating in Slovenia which may be imported under special conditions from 1 January to 30 June 2003. The quantity of meat for which import licences have been submitted is such that applications may be granted in full.
- (2) Article 2(2) of Regulation (EC) No 2673/2000 lays down that if, during the year of importation in question, the quantity for which licence applications are submitted for the first period specified in the preceding recital is less than the quantity available, the remaining quantity is to

be added to the quantity available for the following period. In view of the quantity remaining for the first period, the quantity available for the country concerned for the second period, from 1 July to 31 December 2003, should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences shall be granted for the full quantities covered by applications submitted for the quota referred to in Regulation (EC) No 2673/2000 for the period 1 January to 30 June 2003.
2. The quantity available for the period referred to in Article 2(1) of Regulation (EC) No 2673/2000 running from 1 July to 31 December 2003 shall be 10 365 t.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 306, 7.12.2000, p. 19.

COMMISSION REGULATION (EC) No 122/2003**of 23 January 2003****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

ANNEX

to the Commission Regulation of 23 January 2003 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C09	EUR/t	15,50
1001 10 00 9400	—	EUR/t	—	1101 00 15 9150	C09	EUR/t	14,25
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C09	EUR/t	13,25
1001 90 99 9000	C05	EUR/t	0	1101 00 15 9180	C09	EUR/t	12,25
1002 00 00 9000	C06	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	C07	EUR/t	0	1102 10 00 9500	C10	EUR/t	28,75
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	C10	EUR/t	22,75
1004 00 00 9400	C06	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	C11	EUR/t	0 ⁽¹⁾
1005 90 00 9000	C08	EUR/t	0	1103 11 10 9400	C11	EUR/t	0 ⁽¹⁾
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	C11	EUR/t	0 ⁽¹⁾
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C09	EUR/t	16,50				

⁽¹⁾ No refund is granted when this product contains compressed meal.

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

The other destinations are as follows:

C05 All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovakia and Slovenia.

C06 All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, the Czech Republic, Slovakia and Slovenia.

C07 All destinations except for Bulgaria, Estonia, Hungary, Latvia, the Czech Republic, Slovakia and Slovenia.

C08 All destinations except for Bulgaria, Estonia, Hungary, the Czech Republic, Romania, Slovakia and Slovenia.

C09 All destinations except for Estonia, Hungary, Latvia, Lithuania, Poland and Romania.

C10 All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland and Slovenia.

C11 All destinations except for Estonia, Hungary, Latvia, Lithuania and Romania.

COMMISSION REGULATION (EC) No 123/2003**of 23 January 2003****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 901/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 ⁽⁶⁾, as amended by Regulation (EC) No 1230/2002 ⁽⁷⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 17 to 23 January 2003, pursuant to the invitation to tender issued in Regulation (EC) No 901/2002, the maximum refund on exportation of barley shall be EUR 15,00/t.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 17.

⁽⁷⁾ OJ L 180, 10.7.2002, p. 3.

COMMISSION REGULATION (EC) No 124/2003
of 23 January 2003
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 1582/2002

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

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

- (2) According to Article 8 of Regulation (EC) No 1582/2002 the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 January 2003 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1582/2002.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 239, 6.9.2002, p. 3.

⁽⁷⁾ OJ L 349, 24.12.2002, p. 17.

COMMISSION REGULATION (EC) No 125/2003**of 23 January 2003****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 ⁽⁶⁾, as last amended by Regulation (EC) No 2331/2002 ⁽⁷⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 17 to 23 January 2003, pursuant to the invitation to tender issued in Regulation (EC) No 899/2002, the maximum refund on exportation of common wheat shall be EUR 12,00/t.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 11.

⁽⁷⁾ OJ L 349, 24.12.2002, p. 19.

COMMISSION REGULATION (EC) No 126/2003**of 23 January 2003****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 60/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal from third countries was opened pursuant to Commission Regulation (EC) No 60/2003⁽³⁾.

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

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 17 to 23 January 2003, pursuant to the invitation to tender issued in Regulation (EC) No 60/2003, the maximum reduction in the duty on maize imported shall be 33,90 EUR/t and be valid for a total maximum quantity of 42 000 t.

Article 2

This Regulation shall enter into force on 24 January 2003.

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

Done at Brussels, 23 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 11, 16.1.2003, p. 11.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 January 2003

amending Council Decision 2001/131/EC concluding the consultation procedure with Haiti under Article 96 of the ACP-EC Partnership Agreement

(2003/53/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the ACP-EC Partnership Agreement, implemented in advance by Decision No 1/2000 of the ACP-EC Council of Ministers ⁽¹⁾, and in particular Article 96 thereof,

Having regard to the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement, as provisionally applied by Decision of the Representatives of the Governments of the Member States on 18 September 2000, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On the basis of Council Decision 2001/131/EC of 29 January 2001 concluding the consultation procedure with Haiti under Article 96 of the ACP-EC Partnership Agreement ⁽²⁾, the provision of financial aid to Haiti is partially suspended as 'appropriate measures' pursuant to Article 96(2)(c) of the ACP-EC Partnership Agreement.
- (2) The Decision expires on 31 December 2002 and requires a review of the measures before this date.
- (3) Democratic principles are still not upheld in Haiti. However, actions to support democratisation, the strengthening of the rule of law and the electoral process deserve to be supported, and in particular in support of the mission with which the Organisation of American

States (OAS) was entrusted by its Resolutions No 806 and No 822. Actions to strengthen civil society and the private sector, to fight poverty and those of direct benefit to the Haitian people should be further implemented,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2001/131/EC is amended as follows:

1. In the second and third paragraphs of Article 3, the date '31 December 2002' shall be replaced by '31 December 2003'.
2. The Annex shall be replaced by the text appearing in the Annex to this Decision.

Article 2

This Decision shall take effect from the day of its adoption.

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

Done at Brussels, 10 January 2003.

For the Council

The President

G. PAPANDREOU

⁽¹⁾ OJ L 195, 1.8.2000, p. 46.

⁽²⁾ OJ L 48, 17.2.2001, p. 31. Decision as amended by Decision 2002/131/EC (OJ L 47, 19.2.2002, p. 34).

ANNEX

Dear Sir,

The European Union attaches great importance to Article 9 of the ACP-EC Agreement. Democratic principles and the rule of law, on which the ACP-EC partnership is founded, are essential elements of the Agreement and thus form the cornerstone of our relations.

By letter of 31 January 2001, the Union expressed its regret that no satisfactory solution to remedy the violation of the Haitian electoral law had been found. It informed you of the appropriate measures taken as foreseen in Article 96(2)(c) of the ACP-EC partnership agreement. In its letter of 23 January 2002, the Union reviewed its Decision of 29 January 2001 in order to allow all the cooperation instruments affected by these measures to be gradually reactivated subject to the achievement of objectives as regards the electoral process.

Today, after more than two years of political crisis, the Union considers that democratic principles are still not upheld in Haiti. However, it recognises numerous international and local efforts in contribution to the search for a solution to this crisis, and in particular those of the Organisation of American States (OAS) and of the Caribbean Community (Caricom), and it reaffirms its wish to support these efforts. Accordingly, within the framework of OAS Resolution No 822, the Government of Haiti has committed itself to giving increased priority to the restoration of a climate of security and confidence in the country, including the completion of inquiries into all politically motivated crimes and the strengthening of the disarmament programs. The European Union urges the Government to translate this commitment into concrete actions.

Furthermore, the European Union is worried about the socioeconomic situation in Haiti and reaffirms its wish to continue cooperation for the benefit of the Haitian people.

In the light of these elements, the Council of the European Union reviewed its Decision of 21 January 2002 and decided to review the appropriate measures referred to in Article 96(2)(c) of the Agreement as follows:

- (a) Redirection of the remaining funds of the first eighth EDF tranche and provision of the second tranche under the eighth EDF for programmes that are of direct benefit to the Haitian people, to strengthen civil society and the private sector and to support democratisation, the strengthening of the rule of law and the electoral process;
- (b) The allocation of resources for the ninth EDF will not be notified and the corresponding National Indicative Programme (NIP) will not be signed while this Decision is valid.

The Union will follow further developments in the democratisation process closely, in particular the achievement of the steps towards general and local elections, such as the constitution of the provisional electoral council and the setting up of an electoral guarantees committee. Decisions on the gradual reactivation of the cooperation instruments affected by these measures will be taken on the basis of the advancement of the electoral process and in the light of the resumption of cooperation with the international financial institutions.

The Union is ready to review its Decision if there are encouraging developments. It reiterates its readiness to engage in enhanced political dialogue.

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

For the Commission

For the Council
