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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 305/2003
of 18 February 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 19 February 2003.

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

Done at Brussels, 18 February 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 18 February 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	84,0
	204	55,2
	212	111,3
	999	83,5
0707 00 05	052	136,9
	204	49,4
	220	244,4
	628	151,4
	999	145,5
0709 10 00	220	263,0
	999	263,0
0709 90 70	052	146,5
	204	220,5
	999	183,5
0805 10 10, 0805 10 30, 0805 10 50	052	58,4
	204	47,0
	212	47,9
	220	40,9
	600	41,0
	624	63,2
	999	49,7
0805 20 10	204	82,9
	512	64,2
	999	73,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,3
	204	80,5
	220	61,7
	464	137,4
	600	74,8
	624	75,0
	999	82,0
0805 50 10	052	62,1
	600	69,2
	999	65,7
0808 10 20, 0808 10 50, 0808 10 90	388	126,2
	400	100,1
	404	97,5
	508	97,2
	512	89,0
	528	99,1
	720	122,1
	728	121,0
	999	106,5
0808 20 50	388	87,3
	400	109,3
	512	77,9
	528	96,7
	720	40,9
	999	82,4

⁽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 306/2003**of 18 February 2003****fixing the time limit for the submission of applications for private storage aid in respect of 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 Article 4(6) thereof,

Whereas:

- (1) Private storage aid granted pursuant to Commission Regulation (EC) No 2179/2002 of 6 December 2002 on special conditions for the granting of private storage aid for pigmeat ⁽³⁾, has had a favourable effect on the pigmeat market. An actual stabilisation of prices is expected. The granting of private storage aid for pigmeat should therefore be ended.

- (2) 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 time limit for the submission of applications for private storage aid for pigmeat shall be 19 February 2003.

Article 2

This Regulation shall enter into force on 19 February 2003.

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

Done at Brussels, 18 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 331, 7.12.2002, p. 11.

COMMISSION REGULATION (EC) No 307/2003
of 18 February 2003
fixing export refunds on fruit and vegetables

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 Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1961/2001 ⁽³⁾, as amended by Regulation (EC) No 1176/2002 ⁽⁴⁾, lays down detailed rules on 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 quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds. The refunds must be fixed taking account of restrictions under agreements concluded in accordance with Article 300 of the Treaty.
- (3) Refunds must be fixed taking account, in particular, of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand.
- (4) 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.
- (5) Tomatoes, oranges, lemons and apples and of classes Extra, I and II of the common trading standards can currently be exported in economically significant quantities.
- (6) In order to make the most efficient use of the resources available and without discriminating between exporters, care should be taken not to disturb the trade flows

previously induced by the refund arrangements. For those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product.

- (7) Given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations.
- (8) The quantities laid down for the various products should be distributed in accordance with the different systems for the grant of the refund, taking account in particular of their perishability.
- (9) The agricultural product nomenclature for export refunds laid down in Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 118/2003 ⁽⁶⁾, should apply to the measures provided for in this Regulation.
- (10) Commission Regulation (EC) No 1291/2000 ⁽⁷⁾, as last amended by Regulation (EC) No 2299/2001 ⁽⁸⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.
- (11) 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. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.
2. Quantities covered by licences issued for food aid as referred to in Article 16 of Regulation (EC) No 1291/2000 shall not count against the eligible quantities covered by the Annex.

Article 2

This Regulation shall enter into force on 9 March 2003.

⁽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.

⁽⁸⁾ OJ L 308, 27.11.2001, p. 19.

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

Done at Brussels, 18 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to Commission Regulation of 18 February 2003 fixing the export refunds on fruit and vegetables

Product code	Destination	System			
		A1 Application period 9.3. to 6.5.2003		B Application period 16.3. to 13.5.2003	
		Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	20		20	9 709
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	F00	21		21	49 878
0805 50 10 9100	F00	18		18	23 481
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F09	10		10	7 348

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:

F00 All destinations except Estonia.

F03 All destinations except Switzerland and Estonia.

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

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

F09 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, destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia.

COMMISSION REGULATION (EC) No 308/2003**of 18 February 2003****fixing certain indicative quantities and individual ceilings for the issuing of licences for importing bananas into the Community under the tariff quotas for the second quarter of 2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 2587/2001 ⁽²⁾, and in particular Article 20 thereof,

(4) Since this Regulation must apply before the beginning of the period for the submission of licence applications in respect of the second quarter of 2003, it should enter into force immediately.

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

HAS ADOPTED THIS REGULATION:

Whereas:

Article 1

(1) Article 14(1) of Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 349/2002 ⁽⁴⁾, provides for the possibility of fixing an indicative quantity, expressed as the same percentage of quantities available under each of the tariff quotas, for the purposes of issuing import licences for the first three quarters of the year.

The indicative quantity provided for in Article 14(1) of Regulation (EC) No 896/2001 for banana imports under the tariff quotas provided for in Article 18 of Regulation (EEC) No 404/93 shall be equal to 29 % of the quantities available for traditional and non-traditional operators under tariff quotas A/B and C for the second quarter of 2003.

Article 2

(2) The data relating, on the one hand, to the quantities of bananas marketed in the Community in 2002, and in particular actual imports, especially during the second quarter, and, on the other hand, to the outlook for supply and consumption on the Community market in the same quarter of 2003 call for the fixing of indicative quantities for quotas A, B and C that ensure satisfactory supply to the Community as a whole and continuity of trade flows between the production and marketing sectors.

For the second quarter of 2003, the quantity referred to in Article 14(2) of Regulation (EC) No 896/2001 that may be authorised for banana imports under the tariff quotas provided for in Article 18 of Regulation (EEC) No 404/93 shall be equal to:

(3) On the basis of the same data, the ceiling on the quantities for which individual operators can submit licence applications in respect of the second quarter of 2003 should be fixed for the purposes of Article 14(2) of Regulation (EC) No 896/2001.

(a) 29 % of the reference quantity established pursuant to Articles 4 and 5 of Regulation (EC) No 896/2001 for traditional operators under tariff quotas A/B and C;

(b) 29 % of the reference quantity established and notified pursuant to Article 9(3) of Regulation (EC) No 896/2001 for non-traditional operators under tariff quotas A/B and C.

Article 3

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 13.

⁽³⁾ OJ L 126, 8.5.2001, p. 6.

⁽⁴⁾ OJ L 55, 26.2.2002, p. 17.

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, 18 February 2003.

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

COMMISSION REGULATION (EC) No 309/2003**of 18 February 2003****setting export refunds on products processed from fruit and vegetables other than those granted for added sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 453/2002 ⁽²⁾, and in particular Article 16(3),

Whereas:

(1) Commission Regulation (EC) No 1429/95 ⁽³⁾, as last amended by Regulation (EC) No 1176/2002 ⁽⁴⁾, sets implementing rules for export refunds on products processed from fruit and vegetables.

(2) Article 16(1) of Regulation (EC) No 2201/96 states that, to the extent necessary to permit exports in economically significant quantities of the products referred to in Article 1(1)(a) of that Regulation, on the basis of prices for those products in international trade, the difference between those prices and prices in the Community may be covered by export refunds; Article 18(4) of Regulation (EC) No 2201/96 provides that, if the refund on sugar incorporated into the products listed in Article 1(1) is insufficient to allow export of the products, the refund fixed in accordance with Article 17 is to be applicable to those products.

(3) Article 17(2) of Regulation (EC) No 2201/96 states that refunds must be fixed with regard to the existing situation and outlook for prices for products processed from fruit and vegetables on the Community market and supply availability, on the one hand, and prices in international trade on the other hand. Account must also be taken of the costs indicated at (b) in that paragraph and of the economic aspect of the envisaged exports.

(4) Refunds are, pursuant to Article 16(1) of Regulation (EC) No 2201/96, to be set with due regard to the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(5) Article 17(3) of Regulation (EC) No 2201/96 states that prices on the Community market are to be determined taking account of those most favourable from the exportation standpoint; whereas international trade prices are to be determined account taken of the prices indicated in the second subparagraph of that paragraph.

(6) The international trade situation or the special requirements of certain markets may make it necessary to vary the refund on a given product depending on the destination of that product.

(7) Economically significant exports can be made at the present time of provisionally preserved cherries, peeled tomatoes, preserved cherries, prepared hazelnuts and some orange juices.

(8) Application of the rules mentioned above to the present and forecast market situation, in particular to prices of products processed from fruit and vegetables in the Community and in international trade, leads to the refund rates set in the Annex hereto.

(9) Pursuant to Article 16(2) of Regulation (EC) No 2201/96, the most efficient possible use should be made of the resources available without creating discrimination between traders. Therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements.

(10) Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 118/2003 ⁽⁶⁾, establishes an agricultural product nomenclature for export refunds.

(11) Commission Regulation (EC) No 1291/2000 ⁽⁷⁾, as amended by Regulation (EC) No 2299/2001 ⁽⁸⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 141, 24.6.1995, p. 28.

⁽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.

⁽⁸⁾ OJ L 308, 27.11.2001, p. 19.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

2. Quantities for which licences are issued in the context of food aid, as referred to in Article 16 of Regulation (EC) No 1291/2000 shall not count against the eligible quantities referred to in the first paragraph.

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refund rates in the processed fruit and vegetables sector shall be those fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 February 2003.

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

Done at Brussels, 18 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 18 February 2003 setting export refunds on products processed from fruit and vegetables other than those granted for added sugar

Product code	Destination code	Licence issuing period: March to June 2003	
		Period for submission of applications: from 22 February to 23 June 2003	
		Refund rate (EUR/t net)	Quantities provided (in t)
0812 10 00 9100	F06	50	2 853
2002 10 10 9100	F10	45	42 477
2006 00 31 9000 2006 00 99 9100	F06	153	287
2008 19 19 9100 2008 19 99 9100	F00	59	344
2009 11 99 9110 2009 12 00 9111 2009 19 98 9112	F00	5	300
2009 11 99 9150 2009 19 98 9150	F00	29	301

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:

F00: All destinations except for Estonia,

F06: All destinations except the countries of North America and Estonia,

F10: All other destinations except the United States of America, Slovakia, Latvia, Bulgaria, Lithuania and Estonia.

COMMISSION REGULATION (EC) No 310/2003**of 18 February 2003****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 493/2002 ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Regulation (EC) No 493/2002, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁴⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁵⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁶⁾, as last amended by Regulation (EC) No 110/2003 ⁽⁷⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

(2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

(3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 19 February 2003.

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

Done at Brussels, 18 February 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 77, 20.3.2002, p. 7.

⁽³⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁴⁾ OJ L 282, 1.11.1975, p. 104.

⁽⁵⁾ OJ L 305, 19.12.1995, p. 49.

⁽⁶⁾ OJ L 145, 29.6.1995, p. 47.

⁽⁷⁾ OJ L 16, 22.1.2003, p. 19.

ANNEX

to the Commission Regulation of 18 February 2003 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	84,6	10	01
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	192,3	34	01
		200,2	30	02
		203,8	29	03
		208,8	27	04
		273,2	8	05
0207 25 10	Turkeys, plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as “80 % turkeys”	125,5	10	01
0207 27 10	Boneless cuts of turkey, frozen	243,0	16	01
		272,3	7	06
0207 36 15	Cuts, boneless, of duck and guinea fowls, frozen	211,5	33	02
		317,3	1	05
1602 32 11	Preparations of uncooked fowl of the species <i>Gallus domesticus</i>	218,8	20	01
		226,3	18	02

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Thailand
- 03 Argentina
- 04 Chile
- 05 China
- 06 Israel.

COMMISSION REGULATION (EC) No 311/2003
of 18 February 2003
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 27,776/100 kg.

Article 2

This Regulation shall enter into force on 19 February 2003.

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

Done at Brussels, 18 February 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 July 2002

on the State aid which Italy is planning to implement for ILVA SpA

(notified under document number C(2002) 2595)

(Only the Italian text is authentic)

(Text with EEA relevance)

(2003/107/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 4(c) thereof,

Having regard to Commission Decision No 2496/96/ECSC of 18 December 1996 establishing Community rules for State aid to the steel industry ⁽¹⁾, and in particular Article 6(5) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having called on interested parties to submit their comments pursuant to the provisions cited above ⁽²⁾ and having regard to their comments,

Whereas:

(3) The Commission decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽³⁾. The Commission invited interested parties to submit their comments on the aid.

(4) By letter dated 12 April 2002, registered as received on 17 April, Italy informed the Commission that, in view of the deadline of 22 July imposed by the Steel Aid Code for payment of the aid, ILVA SpA had waived the second and third instalments of the aid. It also informed the Commission that the company had decided that five of the 13 projects included in the original notification would not be carried out and that therefore no aid would be granted for them. The projects were described in paragraphs 8, 9, 13, 14 and 16 of the Decision to initiate proceedings. In the same letter, Italy submitted additional information on the remaining projects.

(5) By letter dated 18 April 2002, the United Kingdom Steel Association submitted comments on the aid. The Commission forwarded them to Italy, which was given the opportunity to react. Its comments were received by letter dated 22 May 2002.

I. PROCEDURE

(1) By letter dated 20 December 2001, registered as received on 21 December, Italy notified the Commission of planned aid for investments to be carried out by ILVA SpA at its Taranto plant.

(2) By letter dated 18 February 2002, the Commission informed Italy that it had decided to initiate the procedure laid down in Article 6(5) of Commission Decision No 2496/96/ECSC (hereinafter referred to as 'the Steel Aid Code') in respect of the aid.

II. DETAILED DESCRIPTION OF THE AID

(6) ILVA SpA is a producer of steel belonging to the Riva Group.

⁽¹⁾ OJ L 338, 28.12.1996, p. 42.

⁽²⁾ OJ C 71, 20.3.2002, p. 6.

⁽³⁾ See footnote 2.

- (7) The aid is granted by the Ministry of Industry and Trade under Law No 488/92 for aid in depressed areas ('Converting and amending Decree Law No 415 of 22 October 1992 amending Law No 64 of 1 March 1986 containing an organic framework for extraordinary aid to the Mezzogiorno and rules for subsidising production activities'). The aid was approved on 9 April 2001, subject to authorisation by the Commission.
- (8) Following the partial withdrawal of the notification referred to in recital 4, the costs considered eligible for aid by the Italian authorities amount to EUR 20 225 000. The aid granted under Law No 488/92 is calculated not on the basis of a fixed percentage of eligible costs but on the basis of a percentage expressed as the net grant equivalent (nge) within the limits of the maximum aid approved by the Commission for the aid scheme in question, according to the size of the firm and the location of the production unit. In the specific case of ILVA SpA, the percentage approved by Italy was 12,25 % nge, corresponding to EUR 3 034 000 to be paid in three instalments. However, because the company has waived the last two instalments, only one instalment will be paid. Therefore, the actual aid will amount to EUR 980 000 and will concern the following projects.
- (9) Treatment of by-products in the coking plant; refurbishment of the three existing lines for the absorption of ammonia and the refrigeration of coking gas: these lines were completely renovated in 1991. Their remaining useful life at the time of the investment is more than 15 years. The total cost relates to necessary equipment and amounts to EUR 3 100 000. Of this amount, EUR 800 000 has been considered as maintenance costs. The eligible costs amount therefore to EUR 2 300 000.
- (10) Replacement of the existing dust filtration system, which uses cyclones or electrostatic precipitators, by a new system that uses fabric: the statutory maximum level of emissions is 100 mg/Nmc. With this system, the level of dust in the smoke will fall from 50 mg/Nmc to 30 mg/Nmc, i.e. a reduction of 40 %. The existing system dates from the early 1970s and its remaining useful life at the time of the investment is 15 years. The eligible costs relate to necessary equipment and amount to EUR 1 292 000.
- (11) Installation of a system for monitoring the emissions of the coke ovens and sintering plant: this is required by the regional authorities. The cost of the equipment amounts to EUR 1 033 000.
- (12) Installation of a conveyor belt for the transportation of mineral to the homogenisation plant: this system will replace the transportation by lorry currently used. Dust emissions will be eliminated. The total cost of the project amounts to EUR 4 700 000. According to the Italian authorities, this investment will result in cost savings of EUR 312 000 per year. They have deducted EUR 2 500 000 as cost savings over 10 years. Costs considered eligible by the Italian authorities amount therefore to EUR 2 200 000.
- (13) Installation of a new additional system for the regeneration of hydrochloric acid (Ruthner plant): this system (closed-circuit) will be added to the existing one which dates from 1978 and its remaining useful life at the time of the investment is 10 years. The statutory maximum level of emissions is 60 mg/Nmc. The concentration of hydrochloric acid in the smoke will fall from 55 mg/Nmc to 22 mg/Nmc. Moreover, since it is a closed-circuit system, the pollutants contained in the water will no longer pass into the sewage. The cost of the equipment amounts to EUR 1 550 000.
- (14) Improvement of the dust removal system for secondary emissions in blast furnace No 1: this installation dates from 1988 and its remaining useful life at the time of the investment is 12 years. The statutory maximum level of emissions is 100 mg/Nmc. The dust concentration will fall from 50 mg/Nmc to 30 mg/Nmc. The cost of the equipment amounts to EUR 1 550 000, from which EUR 500 000 has been deducted for costs not directly relating to environmental protection. Eligible costs amount therefore to EUR 1 050 000.
- (15) Extension of landfill for special waste by 300 000 m²: the waste is currently transported to special landfills outside the company's premises. This investment would eliminate the risks inherent in transporting the waste. According to the Italian authorities, this investment will reduce the costs of transporting and discharging the waste from EUR 70 per tonne/year to EUR 15 per tonne/year. The capacity of this extension is 60 000 tonnes per year. The investment amounts to EUR 1 290 000.
- (16) Replacement of 350 PCB electric transformers with new transformers cooled using air or mineral oil: under Italian law, PCB transformers must be dismantled by 2010. These transformers were installed in the 1960s and 1970s. Their remaining useful life is over 20 years. No cost savings are generated by this investment. The investment amounts to EUR 9 510 000.

III. COMMENTS BY INTERESTED PARTIES

- (17) The United Kingdom Steel Association expressed doubts about the environmental purpose of the investments referred to in recitals 11, 13 and 15. With respect to the investments referred to in recitals 10 and 16, it asked the Commission to ensure that they were not being undertaken simply because the existing equipment had reached the end of its normal life. With respect to the investments referred to in recitals 9, 12, 14 and 16, it considered that these are likely to result in cost savings that should be deducted from the eligible costs.

IV. COMMENTS BY ITALY

- (18) Since the Commission's doubts arose mainly from the lack of information contained in the notification, the Italian authorities simply provided the missing information.

V. ASSESSMENT OF THE AID

- (19) ILVA SpA manufactures products listed in Annex I to the ECSC Treaty. It is therefore an undertaking within the meaning of Article 80 of that Treaty to which the Steel Aid Code applies.
- (20) Article 3 of the Steel Aid Code stipulates that steel companies may receive aid for environmental investments. The criteria for assessing whether such aid is compatible with the common market are set out in the Annex to the Steel Aid Code and in the Community guidelines on State aid for environmental protection⁽⁴⁾ (hereinafter 'the 1994 environmental guidelines').
- (21) According to the 1994 environmental guidelines, aid ostensibly intended for environmental protection measures but which, in fact, is aid for general investment is not covered by the guidelines. The eligible costs must be strictly confined to the extra investment costs necessary to meet environmental objectives⁽⁵⁾. Also according to these guidelines, aid to help firms adapt to new mandatory standards plant that has been in operation for at least two years can be authorised up to the level of 15 % gross of the eligible costs (point A, first paragraph) and aid for investment which will allow the firm to improve on mandatory standards or which is undertaken in the absence of standards may be authorised up to 30 % gross of the eligible costs (point B, first paragraph).
- (22) According to the Annex to the Steel Aid Code, the Commission will analyse the economic and environmental background to a decision to opt for replacement of existing plant or equipment. In principle, a decision to undertake new investment which would have been necessary in any event on economic grounds or on account of the age of the existing plant or equipment (remaining useful life of less than 25 %) will not be eligible for aid. Furthermore, any advantage in terms of lower production costs will be deducted.

- (23) With respect to the replacement investments referred to in recitals 10, 13, 14 and 16, given in particular that they will not affect the production installations and that their remaining useful life is more than 25 %, the Commission considers that they are environmental investments.
- (24) With respect to the investment relating to the treatment of by-products in the coking line (see recital 9), given that the gases will be reintegrated within the network and reused by the company, the Commission considers that this may be the main purpose of the investment. The Italian authorities claim that there are no cost savings generated by this investment. This contradicts, however, their statement that emissions will be reduced in quantity and in quality by 20 % (for which, moreover, they have not provided evidence). The Commission cannot therefore conclude that the investment will significantly improve on environmental protection, as required by the 1994 environmental guidelines. Moreover, no cost savings have been deducted from the eligible costs. In these circumstances, the Commission's doubts as to whether the investment is eligible for environmental aid have not been allayed.
- (25) With respect to the investment concerning the installation of a conveyor belt (see recital 12), given the cost savings generated and the limited impact in terms of environmental protection, the Commission considers that it has been undertaken for economic reasons and that it is not, therefore, eligible for aid. In any case, even deducting the cost savings generated would lead to the same conclusion, i.e. non-eligibility for aid.
- (26) With respect to the investment concerning the extension of the landfill for special waste (see recital 15), the Commission notes that it will not lead to a reduction in pollution but rather to a reduction in the costs of dealing with the waste. Indeed, the cost reductions will compensate amply for the investment. In these circumstances, the Commission considers that this investment is undertaken more for economic reasons and that it is not, therefore, eligible for aid. In any case, even deducting the cost savings generated would lead to the same conclusion, i.e. non-eligibility for aid.
- (27) With respect to the investment concerning the installation of a system for monitoring the emissions of the coke ovens and sintering plant (see recital 11), the Commission notes that, although it is intended to comply with the legal obligations imposed by the regional authorities, it is equipment intended not to reduce or eliminate pollution and nuisances or to adapt production methods (as required by point 3.2.1. of the 1994 environmental guidelines) but merely to measure actual pollution levels. In these circumstances, the investment is not eligible for environmental aid.

⁽⁴⁾ OJ C 72, 10.3.1994, p. 3.

⁽⁵⁾ See point 3.2.1 of the guidelines.

- (28) With respect to the investment concerning the replacement of electric transformers (see recital 16), the Commission notes that the new equipment is intended to comply with new legal obligations and that it will reduce or eliminate pollution. Therefore, according to point 3.2.A of the 1994 environmental guidelines, the maximum aid for this investment is 15 % gross of the eligible costs, i.e. EUR 1 426 500.
- (29) With respect to the investments described in recitals 10, 13 and 14, the Commission notes that they will allow for significantly higher levels of environmental protection and that the cost savings generated by them have been deducted. According to point 3.2.B of the 1994 environmental guidelines, the maximum aid for these investments is 30 % gross of the eligible costs, i.e. EUR 1 167 600.
- (30) The Table below gives a summary of the eligible costs and of the maximum aid allowed under the 1994 environmental guidelines:

	Net eligible costs (EUR)	Maximum aid inten- sity (%)	Maximum aid (EUR)
Dust filtration	1 292 000	30	387 600
Ruthner plant	1 550 000	30	465 000
Dust removal	1 050 000	30	315 000
Replacement of transformers	9 510 000	15	1 426 500
Total	13 402 000		2 594 100

- (31) In these circumstances, given that the aid will consist only of the first instalment of the approved aid, i.e. EUR 980 000 (see recital 8), the aid intensity is in conformity with the Steel Aid Code.

VI. CONCLUSION

- (32) In view of the foregoing, the State aid amounting to EUR 980 000 that Italy intends to grant to ILVA SpA under Law No 488/92 for the projects referred to in recital 30 is compatible with the common market. With respect to the rest of the notified aid, in view of the withdrawal of the notification (see recital 4), the procedure initiated on 18 February 2002 is closed,

HAS ADOPTED THIS DECISION:

Article 1

The State aid amounting to EUR 980 000 which Italy plans to implement under Law No 488/92 for ILVA SpA in respect of projects to be carried out at its Taranto plant is compatible with the common market.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 July 2002.

For the Commission

Mario MONTI

Member of the Commission

DECISION No 21/2002**of 20 November 2002**

of the Joint Committee established under the Agreement on mutual recognition between the European Community and the United States of America related to the listing of conformity assessment bodies under the Sectoral Annex on telecommunication equipment and the Sectoral Annex on electromagnetic compatibility

(2003/108/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement on Mutual Recognition between the European Community and the United States of America and in particular Article 7 and 14,

Whereas the Joint Committee is to take a decision to list a Conformity Assessment Body or Bodies under a Sectoral Annex,

HAS DECIDED AS FOLLOWS:

1. The Conformity Assessment Body in Attachment A is added to the list of conformity assessment bodies under column 'US access to the EC market' in Section V of the Sectoral Annex on telecommunication equipment.
2. The Conformity Assessment Body in Attachment B is added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility (EMC).
3. The specific scope of listing, in terms of products and conformity assessment procedures, of the conformity assessment bodies indicated in Attachments A and B have been agreed by the Parties and will be maintained by them.

This Decision, done in duplicate, shall be signed by representatives of the Joint Committee who are authorised to act on behalf of the Parties for purposes of amending the Agreement. This Decision shall be effective from the date of the later of these signatures.

Signed in Washington DC, 20 November
2002.

Signed in Brussels, 13 November 2002.

On behalf of the United States of America
James SANFORD

On behalf of the European Community
Joanna KIOUSSI

ATTACHMENT A

US conformity assessment body added to the list of conformity assessment bodies under column 'US access to the EC market' in Section V of the Sectoral Annex on telecommunication equipment

L.S. Compliance, Inc.

W66 N220 Commerce Court
Cedarburg,
Wisconsin, 53012-2636
USA
Tel: (1-262) 375 44 00
Fax: (1-262) 375 42 48

ATTACHMENT B

EC Conformity assessment body added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility

E.S.M. (Dep Pioneer)

Joseph Cardijnstraat 31
B-9420 Erpe-Mere
Tel: (32-53) 82 13 12
Fax: (32-53) 82 13 00

DECISION No 22/2003**of 22 January 2003**

of the Joint Committee established under the Agreement on mutual recognition between the European Community and the United States of America related to the listing of conformity assessment bodies under the Sectoral Annex on telecommunication equipment and the Sectoral Annex on electromagnetic compatibility

(2003/109/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement on mutual recognition between the European Community and the United States of America and in particular Article 7 and 14,

Whereas the Joint Committee is to take a decision to list a conformity assessment body or bodies under a sectoral annex,

HAS DECIDED AS FOLLOWS:

1. The conformity assessment body in Attachment A is added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on telecommunication equipment.
2. The conformity assessment body in Attachment B is added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility (EMC).
3. The specific scope of listing, in terms of products and conformity assessment procedures, of the conformity assessment bodies indicated in Attachments A and B have been agreed by the Parties and will be maintained by them.

This Decision, done in duplicate, shall be signed by representatives of the Joint Committee who are authorised to act on behalf of the Parties for purposes of amending the Agreement. This Decision shall be effective from the date of the later of these signatures.

Signed in Washington DC, 22 January 2003.

Signed in Brussels, 22 January 2003.

On behalf of the United States of America
James SANFORD

On behalf of the European Community
Joanna KIOUSSI

ATTACHMENT A

EC conformity assessment body added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on telecommunication equipment

BZT-ETS Certification GmbH

Storkower Str. 38 c
D-15526 Reichenwalde
Tel: (49-33631) 88 82 22
Fax: (49-33631) 88 86 80

ATTACHMENT B

EC Conformity Assessment Body added to the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility

BZT-ETS Certification GmbH

Storkower Str. 38 c
D-15526 Reichenwalde
Tel: (49-33631) 88 82 22
Fax: (49-33631) 88 86 80

DECISION No 23/2003**of 5 February 2003**

of the Joint Committee established under the Agreement on mutual recognition between the European Community and the United States of America related to the withdrawal of conformity assessment bodies under the Sectoral Annexes on telecommunication equipment and electromagnetic compatibility

(2003/110/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement on mutual recognition between the European Community and the United States of America and in particular Articles 9 and 14,

Whereas the Joint Committee is to take a decision to withdraw a conformity assessment body or bodies listed under a sectoral annex,

HAS DECIDED AS FOLLOWS:

1. The conformity assessment body in Attachment A is withdrawn from the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on telecommunication equipment.
2. The conformity assessment body in Attachment B is withdrawn from the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility.
3. The Parties shall continue to accept the results of conformity assessment procedures performed, if any, by the conformity assessment bodies in Attachments A and B prior to this decision, unless a regulatory authority of a Party decides otherwise based on health, safety and environmental considerations or failure to satisfy other requirements within the scope of the applicable sectoral annex.

This Decision, done in duplicate, shall be signed by representatives of the Joint Committee who are authorised to act on behalf of the Parties for purposes of amending the Agreement. This Decision shall be effective from the date of the later of these signatures.

Signed in Washington DC, 5 February 2003.

Signed in Brussels, 31 January 2003.

On behalf of the United States of America

James SANFORD

On behalf of the European Community

Joanna KIOUSSI

ATTACHMENT A

EC conformity assessment body withdrawn from the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on telecommunication equipment

Cambridge Test and Measurement Services Ltd

PO Box 465
St Andrews Road
Cambridge CB4 1ZJ
United Kingdom
Tel.: (44-1223) 87 68 76
Fax: (44-1223) 87 68 51

ATTACHMENT B

EC conformity assessment body withdrawn from the list of conformity assessment bodies under column 'EC access to the US market' in Section V of the Sectoral Annex on electromagnetic compatibility

Cambridge Test and Measurement Services Ltd

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COMMISSION DECISION

of 18 February 2003

amending Decision 97/232/EC drawing up lists of third countries from which the Member States
authorise imports of sheep and goats

(notified under document number C(2003) 508)

(Text with EEA relevance)

(2003/111/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1452/2001 ⁽²⁾, and in particular Article 3(1) and Article 8 thereof,

Whereas:

- (1) Council Directive 91/68/EEC ⁽³⁾, as last amended by Commission Decision 2001/10/EC ⁽⁴⁾, lays down the animal health conditions governing intra-Community trade in ovine and caprine animals.
- (2) Commission Decision 97/232/EC ⁽⁵⁾, as last amended by Decision 2002/3/EC ⁽⁶⁾, draws up lists of third countries from which Member States authorise imports of sheep and goats.
- (3) In Hungary *Brucella melitensis* has been a notifiable disease for at least five years, no case has been officially confirmed for at least five years and vaccination has been banned for at least three years; therefore this country complies with the requirements laid down in Annex A, Chapter 1(II)(1)(b), to Directive 91/68/EEC.
- (4) Furthermore Hungary undertakes to comply with Annex A, Chapter 1(II)(2), to Directive 91/68/EEC and therefore sheep and goats introduced onto holdings in Hungary must comply with the conditions laid down in Annex A, Chapter 1(I)(D), to Directive 91/68/EEC.

(5) Hungary therefore satisfies the conditions to be recognised as officially free of *Brucella melitensis* and Decision 97/232/EC must be amended accordingly.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Part 5 of the Annex to Decision 97/232/EC is replaced by the Annex to this Decision.

Article 2

This Decision shall apply as of 11 March 2003.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 February 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 198, 21.7.2001, p. 11.

⁽³⁾ OJ L 46, 19.2.1991, p. 19.

⁽⁴⁾ OJ L 147, 31.5.2001, p. 41.

⁽⁵⁾ OJ L 93, 8.4.1997, p. 43.

⁽⁶⁾ OJ L 2, 4.1.2002, p. 17.

ANNEX

PART 5

**Non-member countries or parts of non-member countries recognised as satisfying the criteria for officially
Brucellosis-free status**

Czech Republic

Greenland

Hungary

Romania

Slovak Republic'

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1181/2002 of 1 July 2002 amending Annex I of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin**

(Official Journal of the European Communities L 172 of 2 July 2002)

On page 18, in the Annex, point 1.2.5., against Florfenicol, 'Bovine, ovine, caprine', columns headed 'MRLs' and 'Target tissues':

for: '3 000 g/kg | Fat',

read: '3 000 g/kg | Liver'.
