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## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 736/2003  
of 28 April 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 29 April 2003.

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

Done at Brussels, 28 April 2003.

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

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 28 April 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

| (EUR/100 kg)                       |                                   |                       |
|------------------------------------|-----------------------------------|-----------------------|
| CN code                            | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00                         | 052                               | 104,4                 |
|                                    | 204                               | 90,3                  |
|                                    | 212                               | 120,5                 |
|                                    | 999                               | 105,1                 |
| 0707 00 05                         | 052                               | 87,8                  |
|                                    | 068                               | 110,0                 |
|                                    | 096                               | 51,8                  |
|                                    | 204                               | 32,5                  |
|                                    | 628                               | 143,3                 |
| 0709 90 70                         | 999                               | 85,1                  |
|                                    | 052                               | 104,9                 |
|                                    | 204                               | 95,7                  |
|                                    | 999                               | 100,3                 |
| 0805 10 10, 0805 10 30, 0805 10 50 | 052                               | 66,5                  |
|                                    | 204                               | 40,6                  |
|                                    | 220                               | 40,1                  |
|                                    | 520                               | 38,3                  |
|                                    | 600                               | 43,0                  |
|                                    | 624                               | 78,2                  |
|                                    | 999                               | 51,1                  |
| 0805 50 10                         | 400                               | 65,0                  |
|                                    | 999                               | 65,0                  |
| 0808 10 20, 0808 10 50, 0808 10 90 | 060                               | 64,5                  |
|                                    | 388                               | 93,0                  |
|                                    | 400                               | 123,8                 |
|                                    | 404                               | 112,7                 |
|                                    | 508                               | 79,0                  |
|                                    | 512                               | 72,1                  |
|                                    | 524                               | 103,2                 |
|                                    | 528                               | 78,0                  |
|                                    | 720                               | 91,2                  |
|                                    | 804                               | 121,5                 |
| 0808 20 50                         | 999                               | 93,9                  |
|                                    | 388                               | 90,5                  |
|                                    | 512                               | 80,7                  |
|                                    | 528                               | 72,5                  |
|                                    | 999                               | 81,2                  |

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

**COMMISSION REGULATION (EC) No 737/2003**  
**of 28 April 2003**  
**on the supply of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, as modified by Regulation (EC) No 1726/2001 of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries.
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied

under Council Regulation (EC) No 1292/96 as Community food aid <sup>(3)</sup>. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 166, 5.7.1996, p. 1.

<sup>(2)</sup> OJ L 234, 1.9.2001, p. 10.

<sup>(3)</sup> OJ L 346, 17.12.1997, p. 23.

## ANNEX

## LOT A; B

1. **Action No:** 1/03 (A); 2/03 (B)
2. **Beneficiary** <sup>(?)</sup>: Ethiopia
3. **Beneficiary's representative:** Emergency Food Security Reserve, Addis Ababa; Contact: Ato Sirak Hailu, tel.: (251-1) 51 71 62; fax: 51 83 63
4. **Country of destination:** Ethiopia
5. **Product to be mobilised:** common wheat
6. **Total quantity (tonnes net):** 62 500
7. **Number of lots:** 2 in 4 parts (A: 32 500 tonnes (A1: 16 500 tonnes; A2: 16 000 tonnes); B: 30 000 tonnes (B1: 15 000 tonnes; B2: 15 000 tonnes)
8. **Characteristics and quality of the product** <sup>(?)</sup> <sup>(5)</sup>: see OJ C 312, 31.10.2000, p. 1 (A.1)
9. **Packaging** <sup>(7)</sup>: see OJ C 267, 13.9.1996, p. 1 (1.0 A 1.c, 2.c and B.3)
10. **Labelling or marking** <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (II.A(3))
  - Language to be used for the markings: English
  - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage** <sup>(8)</sup>: free at destination
13. **Alternative delivery stage:** free at port of shipment — fob stowed
14. a) **Port of shipment:** —  
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** EFSR warehouse in Sodo (A1), Mekelle (B1), Kombolcha (A2 and B2)
  - port or warehouse of transit: Djibouti
  - overland transport route: —
17. **Period or deadline of supply at the specified stage** <sup>(9)</sup>:
  - first deadline: A: 3.8.2003; B: 17 to 24.8.2003
  - second deadline: A: 17.8.2003; B: 1 to 7.9.2003
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: A: 26.5 to 8.6.2003; B: 16 to 29.6.2003
  - second deadline: A: 9 to 22.6.2003; B: 30.6 to 13.7.2003
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 13.5.2003
  - second deadline: 27.5.2003
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>: M. Vestergaard, Commission européenne, Bureau: L130 7/46, B-1049 Brussels; tlx: 25670 AGREC B; fax: (32-2) 296 70 03/296 70 04
22. **Export refund** <sup>(4)</sup>: Refund applicable on 23.4.2003, fixed by Commission Regulation (EC) No 566/2003 (OJ L 82, 29.3.2003, p. 9)

## Notes:

- (<sup>1</sup>) Supplementary information: Torben Vestergaard (tel. (32-2) 299 30 50; fax (32-2) 296 20 05).
  - (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
  - (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
  - (<sup>4</sup>) Commission Regulation (EC) No 2298/2001 (OJ L 308, 27.11.2001, p. 16), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
  - (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
    - phytosanitary certificate.
  - (<sup>6</sup>) Notwithstanding OJ C 114 of 29 April 1991, point II.A(3)(c) or II.B(3)(c) is replaced by the following: 'the words "European Community"'.
  - (<sup>7</sup>) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
  - (<sup>8</sup>) In addition to the provisions of Article 14(3) of the Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quaternary lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC (OJ L 157, 7.7.1995, p. 1)).
  - (<sup>9</sup>) The final subparagraph of Article 14(14) of Regulation (EC) No 2519/97.
- 

Before the Commission can award the supply contract, it needs various items of information about the tenderer concerned (in particular the bank account to be credited). These details are contained in a form available on the Internet at the following website:

[http://europa.eu.int/comm/budget/execution/ftiers\\_fr.htm](http://europa.eu.int/comm/budget/execution/ftiers_fr.htm).

If these details are missing, the tenderer designated as the supplier may not invoke the time limit for notification referred to in Article 9(4) of Regulation (EC) No 2519/97.

You should therefore include the above form with your bid after filling in the required details.

**COMMISSION REGULATION (EC) No 738/2003**  
**of 28 April 2003**  
**on the supply of white sugar as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, as amended by Regulation (EC) No 1726/2001 of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated white sugar to certain beneficiaries.
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied

pursuant to Council Regulation (EC) No 1292/96 as Community food aid <sup>(3)</sup>. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

White sugar shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 166, 5.7.1996, p. 1.

<sup>(2)</sup> OJ L 234, 1.9.2001, p. 10.

<sup>(3)</sup> OJ L 346, 17.12.1997, p. 23.

## ANNEX

## LOTS A, B, C, D, E

1. **Action No:** 99/02 (A); 100/02 (B); 101/02 (C); 102/02 (D); 103/02 (E)
2. **Beneficiary** <sup>(?)</sup>: UNRWA, Supply division, Amman Office, PO Box 140157, Amman — Jordan; telex: 21170 UNRWA JO; tel.: (962-6) 586 41 26; fax: 586 41 27
3. **Beneficiary's representative:** UNRWA Field Supply and Transport Officer  
 A+E: PO Box 19149, Jerusalem, Israel [tel.: (972-2) 589 05 55; telex: 26194 UNRWA IL; fax: 581 65 64]  
 B: PO Box 947, Beirut, Lebanon [tel.: (961-1) 84 04 61-6; fax: 84 04 67]  
 C: PO Box 4313, Damascus, Syria [tel.: (963-11) 613 30 35; telex: 412006 UNRWA SY; fax: 613 30 47]  
 D: PO Box 484, Amman, Jordan [tel.: (962-6) 474 19 14/477 22 26; telex: 23402 UNRWAJFO JO; fax: 474 63 61]
4. **Country of destination:** A, E: Israel (A: Gaza; E: West Bank); B: Lebanon; C: Syria; D: Jordan
5. **Product to be mobilised:** white sugar ('A' or 'B' sugar)
6. **Total quantity (tonnes net):** 1 931
7. **Number of lots:** 5 (A: 683 tonnes; B: 294 tonnes; C: 235 tonnes; D: 442 tonnes; E: 277 tonnes)
8. **Characteristics and quality of the product** <sup>(?)</sup> <sup>(?)</sup>: see OJ C 312, 31.10.2000, p. 1 (C.1)
9. **Packaging** <sup>(?)</sup>: see OJ C 267, 13.9.1996, p. 1 (11.2 A 1.b, 2.b and B.4)
10. **Labelling or marking** <sup>(?)</sup>: see OJ C 114, 29.4.1991, p. 1 (V.A(3))  
 — language to be used for the markings: English  
 — supplementary markings: 'NOT FOR SALE'
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage** <sup>(8)</sup>: A, C, E: free at port of landing — container terminal  
 B, D: free at destination
13. **Alternative delivery stage:** free at port of shipment
14. a) **Port of shipment:** —  
 b) **Loading address:** —
15. **Port of landing:** A, E: Ashdod; C: Lattakia
16. **Place of destination:** UNRWA warehouse in Beirut (B) and Amman (D)  
 — port or warehouse of transit: —  
 — overland transport route: —
17. **Period or deadline of supply at the specified stage:**  
 — first deadline: A, B, C, E: 29.6.2003; D: 6.7.2003  
 — second deadline: A, B, C, E: 13.7.2003; D: 20.7.2003
18. **Period or deadline of supply at the alternative stage:**  
 — first deadline: 2 to 15.6.2003  
 — second deadline: 16 to 29.6.2003
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**  
 — first deadline: 13.5.2003  
 — second deadline: 27.5.2003
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>: M. Vestergaard, Commission européenne, Bureau: L130 7/46, B-1049 Bruxelles; tlx: 25670 AGREC B; fax: (32-2) 296 70 03/296 70 04
22. **Export refund** <sup>(4)</sup>: Refund applicable on 23.4.2003, fixed by Commission Regulation (EC) No 647/2003 (OJ L 95, 11.4.2003, p. 10)

## Notes:

- (<sup>1</sup>) Supplementary information: Torben Vestergaard (tel. (32-2) 299 30 50; fax (32-2) 296 20 05).
- (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EC) No 2298/2002 (OJ L 308, 27.11.2001, p. 16), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
- (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents:  
— health certificate (including 'production date: ...').
- (<sup>6</sup>) Notwithstanding OJ C 114, point V.A(3)(c) is replaced by the following, 'the words "European Community"'.
- (<sup>7</sup>) Since the goods may be rebagged, the supplier must provide 1 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>8</sup>) Shipment to take place in 20-foot containers: Lots A, C and E: The contracted shipping terms shall be considered full liner terms free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.  
After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.  
Ashdod: consignment to be stowed in 20-foot containers containing not more than 21,5 tonnes each, net.
- (<sup>9</sup>) Lot C: The health certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including the statement that consular fees and charges have been paid.

Before the Commission can award the supply contract, it needs various items of information about the tenderer concerned (in particular the bank account to be credited). These details are contained in a form available on the Internet at the following website:

[http://europa.eu.int/comm/budget/execution/ftiers\\_fr.htm](http://europa.eu.int/comm/budget/execution/ftiers_fr.htm).

If these details are missing, the tenderer designated as the supplier may not invoke the time limit for notification referred to in Article 9(4) of Regulation (EC) No 2519/97.

You should therefore include the above form with your bid after filling in the required details.

## COMMISSION REGULATION (EC) No 739/2003

of 28 April 2003

**amending Annex I to 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**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 61/2003 <sup>(2)</sup>, and in particular Articles 7 and 8 thereof,

Whereas:

(1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.

(2) Maximum residue limits should be established only after the examination within the Standing Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.

(3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).

(4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are

frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

(5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.

(6) Oxolinic acid and flugestone acetate should be inserted into Annex I to Regulation (EEC) No 2377/90.

(7) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC <sup>(3)</sup> of the European Parliament and of the Council to take account of the provisions of this Regulation.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from the 60th day following its publication.

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 1.<sup>(2)</sup> OJ L 11, 16.1.2003, p. 12.<sup>(3)</sup> OJ L 311, 28.11.2001, p. 1.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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## ANNEX

Annex I to Council Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.3. Quinolones

| Pharmacologically active substance(s) | Marker residue | Animal species         | MRLs      | Target tissues                         |
|---------------------------------------|----------------|------------------------|-----------|----------------------------------------|
| Oxolinic acid                         | Oxolinic acid  | Porcine                | 100 µg/kg | Muscle                                 |
|                                       |                |                        | 50 µg/kg  | Skin and fat                           |
|                                       |                |                        | 150 µg/kg | Liver                                  |
|                                       |                |                        | 150 µg/kg | Kidney                                 |
|                                       |                | Chicken <sup>(1)</sup> | 100 µg/kg | Muscle                                 |
|                                       |                |                        | 50 µg/kg  | Skin and fat                           |
|                                       |                |                        | 150 µg/kg | Liver                                  |
|                                       |                |                        | 150 µg/kg | Kidney                                 |
|                                       |                | Fin fish               | 100 µg/kg | Muscle and skin in natural proportions |

<sup>(1)</sup> Not for use in animals from which eggs are produced for human consumption.'

6. Agents acting on the reproductive system

6.1. Progestagens

| Pharmacologically active substance(s) | Marker residue     | Animal species         | MRLs    | Target tissues |
|---------------------------------------|--------------------|------------------------|---------|----------------|
| Flugestone acetate                    | Flugestone acetate | Caprine <sup>(1)</sup> | 1 µg/kg | Milk           |

<sup>(1)</sup> For intra-vaginal use for zootechnical purposes only.'

**COMMISSION REGULATION (EC) No 740/2003  
of 28 April 2003**

**amending Regulation (EC) No 1520/2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I of the Treaty, and the criteria for fixing the amounts of such refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to the certain goods resulting from the processing of agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 2580/2000 <sup>(2)</sup>, and in particular the first subparagraph of Article 8(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products <sup>(3)</sup>, as last amended by Regulation (EC) No 444/2003 <sup>(4)</sup>, limits the period during which basic agricultural products or goods may remain under prefinancing of the refund arrangements to the unexpired term of the export licence.
- (2) Most refund certificates are valid for the calendar month during which they were applied for plus the following five calendar months. However, refund certificates issued towards the end of the budget period have a shorter validity period, which cannot, due to the international commitments of the European Union, extend beyond 30 September.
- (3) In order to ensure sufficient flexibility so that operators are able to make full use of those short duration refund certificates it is appropriate to take specific measures concerning those certificates.

- (4) Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the

amounts of such refunds <sup>(5)</sup>, as last amended by Regulation (EC) No 1052/2002 <sup>(6)</sup>, should therefore be amended accordingly.

- (5) The Management Committee on horizontal question concerning trade in processed agricultural products not listed in Annex I to the Treaty has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following paragraph 9 is added to Article 16 of Regulation (EC) No 1520/2000:

‘9. By way of derogation from Article 28(6) of Regulation (EC) No 800/1999, for refund certificates issued for use as from 1 June for goods to be exported before 1 October the basic products as listed in Annex A to this Regulation may remain under customs control with a view to processing for three months from the date of acceptance of the payment declaration.

By way of derogation from Article 29(5) of Regulation (EC) No 800/1999 for refund certificates issued for use as from 1 June for goods to be exported before 1 October the goods as listed in Annexes B and C to this Regulation may remain under a customs-warehousing or free zone procedure for three months from the date of acceptance of the payment declaration.’

*Article 2*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

It shall be applicable to payment declarations accepted from 1 October 2003.

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

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

<sup>(3)</sup> OJ L 102, 17.4.1999, p. 11.

<sup>(4)</sup> OJ L 67, 12.3.2003, p. 3.

<sup>(5)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(6)</sup> OJ L 160, 18.6.2002, p. 16.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 741/2003****of 28 April 2003****amending Regulation (EC) No 1555/96 as regards the trigger levels for additional duties on cherries, other than sour cherries**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 47/2003 <sup>(2)</sup>, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables <sup>(3)</sup>, as last amended by Regulation (EC) No 570/2003 <sup>(4)</sup>, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(5)</sup>, as last amended by Regulation (EC) No 444/2002 <sup>(6)</sup>.

- (2) For the purposes of Article 5(4) of the Agreement on Agriculture <sup>(7)</sup> concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 1999, 2000 and 2001, the trigger levels for additional duties on cherries, other than sour cherries should be adjusted.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 1555/96 is hereby replaced by the Annex hereto.

*Article 2*

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

It shall apply from 1 May 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 1.

<sup>(2)</sup> OJ L 7, 11.1.2003, p. 64.

<sup>(3)</sup> OJ L 193, 3.8.1996, p. 1.

<sup>(4)</sup> OJ L 82, 29.3.2003, p. 17.

<sup>(5)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(6)</sup> OJ L 68, 12.3.2002, p. 11.

<sup>(7)</sup> OJ L 336, 23.12.1994, p. 22.

## ANNEX

## ‘ANNEX

Without prejudice to the rules governing the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where “ex” appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and by the corresponding trigger period.

| Serial No              | CN code                                                          | Description                                                                        | Trigger period                                           | Trigger level (tonnes) |
|------------------------|------------------------------------------------------------------|------------------------------------------------------------------------------------|----------------------------------------------------------|------------------------|
| 78.0015<br>78.0020     | ex 0702 00 00                                                    | Tomatoes                                                                           | 1 October to 31 March<br>1 April to 30 September         | 190 815<br>17 676      |
| 78.0065<br>78.0075     | ex 0707 00 05                                                    | Cucumbers                                                                          | 1 May to 31 October<br>1 November to 30 April            | 7 037<br>4 555         |
| 78.0085                | ex 0709 10 00                                                    | Artichokes                                                                         | 1 November to 30 June                                    | 1 109                  |
| 78.0100                | 0709 90 70                                                       | Courgettes                                                                         | 1 January to 31 December                                 | 50 201                 |
| 78.0110                | ex 0805 10 10<br>ex 0805 10 30<br>ex 0805 10 50                  | Oranges                                                                            | 1 December to 31 May                                     | 331 166                |
| 78.0120                | ex 0805 20 10                                                    | Clementines                                                                        | 1 November to end of February                            | 81 509                 |
| 78.0130                | ex 0805 20 30<br>ex 0805 20 50<br>ex 0805 20 70<br>ex 0805 20 90 | Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids | 1 November to end of February                            | 85 422                 |
| 78.0155<br>78.0160     | ex 0805 50 10                                                    | Lemons                                                                             | 1 June to 31 December<br>1 January to 31 May             | 249 206<br>14 827      |
| 78.0170                | ex 0806 10 10                                                    | Table grapes                                                                       | 21 July to 20 November                                   | 62 101                 |
| 78.0175<br><br>78.0180 | ex 0808 10 20<br>ex 0808 10 50<br>ex 0808 10 90                  | Apples                                                                             | 1 January to 31 August<br><br>1 September to 31 December | 654 806<br><br>39 852  |
| 78.0220<br>78.0235     | ex 0808 20 50                                                    | Pears                                                                              | 1 January to 30 April<br>1 July to 31 December           | 239 999<br>25 357      |
| 78.0250                | ex 0809 10 00                                                    | Apricots                                                                           | 1 June to 31 July                                        | 4 156                  |
| 78.0265                | ex 0809 20 95                                                    | Cherries, other than sour cherries                                                 | 21 May to 10 August                                      | 62 483                 |
| 78.0270                | ex 0809 30                                                       | Peaches, including nectarines                                                      | 11 June to 30 September                                  | 3 378                  |
| 78.0280                | ex 0809 40 05                                                    | Plums                                                                              | 11 June to 30 September                                  | 81 605'                |

**COMMISSION REGULATION (EC) No 742/2003  
of 28 April 2003**

**amending for the 17th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 of 27 May 2002 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan <sup>(1)</sup>, as last amended by Regulation (EC) No 561/2003 <sup>(2)</sup>, and in particular Article 7(1), second indent, thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 881/2002 lists the competent authorities to whom information and requests concerning the measures imposed by that Regulation should be sent.

- (2) The Netherlands, Sweden and the United Kingdom requested that the address details concerning their competent authorities be amended and as a result of personnel changes the address details concerning the Commission have to be amended,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 881/2002 is hereby amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

<sup>(1)</sup> OJ L 139, 29.5.2002, p. 9.

<sup>(2)</sup> OJ L 82, 29.3.2003, p. 1.

## ANNEX

Annex II to Regulation (EC) No 881/2002 is amended as follows:

1. The address details under the heading 'Netherlands' shall be replaced with:  
Ministerie van Financiën  
Directie Financiële Markten, afdeling Integriteit  
Postbus 20201  
2500 EE Den Haag  
The Netherlands  
Tel (31-70) 342 89 97  
Fax: (31-70) 342 79 18'.
2. The address details under the heading 'Sweden' shall be replaced with:
  - With respect to Article 2a:  
Riksförsäkringsverket (RFV)  
S-103 51 Stockholm  
Tel. (46-8) 786 90 00  
Fax (46-8) 411 27 89
  - With respect to Article 4:  
Rikspolisstyrelsen (RPS)  
Box 12256  
S-102 26 Stockholm  
Tel. (46-8) 401 90 00  
Fax (46-8) 401 99 00
  - With respect to Article 5:  
Finansinspektionen  
Box 7831  
S-103 98 Stockholm  
Tel. (46-8) 787 80 00  
Fax (46-8) 24 13 35'.
3. The address details under the heading 'United Kingdom' shall be replaced with:
  - With respect to export restrictions:  
Department of Trade and Industry  
Export Control and Non-Proliferation Directorate  
3-4, Abbey Orchard Street  
London SW1P 2JJ  
United Kingdom  
Tel. (44-207) 215 05 10  
Fax (44-207) 215 05 11.
  - With respect to freezing of funds and economic resources:  
HM Treasury  
International Financial Services Team  
1, Horse Guards Road  
London SW1A 2HQ  
United Kingdom  
Tel. (44-207) 270 55 50  
Fax (44-207) 270 43 65  
Bank of England  
Financial Sanctions Unit  
Threadneedle Street  
London EC2R 8AH  
United Kingdom  
Tel. (44-207) 601 46 07  
Fax (44 207) 601 43 09'.
4. The address details under the heading 'European Community' shall be replaced with:  
'Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations — Sanctions  
CHAR 12/163  
B-1049 Brussels  
Tel. (32-2) 295 81 48, 296 25 56  
Fax (32-2) 296 75 63  
E-mail: relex-sanctions@cec.eu.int'.

**COMMISSION REGULATION (EC) No 743/2003**  
**of 28 April 2003**  
**amending for the fourth time Council Regulation (EC) No 310/2002 concerning certain restrictive**  
**measures in respect of Zimbabwe**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 310/2002 of 18 February 2002 concerning certain restrictive measures in respect of Zimbabwe <sup>(1)</sup>, as last amended by Regulation (EC) No 1643/2002 <sup>(2)</sup>, and whose validity was extended by Regulation (EC) No 313/2003 <sup>(3)</sup>, and in particular Article 8, second indent, thereof,

Whereas:

- (1) Annex III to Regulation (EC) No 310/2002 lists the competent authorities to whom information and requests concerning the measures imposed by that Regulation should be sent.

- (2) The Netherlands and the United Kingdom requested that the address details concerning their competent authorities be amended and as a result of personnel changes the address details concerning the Commission have to be amended,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex III to Regulation (EC) No 310/2002 is hereby amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*

Christopher PATTEN

*Member of the Commission*

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<sup>(1)</sup> OJ L 50, 21.2.2002, p. 4.

<sup>(2)</sup> OJ L 247, 14.9.2002, p. 22.

<sup>(3)</sup> OJ L 46, 20.2.2003, p. 6.

## ANNEX

Annex III to Regulation (EC) No 310/2002 is amended as follows:

1. The address details under the heading 'Netherlands' shall be replaced with:

Ministerie van Financiën  
Directie Financiële Markten, afdeling Integriteit  
Postbus 20201  
2500 EE Den Haag  
The Netherlands  
Tel. (31-70) 342 89 97  
Fax (31-70) 342 7918'.

2. The address details under the heading 'United Kingdom' shall be replaced with:

— With respect to export restrictions:

Department of Trade and Industry  
Export Control and Non-Proliferation Directorate  
3-4, Abbey Orchard Street  
London SW1P 2JJ  
United Kingdom  
Tel. (44-207) 215 05 10  
Fax (44-207) 215 05 11.

— With respect to freezing of funds and economic resources:

HM Treasury  
International Financial Services Team  
1, Horse Guards Road  
London SW1A 2HQ  
United Kingdom  
Tel. (44-207) 270 5550  
Fax (44-207) 270 4365  
Bank of England  
Financial Sanctions Unit  
Threadneedle Street  
London EC2R 8AH  
United Kingdom  
Tel. (44-207) 601 4607  
Fax (44-207) 601 4309'.

3. The address details under the heading 'European Community' shall be replaced with:

'Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations — Sanctions  
CHAR 12/163  
B-1049 Brussels  
Tel. (32-2) 295 81 48, 296 25 56  
Fax (32-2) 296 75 63  
E-mail: relex-sanctions@cec.eu.int'.

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**COMMISSION REGULATION (EC) No 744/2003  
of 28 April 2003**

**amending, for the second time, Council Regulation (EC) No 1081/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1081/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country <sup>(1)</sup>, as amended by Regulation (EC) No 1883/2002 <sup>(2)</sup>, and in particular Article 4, second indent, thereof,

Whereas:

- (1) Annex III to Regulation (EC) No 1081/2000 lists the competent authorities to whom information concerning the measures imposed by that Regulation should be sent.

- (2) The Netherlands and the United Kingdom requested that the address details concerning their competent authorities be amended and as a result of personnel changes the address details concerning the Commission have to be amended,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex III to Regulation (EC) No 1081/2000 is hereby amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

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<sup>(1)</sup> OJ L 122, 24.5.2000, p. 29.

<sup>(2)</sup> OJ L 285, 23.10.2002, p. 17.

## ANNEX

Annex III to Regulation (EC) No 1081/2000 is amended as follows:

1. The address details under the heading 'Netherlands' shall be replaced with:  
Ministerie van Financiën  
Directie Financiële Markten, afdeling Integriteit  
Postbus 20201  
2500 EE Den Haag  
Nederland  
Tel. (31-70) 342 89 97  
Fax (31-70) 342 79 18'.
  2. The address details under the heading 'United Kingdom' shall be replaced with:
    - With respect to export restrictions:  
Department of Trade and Industry  
Export Control and Non-Proliferation Directorate  
3-4, Abbey Orchard Street  
London SW1P 2JJ  
United Kingdom  
Tel. (44-207) 215 0510  
Fax (44-207) 215 0511.
    - With respect to freezing of funds and economic resources:  
HM Treasury  
International Financial Services Team  
1, Horse Guards Road  
London SW1A 2HQ  
United Kingdom  
Tel. (44-207) 270 5550  
Fax (44-207) 270 4365  
Bank of England  
Financial Sanctions Unit  
Threadneedle Street  
London EC2R 8AH  
United Kingdom  
Tel. (44-207) 601 4607  
Fax (44-207) 601 4309'.
  3. The address details under the heading 'European Community' shall be replaced with:  
'Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations — Sanctions  
CHAR 12/163  
B-1049 Brussels  
Tel. (32-2) 295 81 48, 296 25 56  
Fax (32-2) 296 75 63  
E-mail: relex-sanctions@cec.eu.int'.
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**COMMISSION REGULATION (EC) No 745/2003**  
**of 28 April 2003**  
**amending Council Regulation (EC) No 2580/2001 on specific measures directed against certain**  
**persons and entities with a view to combating terrorism**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism <sup>(1)</sup> and in particular Article 7 thereof,

Whereas:

- (1) The Annex to Regulation (EC) No 2580/2001 lists the competent authorities to whom information and requests concerning the measures imposed by that Regulation should be sent.

- (2) The Netherlands and the United Kingdom have requested that the address details concerning their competent authorities be amended and, as a result of personnel changes, the address details concerning the Commission have to be amended,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 2580/2001 is hereby amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 28 April 2003.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

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<sup>(1)</sup> OJ L 344, 28.12.2001, p. 70.

## ANNEX

The Annex to Regulation (EC) No 2580/2001 is amended as follows:

1. the address details under the heading 'Netherlands' shall be replaced with:

Ministerie van Financiën  
Directie Financiële Markten, afdeling Integriteit  
Postbus 20201  
2500 EE Den Haag  
The Netherlands  
Tel. (31-70) 342 89 97  
Fax (31-70) 342 79 18'.

2. the address details under the heading 'United Kingdom' shall be replaced with:

HM Treasury  
International Financial Services Team  
1, Horse Guards Road  
London  
SW1A 2HQ  
United Kingdom  
Tel. (44-207) 270 55 50  
Fax (44-207) 270 43 65  
Bank of England  
Financial Sanctions Unit  
Threadneedle Street  
London  
EC2R 8AH  
United Kingdom  
Tel. (44-207) 601 46 07  
Fax (44-207) 601 43 09'.

3. the address details under the heading 'European Community' shall be replaced with:

Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations — Sanctions  
CHAR 12/163  
B-1049 Brussels  
Tel. (32-2) 295 81 48/296 25 56  
Fax (32-2) 296 75 63  
E-mail: relex-sanctions@cec.eu.int'.

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**COMMISSION REGULATION (EC) No 746/2003****of 28 April 2003****fixing the minimum selling prices for beef put up for sale under the second invitation to tender referred to in Regulation (EC) No 596/2003**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2345/2001 <sup>(2)</sup>, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 596/2003 <sup>(3)</sup>.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69 <sup>(4)</sup>, as last amended by Regulation (EC) No 2417/95 <sup>(5)</sup>, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted.

- (3) 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*

The minimum selling prices for beef for the second invitation to tender held in accordance with Regulation (EC) No 596/2003 for which the time limit for the submission of tenders was 22 April 2003 are as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 April 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 315, 1.12.2001, p. 29.

<sup>(3)</sup> OJ L 85, 2.4.2003, p. 3.

<sup>(4)</sup> OJ L 251, 5.10.1979, p. 12.

<sup>(5)</sup> OJ L 248, 14.10.1995, p. 39.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —  
LIITE — BILAGA

|                |             |                                                      |
|----------------|-------------|------------------------------------------------------|
| Estado miembro | Productos   | Precio mínimo<br>Expresado en euros por tonelada     |
| Medlemsstat    | Produkter   | Mindestpreise<br>i EUR/t                             |
| Mitgliedstaat  | Erzeugnisse | Mindestpreise<br>Ausgedrückt in EUR/Tonne            |
| Κράτος μέλος   | Προϊόντα    | Ελάχιστες πωλήσεις εκφραζόμενες<br>σε ευρώ ανά τόνο  |
| Member State   | Products    | Minimum prices<br>Expressed in EUR per tonne         |
| État membre    | Produits    | Prix minimaux<br>Exprimés en euros par tonne         |
| Stato membro   | Prodotti    | Prezzi minimi<br>Espressi in euro per tonnellata     |
| Lidstaat       | Producten   | Minimumprijzen<br>Uitgedrukt in euro per ton         |
| Estado-Membro  | Produtos    | Preço mínimo<br>Expresso em euros por tonelada       |
| Jäsenvaltio    | Tuotteet    | Vähimmäishinnat euroina tonnina<br>kohden ilmaistuna |
| Medlemsstat    | Produkter   | Minimipriser<br>i euro per ton                       |

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

|             |                      |       |
|-------------|----------------------|-------|
| DANMARK     | — Forfjerdinger      | —     |
| DEUTSCHLAND | — Hinterviertel      | 1 351 |
|             | — Vorderviertel      | 750   |
| ESPAÑA      | — Cuartos traseros   | 1 350 |
|             | — Cuartos delanteros | 750   |
| FRANCE      | — Quartiers arrière  | —     |
|             | — Quartiers avant    | 740   |
| ITALIA      | — Quarti anteriori   | 701   |
| ÖSTERREICH  | — Vorderviertel      | —     |

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Bonelss beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

|             |                                             |       |
|-------------|---------------------------------------------|-------|
| DEUTSCHLAND | — Hinterhesse (INT 11)                      | —     |
|             | — Kugel (INT 12)                            | —     |
|             | — Oberschale (INT 13)                       | —     |
|             | — Unterschale (INT 14)                      | 2 460 |
|             | — Hüfte (INT 16)                            | —     |
|             | — Roastbeef (INT 17)                        | 5 040 |
|             | — Lappen (INT 18)                           | —     |
|             | — Hochrippe (INT 19)                        | —     |
|             | — Vorderviertel (INT 24)                    | —     |
| ESPAÑA      | — Lomo de intervención (INT 17)             | —     |
|             | — Paleta de intervención (INT 22)           | —     |
|             | — Pecho de intervención (INT 23)            | —     |
|             | — Cuarto delantero de intervención (INT 24) | —     |

|           |                                          |        |
|-----------|------------------------------------------|--------|
| FRANCE    | — Tranche grasse d'intervention (INT 12) | —      |
|           | — Tranche d'intervention (INT 13)        | 2 801  |
|           | — Semelle d'intervention (INT 14)        | 2 321  |
|           | — Rumsteck d'intervention (INT 16)       | —      |
|           | — Faux-filet d'intervention (INT 17)     | —      |
|           | — Flanchet d'intervention (INT 18)       | —      |
|           | — Épaule d'intervention (INT 22)         | —      |
|           | — Poitrine d'intervention (INT 23)       | —      |
|           | — Avant d'intervention (INT 24)          | —      |
|           | — Intervention shoulder (INT 22)         | —      |
| IRELAND   | — Intervention forequarter (INT 24)      | —      |
|           | — Girello d'intervento (INT 14)          | —      |
| ITALIA    | — Filetto d'intervento (INT 15)          | 11 200 |
|           | — Scamone (INT 16)                       | —      |
|           | — Roastbeef d'intervento (INT 17)        | —      |
|           | — Interventieschouder (INT 22)           | —      |
| NEDERLAND | — Interventieborst (INT 23)              | —      |

**COMMISSION REGULATION (EC) No 747/2003  
of 28 April 2003**

**fixing the minimum selling prices for beef put up for sale under the second invitation to tender  
referred to in Regulation (EC) No 598/2003**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2345/2001 <sup>(2)</sup>, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 598/2003 <sup>(3)</sup>.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69 <sup>(4)</sup>, as last amended by Regulation (EC) No 2417/95 <sup>(5)</sup>, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted.

- (3) 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*

The minimum selling prices for beef for the second invitation to tender held in accordance with Regulation (EC) No 598/2003 for which the time limit for the submission of tenders was 22 April 2003 are as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 April 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 315, 1.12.2001, p. 29.

<sup>(3)</sup> OJ L 29, 5.2.2003, p. 14.

<sup>(4)</sup> OJ L 251, 5.10.1979, p. 12.

<sup>(5)</sup> OJ L 248, 14.10.1995, p. 39.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —  
LIITE — BILAGA

|                |             |                                                     |
|----------------|-------------|-----------------------------------------------------|
| Estado miembro | Productos   | Precio mínimo<br>Expresado en euros por tonelada    |
| Medlemsstat    | Produkter   | Mindstepriser<br>i EUR/t                            |
| Mitgliedstaat  | Erzeugnisse | Mindestpreise<br>Ausgedrückt in EUR/Tonne           |
| Κράτος μέλος   | Προϊόντα    | Ελάχιστες πωλήσεις εκφραζόμενες<br>σε ευρώ ανά τόνο |
| Member State   | Products    | Minimum prices<br>Expressed in EUR per tonne        |
| État membre    | Produits    | Prix minimaux<br>Exprimés en euros par tonne        |
| Stato membro   | Prodotti    | Prezzi minimi<br>Espressi in euro per tonnellata    |
| Lidstaat       | Producten   | Minimumprijzen<br>Uitgedrukt in euro per ton        |
| Estado-Membro  | Produtos    | Preço mínimo<br>Expresso em euros por tonelada      |
| Jäsenvaltio    | Tuotteet    | Vähimmäishinnat euroina tonnia<br>kohden ilmaistuna |
| Medlemsstat    | Produkter   | Minimipriser<br>i euro per ton                      |

**Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande  
avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

|             |                      |       |
|-------------|----------------------|-------|
| DEUTSCHLAND | — Hinterviertel      | 1 100 |
|             | — Vorderviertel      | —     |
| ESPAÑA      | — Cuartos traseros   | 1 090 |
|             | — Cuartos delanteros | 1 200 |
| FRANCE      | — Quartiers arrière  | —     |
|             | — Quartiers avant    | —     |
| NEDERLAND   | — Achtervoeten       | 1 100 |
|             | — Voorvoeten         | —     |
| ÖSTERREICH  | — Hinterviertel      | 1 100 |
|             | — Vorderviertel      | —     |

**COMMISSION REGULATION (EC) No 748/2003****of 28 April 2003****fixing the minimum selling prices for beef put up for sale under the second invitation to tender referred to in Regulation (EC) No 604/2003**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2345/2001 <sup>(2)</sup>, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 604/2003 <sup>(3)</sup>.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for to disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69 <sup>(4)</sup>, as last amended by Regulation (EC) No 2417/95 <sup>(5)</sup>, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted.

- (3) 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*

The minimum selling prices for beef for the second invitation to tender held in accordance with Regulation (EC) No 604/2003 for which the time limit for the submission of tenders was 22 April 2003 are as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 April 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 315, 1.12.2001, p. 29.

<sup>(3)</sup> OJ L 86, 3.4.2003, p. 7.

<sup>(4)</sup> OJ L 251, 5.10.1979, p. 12.

<sup>(5)</sup> OJ L 248, 14.10.1995, p. 39.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —  
LIITE — BILAGA

|                |             |                                                     |
|----------------|-------------|-----------------------------------------------------|
| Estado miembro | Productos   | Precio mínimo<br>Expresado en euros por tonelada    |
| Medlemsstat    | Produkter   | Mindstepriser<br>i EUR/t                            |
| Mitgliedstaat  | Erzeugnisse | Mindestpreise<br>Ausgedrückt in EUR/Tonne           |
| Κράτος μέλος   | Προϊόντα    | Ελάχιστες πωλήσεις εκφραζόμενες<br>σε ευρώ ανά τόνο |
| Member State   | Products    | Minimum prices<br>Expressed in EUR per tonne        |
| État membre    | Produits    | Prix minimaux<br>Exprimés en euros par tonne        |
| Stato membro   | Prodotti    | Prezzi minimi<br>Espressi in euro per tonnellata    |
| Lidstaat       | Producten   | Minimumprijzen<br>Uitgedrukt in euro per ton        |
| Estado-Membro  | Produtos    | Preço mínimo<br>Expresso em euros por tonelada      |
| Jäsenvaltio    | Tuotteet    | Vähimmäishinnat euroina tonnia<br>kohden ilmaistuna |
| Medlemsstat    | Produkter   | Minimipriser<br>i euro per ton                      |

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

|             |                      |     |
|-------------|----------------------|-----|
| DEUTSCHLAND | — Vorderviertel      | —   |
| FRANCE      | — Quartiers avant    | 601 |
| ESPAÑA      | — Cuartos delanteros | —   |

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

|        |                                    |   |
|--------|------------------------------------|---|
| FRANCE | — Flanchet d'intervention (INT 18) | — |
|        | — Épaule d'intervention (INT 22)   | — |
|        | — Avant d'intervention (INT 24)    | — |

**COMMISSION REGULATION (EC) No 749/2003  
of 28 April 2003**

**determining the percentage of quantities which may be allowed in respect of import licence applications lodged in April 2003 under tariff quotas for beef and veal provided for in Regulation (EC) No 1279/98 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1279/98 of 19 June 1998, laying down rules for the application of the tariff quotas for beef and veal provided for by Council Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2851/2000 and (EC) No 1408/2002 and Council Decision 2003/18/EC for Bulgaria, the Czech Republic, Slovakia, the Republic of Poland, the Republic of Hungary and Romania <sup>(1)</sup>, as last amended by Regulation (EC) No 529/2003 <sup>(2)</sup>, and in particular Article 4(4) thereof,

Whereas:

Articles 1 and 2 of Regulation (EC) No 1279/98 fix the quantities of certain beef and veal products originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, which may be imported on special terms in respect of the period 1 April to 30 June 2003. The quantities of certain beef and veal products originating in Hungary, the Czech Republic and Romania covered by import licence applications submitted are such that applications may be accepted in full. However, quantities covered by applications in respect of certain beef and veal products originating in Poland must be reduced proportionately in accordance with Article 4(4) of that Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following percentages of quantities covered by import licence applications submitted in respect of the period 1 April to 30 June 2003 under the quotas referred to in Regulation (EC) No 1279/98 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary and the Czech Republic;
- (b) 100 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania;
- (c) 1,23324 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202 and 1602 50 originating in Poland.

*Article 2*

This Regulation shall enter into force on 29 April 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

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

<sup>(1)</sup> OJ L 176, 20.6.1998, p. 12.

<sup>(2)</sup> OJ L 78, 25.3.2003, p. 5.

**COMMISSION REGULATION (EC) No 750/2003****of 28 April 2003****fixing the production refund for olive oil used in the manufacture of certain preserved foods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No 1513/2001 <sup>(2)</sup>, and in particular Article 20a thereof,

Whereas:

- (1) Article 20a of Regulation No 136/66/EEC provides for the granting of a production refund for olive oil used in the preserving industry. Under paragraph 6 of that Article, and without prejudice to paragraph 3 thereof, the Commission shall fix this refund every two months.
- (2) By virtue of Article 20a(2) of the abovementioned Regulation, the production refund must be fixed on the basis of the gap between prices on the world market and on the Community market, taking account of the import charge applicable to olive oil falling within CN

subheading 1509 90 00 and the factors used for fixing the export refunds for those olive oils during the reference period. It is appropriate to take as a reference period the two-month period preceding the beginning of the term of validity of the production refund.

- (3) The application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the months of May and June 2003, the amount of the production refund referred to in Article 20a(2) of Regulation No 136/66/EEC shall be EUR 44,00/100 kg.

*Article 2*

This Regulation shall enter into force on 1 May 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

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

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<sup>(1)</sup> OJ L 72, 30.9.1966, p. 3025/66.

<sup>(2)</sup> OJ L 201, 26.7.2001, p. 4.

**COMMISSION REGULATION (EC) No 751/2003****of 28 April 2003****fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 29 April 2003.

It shall apply from 30 April to 13 May 2003.

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

Done at Brussels, 28 April 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 72, 18.3.1988, p. 16.

<sup>(4)</sup> OJ L 289, 22.10.1997, p. 1.

## ANNEX

**to the Commission Regulation of 28 April 2003 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

(EUR/100 pieces)

Period: from 30 April to 13 May 2003

| Community producer price | Uniflorous (bloom)<br>carnations | Multiflorous (spray)<br>carnations | Large-flowered roses | Small-flowered roses |
|--------------------------|----------------------------------|------------------------------------|----------------------|----------------------|
|                          | 20,74                            | 12,82                              | 30,07                | 16,27                |
| Community import prices  | Uniflorous (bloom)<br>carnations | Multiflorous (spray)<br>carnations | Large-flowered roses | Small-flowered roses |
| Israel                   | 11,84                            | 13,00                              | 10,18                | 13,94                |
| Morocco                  | 19,56                            | 15,47                              | —                    | —                    |
| Cyprus                   | —                                | —                                  | —                    | —                    |
| Jordan                   | —                                | —                                  | —                    | —                    |
| West Bank and Gaza Strip | 11,82                            | —                                  | —                    | —                    |

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 28 April 2003

appointing members of the Committee for Orphan Medicinal Products

(Text with EEA relevance)

(2003/296/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products <sup>(1)</sup>, and in particular Article 4(3) thereof,

Whereas:

- (1) The term of office of the members of the Committee for Orphan Medicinal Products, hereinafter 'the Committee' set up in accordance with Article 4 of Regulation (EC) No 141/2000 expires on 15 April 2003. It is necessary, therefore, to appoint a new member and to renew the terms of office of certain existing members.
- (2) The European Agency for the Evaluation of Medicinal Products has recommended three persons for nomination.
- (3) The members of the Committee should be appointed for a period of three years starting on 16 April 2003,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The following is hereby appointed member of the Committee for Orphan Medicinal Products, hereinafter referred to as 'the Committee', to represent patients' organisations for a term of three years, from 16 April 2003:

Birthe Holm.

2. The following are hereby reappointed members of the Committee to represent patients' organisations for a term of three years, from 16 April 2003:

Yann Le Cam

Alastair Kent.

*Article 2*

On the recommendation of the European Agency for the Evaluation of Medicinal Products, the following are hereby reappointed members of the Committee for a term of three years, from 16 April 2003:

Dr Eric Abadie

Dr David Lyons

Prof. Gianmartino Benzi.

Done at Brussels, 28 April 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

<sup>(1)</sup> OJ L 18, 22.1.2000, p. 1.

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

**COUNCIL COMMON POSITION 2003/297/CFSP  
of 28 April 2003  
on Burma/Myanmar**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 28 October 1996, the Council adopted Common Position 96/635/CFSP on Burma/Myanmar<sup>(1)</sup>, which expires on 29 April 2003.
- (2) In view of the further deterioration in the political situation in Burma/Myanmar, as witnessed by the failure of the military authorities to enter into substantive discussions with the democratic movement concerning a process leading to national reconciliation, respect for human rights and democracy and the continuing serious violations of human rights, including the failure to take action to eradicate the use of forced labour in accordance with the recommendations of the International Labour Organisation's High-Level Team report of 2001, the Council has deemed it necessary to further expand and strengthen the measures taken under Common Position 96/635/CFSP against the military regime in Burma/Myanmar, those who benefit most from its misrule and those who actively frustrate the process of national reconciliation, respect for human rights and democracy.
- (3) Accordingly the scope of the visa ban and assets freeze should be extended to include further members of the military regime, the military and security forces, the military regime's economic interests and other individuals, groups, undertakings or entities associated with the military regime who formulate, implement or benefit from policies that impede Burma/Myanmar's transition to democracy and their families and associates.
- (4) The Council also deems it necessary to modify the arms embargo to prohibit technical training or assistance.
- (5) The Council has decided to suspend the extension of the visa ban and assets freeze, along with the prohibition of technical training or assistance under the arms embargo, up to 29 October 2003 at the latest. Those measures
- will not be imposed if by that time there is substantive progress towards national reconciliation, the restoration of a democratic order and greater respect for human rights in Burma/Myanmar.
- (6) Exemptions should be introduced in the arms embargo in order to allow the export of certain military rated equipment for humanitarian use.
- (7) The implementation of the visa ban should be without prejudice to cases where a Member State is bound by an obligation of international law, or is host country of the Organisation for Security and Cooperation in Europe (OSCE), or where the Minister and Vice-Minister for Foreign Affairs for Burma/Myanmar visit with prior notification and agreement of the Council.
- (8) The implementation of the ban on high level visits at the level of Political Director and above should be without prejudice to the Troika visit scheduled to take place before 29 October 2003 provided certain conditions are met, and to cases where the European Union decides that the visit is directly in pursuit of national reconciliation, respect for human rights and democracy in Burma/Myanmar.
- (9) Action by the Community is needed in order to implement certain measures.
- (10) In the light of the above developments, Common Position 96/635/CFSP should be repealed and replaced,

HAS ADOPTED THIS COMMON POSITION:

*Article 1*

All military personnel attached to the diplomatic representations of Burma/Myanmar in Member States shall be expelled and all military personnel attached to diplomatic representations of the Member States in Burma/Myanmar shall be withdrawn.

<sup>(1)</sup> OJ L 287, 8.11.1996, p. 1. Common Position as last amended by Common Position 2002/831/CFSP (OJ L 285, 23.10.2002, p. 7).

*Article 2*

1. An embargo on arms, munitions and military equipment shall be enforced against Myanmar <sup>(1)</sup>.

2. The provision to Burma/Myanmar of technical training or assistance related to the provision, manufacture, maintenance or use of the items mentioned in paragraph 1 by nationals of Member States or from the territories of the Member States, shall be prohibited.

3. Paragraphs 1 and 2 shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Burma/Myanmar by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

*Article 3*

Non humanitarian aid or development programmes shall be suspended. Exceptions may be made for projects and programmes which should be, as far as possible, defined in consultation with democratic groups, including the National League for Democracy, and run with their involvement:

- in support of human rights and democracy,
- in support of poverty alleviation and, in particular, of the provision of basic needs for the poorest section of the population, in the context of decentralised cooperation through local civilian authorities and non-governmental organisations,
- in support of health and basic education through non-governmental organisations.

*Article 4*

1. Member States shall take the necessary measures to prevent the entry into, or transit through, the territories of senior members of the State Peace and Development Council (SPDC), Burmese authorities in the tourism sector, senior members of the military, the Government or the security forces who formulate, implement or benefit from policies that impede Burma/Myanmar's transition to democracy, and their families.

2. The persons to which paragraph 1 applies are those listed in the Annex.

3. Paragraph 1 will not oblige a Member State to refuse its own nationals entry to its territory.

4. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

- (a) as a host country of an international intergovernmental organisation;

<sup>(1)</sup> The aforementioned embargo covers weapons designed to kill and their ammunition, weapon platforms, non-weapon platforms and ancillary equipment. The embargo also covers spare parts, repairs, maintenance and transfer of military technology. Contracts entered into prior to 8 November 1996 are not affected by this Common Position.

- (b) as a host country to an international conference convened by, or under the auspices of, the United Nations; or

- (c) under a multilateral agreement conferring privileges and immunities.

The Council shall be duly informed in each of these cases.

5. Paragraph 4 shall be considered as applying also in cases where a Member State is host of the OSCE.

6. Member States may grant exemptions from the measures imposed in paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending inter-governmental meetings, including those promoted by the European Union, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in Burma/Myanmar.

7. A Member State wishing to grant exemptions from measures imposed under paragraph 6 shall notify the Council in writing. The exemption will be deemed to be granted unless one or more of the Council Members raises an objection in writing within 48 hours of receiving notification of the proposed exemption. In the event that one or more of the Council members raises an objection, the Council, acting by qualified majority, may decide to grant the proposed exemption.

8. In cases where, pursuant to paragraphs 4, 5, 6 and 7, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

*Article 5*

Funds held abroad by persons referred to in Article 4(1), as identified in the Annex, will be frozen.

*Article 6*

No equipment which might be used for internal repression or terrorism will be supplied to Burma/Myanmar.

*Article 7*

Without prejudice to the Troika visit, scheduled to take place provided certain conditions are met, high-level bilateral governmental (Ministers and Officials at the level of Political Director and above) visits to Burma/Myanmar shall be suspended. The Council may, in exceptional circumstances, decide to grant exceptions to this rule.

*Article 8*

The Council, acting upon a proposal by a Member State or the Commission, shall adopt modifications to the list contained in the Annex as required.

*Article 9*

Unless the Council decides otherwise:

- (a) sanctions set out in this Common Position shall, no later than 29 October 2003, be extended to include further members of the military regime, the military and security forces, the military regime's economic interests and other individuals, groups, undertakings or entities associated with the military regime who formulate, implement or benefit from policies that impede Burma/Myanmar's transition to democracy, and their families and associates.
- (b) the provisions of Article 2(2) shall remain suspended until 29 October 2003.

*Article 10*

1. The implementation of this Common Position will be monitored by the Council and will be reviewed in the light of developments in Burma/Myanmar. Further measures may need to be considered.

2. In the case of a substantial improvement of the overall political situation in Burma/Myanmar, not only the suspension of the aforementioned measures, but also the gradual resumption of cooperation with Burma/Myanmar will be considered, after assessment of developments by the Council.

*Article 11*

Common Position 96/635/CFSP is hereby repealed and shall be replaced by this Common Position. Existing references to Common Position 96/635/CFSP shall be read as references to this Common Position.

*Article 12*

This Common Position shall take effect on the date of its adoption. It shall expire on 29 April 2004.

*Article 13*

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

Done at Brussels, 28 April 2003.

*For the Council*

*The President*

G. PAPANDREOU

## ANNEX

**List of persons referred to in Article 4****1. State Peace and Development Council (SPDC):**

|                                        |                                                                           |
|----------------------------------------|---------------------------------------------------------------------------|
| Senior Gen Than Shwe                   | Chairman, also Prime Minister and Minister of Defence (2.2.1933, Kyaukse) |
| Vice Senior Gen Maung Aye              | Vice-Chairman (25.12.1937, Kon Balu)                                      |
| Gen Khin Nyunt                         | Secretary One and Political Advisor (11.10.1939, Kyauktan)                |
| Lt-Gen Thura Shwe Mann                 | Chief of Staff and Co-ordinator of Special Operations                     |
| Lt-Gen Ye Myint                        | Special Operations 1                                                      |
| Lt-Gen Aung Htwe                       | Special Operations 2                                                      |
| Lt-Gen Khin Maung Than                 | Special Operations 3                                                      |
| Lt-Gen Maung Bo                        | Special Operations 4                                                      |
| Lt-Gen Soe Win                         | Chief of Air Defence                                                      |
| Lt-Gen Kyaw Win                        | Chief of Armed Forces Training                                            |
| Lt-Gen Thein Sein                      | Adjutant General                                                          |
| Lt-Gen (Thiha Thura) Tin Aung Myint Oo | Quartermaster General                                                     |
| Lt-Gen Tin Aye                         | Chief of Military Procurement and Head of UMEH                            |

**2. Former members of SLORC:**

|                                      |
|--------------------------------------|
| Lt-Gen Phone Myint (5.1.1931)        |
| Lt-Gen Aung Ye Kyaw (12.12.1930)     |
| Lt-Gen Sein Aung (11.11.1931)        |
| Lt-Gen Chit Swe (18.1.1932)          |
| Lt-Gen Mya Thin (31.12.1931)         |
| Lt-Gen Kyaw Ba (7.6.1932)            |
| Lt-Gen Tun Kyi (1.5.1938)            |
| Lt-Gen Myo Nyunt (30.9.1930)         |
| Lt-Gen Maung Thint (25.8.1932)       |
| Lt-Gen Aye Thoung (13.3.1930)        |
| Lt-Gen Kyaw Min (22.6.1932, Hanzada) |
| Lt-Gen Maung Hla                     |
| Maj-Gen Soe Myint                    |
| Lt-Gen Myint Aung                    |

**3. Former members of SPDC:**

|                       |                                           |
|-----------------------|-------------------------------------------|
| Commodore Nyunt Thein | Former C-in-C Navy                        |
| Maj-Gen Kyaw Than     | Former C-in-C Air Force (14.6.1941, Bago) |

**4. Regional commanders:**

|                           |                       |
|---------------------------|-----------------------|
| Maj-Gen Myint Swe         | Yangon Command        |
| Brig-Gen Ye Myint         | Central Command       |
| Brig-Gen Maung Oo         | Western Command       |
| Brig-Gen Maung Maung Swe  | Northern Command      |
| Brig-Gen Khin Maung Myint | Eastern Command       |
| Brig-Gen Khin Zaw         | Triangle Command      |
| Brig-Gen Thar Aye         | Coastal Command       |
| Brig-Gen Htay Oo          | South Western Command |
| Brig-Gen Thura Myint Aung | South Eastern Command |

Brig-Gen Myint Hlaing  
 Brig-Gen Soe Naing  
 Brig-Gen Aung Min

North Eastern Command  
 North Western Command  
 Southern Command

5. *Deputy regional commanders:*

Brig-Gen Nay Win  
 Brig-Gen Tin Latt  
 Col Myint Aung  
 Brig-Gen San Thein  
 Brig-Gen San Tun  
 Brig-Gen Soe Myint

Central Command  
 Coastal Command  
 Eastern Command  
 North Eastern Command  
 Northern Command  
 North Western Command, formerly Deputy Regional  
 Commander of Northern Command  
 South Eastern Command  
 South Western Command  
 Western Command  
 Southern Command  
 Rangoon Command  
 Triangle Command

Brig-Gen Myo Hla  
 Brig-Gen Tint Swe  
 Brig-Gen Aung Thein  
 Brig-Gen Thura Maung Ni  
 Brig-Gen Hsan Hsint  
 Col Myint Aung

6. *Other State/divisional commanders:*

Col Thein Kyaing  
 Col Aung Thwin  
 Col Saw Khin Soe  
 Col Kyaw Win

Magwe Division  
 Chin State  
 Karen State  
 Kayah State

7. *Ministers:*

Maj-Gen Nyunt Tin  
 U Aung Thaung  
 Maj-Gen Saw Lwin  
 Maj-Gen Hla Myint Swe  
 U Win Aung  
 U Soe Tha  
 Lt-Gen Tin Ngwe  
 U Than Shwe  
 U Tin Win  
 U Pan Aung  
 Brig-Gen Lun Thi  
 U Than Aung  
 Maj-Gen Ket Sein  
 Brig-Gen Pyi Sone  
 Maj-Gen Thein Zaw  
 U Khin Maung Thein  
 U Aung Khin  
 Maj-Gen Saw Tun  
 U Thaung

Minister for Agriculture and Irrigation  
 Minister for Industry I  
 Minister for Industry II (1939)  
 Minister for Transport  
 Minister for Foreign Affairs (28.2.1944, Dawei)  
 Minister of National Planning and Economic Development  
 Minister for Cooperatives  
 Minister in the Prime Minister's Office  
 Minister of Labour and former Ambassador to the United  
 States of America  
 Minister of Rail Transportation  
 Minister of Energy  
 Minister for Education  
 Minister of Health  
 Minister of Commerce  
 Minister of Hotels and Tourism and also Minister of Telecom-  
 munications, Posts and Telegraphs  
 Minister of Finance and Revenue (11.11.1934, Mandalay)  
 Minister of Religious Affairs  
 Minister of Construction  
 Minister of Science and Technology

|                            |                                                                                                   |
|----------------------------|---------------------------------------------------------------------------------------------------|
| Maj-Gen Kyi Aung           | Minister of Culture                                                                               |
| Maj-Gen Sein Htwa          | Minister of Immigration and Manpower and also Minister of Social Welfare, Relief and Resettlement |
| Brig-Gen Kyaw Hsan         | Minister of Information, formerly Deputy Minister of Commerce                                     |
| Col Thein Nyunt            | Minister for Progress of Border Areas, National Races and Development Affairs                     |
| Maj-Gen Tin Htut           | Minister of Electric Power                                                                        |
| Brig-Gen Thura Aye Myint   | Minister of Sports                                                                                |
| U Aung Phone               | Minister of Forestry                                                                              |
| Col Tin Hlaing             | Minister of Home Affairs                                                                          |
| Brig-Gen Ohn Myint         | Minister of Mines                                                                                 |
| Brig-Gen Maung Maung Thein | Ministry of Livestock and Fisheries                                                               |
| Lt-Gen Min Thein           | Minister at the Office of the Chairman of the SPDC                                                |
| Brig-Gen David Abel        | Minister at the Office of Chairman of SPDC — 28.2.1935, Maymyo                                    |

8. *Other tourism-related appointments:*

|                        |                                                         |
|------------------------|---------------------------------------------------------|
| Brig-Gen Aye Myint Kyu | Deputy Minister of Hotels and Tourism                   |
| U Aung Myint           | Head of Office of Minister of Hotels and Tourism        |
| Lt-Col Khin Maung Latt | Director-General, Ministry of Hotels and Tourism        |
| U Myo Lwin             | Deputy Director-General, Ministry of Hotels and Tourism |

9. *Other senior Ministry of Defence officers:*

|                        |                                                                                                    |
|------------------------|----------------------------------------------------------------------------------------------------|
| Vice Adminal Kyi Min   | C-in-C Navy. Wife Daw Aye Aye                                                                      |
| Brig-Gen Myat Hein     | C-in-C Air Force                                                                                   |
| Col Khin Aung Myint    | Director of Public Relations and Psychological Warfare                                             |
| Brig-Gen Win Hlaing    | Managing Director, Directorate of Defence Procurement                                              |
| Col Thein Tun          | Director of Signals                                                                                |
| Col Hla Tun            | Director of Ordnance Services                                                                      |
| Col Than Htay          | Director of Supply and Transport                                                                   |
| Brig-Gen Maung Nyo     | Vice Adjutant General                                                                              |
| Brig-Gen Kyaw Win      | Vice Quartermaster General                                                                         |
| Maj-Gen Tin Ngwe       | Military Appointment General                                                                       |
| Col Khin Maung Sann    | Military Appointment Colonel                                                                       |
| Maj-Gen Thein Soe      | Judge Advocate General                                                                             |
| Brig-Gen Saw Hla       | Provost Marshal                                                                                    |
| Rear Admiral Soe Thane | Chief of Staff (Navy)                                                                              |
| Col Myint Swe          | Chief of Staff (Air)                                                                               |
| Lt-Col Zin Aye         | Colonel, General Air Staff                                                                         |
| Capt Kyaw Naing Myint  | Directorate of Defence Procurement, Ministry of Defence                                            |
| Brig-Gen Khi Yi        | Director-General of Myanmar (Burma) Police force (formerly commander of MOMC 21 based at Mong Mit) |

10. *Members of the office of the chief of military intelligence (OCMI):*

|                    |               |
|--------------------|---------------|
| Maj-Gen Kyaw Win   |               |
| Brig-Gen Myint Zaw | Division Head |
| Brig-Gen Hla Aung  |               |
| Brig-Gen Kyaw Han  | Division Head |

|                                                          |                                                                                                                  |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Col San Pwint                                            |                                                                                                                  |
| Major Shwe Moe                                           |                                                                                                                  |
| Lt- Col Khin Maung Thein                                 | 11.11.1934, Mandalay                                                                                             |
| Brig-Gen Thein Swe                                       |                                                                                                                  |
| Brig-Gen Kyaw Thein                                      | Division Head                                                                                                    |
| Brig-Gen Si Thu                                          |                                                                                                                  |
| Lt-Col Than Aye                                          |                                                                                                                  |
| Col Than Tun                                             | Division Head                                                                                                    |
| Lt-Col Maung Htay                                        |                                                                                                                  |
| Lt-Col Hla Min                                           |                                                                                                                  |
| Commander Ngwe Tun                                       | Chief Foreign Liaison, OCMI                                                                                      |
| Maj Myo Khine                                            | Deputy Chief Foreign Liaison, OCMI                                                                               |
| Capt Ko Ko Oo                                            | Foreign Liaison Officer, OCMI                                                                                    |
| Lieut Htin Aung Kyaw                                     | Foreign Liaison Officer, OCMI                                                                                    |
| Capt Soe Than                                            | Foreign Liaison Officer, OCMI                                                                                    |
| 11. <i>Former members of government:</i>                 |                                                                                                                  |
| Lt-Gen Thein Win                                         | Former Minister of Transportation (1937)                                                                         |
| Brig-Gen Myo Thant                                       | Former Minister in the Prime Minister's Office                                                                   |
| U Kyin Maung Yin                                         | Former Minister in the Deputy Prime Minister's Office (9.4.1931)                                                 |
| U Ohn Gyaw                                               | Former Minister for Foreign Affairs (3.3.1932)                                                                   |
| Maj-Gen Kyaw Than                                        | Former Minister of Commerce                                                                                      |
| Brig-Gen Sein Win                                        | Former Minister of Sports                                                                                        |
| Col Thein Lwin                                           | Former Area Regional Commander                                                                                   |
| Col Aye Myint Kyu                                        | Former Deputy Regional Commander                                                                                 |
| Brig-Gen Pyay Sone                                       | Former Regional Commander                                                                                        |
| 12. <i>Former members of government added from 2000:</i> |                                                                                                                  |
| Vice Admiral Maung Maung Khin                            | Deputy Prime Minister (23.11.1929)                                                                               |
| Lt-Gen Tin Tun                                           | Deputy Prime Minister (28.3.1930)                                                                                |
| Lt. Gen. Win Myint                                       | Formerly Secretary Three of SPDC                                                                                 |
| Lt-Gen Tin Hla                                           | Former Deputy Prime Minister and Minister for Military Affairs and Quarter Master General                        |
| U Aung San                                               | Former Minister for Cooperatives                                                                                 |
| Vice Admiral Tin Aye                                     | Former Minister of Labour                                                                                        |
| Maj-Gen Saw Lwin                                         | Former Minister of Hotels and Tourism (1939)                                                                     |
| Brig-Gen Win Tin                                         | Former Minister of Telecommunications, Posts and Telegraphs                                                      |
| U Win Sein                                               | Former Minister of Culture (10.10.1940, Kyaukkyi)                                                                |
| Maj-Gen Lun Maung                                        | Former Minister in the Prime Minister's Office                                                                   |
| Brig-Gen Kyaw Saw                                        | Former Minister of Information                                                                                   |
| Brig-Gen Maung Maung                                     | Former Deputy Regional Commander Southern Command, and former Minister at the Office of the Chairman of the SPDC |
| Then Saw                                                 | Minister of Hotels and Tourism (1939)                                                                            |
| Brig Gen Chit Than                                       | Former Regional Commander, Triangle Command                                                                      |
| Brig Gen Aye Kyaw                                        | Former Regional Commander, Coastal Command                                                                       |



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