

Official Journal

of the European Union

ISSN 1725-2555

L 217

Volume 46

29 August 2003

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1505/2003 of 28 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 1506/2003 of 28 August 2003 fixing the representative prices and the additional import duties for molasses in the sugar sector	3
Commission Regulation (EC) No 1507/2003 of 28 August 2003 fixing the export refunds on white sugar and raw sugar without further processing	5
Commission Regulation (EC) No 1508/2003 of 28 August 2003 fixing the maximum export refund for white sugar to certain third countries for the third partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003	7
Commission Regulation (EC) No 1509/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 82 500 tonnes of barley held by the German intervention agency	8
Commission Regulation (EC) No 1510/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 730 000 tonnes of rye held by the German intervention agency	11
Commission Regulation (EC) No 1511/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 11 600 tonnes of sorghum held by the French intervention agency	14
Commission Regulation (EC) No 1512/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 4 000 tonnes of barley held by the Luxembourg intervention agency	17
Commission Regulation (EC) No 1513/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 435 000 tonnes of barley held by the French intervention agency	20
Commission Regulation (EC) No 1514/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 7 000 tonnes of barley held by the Swedish intervention agency	23
Commission Regulation (EC) No 1515/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 18 300 tonnes of barley held by the Finnish intervention agency	26

Price: EUR 18

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EC) No 1516/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 45 300 tonnes of barley held by the British intervention agency	29
Commission Regulation (EC) No 1517/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of 22 300 tonnes of barley held by the Belgian intervention agency	32
★ Commission Regulation (EC) No 1518/2003 of 28 August 2003 laying down detailed rules for implementing the system of export licences in the pigmeat sector	35
Commission Regulation (EC) No 1519/2003 of 28 August 2003 fixing the export refunds on products processed from cereals and rice	43
Commission Regulation (EC) No 1520/2003 of 28 August 2003 fixing the export refunds on cereal-based compound feedingstuffs	46
Commission Regulation (EC) No 1521/2003 of 28 August 2003 fixing production refunds on cereals and rice	48
Commission Regulation (EC) No 1522/2003 of 28 August 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 125th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	49
Commission Regulation (EC) No 1523/2003 of 28 August 2003 fixing the export refunds on milk and milk products	51
Commission Regulation (EC) No 1524/2003 of 28 August 2003 providing for the rejection of applications for export licences for certain milk products	57
Commission Regulation (EC) No 1525/2003 of 28 August 2003 fixing the export refunds on olive oil	58
Commission Regulation (EC) No 1526/2003 of 28 August 2003 amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty	60
Commission Regulation (EC) No 1527/2003 of 28 August 2003 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty	62
Commission Regulation (EC) No 1528/2003 of 28 August 2003 providing for the rejection of applications for export licences in relation to certain processed products and cereal-based compound feedingstuffs	66

II Acts whose publication is not obligatory

Commission

2003/627/EC:

- ★ **Commission Decision of 20 August 2003 authorising Member States pursuant to Directive 96/49/EC to adopt certain derogations with regard to the transport of dangerous goods by rail** ⁽¹⁾ (notified under document number C(2003) 3026) 67

2003/628/EC:

- ★ **Commission Decision of 22 August 2003 fixing, for the 2003/04 marketing year and in respect of a certain number of hectares, an indicative financial allocation by Member State for the restructuring and conversion of vineyards under Council Regulation (EC) No 1493/1999** (notified under document number C(2003) 3047) 73

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1505/2003
of 28 August 2003
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	48,9
	060	52,5
	068	45,3
	096	39,3
	999	46,5
0707 00 05	052	124,8
	096	82,2
	999	103,5
0709 90 70	052	74,2
	999	74,2
0805 50 10	382	52,7
	388	62,8
	524	52,9
	528	52,4
	999	55,2
0806 10 10	052	71,9
	064	89,8
	999	80,8
0808 10 20, 0808 10 50, 0808 10 90	388	79,4
	400	53,1
	508	82,8
	512	91,6
	720	56,6
	804	89,4
	999	75,5
0808 20 50	052	118,1
	388	86,2
	999	102,2
0809 30 10, 0809 30 90	052	119,8
	999	119,8
0809 40 05	060	63,5
	064	63,8
	066	70,7
	068	50,0
	093	76,5
	094	53,9
	624	125,5
	999	72,0

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

COMMISSION REGULATION (EC) No 1506/2003**of 28 August 2003****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽³⁾, as amended by Regulation (EC) No 79/2003 ⁽⁴⁾, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁵⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 13, 18.1.2003, p. 4.

⁽⁵⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 28 August 2003.

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

ANNEX

to the Commission Regulation of 28 August 2003 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,00	0,03	—
1703 90 00 ⁽¹⁾	9,20	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1507/2003

of 28 August 2003

fixing the export refunds on white sugar and raw sugar without further processing

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and the prices for those products within the Community may be covered by an export refund.

(2) Regulation (EC) No 1260/2001 provides that when refunds on white sugar and raw sugar, non-denatured and exported without further processing, are being fixed, account must be taken of the situation on the Community and world markets in sugar, and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾. The refund thus calculated for sugar containing added flavour or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

(4) In special cases, the amount of the refund may be fixed by other legal instruments.

(5) The refund must be fixed every two weeks. It may be altered in the intervening period.

(6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

(8) In order to prevent any abuses associated with the re-importation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.

(9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be fixed at the appropriate amounts.

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on exports of the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, non-denatured and without further processing, are hereby fixed in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 August 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 28 August 2003.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	43,10 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	43,10 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4598
1701 99 10 9100	S00	EUR/100 kg	45,98
1701 99 10 9910	S00	EUR/100 kg	46,85
1701 99 10 9950	S00	EUR/100 kg	46,85
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4598

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

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

The other destinations are:

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

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

**COMMISSION REGULATION (EC) No 1508/2003
of 28 August 2003**

fixing the maximum export refund for white sugar to certain third countries for the third partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1290/2003 of 18 July 2003 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, for the 2003/2004 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1290/2003 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the third partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1290/2003 the maximum amount of the export refund to certain third countries is fixed at 49,926 EUR/100 kg.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 181, 19.7.2003, p. 7.

**COMMISSION REGULATION (EC) No 1509/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 82 500 tonnes
of barley held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

1. The German intervention agency shall open a standing invitation to tender for the resale on the Community market of 82 500 tonnes of barley held by it.

Whereas:

2. The regions in which the barley is stored are listed in Annex I hereto.

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.

Article 2

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

(2) Germany still has intervention stocks of barley.

However, notwithstanding the above Regulation:

(3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

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

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

(4) It is therefore appropriate to make stocks of barley held by the German intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 668/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 1093/2003 ⁽⁶⁾, and to repeal that Regulation.

Article 3

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

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

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

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

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

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

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

Tenders must be lodged with the German intervention agency:

Bundesanstalt für Landwirtschaft und Ernährung
(BLE)
Adickesallee 40
D-60322 Frankfurt am Main
(Telex: 4-11475, 4-16044).

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 93, 3.4.2001, p. 20.

⁽⁶⁾ OJ L 157, 26.6.2003, p. 16.

Article 5

The German intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 668/2001 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantity (tonnes)
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Mecklenburg-Vorpommern	47 000
Nordrhein-Westfalen/Hessen/Rheinland-Pfalz/Saar- land/Baden-Württemberg/Bayern	17 500
Berlin/Brandenburg/Sachsen-Anhalt/Sachsen/ Thüringen	18 000

ANNEX II

Standing invitation to tender for the resale of 82 500 tonnes of barley held by the German intervention agency

(Regulation (EC) No 1509/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-ALLEMAND-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1510/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 730 000 tonnes
of rye held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies are to be sold by tendering procedure at prices preventing market disturbance.
- (2) Germany still has intervention stocks of rye.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of rye held by the German intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 864/2003 ⁽⁵⁾, with a view to its use on the internal market in animal feed, and to repeal that Regulation.
- (5) In order to ensure that the rye really is processed, the procedure should be specially monitored and the successful tenderer should provide a security, to be released on conditions to be laid down.
- (6) Commission Regulation (EEC) No 3002/92 ⁽⁶⁾, as last amended by Regulation (EC) No 770/96 ⁽⁷⁾, lays down common detailed rules for verifying the use of products from intervention.
- (7) In order to ensure sound management of the quantities awarded, provision should be made for an award coefficient for tenders offering the minimum sale price.

- (8) When the German intervention agency notifies the Commission, the tenderers should remain anonymous.
- (9) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (10) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The German intervention agency shall open a standing invitation to tender for the resale on the Community market of 730 000 tonnes of rye held by it, with a view to processing into animal feed.
2. The regions in which the rye is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

Tenders shall be valid only if they are accompanied by:

- (a) proof that the tenderer has lodged a tender security which, notwithstanding Article 13(4) of Regulation (EEC) No 2131/93, shall be set at EUR 10 per tonne;
- (b) a written undertaking from the tenderer to use the cereals to feed animals or to incorporate it into animal feed before 30 April 2004 and to lodge a security of EUR 30 per tonne no later than two working days after the day on which the declaration of award of the tender is received;
- (c) a commitment to keep stock accounts enabling verification that the rye has indeed been incorporated into animal feed.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 124, 20.5.2003, p. 12.

⁽⁶⁾ OJ L 301, 17.10.1992, p. 17.

⁽⁷⁾ OJ L 104, 27.4.1996, p. 13.

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).
2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).
3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the German intervention agency:

Bundesanstalt für Landwirtschaft und Ernährung
(BLE)
Adickesallee 40
D-60322 Frankfurt am Main
(Telex: 4-11475, 4-16044).

Article 5

The German intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

1. The security referred to in Article 3(1)(a) shall be released:
 - (a) if no award is made;
 - (b) if the selling price is paid within the period set and the security referred to in Article 3(1)(b) has been lodged.

2. The security referred to in Article 3(b) shall be released in proportion to the quantities used in animal feed in the Community by 30 April 2004.

3. Proof that the rye has been incorporated into animal feed as referred to in this Regulation shall be provided in accordance with Regulation (EEC) No 3002/92.

Article 8

In addition to the particulars provided for in Regulation (EEC) No 3002/92, box 104 of the control copy T5 shall refer, where appropriate, to the undertaking provided for in Article 3(b) and bear one or more of the following entries:

- Destinos a la transformación prevista en el Reglamento (CE) n° 1510/2003
- Til forarbejdning som fastsat i forordning (EF) nr. 1510/2003
- Zur Verarbeitung gemäß der Verordnung (EG) Nr. 1510/2003 bestimmt
- Προορίζονται για μεταποίηση του κανονισμού (ΕΚ) αριθ. 1510/2003
- For processing provided for in Regulation (EC) No 1510/2003
- Destinés à la transformation prévue au règlement (CE) n° 1510/2003
- Destinati alla trasformazione prevista dal regolamento (CE) n. 1510/2003
- Bestemd om te worden verwerkt overeenkomstig Verordening (EG) nr. 1510/2003
- Para a transformação prevista no Regulamento (CE) n.º 1510/2003
- Tarkoitettu asetuksen (EY) N:o 1510/2003 liitteessä ... säädettyn jalostukseen
- För bearbetning enligt förordning (EG) nr 1510/2003.

Article 9

Regulation (EC) No 864/2003 is hereby repealed.

Article 10

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Mecklenburg-Vorpommern	317 040
Nordrhein-Westfalen/Hessen/Rheinland-Pfalz/Saar- land/Baden-Württemberg/Bayern	22 311
Berlin/Brandenburg/Sachsen-Anhalt/Sachsen/ Thüringen	390 649

ANNEX II

Standing invitation to tender for the resale of 730 000 tonnes of rye held by the German intervention agency

(Regulation (EC) No 1510/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-SEIGLE-ALLEMAND-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1511/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 11 600 tonnes
of sorghum held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) France still has intervention stocks of sorghum.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of sorghum held by the French intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 1066/2003 ⁽⁵⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the French intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

Article 1

1. The French intervention agency shall open a standing invitation to tender for the resale on the Community market of 11 600 tonnes of sorghum held by it.

2. The regions in which the sorghum is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales
21, avenue Bosquet
F-75326 Paris Cedex 07
Telex 20 04 90 OFBLE F/20 36 62 OFIDM F
Fax (33) 147 05 61 32.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 154, 21.6.2003, p. 53.

Article 5

The French intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 1066/2003 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Clermont	4 000
Lyon	7 600

ANNEX II

Standing invitation to tender for the resale of 11 600 tonnes of sorghum held by the French intervention agency

(Regulation (EC) No 1511/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-SORGHO-FRANÇAIS-STOCKS@CEC.EU.INT

COMMISSION REGULATION (EC) No 1512/2003

of 27 August 2003

opening a standing invitation to tender for the resale on the Community market of 4 000 tonnes of barley held by the Luxembourg intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) Luxembourg still has intervention stocks of barley.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of barley held by the Luxembourg intervention agency available on the internal market, which had earlier been destined for export under Regulation (EC) No 1735/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1241/2000 ⁽⁶⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the Luxembourg intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

Article 1

1. The Luxembourg intervention agency shall open a standing invitation to tender for the resale on the Community market of 4 000 tonnes of barley held by it.

2. The regions in which the barley is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).
2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).
3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the Luxembourg intervention agency:

Service d'économie rurale, office du blé
113-115, rue de Hollerich
L-1741 Luxembourg
Telex 2537 AGRIM L
Fax (352) 45 01 78.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 217, 5.8.1998, p. 13.

⁽⁶⁾ OJ L 141, 15.6.2000, p. 31.

Article 5

The Luxembourg intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 1735/98 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Luxembourg	4 000

ANNEX II

Standing invitation to tender for the resale of 4 000 tonnes of barley held by the Luxembourg intervention agency

(Regulation (EC) No 1512/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-LUXEMBOURGEOIS-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1513/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 435 000 tonnes
of barley held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) France still has intervention stocks of barley.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of barley held by the French intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 1081/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 1094/2003 ⁽⁶⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the French intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

Article 1

1. The French intervention agency shall open a standing invitation to tender for the resale on the Community market of 435 000 tonnes of barley held by it.

2. The regions in which the barley is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales
21, avenue Bosquet
F-75326 Paris Cedex 07
Telex 20 04 90 OFBLE F/20 36 62 OFIDM F
Fax (33) 147 05 61 32.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 164, 22.6.2002, p. 16.

⁽⁶⁾ OJ L 157, 26.6.2003, p. 18.

Article 5

The French intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 1081/2002 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Clermont	9 100
Lille	39 500
Nancy	28 400
Orléans	119 200
Paris	67 266
Poitiers	46 500
Rouen	66 200
Amiens	48 800
Châlons	10 034

ANNEX II

Standing invitation to tender for the resale of 435 000 tonnes of barley held by the French intervention agency

(Regulation (EC) No 1513/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-FRANÇAIS-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1514/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 7 000 tonnes
of barley held by the Swedish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

1. The Swedish intervention agency shall open a standing invitation to tender for the resale on the Community market of 7 000 tonnes of barley held by it.

Whereas:

2. The regions in which the barley is stored are listed in Annex I hereto.

(1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.

Article 2

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

(2) Sweden still has intervention stocks of barley.

However, notwithstanding the above Regulation:

(3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.

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

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

(4) It is therefore appropriate to make stocks of barley held by the Swedish intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 2177/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 937/2003 ⁽⁶⁾, and to repeal that Regulation.

Article 3

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

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

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

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

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

Tenders must be lodged with the Swedish intervention agency:

Statens Jordbruksverk
Vallagatan 8
S-55182 Jönköping
Telex 709 91 SJV-S
Fax (46-36) 19 05 46.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 331, 7.12.2002, p. 5.

⁽⁶⁾ OJ L 133, 29.5.2003, p. 51.

Article 5

The Swedish intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 2177/2002 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Helsingborg	7 000

ANNEX II

Standing invitation to tender for the resale of 7 000 tonnes of barley held by the Swedish intervention agency

(Regulation (EC) No 1514/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-SUEDOIS-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1515/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 18 300 tonnes
of barley held by the Finnish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) Finland still has intervention stocks of barley.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the 2003/2004 marketing year. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of barley held by the Finnish intervention agency available on the internal market, which had earlier been destined for export under Regulation (EC) No 1500/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 1095/2003 ⁽⁶⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the Finnish intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

Article 1

1. The Finnish intervention agency shall open a standing invitation to tender for the resale on the Community market of 18 300 tonnes of barley held by it.

2. The regions in which the barley is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the Finnish intervention agency:

Maa- ja metsätalousministeriö, interventioyksikkö
PL 30
FIN-00023 Valtioneuvosto
Fax (358-9) 160 52 772, (358-9) 160 52 778.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 199, 24.7.2001, p. 3.

⁽⁶⁾ OJ L 157, 26.6.2003, p. 20.

Article 5

The Finnish intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 1500/2001 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Turenki	11 215
Perniö	5 150
Mustio	404
Loimaa	219
Koria	1 312

ANNEX II

Standing invitation to tender for the resale of 18 300 tonnes of barley held by the Finnish intervention agency

(Regulation (EC) No 1515/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-FINLANDAIS-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1516/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 45 300 tonnes
of barley held by the British intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) The United Kingdom still has intervention stocks of barley.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the marketing year 2003/2004. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and feeding-stuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of barley held by the British intervention agency available on the internal market, which had earlier been destined for export under Regulation (EC) No 968/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 990/2003 ⁽⁶⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the British intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The Management Committee for Cereals has not issued an opinion by the time limit laid down by its Chairman,

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 149, 7.6.2002, p. 15.

⁽⁶⁾ OJ L 143, 11.6.2003, p. 16.

Article 1

1. The British intervention agency shall open a standing invitation to tender for the resale on the Community market of 45 300 tonnes of barley held by it.

2. The regions in which the barley is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the British intervention agency:

Royal Payments Agency, Operations Newcastle
Lancaster House, Hampshire Court
Newcastle upon Tyne NE4 7YH
United Kingdom
Fax (44-191) 226 51 01.

Article 5

The British intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 968/2002 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Scotland	45 300

ANNEX II

Standing invitation to tender for the resale of 45 300 tonnes of barley held by the British intervention agency

(Regulation (EC) No 1516/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-ROYAUMEUNI-STOCKS@CEC.EU.INT

**COMMISSION REGULATION (EC) No 1517/2003
of 27 August 2003**

**opening a standing invitation to tender for the resale on the Community market of 22 300 tonnes
of barley held by the Belgian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 1630/2003 ⁽⁴⁾, provides in particular that cereals held by intervention agencies is to be sold by tendering procedure at prices preventing market disturbance.
- (2) Belgium still has intervention stocks of barley.
- (3) Because of the difficult weather conditions in much of the Community, cereals production has been significantly reduced in the marketing year 2003/2004. This situation has resulted in high prices locally, causing particular difficulties for livestock holdings and the feedingstuffs industry, which are finding it hard to obtain supplies at competitive prices.
- (4) It is therefore appropriate to make stocks of barley held by the Belgian intervention agency available on the internal market, which had earlier been destined for export under Commission Regulation (EC) No 953/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 1096/2003 ⁽⁶⁾, and to repeal that Regulation.
- (5) To take account of the situation on the Community market, provision should be made for the Commission to manage this invitation to tender; in addition, provision must be made for an award coefficient for tenders offering the minimum selling price.
- (6) When the Belgian intervention agency notifies the Commission, the tenderers should remain anonymous.
- (7) With a view to modernising management, the information required by the Commission should be sent by electronic mail.
- (8) The Management Committee for Cereals has not issued an opinion within the time limit laid down by its Chairman,

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 147, 5.6.2002, p. 3.

⁽⁶⁾ OJ L 157, 26.6.2003, p. 22.

Article 1

1. The Belgian intervention agency shall open a standing invitation to tender for the resale on the Community market of 22 300 tonnes of barley held by it.

2. The regions in which the barley is stored are listed in Annex I hereto.

Article 2

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

However, notwithstanding the above Regulation:

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

Article 3

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

Article 4

1. The closing date for the submission of tenders for the first partial tendering procedure shall be 18 September 2003 at 09.00 (Brussels time).

2. The closing dates for the submission of tenders for subsequent partial tendering procedures shall be each Thursday at 09.00 (Brussels time).

3. The closing date for the submission of tenders for the last partial tendering procedure shall be 18 December 2003 at 09.00 (Brussels time).

Tenders must be lodged with the Belgian intervention agency:

Bureau d'intervention et de restitution belge
(BIRB)
Rue de Trèves/Trierstraat, 82
B-1040 Brussels
Fax (32-2) 287 25 24/280 03 07.

Article 5

The Belgian intervention agency shall send the Commission the proposals received, no later than two hours after the expiry of the time limit for submitting tenders. They must be sent in accordance with the model and to the electronic address contained in Annex II hereto.

Article 6

The Commission shall set the minimum selling price or decide not to award any quantities. In the event that tenders are submitted for the same lot and for a quantity larger than that available, the Commission may fix this price separately for each lot.

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

The Commission shall decide in accordance with the procedure laid down in Article 23 of Regulation (EC) No 1766/92.

Article 7

Regulation (EC) No 953/2002 is hereby repealed.

Article 8

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

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

Done at Brussels, 27 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Place of storage	Quantities (tonnes)
Hainaut	14 740
Liège	4 700
West-Flanders	1 960
East-Flanders	900

ANNEX II

Standing invitation to tender for the resale of 22 300 tonnes of barley held by the Belgian intervention agency

(Regulation (EC) No 1517/2003)

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

Address for electronic transmission of information in accordance with Article 5:

AGRI-C1-ORGE-BELGE-STOCKS@CEC.EU.INT

COMMISSION REGULATION (EC) No 1518/2003**of 28 August 2003****laying down detailed rules for implementing the system of export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 1365/2000 ⁽²⁾, and in particular Articles 8(2), 13(12) and 22 thereof,

Whereas:

(1) Commission Regulation (EC) No 1370/95 of 16 June 1995 laying down detailed rules for implementing the system of export licences in the pigmeat sector ⁽³⁾ has been substantially amended several times ⁽⁴⁾. In the interests of clarity and rationality the said Regulation should be codified.

(2) Regulation (EEC) No 2759/75 provides that all exports for which export refunds are requested shall be subject to the presentation of an export licence with advance fixing of the refund. Therefore specific implementing rules should be laid down for the pigmeat sector which should in particular include provisions for the submission of the applications and the information which must appear on the applications and licences, in addition to those contained in Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing licences for agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 325/2003 ⁽⁶⁾.

(3) In order to assure proper administration of the system, the rate of the security for export licences under the said system should be fixed. In view of the risk of speculation inherent in the system in the pigmeat sector, export licences should not be transferable and precise conditions governing access by traders to the said system should be laid down.

(4) Article 13(11) of Regulation (EEC) No 2759/75 provides that compliance with the obligations arising from agreements concluded during the Uruguay Round of multilateral trade negotiations regarding the export volume shall

be ensured on the basis of the export licences. Therefore a detailed schedule for the lodging of applications and for the issuing of licences should be laid down.

(5) In addition, the decision regarding applications for export licences should be communicated only after a period of consideration. This period would allow the Commission to appreciate the quantities applied for as well as the expenditure involved and, if appropriate, to take specific measures applicable in particular to the applications which are pending. It is in the interest of traders to allow the licence application to be withdrawn after the acceptance coefficient has been fixed.

(6) In the case of applications concerning quantities equal to or less than 25 tonnes, the export licence should be issued immediately if the trader requests it. In this case, the licences shall not be subject to any special measures taken by the Commission.

(7) In order to ensure an exact follow up of the quantities to be exported, a derogation from the rules regarding the tolerances laid down in Regulation (EC) No 1291/2000 should be laid down.

(8) The Commission must dispose of precise information concerning applications for licences and of the use of licences issued, in order to be able to manage this system. In the interests of efficient administration, the notifications from Member States to the Commission should be made according to a uniform model.

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

HAS ADOPTED THIS REGULATION:

Article 1

All exports of products in the pigmeat sector for which an export refund is requested, shall be subject to the presentation of an export licence with advance fixing of the refund.

⁽¹⁾ OJ L 282, 1.1.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 133, 17.6.1995, p. 9.

⁽⁴⁾ See Annex III.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁶⁾ OJ L 47, 21.2.2003, p. 21.

Article 2

1. Export licences shall be valid for 90 days from their actual day of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

2. Applications for licences and licences shall bear, in section 15, the description of the product and, in section 16, the 12-digit product code of the agricultural product nomenclature for export refunds.

3. The categories of products referred to in the second subparagraph of Article 14 of Regulation (EC) No 1291/2000, as well as the rate of the security for export licences, are set out in Annex I.

4. Applications for licences and licences shall bear, in section 20, at least one of the following:

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

Article 3

1. Applications for export licences may be lodged with the competent authorities from Monday to Friday of each week.

2. Applicants for export licences must be natural or legal persons who, at the time applications are submitted, be able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the pigmeat sector for at least 12 months. However, retail establishments or restaurants selling their products to end consumers may not lodge applications.

3. Export licences are issued on the Wednesday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4. Where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns, or where there is a risk that they will be exceeded, taking account of the limits referred to in Article 13(11) of Regulation (EEC) No 2759/75 and/or the corresponding expenditure during the period in question, the Commission may:

- (a) set a single percentage by which the quantities applied for are accepted;

- (b) refuse the applications for which export licences have not yet been awarded;

- (c) suspend the lodging of applications for export licences for a maximum of five working days. A suspension for a longer period may be decided in accordance with the procedure provided for in Article 24(2) of Regulation (EEC) No 2759/75. In these cases, applications for export licences lodged during the suspension period shall be inadmissible.

These measures may be adjusted according to the category of products and the destination.

5. Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

6. Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 % is set, the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Union*. During the 10 working days following its publication, the operator may:

- (a) either withdraw his application, in which case the security is released immediately; or
- (b) request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the normal issue date for the relevant week.

7. By way of derogation from paragraph 3, the Commission can set a day other than Wednesday for the issuing of export licences when it is not possible to respect this day.

Article 4

1. On application by the operator, licence applications for up to 25 tonnes of products shall not be subject to any special measures as referred to in Article 3(4) and the licences applied for shall be issued immediately.

In such cases, notwithstanding Article 2(1), the term of validity of the licences shall be limited to five working days from their actual day of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000 and Section 20 of licence applications and of licences shall show at least one of the following:

- Certificado válido durante cinco días hábiles y no utilizable para la aplicación del artículo 5 del Reglamento (CEE) n° 565/80 del Consejo ⁽¹⁾
- Licens, der er gyldig i fem arbejdsdage, og som ikke kan benyttes til at anvende artikel 5 i Rådets forordning (EØF) nr. 565/80 ⁽¹⁾
- Fünf Werkstage gültige und für die Anwendung von Artikel 5 der Verordnung (EWG) Nr. 565/80 des Rates ⁽¹⁾ nicht verwendbare Lizenz

⁽¹⁾ OJ L 62, 7.3.1980, p. 5.

- Πιστοποιητικό που ισχύει για πέντε εργάσιμες ημέρες και δεν χρησιμοποιείται για την εφαρμογή του άρθρου 5 του κανονισμού (ΕΟΚ) αριθ. 565/80 ⁽¹⁾
- Licence valid for five working days and not useable for application of Article 5 of Council Regulation (EEC) No 565/80 ⁽¹⁾
- Certificat valable cinq jours ouvrables et non utilisable pour l'application de l'article 5 du règlement (CEE) n° 565/80 du Conseil ⁽¹⁾
- Titolo valido cinque giorni lavorativi e non utilizzabile ai fini dell'applicazione dell'articolo 5 del regolamento (CEE) n. 565/80 ⁽¹⁾
- Certificaat met een geldigheidsduur van vijf werkdagen en niet te gebruiken voor de toepassing van artikel 5 van Verordening (EEG) nr. 565/80 van de Raad ⁽¹⁾
- Certificado de exportação válido durante cinco dias úteis, não utilizável para a aplicação do artigo 5.º do Regulamento (CEE) n.º 565/80 do Conselho ⁽¹⁾
- Todistus on voimassa viisi arkipäivää eikä sitä voi käyttää sovellettaessa asetuksen (ETY) N:o 565/80 ⁽¹⁾ 5 artiklaa
- Licensen är giltig fem arbetsdagar men gäller inte vid tillämpning av artikel 5 i rådets förordning (EEG) nr 565/80 ⁽¹⁾

2. The Commission may, where necessary, suspend the application of this Article.

Article 5

Export licences shall not be transferable.

Article 6

1. The quantity exported within the tolerance referred to in Article 8(4) of Regulation (EC) No 1291/2000 shall not give entitlement to payment of the refund.

2. In section 22 of the licence, at least one of the following shall be indicated:

- Restitución válida por [...] toneladas (cantidad por la que se expida el certificado)
- Restitutionen omfatter [...] t (den mængde, licensen vedrører)
- Erstattung gültig für ... Tonnen (Menge, für welche die Lizenz ausgestellt wurde)
- Επιστροφή ισχύουσα για [...] τόνους (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό)
- Refund valid for ... tonnes (quantity for which the licence is issued)
- Restitution valable pour ... tonnes (quantité pour laquelle le certificat est délivré)
- Restituzione valida per [...] t (quantitativo per il quale il titolo è rilasciato)

- Restitutie geldig voor ... ton (hoeveelheid waarvoor het certificaat wordt afgegeven)
- Restituição válida para ... toneladas (quantidade relativamente à qual é emitido o certificado)
- Tuki on voimassa [...] tonnille (määrä, jolle todistus on myönnetty)
- Ger rätt till exportbidrag för [...] ton (den kvantitet för vilken licensen utfärdats)

Article 7

1. Each Friday from 13.00 hours, Member States shall send the Commission the following by fax in respect of the preceding period:

- (a) the applications for export licences as referred to in Article 1 lodged from Monday to Wednesday of the same week, stating whether they fall within the scope of Article 4 or not;
- (b) the quantities covered by export licences issued on the preceding Wednesday, not including those issued immediately under Article 4;
- (c) the quantities covered by export licence applications withdrawn pursuant to Article 3(6) during the preceding week.

2. The notification of the applications referred to in point (a) of paragraph 1 shall specify:

- (a) the quantity in product weight for each category referred to in Article 2(3);
- (b) the breakdown by destination of the quantity for each category in the case where the rate of refund varies according to the destination;
- (c) the rate of refund applicable;
- (d) the total amount of refund fixed in advance in euro per category.

3. Member States shall communicate to the Commission on a monthly basis following the expiry of the validity of the export licences the unused quantity of export licences.

4. All notifications referred to in paragraphs 1 and 3, including 'nil' notifications, shall be made in accordance with the model set out in Annex II.

Article 8

Regulation (EC) No 1370/95 is repealed.

The references made to the said repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex IV.

Article 9

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

⁽¹⁾ OJ L 62, 7.3.1980, p. 5.

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

Done at Brussels, 28 August 2003.

For the Commission

The President

Romano PRODI

ANNEX I

Product code of the agricultural product nomenclature for export refunds ⁽¹⁾	Category	Rate of the security (EUR/100 kg) Net weight
0203 11 10 9000 0203 21 10 9000	1	5
0203 12 11 9100 0203 12 19 9100 0203 19 11 9100 0203 19 13 9100 0203 19 55 9110 0203 22 11 9100 0203 22 19 9100 0203 29 11 9100 0203 29 13 9100 0203 29 55 9110	2	5
0203 19 15 9100 0203 19 55 9310 0203 29 15 9100	3	4
0210 11 31 9110 0210 11 31 9910	4	15
0210 12 19 9100	5	5
0210 19 81 9100	6	20
0210 19 81 9300	7	15
1601 00 91 9120	8	5
1601 00 99 9110	9	5
1602 41 10 9110	10	10
1602 42 10 9110	11	10
1602 41 10 9130 1602 42 10 9130 1602 49 19 9130	12	5

⁽¹⁾ Commission Regulation (EEC) No 3846/87 Section 6 (OJ L 366, 24.12.1987, p. 1).

ANNEX II

Application of Regulation (EC) No .../2003

COMMISSION OF THE EUROPEAN COMMUNITIES — DG AGRI/D/2 — Pigmeat sector

Application for export licences — Pigmeat

Sender:

Date:

Period: Monday ... to Friday ...

Member State:

Person to contact:

Telephone:

Fax:

Addressee: DG AGRI/D/2 — fax: (32-2) 269 62 79 or 296 60 27

— Part A — Weekly notification (to be completed separately for each category)

Category	Quantity		Rate of refund (EUR/100 kg)	Total amount of prefixed refunds
	Article 4	Other		
Total per category				

Category	Total quantities applied for by categories

— Part B — Weekly notification

Category	Total quantities issued by categories on Wednesday

ANNEX III

Repealed Regulations and successive amendments

Commission Regulation (EC) No 1370/95	(OJ L 133, 17.6.1995, p. 9)
Commission Regulation (EC) No 2739/95	(OJ L 285, 29.11.1995, p. 11)
Commission Regulation (EC) No 1122/96	(OJ L 149, 22.6.1996, p. 17)
Commission Regulation (EC) No 2439/97	(OJ L 339, 10.12.1997, p. 9)
Commission Regulation (EC) No 540/98	(OJ L 70, 10.3.1998, p. 6)
Commission Regulation (EC) No 1719/98	(OJ L 215, 1.8.1998, p. 58)
Commission Regulation (EC) No 2399/1999	(OJ L 290, 12.11.1999, p. 18)
Commission Regulation (EC) No 1342/2000	(OJ L 154, 27.6.2000, p. 14)
Commission Regulation (EC) No 2898/2000	(OJ L 336, 30.12.2000, p. 32)
Commission Regulation (EC) No 505/2002	(OJ L 79, 22.3.2002, p. 9)

ANNEX IV

CORRELATION TABLE

Regulation (EC) No 1370/95	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 3(1), (2) and (3)	Article 3(1), (2) and (3)
Article 3(4), first indent	Article 3(4)(a)
Article 3(4), second indent	Article 3(4)(b)
Article 3(4), third indent	Article 3(4)(c)
Article 3(5)	Article 3(5)
Article 3(6), first sentence and second sentence, introductory words	Article 3(6), first sentence and second sentence, introductory words
Article 3(6), first indent	Article 3(6)(a)
Article 3(6), second indent	Article 3(6)(b)
Article 3(7)	Article 3(7)
Article 4, first and second subparagraphs	Article 4(1)
Article 4, third subparagraph	Article 4(2)
Article 5	Article 5
Article 6, first subparagraph	Article 6(1)
Article 6, second subparagraph	Article 6(2)
Article 7(1)	Article 7(1)
Article 7(2), first indent	Article 7(2)(a)
Article 7(2), second indent	Article 7(2)(b)
Article 7(2), third indent	Article 7(2)(c)
Article 7(2), fourth indent	Article 7(2)(d)
Article 7(3)	Article 7(3)
Article 7(4)	Article 7(4)
Article 8	—
—	Article 8
Article 9	—
Article 10	Article 9
Annex I	Annex I
Annex II	Annex II
—	Annex III
—	Annex IV

COMMISSION REGULATION (EC) No 1519/2003
of 28 August 2003
fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 August 2003.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 28 August 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 28 August 2003 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C11	EUR/t	47,99	1104 23 10 9300	C14	EUR/t	39,42
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	41,14	1104 29 11 9000	C13	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	41,14	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9100	C17	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 10 9900	C17	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1102 90 30 9100	C18	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	8,57
1103 19 40 9100	C16	EUR/t	0,00	1107 10 11 9000	C21	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C19	EUR/t	61,70	1107 10 91 9000	C21	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C19	EUR/t	47,99	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C19	EUR/t	41,14	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	41,14	1108 12 00 9200	C10	EUR/t	54,85
1103 19 10 9000	C16	EUR/t	40,22	1108 12 00 9300	C10	EUR/t	54,85
1103 19 30 9100	C14	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	54,85
1103 20 60 9000	C20	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	54,85
1103 20 20 9000	C17	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	36,48
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	36,48
1104 12 90 9100	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C13	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	53,73
1104 19 10 9000	C13	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	41,14
1104 19 50 9110	C14	EUR/t	54,85	1702 30 91 9000	C10	EUR/t	53,73
1104 19 50 9130	C14	EUR/t	44,56	1702 30 99 9000	C10	EUR/t	41,14
1104 29 01 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	41,14
1104 29 03 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	53,73
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	41,14
1104 29 05 9300	C14	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	56,30
1104 22 20 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	39,08
1104 22 30 9100	C13	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	41,14
1104 23 10 9100	C14	EUR/t	51,42				

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

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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

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

The other destinations are as follows:

C10 All destinations except for Estonia,

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

C12 All destinations except for Estonia, Hungary, Latvia and Poland,

C13 All destinations except for Estonia, Hungary and Lithuania,

C14 All destinations except for Estonia and Hungary,

C15 All destinations except for Estonia, Hungary, Latvia, Lithuania and Poland,

C16 All destinations except for Estonia, Hungary, Latvia and Lithuania,

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

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

C19 All destinations except for Estonia, Hungary and Slovenia,

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

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

COMMISSION REGULATION (EC) No 1520/2003
of 28 August 2003
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize

products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 28 August 2003 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

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

C10 All destinations except for Estonia.

COMMISSION REGULATION (EC) No 1521/2003
of 28 August 2003
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 7(3) thereof,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 5,31/t.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

**COMMISSION REGULATION (EC) No 1522/2003
of 28 August 2003**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 125th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price

or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 125th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 28 August 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 125th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	85	81
	Butter < 82 %		83	79	—	79
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	94	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

COMMISSION REGULATION (EC) No 1523/2003
of 28 August 2003
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

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

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

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

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

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

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

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

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

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1392/2003 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽⁵⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽⁶⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 14.4.2003, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 197, 5.8.2003, p. 3.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

⁽⁶⁾ OJ L 104, 20.4.2002, p. 26.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.
- Article 2*
- This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 28 August 2003 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,911	0402 91 39 9300	L07	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	1,911	0402 91 99 9000	L07	EUR/100 kg	37,96
0401 20 11 9100	970	EUR/100 kg	0,000	0402 99 11 9350	L07	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	2,953	0402 99 19 9350	L07	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	0,000	0402 99 31 9150	L07	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	2,953	0402 99 31 9300	L07	EUR/kg	0,2271
0401 20 91 9000	970	EUR/100 kg	3,737	0402 99 31 9500	L07	EUR/kg	0,0000
0401 20 99 9000	970	EUR/100 kg	0,000	0402 99 39 9150	L07	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	8,624	0403 90 11 9000	L07	EUR/100 kg	56,20
0401 30 11 9700	970	EUR/100 kg	12,95	0403 90 13 9200	L07	EUR/100 kg	56,20
0401 30 19 9700	970	EUR/100 kg	0,00	0403 90 13 9300	L07	EUR/100 kg	87,33
0401 30 31 9100	L06	EUR/100 kg	31,46	0403 90 13 9500	L07	EUR/100 kg	91,14
0401 30 31 9400	L06	EUR/100 kg	49,14	0403 90 13 9900	L07	EUR/100 kg	97,13
0401 30 31 9700	L06	EUR/100 kg	54,20	0403 90 19 9000	L07	EUR/100 kg	97,72
0401 30 39 9100	L06	EUR/100 kg	31,46	0403 90 33 9400	L07	EUR/kg	0,8733
0401 30 39 9400	L06	EUR/100 kg	49,14	0403 90 33 9900	L07	EUR/kg	0,9713
0401 30 39 9700	L06	EUR/100 kg	54,20	0403 90 51 9100	970	EUR/100 kg	1,911
0401 30 91 9100	L06	EUR/100 kg	61,77	0403 90 59 9170	970	EUR/100 kg	12,95
0401 30 91 9500	L06	EUR/100 kg	0,00	0403 90 59 9310	L07	EUR/100 kg	31,46
0401 30 99 9100	L06	EUR/100 kg	61,77	0403 90 59 9340	L07	EUR/100 kg	46,03
0401 30 99 9500	L06	EUR/100 kg	90,78	0403 90 59 9370	L07	EUR/100 kg	46,03
0402 10 11 9000	L07	EUR/100 kg	57,00	0403 90 59 9510	L07	EUR/100 kg	46,03
0402 10 19 9000	L07	EUR/100 kg	57,00	0404 90 21 9120	L07	EUR/100 kg	48,62
0402 10 91 9000	L07	EUR/kg	0,5700	0404 90 21 9160	L07	EUR/100 kg	57,00
0402 10 99 9000	L07	EUR/kg	0,5700	0404 90 23 9120	L07	EUR/100 kg	57,00
0402 21 11 9200	L07	EUR/100 kg	57,00	0404 90 23 9130	L07	EUR/100 kg	88,11
0402 21 11 9300	L07	EUR/100 kg	88,11	0404 90 23 9140	L07	EUR/100 kg	91,96
0402 21 11 9500	L07	EUR/100 kg	91,96	0404 90 23 9150	L07	EUR/100 kg	98,00
0402 21 11 9900	L07	EUR/100 kg	98,00	0404 90 29 9110	L07	EUR/100 kg	98,61
0402 21 17 9000	L07	EUR/100 kg	57,00	0404 90 29 9115	L07	EUR/100 kg	99,19
0402 21 19 9300	L07	EUR/100 kg	88,11	0404 90 29 9125	L07	EUR/100 kg	100,21
0402 21 19 9500	L07	EUR/100 kg	91,96	0404 90 29 9140	L07	EUR/100 kg	107,70
0402 21 19 9900	L07	EUR/100 kg	98,00	0404 90 81 9100	L07	EUR/kg	0,5700
0402 21 91 9100	L07	EUR/100 kg	98,61	0404 90 83 9110	L07	EUR/kg	0,5700
0402 21 91 9200	L07	EUR/100 kg	99,19	0404 90 83 9130	L07	EUR/kg	0,8811
0402 21 91 9350	L07	EUR/100 kg	100,21	0404 90 83 9150	L07	EUR/kg	0,9196
0402 21 91 9500	L07	EUR/100 kg	107,70	0404 90 83 9170	L07	EUR/kg	0,9800
0402 21 99 9100	L07	EUR/100 kg	98,61	0404 90 83 9936	L07	EUR/kg	0,1734
0402 21 99 9200	L07	EUR/100 kg	99,19	0405 10 11 9500	L05	EUR/100 kg	173,66
0402 21 99 9300	L07	EUR/100 kg	100,21	0405 10 11 9700	L05	EUR/100 kg	178,00
0402 21 99 9400	L07	EUR/100 kg	105,76	0405 10 19 9500	L05	EUR/100 kg	173,66
0402 21 99 9500	L07	EUR/100 kg	107,70	0405 10 19 9700	L05	EUR/100 kg	178,00
0402 21 99 9600	L07	EUR/100 kg	115,29	0405 10 30 9100	L05	EUR/100 kg	173,66
0402 21 99 9700	L07	EUR/100 kg	119,59	0405 10 30 9300	L05	EUR/100 kg	178,00
0402 21 99 9900	L07	EUR/100 kg	124,57	0405 10 30 9700	L05	EUR/100 kg	178,00
0402 29 15 9200	L07	EUR/kg	0,5700	0405 10 50 9300	L05	EUR/100 kg	178,00
0402 29 15 9300	L07	EUR/kg	0,8811	0405 10 50 9500	L05	EUR/100 kg	173,66
0402 29 15 9500	L07	EUR/kg	0,9196	0405 10 50 9700	L05	EUR/100 kg	178,00
0402 29 15 9900	L07	EUR/kg	0,9800	0405 10 90 9000	L05	EUR/100 kg	184,52
0402 29 19 9300	L07	EUR/kg	0,8811	0405 20 90 9500	L05	EUR/100 kg	162,82
0402 29 19 9500	L07	EUR/kg	0,9196	0405 20 90 9700	L05	EUR/100 kg	169,32
0402 29 19 9900	L07	EUR/kg	0,9800	0405 90 10 9000	L05	EUR/100 kg	222,55
0402 29 91 9000	L07	EUR/kg	0,9861	0405 90 90 9000	L05	EUR/100 kg	178,00
0402 29 99 9100	L07	EUR/kg	0,9861	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	L07	EUR/kg	1,0576	0406 10 20 9230	L03	EUR/100 kg	—
0402 91 11 9370	L07	EUR/100 kg	6,804		L04	EUR/100 kg	28,44
0402 91 19 9370	L07	EUR/100 kg	6,804		400	EUR/100 kg	—
0402 91 31 9300	L07	EUR/100 kg	8,058		A01	EUR/100 kg	35,55

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9290	L03	EUR/100 kg	—	0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	26,46		L04	EUR/100 kg	5,85
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	33,07		A01	EUR/100 kg	13,68
0406 10 20 9300	L03	EUR/100 kg	—	0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	11,61		L04	EUR/100 kg	8,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	14,51		A01	EUR/100 kg	20,08
0406 10 20 9610	L03	EUR/100 kg	—	0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	38,58		L04	EUR/100 kg	12,46
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	48,22		A01	EUR/100 kg	29,21
0406 10 20 9620	L03	EUR/100 kg	—	0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	39,13		L04	EUR/100 kg	8,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	48,91		A01	EUR/100 kg	20,08
0406 10 20 9630	L03	EUR/100 kg	—	0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	43,68		L04	EUR/100 kg	12,46
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	54,59		A01	EUR/100 kg	29,21
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	64,18		L04	EUR/100 kg	12,46
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	80,23		A01	EUR/100 kg	29,21
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	53,48		L04	EUR/100 kg	14,09
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	66,85		A01	EUR/100 kg	33,02
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	L03	EUR/100 kg	—
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	14,78
	L04	EUR/100 kg	19,84		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	34,64
0406 10 20 9850	A01	EUR/100 kg	24,80	0406 40 50 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	67,93
	L04	EUR/100 kg	24,05		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	84,92
0406 10 20 9870	A00	EUR/100 kg	—	0406 40 90 9000	L03	EUR/100 kg	—
0406 10 20 9900	A00	EUR/100 kg	—		L04	EUR/100 kg	69,76
0406 20 90 9100	A00	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9913	L03	EUR/100 kg	—		A01	EUR/100 kg	87,19
	L04	EUR/100 kg	44,35	0406 90 13 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	16,20		L04	EUR/100 kg	76,70
	A01	EUR/100 kg	55,44		400	EUR/100 kg	30,85
0406 20 90 9915	L03	EUR/100 kg	—		A01	EUR/100 kg	109,79
	L04	EUR/100 kg	58,54	0406 90 15 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	21,59		L04	EUR/100 kg	79,26
	A01	EUR/100 kg	73,18		400	EUR/100 kg	31,80
0406 20 90 9917	L03	EUR/100 kg	—		A01	EUR/100 kg	113,45
	L04	EUR/100 kg	62,21	0406 90 17 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	22,95		L04	EUR/100 kg	79,26
	A01	EUR/100 kg	77,76		400	EUR/100 kg	31,80
0406 20 90 9919	L03	EUR/100 kg	—		A01	EUR/100 kg	113,45
	L04	EUR/100 kg	69,51	0406 90 21 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	25,60		L04	EUR/100 kg	77,67
	A01	EUR/100 kg	86,90		400	EUR/100 kg	22,81
0406 20 90 9990	A00	EUR/100 kg	—		A01	EUR/100 kg	110,90
0406 30 31 9710	L03	EUR/100 kg	—	0406 90 23 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	5,85		L04	EUR/100 kg	68,21
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	13,68		A01	EUR/100 kg	98,05
0406 30 31 9730	L03	EUR/100 kg	—	0406 90 25 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	8,57		L04	EUR/100 kg	67,75
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	20,08		A01	EUR/100 kg	96,99

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 27 9900	L03	EUR/100 kg	—	0406 90 76 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	61,37		L04	EUR/100 kg	68,11
	400	EUR/100 kg	—		400	EUR/100 kg	11,84
	A01	EUR/100 kg	87,84		A01	EUR/100 kg	96,66
0406 90 31 9119	L03	EUR/100 kg	—	0406 90 78 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	56,40		L08	EUR/100 kg	66,05
	400	EUR/100 kg	13,08		092	EUR/100 kg	—
	A01	EUR/100 kg	80,86		400	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—	0406 90 78 9300	A01	EUR/100 kg	96,48
	L04	EUR/100 kg	56,40		L03	EUR/100 kg	—
	400	EUR/100 kg	13,08		L08	EUR/100 kg	70,03
	A01	EUR/100 kg	80,86		092	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 78 9500	400	EUR/100 kg	—
	L04	EUR/100 kg	51,54		A01	EUR/100 kg	99,99
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	74,16		L08	EUR/100 kg	69,37
0406 90 33 9951	L03	EUR/100 kg	—	0406 90 79 9900	092	EUR/100 kg	—
	L04	EUR/100 kg	52,06		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	98,46
	A01	EUR/100 kg	74,21		L03	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—	0406 90 81 9900	L04	EUR/100 kg	56,63
	L04	EUR/100 kg	79,79		400	EUR/100 kg	—
	400	EUR/100 kg	31,46		A01	EUR/100 kg	81,39
	A01	EUR/100 kg	114,70		L03	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—	0406 90 85 9900	L04	EUR/100 kg	71,59
	L04	EUR/100 kg	79,79		400	EUR/100 kg	24,37
	400	EUR/100 kg	20,57		A01	EUR/100 kg	102,48
	A01	EUR/100 kg	114,70		L03	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	77,32
	L04	EUR/100 kg	76,70		400	EUR/100 kg	30,37
	400	EUR/100 kg	30,85		A01	EUR/100 kg	111,24
	A01	EUR/100 kg	109,79		L03	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 85 9970	L04	EUR/100 kg	70,88
	L04	EUR/100 kg	84,53		400	EUR/100 kg	26,57
	400	EUR/100 kg	29,28		A01	EUR/100 kg	101,96
	A01	EUR/100 kg	122,31		A00	EUR/100 kg	—
0406 90 63 9100	L03	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	84,09	0406 90 86 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	32,75	0406 90 86 9300	L04	EUR/100 kg	65,04
	A01	EUR/100 kg	121,29		400	EUR/100 kg	15,95
0406 90 63 9900	L03	EUR/100 kg	—		A01	EUR/100 kg	96,47
	L04	EUR/100 kg	80,84		L03	EUR/100 kg	—
	400	EUR/100 kg	25,05		L04	EUR/100 kg	65,98
	A01	EUR/100 kg	117,16		400	EUR/100 kg	17,48
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9400	A01	EUR/100 kg	97,48
0406 90 69 9910	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	80,84		L04	EUR/100 kg	70,09
	400	EUR/100 kg	25,05		400	EUR/100 kg	19,78
0406 90 73 9900	A01	EUR/100 kg	117,16	0406 90 86 9900	A01	EUR/100 kg	102,48
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	70,41		L04	EUR/100 kg	77,32
	400	EUR/100 kg	26,96		400	EUR/100 kg	23,16
0406 90 75 9900	A01	EUR/100 kg	100,87	0406 90 87 9100	A01	EUR/100 kg	111,24
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
	L04	EUR/100 kg	70,88	0406 90 87 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	11,38		L04	EUR/100 kg	54,21
0406 90 76 9300	A01	EUR/100 kg	101,96		400	EUR/100 kg	14,26
	L03	EUR/100 kg	—		A01	EUR/100 kg	80,37
	L04	EUR/100 kg	63,92	0406 90 87 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	60,58
0406 90 76 9400	A01	EUR/100 kg	91,50		400	EUR/100 kg	16,10
	L03	EUR/100 kg	—		A01	EUR/100 kg	89,53
	L04	EUR/100 kg	71,59	0406 90 87 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	11,84		L04	EUR/100 kg	62,17
	A01	EUR/100 kg	102,48		400	EUR/100 kg	17,64
					A01	EUR/100 kg	90,88

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9951	L03	EUR/100 kg	—	0406 90 87 9974	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,31		L04	EUR/100 kg	74,93
	400	EUR/100 kg	24,38		400	EUR/100 kg	13,88
	A01	EUR/100 kg	100,65		A01	EUR/100 kg	106,79
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,31		L04	EUR/100 kg	76,42
	400	EUR/100 kg	19,78		400	EUR/100 kg	18,40
	A01	EUR/100 kg	100,65		A01	EUR/100 kg	107,98
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,96		L04	EUR/100 kg	68,21
	400	EUR/100 kg	—		400	EUR/100 kg	13,88
	A01	EUR/100 kg	43,06		A01	EUR/100 kg	98,05
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	69,04	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	13,88		L04	EUR/100 kg	53,52
	A01	EUR/100 kg	98,82		400	EUR/100 kg	17,48
					A01	EUR/100 kg	78,79

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

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

The other destinations are defined as follows:

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1524/2003
of 28 August 2003
providing for the rejection of applications for export licences for certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 806/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1392/2003 ⁽⁴⁾, and in particular Article 10(3) thereof,

Whereas:

Uncertainty is a feature of the market in certain milk products. It is necessary to prevent speculative applications that may lead to a distortion in competition between traders. Applications for export licences for the products concerned should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences for milk products falling within CN codes 0401, 0402 10, 0402 21, 0402 29, 0403, 0404, 0405 and 0406 made between 22 and 28 August 2003 inclusive, shall be rejected.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 197, 5.8.2003, p. 3.

COMMISSION REGULATION (EC) No 1525/2003
of 28 August 2003
fixing the export refunds on olive oil

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 ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 ⁽³⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁴⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market.
- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

⁽³⁾ OJ L 78, 31.3.1972, p. 1.

⁽⁴⁾ OJ L 348, 30.12.1977, p. 53.

ANNEX

to the Commission Regulation of 28 August 2003 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

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

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

**COMMISSION REGULATION (EC) No 1526/2003
of 28 August 2003**

**amending the rates of the refunds applicable to certain milk products exported in the form of
goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, as last amended by Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 August 2003 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1363/2003 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1363/2003 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1363/2003 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 194, 1.8.2003, p. 43.

ANNEX

to the Commission Regulation of 28 August 2003 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

		(EUR/100 kg)
CN code	Description	Rate of refund ⁽¹⁾
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	57,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	71,67
	(b) On exportation of other goods	98,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	93,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	185,25
	(c) On exportation of other goods	178,00

⁽¹⁾ With effect from 1 July 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia, and to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

**COMMISSION REGULATION (EC) No 1527/2003
of 28 August 2003**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

(5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.

(6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.

(7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.

(8) In accordance with Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia⁽¹⁰⁾, Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia⁽¹¹⁾, Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia⁽¹²⁾, Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania⁽¹³⁾, Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 117, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

⁽¹⁰⁾ OJ L 151, 19.6.2003, p. 1.

⁽¹¹⁾ OJ L 163, 1.7.2003, p. 1.

⁽¹²⁾ OJ L 163, 1.7.2003, p. 19.

⁽¹³⁾ OJ L 163, 1.7.2003, p. 38.

Republic ⁽¹⁾ and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic ⁽²⁾ with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or Czech Republic are not eligible for export refunds.

- (9) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary ⁽³⁾, with effect from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds.
- (10) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

- (11) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 163, 1.7.2003, p. 56.

⁽²⁾ OJ L 163, 1.7.2003, p. 73.

⁽³⁾ OJ L 146, 13.6.2003, p. 10.

ANNEX

**to the Commission Regulation of 28 August 2003 fixing the rates of the refunds applicable to certain cereals
and rice products exported in the form of goods not covered by Annex I to the Treaty**

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	4,022	4,022
1003 00 90	Barley – where goods falling within subheading 2208 ⁽⁴⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁵⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽⁴⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – in other cases	2,070 1,580 3,428 1,213 1,185 2,571 1,580 3,428 2,070 1,580 3,428	2,070 1,580 3,428 1,213 1,185 2,571 1,580 3,428 2,070 1,580 3,428

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	9,000	9,000
	– medium grain	9,000	9,000
	– long grain	9,000	9,000
1006 40 00	Broken rice	2,400	2,400
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

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

⁽²⁾ With effect from 1 July 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia, and to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

⁽³⁾ The goods concerned fall under CN code 3505 10 50.

⁽⁴⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁵⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1528/2003
of 28 August 2003
providing for the rejection of applications for export licences in relation to certain processed
products and cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, and in particular Article 8(1) thereof,

Whereas:

The quantity covered by applications for advance fixing of refunds on potato starch and maize-based products is of great

importance and could give rise to speculation. It has therefore been decided to reject all applications for export licences of such products made on 26, 27 and 28 August 2003,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 8(1) of Regulation (EC) No 1342/2003, applications for export licences with advance fixing of refunds for products falling within CN code 1108 13 00 made on 26, 27 and 28 August 2003 shall be rejected.

Article 2

This Regulation shall enter into force on 29 August 2003.

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

Done at Brussels, 28 August 2003.

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 189, 29.7.2003, p. 12.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 August 2003

authorising Member States pursuant to Directive 96/49/EC to adopt certain derogations with regard to the transport of dangerous goods by rail

(notified under document number C(2003) 3026)

(Text with EEA relevance)

(2003/627/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail ⁽¹⁾ as amended by Directive 2000/62/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 6(9) and (11) thereof,

Having regard to the notification received from the Member States concerned,

Whereas:

(1) Pursuant to Directive 96/49/EC, Member States may adopt provisions which are less stringent than those provided for in the Annexes to that Directive with regard to the transport, within their territory, only of small quantities of certain dangerous goods, with the exception of substances having a medium or high level of radioactivity. A number of Member States have notified to the Commission their wish to adopt such provisions. Those provisions have been examined by the Commission which has concluded that the relevant conditions are met. It is therefore appropriate to authorise the adoption of those provisions.

(2) Pursuant to Directive 96/49/EC, Member States may authorise the regular transport on particular designated routes within their territory of dangerous goods, forming

part of a defined industrial process, which are either prohibited by the provisions of the Annex to that Directive or are performed under conditions different from those set out in that Annex, where such operations are of a local nature and are tightly controlled under clearly specified conditions. A number of Member States have notified to the Commission their wish to adopt provisions authorising such regular transport. The Commission has concluded that the requirements for such authorisation are met. It is therefore appropriate to authorise the Member States concerned to adopt such provisions.

(3) The measures provided for in this Decision are in accordance with the opinion of the Committee on transport of dangerous goods, set up by Article 9 of Directive 94/55/EC,

HAS ADOPTED THIS DECISION:

Article 1

Member States listed in Annex I are authorised to adopt, with regard to the transport by rail within their territory only of small quantities of certain dangerous goods, the provisions set out in that Annex.

Those provisions shall be applied without discrimination.

⁽¹⁾ OJ L 235, 17.9.1996, p. 25.

⁽²⁾ OJ L 279, 1.11.2000, p. 44.

Article 2

Member States listed in Annex II are authorised to adopt, with regard to the regular transport on particular designated routes within their territory of dangerous goods, forming part of a defined industrial process, being of local nature and tightly controlled under clearly specified condition, the provisions set out in that Annex.

Those provisions shall be applied without discrimination.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 August 2003.

For the Commission
Loyola DE PALACIO
Vice-President

ANNEX I

DEROGATIONS FOR MEMBER STATES ON SMALL QUANTITIES OF CERTAIN DANGEROUS GOODS

FRANCE

RA-SQ 6.1

Subject: Transport of registered luggage in passenger trains

Reference to the Annex to the Directive: section 7.7

Content of the Annex to the Directive: RID materials and objects excluded from transport as luggage

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (Decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 18

Content of the national legislation: RID materials and objects which may be carried as express parcels can be carried as luggage in passenger trains.

RA-SQ 6.2

Subject: Parcels of hazardous materials carried by passengers in trains

Reference to the Annex to the Directive: section 7.7

Content of the Annex to the Directive: RID materials and objects excluded from transport as hand luggage

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (Decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 19

Content of the national legislation: the transport as hand luggage of parcels of hazardous materials intended for the personal or professional use of passengers is authorised subject to certain conditions: only the provisions relating to the packaging, marking and labelling of parcels set out in 4.1, 5.2 and 3.4 apply.

Comments: portable gas receptacles allowed for patients with respiratory problems in the necessary amount for one journey

RA-SQ 6.3

Subject: Transport for the needs of the rail carrier

Reference to the Annex to the Directive: section 5.4.1

Content of the Annex to the Directive: information concerning hazardous materials to be indicated on the consignment note

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 20.2

Content of the national legislation: transport for the needs of the rail carrier of quantities not exceeding the limits set in 1.1.3.6 is not subject to the load declaration obligation.

RA-SQ 6.4

Subject: exemption from the labelling of certain mail wagons

Reference to the Annex to the Directive: section 5.3.1

Content of the Annex to the Directive: obligation to affix labels on the walls of wagons

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 21.1

Content of the national legislation: only mail wagons carrying over 3 tonnes of a material in the same class (other than 1, 6.2 or 7) must be labelled.

RA-SQ 6.5

Subject: exemption from the labelling of wagons carrying small containers

Reference to the Annex to the Directive: section 5.3.1

Content of the Annex to the Directive: obligation to affix labels on the walls of wagons

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 21.2

content of the national legislation: If the labels affixed on the small containers are clearly visible, the wagons do not have to be labelled.

RA-SQ 6.6

Subject: exemption from the labelling of wagons carrying road vehicles loaded with parcels

Reference to the Annex to the Directive: section 5.3.1

Content of the Annex to the Directive: obligation to affix labels on the walls of wagons

Reference to the national legislation: *arrêté du 5 juin 2001 relatif au transport de marchandises dangereuses par chemin de fer* (decree of 5 June 2001 on the transport of hazardous goods by rail ('RID decree')), Article 21.3

Content of the national legislation: if the road vehicles have labels corresponding to the parcels which they contain, the wagons do not have to be labelled.

SWEDEN**RA-SQ 14.1**

Subject: a railway carriage carrying dangerous goods, as express goods, need not be marked with labels

Reference to the Annex to the Directive: section 5.3.1

Content of the Annex to the Directive: railway carriages carrying dangerous goods must display labels.

Reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng*

Content of the national legislation: a railway carriage carrying dangerous goods, as express goods, need not be marked with labels.

Comments: There are quantity limits in RID for goods to be called express goods. Therefore it is a small quantity issue.

UNITED KINGDOM**RA-SQ 15.1**

Subject: carriage of certain low-hazard radioactive items such as clocks, watches, smoke detectors, compass dials

Reference to the Annex to the Directive: most requirements of RID

Content of the Annex to the Directive: requirements concerning the carriage of class 7 material

Reference to the national legislation: Packaging, labelling and carriage of radioactive material by rail Regulations 1996, regulation 2(6) (as amended by schedule 5 of the Carriage of dangerous goods (amendment) Regulations 1999)

Content of the national legislation: total exemption from the provisions of the national regulations for certain commercial products containing limited quantities of radioactive material

Comments: this derogation is a short-term measure, which will no longer be required when similar amendments to the IAEA regulations are incorporated into RID.

RA-SQ 15.2

Subject: movement of nominally empty fixed tanks not intended as transport equipment (N2)

Reference to the Annex to the Directive: parts 5 and 7 (96/49/EC)

Content of the Annex to the Directive: requirements concerning consignment procedures, carriage, operation and vehicles

Reference to the national legislation: to be specified in forthcoming Regulations

Content of the national legislation: see above

Comments: movement of such fixed tanks is not carriage of dangerous goods in the normal sense, and RID provisions cannot in practice be applied. As the tanks are 'nominally empty', the amount of dangerous goods actually contained in them is by definition extremely small.

RA-SQ 15.3

Subject: Easing of restrictions on transporting mixed loads of explosives, and explosives with other dangerous goods, in wagons, vehicles and containers (N4/5/6)

Reference to the Annex to the Directive: sections 7.5.2.1 and 7.5.2.2

Content of the Annex to the Directive: restrictions on certain types of mixed loading

Reference to the national legislation: Carriage of dangerous goods by road Regulations 1996, regulation 18; carriage of dangerous goods by rail Regulation, regulations 17 and 24; Carriage of explosives by road regulations, regulation 14

Content of the national legislation: national legislation is less restrictive regarding mixed loading of explosives, providing such carriage can be accomplished without risk

Comments: The United Kingdom wishes to permit some variations on the mixing rules for explosives with other explosives and for explosives with other dangerous goods. Any variation will have a quantity limitation on one or more constituent parts of the load and would only be permitted provided that 'all reasonably practicable measures have been taken to prevent the explosives being brought into contact with, or otherwise endangering or being endangered by, any such goods'.

Examples of variations the United Kingdom may want to permit are:

1. explosives allocated on classification to UN No 0029, 0030, 0042, 0065, 0081, 0082, 0104, 0241, 0255, 0267, 0283, 0289, 0290, 0331, 0332, 0360, or 0361 may be carried in the same vehicle with the dangerous goods allocated on classification the UN No 1942. The quantity of UN 1942 permitted to be carried shall be limited by deeming it to be an explosive of 1.1D;
2. explosives allocated on classification to UN No 0191, 0197, 0312, 0336, 0403, 0431, or 0453 may be carried in the same vehicle with dangerous goods (except flammable gases, infectious substances and toxic substances) in transport category 2 or dangerous goods in transport category 3, or any combination of them, provided the total mass or volume of dangerous goods in transport category 2 does not exceed 500 kg or l and the total net mass of such explosives does not exceed 500 kg;
3. explosives of 1.4G may be carried with flammable liquids and flammable gases in transport category 2 or non-flammable, non-toxic gases in transport category 3, or in any combination of them in the same vehicle, provided the total mass or volume of dangerous goods when added together does not exceed 200 kg or l and the total net mass of explosives does not exceed 20 kg;
4. explosive articles allocated on classification to UN No 0106, 0107 or 0257 may be carried with explosive articles in compatibility group D, E or F for which they are components. The total quantity of explosives of UN No 0106, 0107 or 0257 shall not exceed 20 kg.

RA-SQ 15.4

Subject: to allow different 'maximum total quantity per transport unit' for class 1 goods in categories 1 and 2 of table in section 1.1.3.1

Reference to the Annex to the Directive: section 1.1.3.1

Content of the Annex to the Directive: exemptions related to the nature of the transport operation

Reference to the national legislation: to be specified in forthcoming regulations

Content of the national legislation: to lay down rules regarding exemptions for limited quantities and mixed loading of explosives

Comments: to allow different limited quantity limits and mixed loading multiplication factors for class 1 goods, namely '50' for category 1 and '500' for category 2. For the purpose of calculating mixed loads, the multiplication factors will read '20' for transport category 2 and '2' for transport category 3.

ANNEX II**DEROGATIONS FOR MEMBER STATES ON LOCAL TRANSPORT LIMITED TO THEIR TERRITORY****SWEDEN****RA-LT 14.1**

Subject: carriage of hazardous waste to hazardous waste disposal plants

Reference to the Annex to the Directive: part 2, classes 5.2 and 6.1

Content of the Annex to the Directive: classification, marking and labelling, and requirements for the construction and testing of packaging

Reference to national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng*

Content of the national legislation: the legislation consists of simplified classification criteria, less restrictive requirements for the construction and testing of packaging, and modified labelling and marking requirements. Instead of classifying hazardous waste according to RID it is assigned to different waste groups. Each waste group contains substances that can, in accordance with RID, be packed together (mixed packing). Each package must be marked with the relevant waste group code instead of the UN number.

Comments: these regulations may only be used for the carriage of hazardous waste from public recycling sites to hazardous waste-disposal plants.

COMMISSION DECISION

of 22 August 2003

fixing, for the 2003/04 marketing year and in respect of a certain number of hectares, an indicative financial allocation by Member State for the restructuring and conversion of vineyards under Council Regulation (EC) No 1493/1999

(notified under document number C(2003) 3047)

(2003/628/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2585/2001 ⁽²⁾, and in particular Article 14 thereof,

Whereas:

- (1) The rules for the restructuring and conversion of vineyards are laid down in Regulation (EC) No 1493/1999 and Commission Regulation (EC) No 1227/2000 of 31 May 2000 laying down detailed rules for the application of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine ⁽³⁾, as last amended by Regulation (EC) No 1203/2003 ⁽⁴⁾, in particular on production potential.
- (2) The detailed rules on financial planning and participation in financing the restructuring and conversion scheme laid down in Regulation (EC) No 1227/2000 stipulate that the references to a given financial year refer to the payments actually made by the Member States between 16 October and the following 15 October.
- (3) In accordance with Article 14(1) of Regulation (EC) No 1493/1999, the Commission makes initial allocations to Member States per year on the basis of objective criteria, taking into account particular situations and needs, and efforts to be undertaken in the light of the objective of the scheme.
- (4) In accordance with Article 14(3) of Regulation (EC) No 1493/1999, the financial allocation between Member States must take due account of the proportion of the Community vineyard area in the Member State concerned.
- (5) For the purposes of implementing Article 14(4) of Regulation (EC) No 1493/1999, the financial allocations should be made in respect of a certain number of hectares.

(6) Under Article 13(3) of Regulation (EC) No 1493/1999, the Community contribution to the costs of restructuring and conversion is higher in regions classified as Objective 1 in accordance with Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽⁵⁾, as amended by Regulation (EC) No 1105/2003 ⁽⁶⁾.

(7) Account must be taken of the compensation for the loss of income incurred by the wine growers during the period when the vineyard is not yet in production.

(8) In accordance with Article 17(5) of Regulation (EC) No 1227/2000, where expenditure actually incurred by a Member State in a given financial year is less than 75 % of the initial allocation, the expenditure to be recognised for the following financial year, and the corresponding total area, are to be reduced by a third of the difference between this threshold and the actual expenditure incurred during the financial year in question. This provision applies to Luxembourg for the 2003/04 marketing year.

(9) In accordance with Article 14(2) of Regulation (EC) No 1493/1999, the initial allocation is to be adapted in view of real expenditure and on the basis of revised expenditure forecasts submitted by the Member States taking account of the objective of the scheme and subject to the funds available,

HAS ADOPTED THIS DECISION:

Article 1

The indicative financial allocations by Member State, in respect of a certain number of hectares, for the restructuring and conversion of vineyards under Regulation (EC) No 1493/1999 for the 2003/04 marketing year shall be as set out in the Annex hereto.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 10.

⁽³⁾ OJ L 143, 16.6.2000, p. 1.

⁽⁴⁾ OJ L 168, 5.7.2003, p. 9.

⁽⁵⁾ OJ L 161, 26.6.1999, p. 1.

⁽⁶⁾ OJ L 158, 27.6.2003, p. 3.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Financial allocations by Member State, in respect of a number of hectares, for the restructuring and conversion of vineyards under Council Regulation (EC) No 1493/1999, for the 2003/04 marketing year

Member State	Area (ha)	Financial allocation (EUR)
Germany	2 116	13 989 772
Greece	1 342	10 041 261
Spain	20 940	150 958 937
France	12 745	111 219 120
Italy	17 063	120 110 532
Luxembourg	11	86 842
Austria	1 260	7 815 311
Portugal	3 174	28 978 225
Total	58 651	443 200 000