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Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1854/2003
of 20 October 2003
amending the anti-dumping measures imposed by Regulation (EC) No 769/2002 on imports of
coumarin originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (basic Regulation), and in particular Article 11(3) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

country concerned and the Community producers about the initiation of the proceeding. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

- (5) Two importers made their views known in writing.
- (6) The Commission sought and verified all the information it deemed necessary for the purpose of a determination of the appropriateness of the measures in force.

A. PROCEDURE

1. Measures in force

- (1) In May 2002, the Council, by Regulation (EC) No 769/2002 ⁽²⁾, imposed definitive anti-dumping duties on imports of coumarin originating in the People's Republic of China (the PRC). The duties took the form of a specific duty.

2. Initiation

- (2) On 30 October 2002, the Commission announced by a notice of initiation published in the *Official Journal of the European Communities* ⁽³⁾ the initiation of a partial interim review of the anti-dumping measures applicable to imports into the Community of coumarin originating in the PRC.
- (3) The review was initiated on the initiative of the Commission in order to examine the appropriateness of the measures in force. The current measure, i.e. a duty in the form of a specific duty, does not cater for situations in which imported goods have been damaged before entry into free circulation.

3. Investigation

- (4) The Commission officially advised exporting producers, the importers and the users known to be concerned and their associations, the representatives of the exporting

B. RESULTS OF THE INVESTIGATION

- (7) Article 145 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of the Community Customs Code ⁽⁴⁾ provides, for the determination of the customs value, an apportioning of the price actually paid or payable in situations where goods have been damaged before entry into free circulation.
- (8) In order to avoid that an excessive amount of anti-dumping duty is levied, the specific duty should, in case of damaged goods, be reduced by a percentage which corresponds to the apportioning of the price actually paid or payable. According to the well-established rules set out by the Community Customs Code, the customs value is reduced by a percentage which corresponds to the apportioning of the price actually paid or payable.
- (9) No interested party submitted any comments or arguments against this proposal.
- (10) It is therefore concluded that, in the absence of any substantiated argument from interested parties, in cases where goods have been damaged before entry into free circulation and, therefore, the price actually paid or payable is apportioned for the determination of the customs value, the specific duty should be reduced by a percentage which corresponds to the apportioning of the price actually paid or payable,

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 1972/2002 (OJ L 305, 7.11.2002, p. 1).

⁽²⁾ OJ L 123, 9.5.2002, p. 1.

⁽³⁾ OJ C 264, 30.10.2002, p. 10.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1335/2003 (OJ L 187, 26.7.2003, p. 16).

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph shall be added to Article 1 of Regulation (EC) No 769/2002:

‘3. In cases where goods have been damaged before entry into free circulation and, therefore, the price actually paid or payable is apportioned for the determination of the customs value pursuant to Article 145 of Regulation (EEC)

No 2454/93, the amount of the anti-dumping duty, calculated on the basis of the amounts set above, shall be reduced by a percentage which corresponds to the apportioning of the price actually paid or payable.’

Article 2

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

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

Done at Luxembourg, 20 October 2003.

For the Council

The President

P. MARONI

COMMISSION REGULATION (EC) No 1855/2003
of 22 October 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 23 October 2003.

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

Done at Brussels, 22 October 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 22 October 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	66,1
	060	52,7
	064	83,6
	096	51,1
	204	68,4
	999	64,4
0707 00 05	052	112,4
	999	112,4
0709 90 70	052	71,2
	999	71,2
0805 50 10	052	88,0
	388	66,7
	524	91,8
	528	77,0
	999	80,9
0806 10 10	052	103,6
	400	185,4
	508	242,3
	999	177,1
0808 10 20, 0808 10 50, 0808 10 90	052	69,1
	060	38,7
	388	77,5
	400	72,0
	404	80,0
	720	33,5
	800	160,1
	804	104,3
	999	79,4
0808 20 50	052	104,3
	060	44,5
	064	59,6
	999	69,5

⁽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 1856/2003
of 21 October 2003
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1335/2003 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 October 2003.

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

Done at Brussels, 21 October 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 187, 26.7.2003, p. 16.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	—	—	—	—
1.30	Onions (other than seed) 0703 10 19	27,64	205,33	248,37	19,17
1.40	Garlic 0703 20 00	137,36	1 020,40	1 234,29	95,27
1.50	Leeks ex 0703 90 00	77,96	579,15	700,55	54,07
1.80	White cabbages and red cabbages 0704 90 10	52,34	388,82	470,33	36,30
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,35	552,01	42,61
1.100	Chinese cabbage ex 0704 90 90	54,27	403,16	487,67	37,64
1.130	Carrots ex 0706 10 00	18,15	134,83	163,10	12,59
1.140	Radishes ex 0706 90 90	92,37	686,20	830,04	64,07
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	372,86	2 769,92	3 350,54	258,62
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	106,70	792,66	958,82	74,01
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	110,90	823,85	996,55	76,92
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	264,59	1 965,61	2 377,64	183,52
1.200.2	— other 0709 20 00	465,78	3 460,17	4 185,48	323,06
1.210	Aubergines (eggplants) 0709 30 00	100,55	746,97	903,55	69,74
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	79,14	587,92	711,15	54,89
1.230	Chantarelles 0709 59 10	994,91	7 390,99	8 940,26	690,07
1.240	Sweet peppers 0709 60 10	113,16	840,62	1 016,83	78,49
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	100,16	744,07	900,04	69,47
2.30	Pineapples, fresh ex 0804 30 00	66,80	496,22	600,24	46,33

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.40	Avocados, fresh ex 0804 40 00	196,55	1 460,12	1 766,19	136,33
2.50	Guavas and mangoes, fresh ex 0804 50 00	137,34	1 020,26	1 234,12	95,26
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	44,68	331,92	401,49	30,99
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	49,46	367,45	444,48	34,31
2.60.3	— Others 0805 10 50	47,97	356,36	431,06	33,27
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	78,80	585,39	708,10	54,66
2.70.2	— Monreales and satsumas ex 0805 20 30	78,96	586,58	709,53	54,77
2.70.3	— Mandarines and wilkings ex 0805 20 50	67,91	504,49	610,24	47,10
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	72,64	539,63	652,75	50,38
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	92,43	686,64	830,57	64,11
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	56,62	420,61	508,78	39,27
2.90.2	— pink ex 0805 40 00	84,67	628,97	760,81	58,72
2.100	Table grapes 0806 10 10	—	—	—	—
2.110	Water melons 0807 11 00	49,21	365,57	442,20	34,13
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	51,30	381,13	461,02	35,58
2.120.2	— Other ex 0807 19 00	108,12	803,23	971,60	74,99
2.140	Pears				
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	—	—	—	—
2.140.2	— Other ex 0808 20 50	—	—	—	—
2.150	Apricots 0809 10 00	223,75	1 662,19	2 010,62	155,19
2.160	Cherries 0809 20 95 0809 20 05	452,96	3 364,95	4 070,30	314,17

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.170	Peaches 0809 30 90	180,70	1 342,38	1 623,77	125,33
2.180	Nectarines ex 0809 30 10	111,38	827,42	1 000,86	77,25
2.190	Plums 0809 40 05	94,20	699,81	846,51	65,34
2.200	Strawberries 0810 10 00	388,67	2 887,35	3 492,59	269,58
2.205	Raspberries 0810 20 10	304,95	2 265,41	2 740,28	211,51
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	413,01	3 068,17	3 711,31	286,46
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	156,84	1 165,10	1 409,33	108,78
2.230	Pomegranates ex 0810 90 95	144,84	1 075,99	1 301,54	100,46
2.240	Khakis (including sharon fruit) ex 0810 90 95	355,41	2 640,24	3 193,68	246,51
2.250	Lychees ex 0810 90 30	476,73	3 541,53	4 283,90	330,66

COMMISSION REGULATION (EC) No 1857/2003
of 22 October 2003
on the issue of import licences for rice against applications submitted during the first 10 working
days of October 2003 pursuant to Regulation (EC) No 327/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of concessions set out in Schedule CXL drawn up in the wake of the conclusion of GATT XXIV.6 negotiations ⁽¹⁾,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII ⁽²⁾,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽³⁾, as last amended by Regulation (EC) No 2458/2001 ⁽⁴⁾, and in particular Article 5(2) thereof,

Whereas:

Examination of the quantities for which applications have been submitted under the October 2003 tranche shows that licences should be issued for the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for rice against applications submitted during the first 10 working days of October 2003 pursuant to Regulation (EC) No 327/98 and notified to the Commission shall be issued for the quantities applied for.

Article 2

This Regulation shall enter into force on 23 October 2003.

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

Done at Brussels, 22 October 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 122, 22.5.1996, p. 15.

⁽³⁾ OJ L 37, 11.2.1998, p. 5.

⁽⁴⁾ OJ L 331, 15.12.2001, p. 10.

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for October 2003 and quota use in 2003:

(a) semi-milled and wholly milled rice falling within CN code 1006 30

Origin	Reduction percentage for the October 2003 tranche	Final use of the quota for 2003 in percentage terms
United States of America	—	100
Thailand	0 ⁽¹⁾	99,66
Australia	—	84,74
Other origins	—	100

⁽¹⁾ Issue for the quantity applied for.

(b) husked rice falling within CN code 1006 20

Origin	Reduction percentage for the October 2003 tranche	Final use of the quota for 2003 in percentage terms
United States of America	—	100
Thailand	—	98,73
Australia	—	8,49
Other origins	—	100

(c) broken rice CN code 1006 40 00

Origin	Final use of the quota for 2003 in percentage terms
Thailand	100
Australia	100
Guyana	100
United States of America	100
Other origins	100

COMMISSION REGULATION (EC) No 1858/2003

of 22 October 2003

fixing the A1 and B export refunds for fruit and vegetables (tomatoes, oranges, lemons, table grapes and apples)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

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

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to fix the A1 and B export refunds.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For system A1, the refund rates, the refund application period and the scheduled quantities for the products concerned are fixed in the Annex hereto.

For system B, the indicative refund rates, the licence application period and the scheduled quantities for the products concerned are fixed in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁷⁾ shall not count against the eligible quantities in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 November 2003.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 268, 9.10.2001, p. 8.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 69.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 20, 24.1.2003, p. 3.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 22 October 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 22 October 2003 fixing the export refunds on fruit and vegetables (tomatoes, oranges, lemons, table grapes and apples)

Product code ⁽¹⁾	Destination ⁽²⁾	System A1 Refund application period 8.11.2003 to 7.1.2004		System B Licence application period 15.11.2003 to 14.1.2004	
		Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	25		25	5 830
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	F00	20		20	108 294
0805 50 10 9100	F00	28		28	23 737
0806 10 10 9100	F00	19		19	6 599
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F04, F09	16		16	16 692

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

⁽²⁾ The 'A' series destination codes are set out in Annex II to Regulation (EEC) No 3846/87.

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are defined as follows:

F00: All destinations except Estonia.

F03: All destinations except Switzerland and Estonia.

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

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

F09: The following destinations:

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

**COMMISSION REGULATION (EC) No 1859/2003
of 22 October 2003**

setting export refunds in the processed fruit and vegetable sector other than those granted on added sugar (provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts, certain orange juices)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1429/95 ⁽³⁾, as last amended by Regulation (EC) No 1176/2002 ⁽⁴⁾, set implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugar.
- (2) Article 16(1) of Regulation (EC) No 2201/96 states that to the extent necessary to permit exportation of economically significant quantities export refunds can be granted on the products listed at Article 1(2)(a) of that Regulation within the limits ensuing from agreements concluded in line with Article 300 of the Treaty. Article 18(4) of that Regulation provides that if the refund on the sugar incorporated in the products listed in Article 1(2)(b) is insufficient to allow exportation of these products the refund set in line with Article 17 thereof shall apply to them.
- (3) Article 16(2) of Regulation (EC) No 2201/96 requires that it be ensured that trade flows that have already arisen as a result of granting of export refunds are not disturbed. For that reason the quantities should be set product by product using the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 118/2003 ⁽⁶⁾.
- (4) Article 17(2) of Regulation (EC) No 2201/96 requires that when refunds are set account is taken of the existing situation and outlook for prices and availability on the

Community market of products processed from fruit and vegetables and for international trade prices, of marketing and transport costs and of the economic aspects of the exportation envisaged.

- (5) Article 17(3) of Regulation (EC) No 2201/96 requires that when prices on the Community market are determined account is taken of the prices that are most favourable from the point of view of exportation.
- (6) The international trade situation or specific requirements of certain markets may make it necessary to differentiate the refund on a given product by destination.
- (7) Economically significant exports can at present be made of provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts and certain orange juices.
- (8) Export refund rates and quantities should therefore be set for these products.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Processed Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refund rates in the processed fruit and vegetable sector, periods for lodging and for issuing licence applications and the quantities permitted are stipulated in the Annex hereto.
2. Licences for food aid purposes issued as indicated in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁷⁾ shall not be counted against the quantities indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 October 2003.

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 141, 24.6.1995, p. 28.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 69.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 20, 24.1.2003, p. 3.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 22 October 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 22 October 2003 setting export refunds for the processed fruit and vegetable sector other than those granted on added sugar (provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts, certain orange juices)

Period for lodging licence applications: 24 October 2003 to 22 February 2004.

Licence assignment period: November 2003 to February 2004.

Product code ⁽¹⁾	Destination code ⁽²⁾	Refund rate (EUR/t net)	Permitted quantities (t)
0812 10 00 9100	F06	50	2 853
2002 10 10 9100	F10	45	42 477
2006 00 31 9000 2006 00 99 9100	F06	153	293
2008 19 19 9100 2008 19 99 9100	F00	59	344
2009 11 99 9110 2009 12 00 9111 2009 19 98 9112	F00	5	300
2009 11 99 9150 2009 19 98 9150	F00	29	301

⁽¹⁾ The descriptions corresponding to the product codes are contained in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

⁽²⁾ The meanings of the series A destination codes are given in Annex II to Regulation (EEC) No 3846/87.

The meanings of the numerical destination codes are given in Commission Regulation (EEC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are:

F00: All destinations except Estonia.

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 October 2003

amending Decision 93/402/EEC as regards imports of fresh meat from Argentina

(notified under document number C(2003) 3827)

(Text with EEA relevance)

(2003/758/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Regulation (EC) No 807/2003 ⁽²⁾, and in particular Article 14(3) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽³⁾ and in particular Article 8(4),

Whereas:

- (1) Commission Decision 93/402/EEC of 10 June 1993 concerning animal health conditions and veterinary certification for imports of fresh meat from South American countries ⁽⁴⁾, as last amended by Decision 2003/658/EC ⁽⁵⁾, applies to Argentina, Brazil, Chile, Colombia, Paraguay and Uruguay.
- (2) The Commission was informed of an outbreak of foot and mouth disease in Argentina in the department of General José de San Martín in the province of Salta and Decision 2003/658/EC was taken to suspend the importation of boned and matured bovine meat from the departments of General José de San Martín, Rivadavia, Orán, Iruya, and Santa Victoria in the province of Salta and from the department of Ramón Lista in the province of Formosa.

- (3) However, the Argentinean veterinary authorities have informed the Commission Services on 19 September 2003 that they have enlarged the area under restriction in order to prevent a further spread of the disease in other parts of Argentina, and to create a buffer zone along the borders with other countries.
- (4) The new area put under restriction by the Argentinean veterinary authorities covers the departments of Mataros and Bermejo in the province of Formosa, the department of Almirante Brown in the province of Chaco and the department of Patiño in the province of Formosa.
- (5) From the information requested from and provided by the Argentinean veterinary authorities, it is not possible to fully assess the situation in the concerned areas because it is not clear exactly what measures are applied to the animals in these territories and what are the results of the sampling being carried out.
- (6) In view of this uncertainty and in order to safeguard the animal health situation in the European Community it is prudent to temporarily suspend importation of boned and matured bovine meat on a regional basis from the whole territory of the provinces of Formosa, Chaco and Salta and in addition the province of Jujuy because of its geographical position.
- (7) However, in the absence of clear evidence of disease in these additional areas of Argentina, the importation into the Community of boned and matured bovine fresh meat for human consumption and boned meat and offal for petfood slaughtered, produced and certified before the 8 October 2003 should be permitted.

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 122, 16.5.2003, p. 36.

⁽³⁾ OJ L 18, 23.1.2002, p. 11.

⁽⁴⁾ OJ L 179, 22.7.1993, p. 11.

⁽⁵⁾ OJ L 232, 18.9.2003, p. 59.

(8) Decision 93/402/EEC should be amended accordingly.

Article 2

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

The Member States shall amend the measures they apply to imports so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

Decision 93/402/EEC is amended as follows:

Done at Brussels, 20 October 2003.

1. Annex I is replaced by the text in the Annex I to this Decision,
2. Annex II is replaced by the text in the Annex II to this Decision.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

'ANNEX I

Description of territories of South America established for animal health certification purposes

Country	Territory		Description of territory
	Code	Version	
Argentina	AR	1/2001	Whole country
	AR-1	5/2002	The Provinces of Buenos Aires, Catamarca, Córdoba, Corrientes, Entre Ríos, La Pampa, La Rioja, Mendoza, Misiones, Neuquen, Rio Negro, San Juan, San Luis, Santa Fe, Santiago del Estero and Tucuman
	AR-3	1/2002	Chubut, Santa Cruz and Tierra del Fuego
	AR-4	1/2003	The Provinces of Chaco, Formosa (except the territory of Ramón Lista), Jujuy, Salta (except the departments of General José de San Martín, Rivadavia, Orán, Iruya and Santa Victoria
Brazil	BR	1/1993	Whole country
	BR-1	2/2001	The States of: Rio Grande do Sul; Parana, Minas Gerais (except regional delegations of Oliveira, Passos, São Gonçalo de Sapucaí, Setelagoas and Bambuí), São Paulo, Espírito Santo, Mato Grosso do Sul (except for the municipalities of Sete Quedas, Sonora, Aquidauana, Bodoquena, Bonito, Caracol, Coxim, Jardim, Ladario, Miranda, Pedro Gomes, Porto Murtinho, Rio Negro, Rio Verde of Mato Grosso and Corumbá), Santa Catarina, Goiás and the regional units of Cuiabá (except for the municipalities of San Antonio de Leverger, Nossa Senhora do Livramento, Pocone and Barão de Melgaço), Cáceres (except for the municipality of Cáceres), Lucas do Rio Verde, Rondonópolis (except for the municipality of Itiquira), Barra do Garças and Barra do Bugres in Mato Grosso
	BR-2	1/2002	Mato Grosso do Sul municipality of Sete Quedas
Chile	CL	1/1993	Whole country
Colombia	CO	1/1993	Whole country
	CO-1	1/1993	The zone included within the following borderlines: from the point where the Murri River flows into the Atrato River, downstream along the Atrato River to where it flows into the Atlantic Ocean, from this point to the Panamanian border following the Atlantic coastline to Cabo Tiburon; from this point to the Pacific Ocean following the Colombian-Panamanian border: from this point to the mouth of the Valle River along the Pacific Coast and from this point along a straight line to the point where the Murri River flows into the Atrato River.
	CO-2	1/1993	The municipalities of Arboletas, Necoclí, San Pedro de Uraba, Turbo, Apartado, Chigorodo, Mutata, Dabeiba, Uramita, Murindo, Riosucio (right bank of the Atrato river) and Frontino
	CO-3	1/1993	The zone included within the following borderlines: from the mouth of the Sinu River on the Atlantic Ocean, upstream along the Sinu River to its head-waters of Alto Paramillo, from this point to Puerto Rey on the Atlantic Ocean, following the borderline between the Department of Antioquia and Córdoba, and from this point to the mouth of the Sinu River along the Atlantic Coast
Paraguay	PY	1/1993	Whole country
	PY-1	1/2002	Chaco central and San Pedro areas
Uruguay	UY	1/2001	Whole country'

ANNEX II

‘ANNEX II

Animal health guarantees requested on certification ⁽¹⁾

Country	Territory	Model certificate for fresh meat excluding offal				Model certificate for offal								
		Species				of bovine animals						of ovines		soliped
		Bovine	Ovine/ caprine	Porcine	Soliped	HC	MP				PF	HC	PF	
1	2						3	4						
Argentina	AR	—	—	—	D	—	—	—	—	—	—	—	—	D
	AR-1	A ⁽⁴⁾	—	—	D	—	—	—	—	—	F ⁽⁵⁾	—	—	D
	AR-3	B ⁽⁶⁾	B ⁽⁶⁾	—	D	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	B ⁽⁶⁾	D
	AR-4	A ⁽¹⁰⁾	—	—	D	—	—	—	—	—	F ⁽¹⁰⁾	—	—	D
Brazil	BR	—	—	—	D	—	—	—	—	—	—	—	—	D
	BR-1	A ⁽³⁾	—	—	D	—	—	—	—	—	F ⁽³⁾	—	—	D
	BR-2	A ⁽⁸⁾	—	—	D	—	—	—	—	—	F ⁽⁹⁾	—	—	D
Chile	CL	B	B	H	D	B	B	B	B	B	B	B	B	D
Colombia	CO	—	—	—	D	—	—	—	—	—	—	—	—	D
	CO-1	A	—	—	D	—	—	—	—	—	—	—	—	D
	CO-2	—	—	—	D	—	—	—	—	—	—	—	—	D
	CO-3	A	—	—	D	—	—	—	—	—	—	—	—	D
Paraguay	PY	—	—	—	D	—	—	—	—	—	—	—	—	D
	PY-1	A ⁽⁷⁾	—	—	D	—	—	—	—	—	F ⁽⁷⁾	—	—	D
Uruguay	UY	A ⁽²⁾	C ⁽²⁾	—	D	—	—	—	—	—	F	—	G	D

HC Human consumption.

MP Destined for heat-treated meat products industry:

1 = hearts.

2 = livers.

3 = masseter muscles.

4 = tongues.

PF Destined for the pet food industry.

⁽¹⁾ The letters (A, B, C, D, E, F, G and H) appearing in the table, refer to the models of animal health guarantees as described in part 2 of Annex III, to be applied for each product and origin in accordance with Article 2; a dash (—) indicates that imports are not authorised.

⁽²⁾ Only to be used for boned meat from animals slaughtered after 1 November 2001.

⁽³⁾ In the case of Rio Grande do Sul only to be used for boned meat from bovine animals and offal for pet food from animals slaughtered after 30 November 2001.

⁽⁴⁾ Only to be used for boned meat from bovine animals slaughtered after 31 January 2002 — except in the cases of La Pampa and Santiago del Estero for which the date is 8 March 2002 and of Córdoba for which the date is 26 March 2002.

⁽⁵⁾ Only to be used for offal for pet food from bovine animals slaughtered after 31 January 2002 except in the cases of La Pampa and Santiago del Estero for which the date is 8 March 2002 and of Córdoba for which the date is 26 March 2002.

⁽⁶⁾ Only to be used for fresh meat (including offal) from ovine, caprine and bovine animals slaughtered after 1 March 2002 in the provinces of Chubut, Santa Cruz, and Tierra del Fuego.

⁽⁷⁾ Only to be used for boned meat for human consumption and boned meat and offal for pet food from bovine animals slaughtered, produced and certified after 1 September 2002 and before 20 February 2003 and en route to the Community prior to the 20 February 2003.

⁽⁸⁾ Only to be used for boned meat from bovine animals slaughtered before 31 October 2002.

⁽⁹⁾ Only to be used for offal for pet food from bovine animals slaughtered before 31 October 2002.

⁽¹⁰⁾ Only to be used for boned meat for human consumption and boned meat and offal for pet food from bovine animals slaughtered, produced and certified before 8 October 2003.'

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 87/2003

of 11 July 2003

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 73/2003 of 20 June 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1788/2001 of 7 September 2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1113/2002 of 26 June 2002 amending Regulation (EC) No 1788/2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 54zze (Commission Directive 2002/840/EC) in Chapter XII of Annex II to the Agreement:

'54zzf. **32001 R 1788:** Commission Regulation (EC) No 1788/2001 of 7 September 2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 243, 13.9.2001, p. 3), as amended by:

— **32002 R 1113:** Commission Regulation (EC) No 1113/2002 of 26 June 2002 (OJ L 168, 27.6.2002, p. 31).

⁽¹⁾ OJ L 257, 9.10.2003, p. 20.

⁽²⁾ OJ L 243, 13.9.2001, p. 3.

⁽³⁾ OJ L 168, 27.6.2002, p. 31.

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

Reference to other acts in the Regulation shall be considered relevant to the extent and in the form that the acts are incorporated into the Agreement. However, references to customs provisions in Article 1 shall be considered relevant to the extent necessary to determine the scope of the Regulation.'

Article 2

The texts of Regulations (EC) No 1788/2001 and (EC) No 1113/2002 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 88/2003

of 11 July 2003

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 73/2003 of 20 June 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1918/2002 of 25 October 2002 amending Regulation (EC) No 1788/2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 54zzf (Commission Regulation (EC) No 1788/2001) of Chapter XII of Annex II to the Agreement:

— **32002 R 1918:** Commission Regulation (EC) No 1918/2002 of 25 October 2002 (OJ L 289, 26.10.2002, p. 15).'

Article 2

The texts of Regulation (EC) No 1918/2002 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

*For the EEA Joint Committee**The President*

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 257, 9.10.2003, p. 20.

⁽²⁾ OJ L 289, 26.10.2002, p. 15.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 89/2003

of 11 July 2003

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 77/2003 of 20 June 2003 ⁽¹⁾.
- (2) Commission Directive 2003/2/EC of 6 January 2003 relating to restrictions on the marketing and use of arsenic (10th adaptation to technical progress to Council Directive 76/769/EEC) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2003/5/EC of 10 January 2003 amending Council Directive 91/414/EEC to include deltamethrin as active substance ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter XV of Annex II to the Agreement shall be amended as follows:

1. The following indent is added in point 4 (Council Directive 76/769/EEC):
'— **32003 L 0002**: Commission Directive 2003/2/EC of 6 January 2003 (OJ L 4, 9.1.2003, p. 9).'
2. The following indent is added in point 12a (Council Directive 91/414/EEC):
'— **32003 L 0005**: Commission Directive 2003/5/EC of 10 January 2003 (OJ L 8, 14.1.2003, p. 7).'

Article 2

The texts of Directives 2003/2/EC and 2003/5/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 257, 9.10.2003, p. 27.

⁽²⁾ OJ L 4, 9.1.2003, p. 9.

⁽³⁾ OJ L 8, 14.1.2003, p. 7.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

DECISION OF THE EEA JOINT COMMITTEE

No 90/2003

of 11 July 2003

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 129/2002 of 27 September 2002 ⁽¹⁾.
- (2) Directive 2000/70/EC of the European Parliament and of the Council of 16 November 2000 amending Council Directive 93/42/EEC as regards medical devices incorporating stable derivatives of human blood or human plasma ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 93/42/EEC) of Chapter XXX of Annex II to the Agreement:

— **32000 L 0070:** Directive 2000/70/EC of the European Parliament and of the Council of 16 November 2000 (OJ L 313, 13.12.2000, p. 22).'

Article 2

The texts of Directive 2000/70/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

*For the EEA Joint Committee**The President*

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 336, 12.12.2002, p. 29.

⁽²⁾ OJ L 313, 13.12.2000, p. 22.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 91/2003
of 11 July 2003
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 81/2003 of 20 June 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 980/2002 of 4 June 2002 amending Regulation (EC) No 2082/2000 adopting Eurocontrol standards ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in the second indent of point 66c (Council Directive 93/65/EEC) of Annex XIII to the Agreement:

‘, as amended by:

- **32002 R 0980**: Commission Regulation (EC) No 980/2002 of 4 June 2002 (OJ L 150, 8.6.2002, p. 38).’

Article 2

The texts of Regulation (EC) No 980/2002 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 257, 9.10.2003, p. 33.

⁽²⁾ OJ L 150, 8.6.2002, p. 38.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 92/2003
of 11 July 2003
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 57/2003 of 16 May 2003 ⁽¹⁾.
- (2) Council Decision 2003/33/EC of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XX shall be amended as follows:

1. Points 32db (Directive 2000/53/EC of the European Parliament and of the Council), 32dc (Commission Decision 2001/753/EC), 32dd (Commission Decision 2002/151/EC) and 32de (Directive 2000/76/EC of the European Parliament and of the Council) are renumbered 32e, 32ea, 32eb and 32f respectively.
2. The following point is inserted after point 32da (Commission Decision 2000/738/EC):
'32db. **32003 D 0033**: Council Decision 2003/33/EC of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC (OJ L 11, 16.1.2003, p. 27).'

Article 2

The texts of Decision 2003/33/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 193, 31.7.2003, p. 38.

⁽²⁾ OJ L 11, 16.1.2003, p. 27.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 93/2003
of 11 July 2003
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 57/2003 of 16 May 2003 ⁽¹⁾.
- (2) Commission Decision 2003/31/EC of 29 November 2002 establishing revised ecological criteria for the award of the Community eco-label to detergents for dishwashers and amending Decision 1999/427/EC ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XX to the Agreement shall be amended as follows:

1. Present point 2eq (Commission Decision 1999/427/EC) becomes point 2eqa.
2. The following indent is added in point 2eqa (Commission Decision 1999/427/EC):
'— **32003 D 0031**: Commission Decision 2003/31/EC of 29 November 2002 (OJ L 9, 15.1.2003, p. 11).'
3. The following point is inserted after point 2epa (Commission Decision 1999/205/EC, deleted):
'2eq. **32003 D 0031**: Commission Decision 2003/31/EC of 29 November 2002 establishing revised ecological criteria for the award of the Community eco-label to detergents for dishwashers and amending Decision 1999/427/EC (OJ L 9, 15.1.2003, p. 11).'
4. Point 2eqa (Commission Decision 1999/427/EC) is deleted with effect from 31 May 2004.

Article 2

The texts of Decision 2003/31/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 193, 31.7.2003, p. 38.

⁽²⁾ OJ L 9, 15.1.2003, p. 11.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

DECISION OF THE EEA JOINT COMMITTEE
No 94/2003
of 11 July 2003
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 62/2003 of 16 May 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 6/2003 of 30 December 2002 concerning the dissemination of statistics on the carriage of goods by road ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision does not apply to Iceland,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 7f (Council Regulation (EC) No 1172/98) of Annex XXI to the Agreement:

'7g. **32003 R 0006**: Commission Regulation (EC) No 6/2003 of 30 December 2002 concerning the dissemination of statistics on the carriage of goods by road (OJ L 1, 4.1.2003, p. 45).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

This Regulation shall not apply to Iceland.'

Article 2

The text of Regulation (EC) No 6/2003 in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 193, 31.7.2003, p. 50.

⁽²⁾ OJ L 1, 4.1.2003, p. 45.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 95/2003
of 11 July 2003
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 62/2003 of 16 May 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 246/2003 of 10 February 2003 adopting the programme of ad hoc modules, covering the years 2004 to 2006, to the labour force sample survey provided by Council Regulation (EC) No 577/98 ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision does not apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 18ac (Commission Regulation (EC) No 2104/2002) of Annex XXI to the Agreement:

'18ad. **32003 R 0246**: Commission Regulation (EC) No 246/2003 of 10 February 2003 adopting the programme of ad hoc modules, covering the years 2004 to 2006, to the labour force sample survey provided by Council Regulation (EC) No 577/98 (OJ L 34, 11.2.2003, p. 3).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) This Regulation shall not apply to Liechtenstein.
- (b) Norway shall provide the information required by this Regulation at the latest as from 2005.'

Article 2

The texts of Regulation (EC) No 246/2003 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 193, 31.7.2003, p. 50.

⁽²⁾ OJ L 34, 11.2.2003, p. 3.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

DECISION OF THE EEA JOINT COMMITTEE

No 96/2003

of 11 July 2003

amending Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 85/2003 of 20 June 2003 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 451/2003/EC of the European Parliament and of the Council of 27 February 2003 amending Decision No 253/2000/EC establishing the second phase of the Community action programme in the field of education 'Socrates' ⁽²⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in the third indent of Article 4(2c) (Decision No 253/2000/EC of the European Parliament and of the Council) of Protocol 31 to the Agreement:

‘, as amended by:

- **32003 D 0451**: Decision No 451/2003/EC of the European Parliament and of the Council of 27 February 2003 (OJ L 69, 13.3.2003, p. 6).’

Article 2

This Decision shall enter into force on 12 July 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 3

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 July 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

⁽¹⁾ OJ L 257, 9.10.2003, p. 42.

⁽²⁾ OJ L 69, 13.3.2003, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 98/2003
of 11 August 2003
amending Annex IX (Financial services) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as the Agreement, and in particular Article 98 thereof,

Whereas:

- (1) Annex IX to the Agreement was amended by Decision of the EEA Joint Committee No 47/2003 of 16 May 2003 ⁽¹⁾.
- (2) Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2001/97/EC is to be adapted for the purposes of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 23 (Council Directive 91/308/EEC) of Annex IX to the Agreement before the modalities for association of the EFTA States in accordance with Article 101 of the Agreement:

‘, as amended by:

- **32001 L 0097**: Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 (OJ L 344, 28.12.2001, p. 76).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

Article 1(E) second paragraph, third indent is replaced with the following:

“fraud, at least serious, affecting the European Communities' financial interests shall consist of:

- (a) in respect of expenditure, any intentional act or omission relating to:
 - the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the misappropriation or wrongful retention of funds from the general budget of the European Communities or budgets managed by, or on behalf of, the European Communities,
 - non-disclosure of information in violation of a specific obligation, with the same effect,
 - the misapplication of such funds for purposes other than those for which they were originally granted;
- (b) in respect of revenue as defined in Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources ^(*) any intentional act or omission relating to:
 - the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the illegal diminution of the resources of the general budget of the European Communities or budgets managed by, or on behalf of, the European Communities,

⁽¹⁾ OJ L 193, 31.7.2003, p. 18.

⁽²⁾ OJ L 344, 28.12.2001, p. 76.

- non-disclosure of information in violation of a specific obligation, with the same effect,
- misapplication of a legally obtained benefit, with the same effect.

Serious fraud shall be considered to be fraud involving a minimum amount not to be set at a sum exceeding EUR 50 000.

(*) OJ L 253, 7.10.2000, p. 42.”

Article 2

The texts of Directive 2001/97/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 12 August 2003, provided that all the notifications in Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 11 August 2003.

For the EEA Joint Committee

The President

H. S. H. Prinz Nikolaus von LIECHTENSTEIN

(*) Constitutional requirements indicated.

*Joint Declaration by the Contracting Parties***on Decision of the EEA Joint Committee No 98/2003 of 11 August 2003 incorporating Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering**

When adopting this Decision No 98/2003 it is understood that the incorporation into the EEA Agreement of change in the revenue as defined in Article 2(2) of Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources ⁽¹⁾ has to be taken by EEA Joint Committee decision.

*Joint Declaration by the EEA EFTA States***on Decision of the EEA Joint Committee No 98/2003 of 11 August 2003 incorporating Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering**

The EEA EFTA States have agreed to include fraud against the financial interests of the European Community in the list of predicate offences to money laundering. For practical reasons, the second money-laundering Directive has been adopted without a reciprocal agreement to protect likewise the financial interests of the EEA EFTA States. Nevertheless, the principles of reciprocity and homogeneity as laid down in the EEA Agreement, particularly in its recital 4 and Article 1, remain fully applicable also to the mutual protection of the financial interests of the Contracting Parties in the meaning of Decision No 98/2003.

*Declaration by the Commission***on Decision of the EEA Joint Committee No 98/2003 of 11 August 2003 incorporating Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering**

The Commission declares that the Community revenue is currently mainly made up of Community own resources as defined by Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources ⁽¹⁾.

Fraud affecting the Community financial interests currently covers, on the revenue side, mainly fraud in the field of customs duties, agricultural levies and VAT.

⁽¹⁾ OJ L 253, 7.10.2000, p. 42.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 753/2002 of 29 April 2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products**

(Official Journal of the European Communities L 118 of 4 May 2002)

On page 24, Annex I, paragraph 2(b)(i):

for: — Baden,
— originating in Taubertal and Schüpfergrund,
— originating in the following parts of ...'
read: — Baden
— originating in Taubertal and Schüpfergrund,
— originating in the following parts of ...';

on page 39, Annex III, GREECE, Terms referred to in Article 28:

for: 'Τοπικός Οίνος (local wine)'
read: 'Τοπικός Οίνος (vin de pays)'.

NOTICE TO READERS

Decision of the EEA Joint Committee No 97/2003 was withdrawn prior to adoption and is therefore blank.