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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2043/2003
of 20 November 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 21 November 2003.

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

Done at Brussels, 20 November 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 20 November 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	86,7
	096	54,2
	204	50,3
	999	63,7
0707 00 05	052	147,8
	220	139,2
	999	143,5
0709 90 70	052	114,4
	204	53,4
	999	83,9
0805 20 10	204	60,3
	999	60,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	72,3
	388	66,8
	464	140,7
	999	93,3
0805 50 10	052	80,8
	388	49,1
	400	46,9
	528	81,9
	600	73,1
	999	66,4
0808 10 20, 0808 10 50, 0808 10 90	060	38,2
	064	48,5
	400	92,1
	404	90,6
	720	55,9
	800	100,4
	999	71,0
0808 20 50	052	94,5
	060	53,5
	064	70,6
	400	87,9
	720	41,8
	999	69,7

⁽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 2044/2003
of 20 November 2003**

**establishing administrative procedures for the second tranche of the 2004 quantitative quotas for
certain products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 2(3) and (4), Article 6(3) and Articles 13, 23 and 24 thereof,

Whereas:

- (1) Council Regulation (EC) No 427/2003 ⁽³⁾, as last amended by Regulation (EC) No 1985/2003 ⁽⁴⁾, sets forth annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex I to that Regulation. The provisions of Regulation (EC) No 520/94 are applicable to those quotas.
- (2) In view of the enlargement of the European Community on 1 May 2004, the quotas set forth in Annex I to Council Regulation (EC) No 427/2003 have been increased by Council Regulation (EC) No 1985/2003.
- (3) Given that on 1 May 2004 the European Community will be enlarged, it is appropriate to allocate the 2004 quota in two tranches, the first one from January to April 2004 to importers in the current Member States and the second one from May to December 2004 to importers in all countries that will be Member States from May 2004 onwards.
- (4) Commission Regulation (EC) No 1351/2003 ⁽⁵⁾ established administrative procedures for the first tranche of the 2004 quantitative quotas for certain products originating in the People's Republic of China.
- (5) This Regulation shall allocate the quotas relating to quantities for May to December 2004.
- (6) The Commission accordingly adopted Regulation (EC) No 738/94 ⁽⁶⁾, as last amended by Regulation (EC) No 983/96 ⁽⁷⁾, laying down general rules for the implementation of Regulation (EC) No 520/94. These provisions apply to the administration of the above quotas subject to the provisions of this Regulation.
- (7) Certain characteristics of China's economy, the seasonal nature of some of the products and the time needed for transport mean that orders for products subject to quota are generally placed before the beginning of the quota period. It is therefore important to ensure that administrative constraints do not impede the realisation of the planned imports. In order not to affect the continuity of trade flows, the arrangements for allocating and administering the second tranche of the 2004 quotas should accordingly be adopted before May 2004.
- (8) After examination of the different administrative methods provided for by Regulation (EC) No 520/94, the method based on traditional trade flows should be adopted. Under this method the quotas are divided into two portions, one of which is reserved for traditional importers and the other for other applicants.
- (9) This has proved to be the best way of ensuring the continuity of business for the Community importers concerned and avoiding any disturbance of trade flows.
- (10) The reference period used for allocating the portion of the quota set aside for the traditional importers in the Community in the previous Regulation on the administration of these quotas cannot be updated. The years 2000 and 2001 were characterised by certain distortions, in particular a more than twofold increase of applications from one Member State, which resulted in substantially reduced individual quota allocations to all non-traditional importers in all Member States. In 2002, there was a significant increase in applications by non-traditional importers from United Kingdom companies to other Member States suggesting an effort to circumvent the related-persons test. Also, investigations are ongoing into a number of 2002 and 2003 licence holders that may have breached the related-persons test. The years 1998 or 1999 are therefore the most recent years representative of the normal trend of trade flows in the products in question imported by the importers in the Community. Traditional importers in the Community must, therefore, prove that they have imported products originating in the People's Republic of China and covered by the quotas in question in the years 1998 or 1999. The years 2001 and 2002 are the most recent years representative of the normal trend of trade flows in the products in question imported by importers in the acceding States. Given that the large majority of importers in the acceding States were not subject to import restrictions and therefore were under no legal requirement to keep import documents for both 1998 and 1999, the provision of evidence concerning 1998 and

⁽¹⁾ OJ L 66, 10.3.1994, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 65, 8.3.2003, p. 1.

⁽⁴⁾ OJ L 295, 13.11.2003, p. 43.

⁽⁵⁾ OJ L 192, 31.7.2003, p. 8.

⁽⁶⁾ OJ L 87, 31.3.1994, p. 47.

⁽⁷⁾ OJ L 131, 1.6.1996, p. 47.

1999 would impose disproportionate burdens on them. Traditional importers in the acceding States must therefore prove that they have imported in 2001 or 2002 products originating in the People's Republic of China and covered by the quotas in question.

(11) It has been found in the past that the method provided for in Article 12 of Regulation (EC) No 520/94, which is based on the order in which applications are received, may not be an appropriate way of allocating that portion of the quota reserved for non-traditional importers. Consequently, in accordance with Article 2(2)(c) of Regulation (EC) No 520/94, it is appropriate to provide for allocation in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications actually lodged, in accordance with Article 13 of Regulation (EC) No 520/94.

(12) The Commission considers it necessary that operators applying as non-traditional importers and falling under the definition of related persons within the meaning of Article 143 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) 2913/92⁽¹⁾ establishing the Community Customs Code, as last amended by Regulation (EC) No 881/2003⁽²⁾, may only submit a single licence application for each line of the quota set aside for non-traditional importers. In order to exclude speculative applications, the amount that any non-traditional importer may request should be restricted to a set volume.

(13) It is appropriate to set the quota share reserved to traditional importers at 75 % and the share of non-traditional importers at 25 %.

(14) It also appears appropriate to transfer quantities not taken up by non-traditional importers to traditional importers, in order to ensure that these quantities can still be allocated in the year in which they were attributed.

(15) For the purposes of quota allocation, a time limit must be set for the submission of licence applications by traditional and non-traditional importers.

(16) The Member States and acceding States shall inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94. The information about traditional importers' previous imports must be expressed in the same units as the quota in question.

(17) To enable traditional Community importers to continue their business practices of importing the entire amount of their guaranteed quantities early in the quota year and

to ensure competitiveness with importers in acceding States who are not subject to licence requirements before 1 May 2004, licences issued by the competent national authorities in the Member States shall be issued as soon as possible after the adoption of the quantitative criteria by the Commission. They shall be valid from the date of issuance until 31 December 2004.

(18) These measures are in accordance with the opinion of the Committee for the administration of quotas set up in accordance with Article 22 of Regulation (EC) No 520/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down specific provisions for the administration of the quantitative quotas referred to in Annex I to Regulation (EC) No 1985/2003, amending Regulation (EC) No 427/2003 for the quotas relating to quantities for May to December 2004.

Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94 shall apply, subject to the specific provisions of this Regulation.

Article 2

1. The quantitative quotas referred to in Article 1 shall be allocated using the method based on traditional trade flows, referred to in Article 2(2)(a) of Regulation (EC) No 520/94.

2. The portions of each quantitative quota set aside for traditional importers and non-traditional importers for the second tranche of the 2004 quotas are set out in Annex I to this Regulation.

3. (a) The portion set aside for non-traditional importers shall be apportioned using the method based on allocation in proportion to quantities requested. The volume requested by each applicant may not exceed that shown in Annex II.

(b) Operators that are deemed to be related persons as defined by Article 143 of Regulation (EEC) No 2454/93 may only submit a single licence application for the portion of the quota set aside for non-traditional importers regarding the goods described in the application. In addition to the statement required by Article 3(2)(g) of Regulation (EC) No 738/94, as amended by Article 1 of Regulation (EC) No 983/96, the licence application for the non-traditional quota shall state that the applicant is not related to any other operator applying for the non-traditional quota line in question.

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

⁽²⁾ OJ L 134, 29.5.2003, p. 1.

- (c) Those proportions of the quantities reserved for non-traditional importers and not allocated will be added to the quantities reserved for traditional importers.

Article 3

Applications for import licences shall be lodged with the competent authorities listed in Annex III to this Regulation from the day following that of its publication in the *Official Journal of the European Union*, until 15.00 (Brussels time) on 31 December 2003.

Article 4

1. For the purposes of allocating the portion of each quota set aside for the traditional importers, 'traditional' importers shall mean:

- operators established in the Community before 1 May 2004, who can show that they have imported goods in the calendar year 1998 or 1999 into the Community,
- operators established in one of the acceding States before 1 May 2004 who can show that they have imported goods in the calendar year 2001 or 2002 into the acceding States.

2. The supporting documents referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release for free circulation during either calendar year 1998 or 1999 for traditional importers established in the Community and either calendar year 2001 or 2002 for traditional importers established in the acceding States, as indicated by the importer, of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

3. Instead of the documents referred to in the first indent of Article 7 of Regulation (EC) No 520/94, applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of avail-

able customs information as evidence of the imports of the product in question during either the calendar year 1998 or 1999 (Community Member States) or the calendar year 2001 or 2002 (acceding States) carried out by themselves or, where applicable, by the operator whose activities they have taken over.

Article 5

Member States and acceding States shall inform the Commission no later than 10.00 (Brussels time) on 23 January 2004 of the number and aggregate quantity of import licence applications and, in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during the reference period referred to in Article 4(1) of this Regulation.

Article 6

The Commission shall adopt the quantitative criteria to be used by the competent national authorities for the purpose of meeting importers' applications no later than 10 February 2004.

Article 7

Import licences issued by the competent national authorities in acceding States shall be valid from 1 May 2004 to 31 December 2004. Import licences issued by the competent national authorities in the Member States shall be issued as soon as possible after the adoption of the quantitative criteria by the Commission. They shall be valid from the date of issuance until 31 December 2004.

Article 8

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

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

Done at Brussels, 20 November 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Allocation of the 2004 quotas — second tranche

Product description	HS/CN code	Portion reserved for traditional importers (75 %)	Portion reserved for non-traditional importers (25 %)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	43 904 228 pairs	14 634 742 pairs
	6403 51 6403 59	2 387 593 pairs	795 864 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	10 494 678 pairs	3 498 226 pairs
	ex 6404 11 ⁽²⁾	14 176 498 pairs	4 725 500 pairs
	6404 19 10	25 126 810 pairs	8 375 603 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	50 929 tonnes	16 976 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	43 593 tonnes	14 531 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

Maximum quantity which may be requested by each non-traditional importer

Product description	HS/CN code	Predetermined maximum quantity
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	5 000 pairs
	6403 51 6403 59	5 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	5 000 pairs
	ex 6404 11 ⁽²⁾	5 000 pairs
	6404 19 10	5 000 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	5 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	5 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX III

List of the competent national authorities in the Member States

1. BELGIQUE/BELGIË

Service Public Fédéral Economie, P.M.E., Classes Moyennes & Energie

Administration du Potentiel économique
Politiques d'accès aux marchés, Service Licences
Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
Bestuur Economisch Potentieel
Markttoegangsbeleid, Dienst Vergunningen
Generaal Lemanstraat 60, Rue Général-Leman 60
B-1040 Brussel/Bruxelles
Tel. (32-2) 206 58 16
Fax (32-2) 230 83 22/231 14 84

2. DANMARK

Erhvervs -og Boligstyrelsen

Vejlsøvej 29
DK-8600 Silkeborg
Tel. (45) 35 46 60 30
Fax (45) 35 46 64 01

3. DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)

Frankfurter Strasse 29-35
D-65760 Eschborn
Tel. (49) 619 69 08-0
Fax (49) 619 69 42 26/(49) 6196 908-800

4. ΕΛΛΑΔΑ

Ministry of Economy & Finance
General Directorate of Policy Planning & Implementation
Directorate of International Economic Issues

1, Kornarou Street
G-Athens 105-63
Tel. (30-210) 328-60 31/328 60 32
Fax (30-210) 328 60 94/328 60 59

5. ESPAÑA

Ministerio de Economía y Hacienda

Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 38 94/913 49 37 78
Fax (34) 913 49 38 32/913 49 37 40

6. FRANCE

Service des titres du commerce extérieur

8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Tel. (33-1) 55 07 46 69/95
Fax (33-1) 55 07 48 32/34/35

7. IRELAND

Department of Enterprise, Trade and Employment

Licencing Unit, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Ireland
Tel. (353-1) 631 25 41
Fax (353-1) 631 25 62

8. ITALIA

Ministero Attività Produttive

Direzione Generale Politica Commerciale
Div. VII
Viale Boston 25
I-00144 Roma
Tel. 39 06 599 32 489
Fax 39 06 592 55 56

9. LUXEMBOURG

Ministère des affaires étrangères

Office des licences
Boîte postale 113
L-2011 Luxembourg
Tel. (352) 22 61 62
Fax (352) 46 61 38

10. NEDERLAND

Belastingdienst/Douane

Engelse Kamp 2
Postbus 30003
NL 9700 R Groningen,
Tel. (31-50) 523 91 11
Fax (31-50) 523 22 10

11. ÖSTERREICH

Bundesministerium für Wirtschaftliche und Arbeit
Aussenwirtschaftsadministration

Abteilung C2/2
Stubenring 1
A-1011 Wien
Tel. (43) 1 711 00 0
Fax (43) 1 711 00 83 86

12. PORTUGAL

Ministério das Finanças

Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo, Edifício da Alfândega de Lisboa
Largo do Terreiro do Trigo
P-1100 Lisboa
Tel. (351-21) 881 4263
Fax (351-21) 881 4261

13. SUOMI/FINLAND

Tullihallitus/Tullstyrelsen
Erottajankatu/Skillnadsgatan 2
FIN-00101 Helsinki/Helsingfors
Tel. (358-9) 6141
Fax (358-9) 614 28 52

14. SVERIGE

Kommerskollegium
Box 6803
S-113 86 Stockholm
Tel. (46-8) 690 48 00
Fax (46-8) 30 67 59

15. UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House
West Precinct
Billingham TS23 2NF
United Kingdom
Tel. (44-1642) 36 43 33/36 43 34
Fax (44-1642) 53 35 57

List of the competent national authorities in the acceding countries

1. CYPRUS

Ministry of Commerce, Industry and Tourism
Trade Department
6 Andrea Araouzou Str.
1421 Nicosia
Tel. ++357 2 867100
Fax ++357 2 375120

2. CZECH REPUBLIC

Ministerstvo průmyslu a obchodu
Licenční správa
Na Františku 32
110 15 Praha 1
Tel. (420) 22406 2206
Fax (420) 22421 2133

3. ESTONIA

Majandus- ja Kommunikatsiooniministeerium
Harju 11
15072 Tallinn
Estonia
Tel. (372) 6256 400
Fax (372) 6313 660

4. HUNGARY

Gazdasági és Közlekedési Minisztérium
Engedélyezési és Közigazgatási Hivatala
1024 Budapest Margit krt. 85. Postafiók: 1537
Budapest
Pf. 345.
Tel. 0036(1) 336 7300
Fax 0036(1)336 7302

5. LATVIA

Ekonomikas Ministrija
Brīvības iela 55
LV-1519 Riga
Tel. 00 371 701 3006
Fax 00 371 728 0882

6. LITHUANIA

Lietuvos Respublikos ūkio Ministerija
Gedimino Ave 38/2
LT-2600 Vilnius
Tel. 00 370 5 262 50 30/00 370 5 262 87 50
Fax 00 370 5 262 39 74

7. MALTA

Ministry for Economic Services
Commerce Division
Lascaris
Valletta CMR02
Tel. 00 356 21 243 286
Fax 00 356 21 231 919

8. POLAND

Ministerstwo Gospodarki, Pracy i Polityki Społecznej
Pl.Trzech Krzyży 3/5
00-950 Warszawa
Tel. 0048/22/693 55 53
Fax 0048/22/693 40 21

9. SLOVAKIA

Ministerstvo Hospodárstva SR
Odbor výkonu obchodno-politických opatrení
Mierová 19
827 15 Bratislava
Tel. 00 421 2 434 23 913/00 421 2 485 42 160
Fax 00 421 2 4342 3919

10. SLOVENIA

Ministrstvo za gospodarstvo
Področje ekonomskih odnosov s tujino
Kotnikova 5
1000 Ljubljana
Tel. +386(0)1/478 3600
Fax +386(0)1/478 3611

**COMMISSION REGULATION (EC) No 2045/2003
of 20 November 2003**

**amending Regulation (EC) No 1509/2003 as regards the quantity covered by the standing invitation
to tender for the resale on the internal market of barley 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⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1509/2003 ⁽²⁾ opened a standing invitation to tender for the resale on the internal market of 82 500 tonnes of barley held by the German intervention agency.
- (2) In the present situation on the market the quantities of barley held by the German intervention agency put up for sale on the internal market of the Community should be increased to 136 000 tonnes.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1509/2003 is amended as follows:

1. the title is replaced by the following:
'Commission Regulation (EC) No 1509/2003 of 27 August 2003 opening a standing invitation to tender for the resale on the Community market of barley held by the German intervention agency.';
2. in Article 1(1), '82 500 tonnes' is replaced by '136 000 tonnes';
3. Annex I is replaced by the text in the Annex to this Regulation;
4. in the title of Annex II, '82 500 tonnes' is replaced by '136 000 tonnes'.

Article 2

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

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

Done at Brussels, 20 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 217, 29.8.2003, p. 8.

ANNEX

'ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/Bremen/Mecklenburg-Vorpommern	69 500
Nordrhein-Westfalen/Hessen/Rheinland-Pfalz/Saarland/Baden-Württemberg/Bayern	21 500
Berlin/Brandenburg/Sachsen-Anhalt/Sachsen/Thüringen	45 000'

**COMMISSION REGULATION (EC) No 2046/2003
of 20 November 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 1784/2003⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common 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) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, 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, 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 to the Act of Accession of the United Kingdom, Ireland and Denmark provides 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 270, 21.10.2003, p. 78.

⁽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 the 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 are not eligible for export refunds.
- (10) In accordance with Council Regulation (EC) No 1890/2003 of 27 October 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Malta and the exportation of certain processed agricultural products to Malta ⁽⁴⁾, with effect from 1 November

2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Malta, are not eligible for export refunds.

- (11) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (12) 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 listed 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 Regulation (EC) No 3072/95 respectively, are fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 21 November 2003.

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

Done at Brussels, 20 November 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.

⁽⁴⁾ OJ L 278, 29.10.2003, p. 1.

ANNEX

Rates of the refunds applicable from 20 November 2003 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	—	—
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⁾	2,675	2,675
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– – in other cases	2,675	2,675
	– 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⁾	2,006	2,006
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– – in other cases	2,006	2,006
	– where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– other (including unprocessed)	2,675	2,675
	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⁾	2,675	2,675
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– in other cases	2,675	2,675

(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	13,600	13,600
	– medium grain	13,600	13,600
	– long grain	13,600	13,600
1006 40 00	Broken rice	3,300	3,300
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 to 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. With effect from 1 November 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to Malta.

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

⁽⁴⁾ Goods listed in Annex B to 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 2047/2003
of 20 November 2003
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 35,072/100 kg.

Article 2

This Regulation shall enter into force on 21 November 2003.

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

Done at Brussels, 20 November 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

COMMISSION REGULATION (EC) No 2048/2003
of 20 November 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 21 November 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, 20 November 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 20 November 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	37,45	1104 23 10 9300	C14	EUR/t	30,76
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	32,10	1104 29 11 9000	C13	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	32,10	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	6,69
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	48,15	1107 10 91 9000	C21	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C19	EUR/t	37,45	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C19	EUR/t	32,10	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	32,10	1108 12 00 9200	C10	EUR/t	42,80
1103 19 10 9000	C16	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	42,80
1103 19 30 9100	C14	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	42,80
1103 20 60 9000	C20	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	42,80
1103 20 20 9000	C17	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	50,16
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	50,16
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	41,93
1104 19 10 9000	C13	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	32,10
1104 19 50 9110	C14	EUR/t	42,80	1702 30 91 9000	C10	EUR/t	41,93
1104 19 50 9130	C14	EUR/t	34,78	1702 30 99 9000	C10	EUR/t	32,10
1104 29 01 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	32,10
1104 29 03 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	41,93
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	32,10
1104 29 05 9300	C14	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	43,94
1104 22 20 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	30,50
1104 22 30 9100	C13	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	32,10
1104 23 10 9100	C14	EUR/t	40,13				

⁽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 2049/2003
of 20 November 2003**

amending for the 25th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan ⁽¹⁾, as last amended by Commission Regulation (EC) No 1991/2003 ⁽²⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 11 and 12 November 2003, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Therefore, Annex I should be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 20 November 2003.

For the Commission
Christopher PATTEN
Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ OJ L 295, 13.11.2003, p. 81.

ANNEX

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

1. The following entry shall be added under the heading 'Legal persons, groups and entities':
DJAMAT HOUMAT DAAWA SALAFIA (alias (a) DHDS, (b) El-Ahouel)
2. The following entries shall be added under the heading 'Natural persons':
 - (a) Faraj Farj Hassan AL SAADI, Viale Bligny 42, Milan, Italy. Place of birth: Libya. Date of birth: 28 November 1980 (alias (a) MOHAMED ABDULLA IMAD. Place of birth: Gaza. Date of birth: 28 November 1980; (b) MUHAMAD ABDULLAH IMAD. Place of birth: Jordan. Date of birth: 28 November 1980; (c) IMAD MOUHAMED ABDELLAH. Place of birth: Palestine. Date of birth: 28 November 1980; (d) HAMZA 'the LIBYAN').
 - (b) Mokhtar BELMOKHTAR. Place of birth: Ghardaia. Date of birth: 1 June 1972. Other information: Son of Mohamed and Zohra Chemkha.
 - (c) Cherif Said BEN ABDELHAKIM (alias (a) DJALLAL, (b) YUCEF, (c) ABOU SALMAN), Corso Lodi 59, Milan, Italy. Place of birth: Menzel Temine (Tunisia). Date of birth: 25 January 1970.
 - (d) Zarkaoui Imed BEN MEKKI (alias ZARGA or NADRA), Via Col. Aproso 588, Vallecrosia (IM), Italy. Place of birth: Tunis (Tunisia). Date of birth: 15 January 1973. Other information: Milan Tribunal — Custody Order, 30.09.2002, 36601/2001 R.G.N.R. — 7464/2001 R.G.GIP.
 - (e) Hamraoui Kamel BENN MOULDI (alias KAMEL or KIMO), Via Bertesi 27, Cremona, Italy or Via Plebiscito 3, Cremona, Italy. Place of birth: Beja (Tunisia). Date of birth: 21 October 1977.
 - (f) Maxamed Cabdullaah CIISE, Via Quaranta (mosque), Milan, Italy. Place of birth: Somalia. Date of birth: 8 October 1974.
 - (g) Radi Abd El Samie Abou El Yazid EL AYASHI, (alias MERA'I), Via Cilea 40, Milan, Italy. Place of birth: El Gharbia (Egypt). Date of birth: 2 January 1972.
 - (h) Bouyahia HAMADI, Corso XXII Marzo 39, Milan, Italy. Place of birth: Tunisia. Date of birth: 22 May 1966. (alias GAMES MOHMED. Place of birth: Morocco. Date of birth: 25 May 1966.)
 - (i) Mohammed Tahir HAMMID (alias ABDELHAMID AL KURDI), Via della Martinella 132, Parma, Italy. Place of birth: Poshok (Iraq). Date of birth: 1 November 1975. Title: Imam.
 - (j) Rihani LOFTI (alias ABDERRAHMANE), Via Bolgeri 4, Barni (Como), Italy. Place of birth: Tunis (Tunisia). Date of birth: 1 July 1977.
 - (k) Daki MOHAMMED, Via Melato 11, Reggio Emilia, Italy. Place of birth: Morocco. Date of birth: 29 March 1965.
 - (l) Mohamed Amin MOSTAFA, Via della Martinella 132, Parma, Italy. Place of birth: Karkuk (Iraq). Date of birth: 11 October 1975.
 - (m) Nasri Ait El Hadi MUSTAPHA. Place of birth: Tunis. Date of birth: 5 March 1962. Other information: Son of Abdelkader and Amina Aissaoui.
 - (n) Saadi NASSIM (alias ABOU ANIS), (a) Via Monte Grappa 15, Arluno (Milan), Italy, (b) Via Cefalonia 11, Milan, Italy. Place of birth: Haidra (Tunisia). Date of birth: 30 November 1974.
 - (o) Drissi NOUREDDINE, Via Plebiscito 3, Cremona, Italy. Place of birth: Tunis (Tunisia). Date of birth: 30 April 1969.
 - (p) Lazher Ben Khalifa Ben Ahmed ROUINE (alias (a) SALMANE, (b) LAZHAR), Vicolo S. Giovanni, Rimini, Italy. Place of birth: Sfax (Tunisia). Date of birth: 20 November 1975.
 - (q) Mourad TRABELSI (alias ABOU DJARRAH), Via Geromini 15, Cremona, Italy. Place of birth: Menzel Temine (Tunisia). Date of birth: 20 May 1969.

COMMISSION REGULATION (EC) No 2050/2003
of 20 November 2003
concerning tenders notified in response to the invitation to tender for the import of maize issued
in Regulation (EC) No 1620/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain from third countries was opened pursuant to Commission Regulation (EC) No 1620/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁵⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 14 to 20 November 2003 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 1620/2003.

Article 2

This Regulation shall enter into force on 21 November 2003.

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

Done at Brussels, 20 November 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 231, 17.9.2003, p. 6.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

**COMMISSION REGULATION (EC) No 2051/2003
of 20 November 2003**

**fixing the maximum export refund on oats in connection with the invitation to tender issued in
Regulation (EC) No 1814/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1431/2003 ⁽⁴⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 1814/2003 of 15 October 2003 on a special intervention measure for cereals in Finland and Sweden for the marketing year 2003/04 ⁽⁵⁾, and in particular Article 9 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries except Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Czech Republic, Romania, Slovakia and Slovenia was opened pursuant to Regulation (EC) No 1814/2003.

- (2) Article 9 of Regulation (EC) No 1814/2003 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 14 to 20 November 2003, pursuant to the invitation to tender issued in Regulation (EC) No 1814/2003, the maximum refund on exportation of oats shall be EUR 13,90/t.

Article 2

This Regulation shall enter into force on 21 November 2003.

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

Done at Brussels, 20 November 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. 7.

⁽⁴⁾ OJ L 203, 12.8.2003, p. 16.

⁽⁵⁾ OJ L 265, 16.10.2003, p. 25.

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 1/2003 OF THE JOINT COMMITTEE ON AGRICULTURE SET UP BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 21 October 2003

concerning the adoption of its Rules of Procedure

(2003/808/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community, of the one part, and the Swiss Confederation, of the other part, on trade in agricultural products (hereinafter referred to as the Agreement), and in particular Article 6(4) thereof,

Whereas that Agreement entered into force on 1 June 2002,

HAS DECIDED AS FOLLOWS:

Article 1

Chair

The office of Chair of the Committee shall be held alternately for a period of one calendar year by the European Community and the Swiss Confederation, hereinafter referred to as 'the Parties'.

Article 2

Secretariat

The Chair shall carry out the secretarial duties of the Committee. The Chair shall transmit to the heads of delegation the name and other particulars of the person performing the secretarial tasks.

Article 3

Meetings

1. The Chair shall fix the date and venue of meetings in agreement with the heads of delegation.
2. If a head of delegation requests that an extraordinary meeting be held, the Chair shall convene such a meeting within 30 days of the request being received.
3. Unless otherwise decided, the meetings of the Committee shall not be public.

Article 4

Delegations

1. Before each meeting, the heads of delegation shall inform the Chair of the intended composition of their delegation.

2. The Parties shall appoint the heads of delegation who, outside the meetings, are to be the contact persons for all matters relating to the Agreement.
3. The Committee may invite persons who are not members of the delegations to attend meetings in order to provide information on specific issues.

Article 5

Correspondence

All correspondence to or for the Chair of the Committee shall be sent to the secretariat of the Committee. The latter shall send a copy of all correspondence relating to the Agreement to the heads of delegation, to the Swiss Mission to the European Union, and to the Commission of the European Communities.

Article 6

Agendas for meetings

1. The Chair shall draw up the provisional agenda for each meeting. The provisional agenda shall be sent to the heads of delegation no later than 15 working days before the start of the meeting.

The provisional agenda shall include the items in respect of which the Chair has received a request for entry in the agenda at least 21 days before the start of the meeting. Such items shall be entered in the provisional agenda only if, where relevant, the documents relating to them have been sent to the Chair no later than the date on which that agenda is sent.

2. The agenda shall be adopted by joint agreement by the heads of delegation at the start of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the heads of delegation so agree.
3. With the agreement of the heads of delegation, the Chair may agree to reduce the time limits set out in paragraph 1 in order to take account of the requirements of a particular case.

Article 7

Minutes

1. The secretariat shall draw up draft minutes of each meeting. The draft shall state the decisions taken, the recommendations made and the conclusions adopted. The draft minutes shall be submitted to the Committee for approval. Once adopted by the Committee, the minutes shall be signed by the Chair, the secretariat of the Committee and the head of delegation of the Party not holding the office of Chair. An original copy shall be kept by each of the Parties.
2. The draft minutes shall be drawn up within 10 working days of the meeting and shall be submitted to the Committee for approval under the written procedure set out in Article 9. If that procedure cannot be completed, the minutes shall be adopted by the Committee at the next meeting.

Article 8

Adoption of instruments

1. The decisions and recommendations of the Committee within the meaning of Articles 6 and 12 of the Agreement shall bear the title 'Decision' and 'Recommendation', followed by a serial number, the date of adoption and an indication of the subject matter.
2. The decisions and recommendations of the Committee shall bear the signatures of the Chair, the secretariat of the Committee and the head of delegation of the Party not holding the office of Chair.
3. Either Party may decide to publish any instrument adopted by the Committee.

Article 9

Written procedure

1. The instruments of the Committee may be adopted by written procedure where the two heads of delegation so agree.
2. The Party proposing the use of the written procedure shall submit the draft instrument to the other Party. The other Party shall reply, indicating whether it accepts or does not accept the draft, whether it proposes any amendments, or whether it requests further time for reflection. If the draft is adopted, it shall be finalised in accordance with Article 8.

*Article 10***Expenses**

Each Party shall bear the expenses it incurs in taking part in the meetings of the Committee.

*Article 11***Confidentiality**

The deliberations of the Committee shall be governed by professional secrecy.

*Article 12***Working Groups**

The working groups shall operate under the authority of the Committee, to which they shall submit a written report after each of their meetings. The report shall be sent to the secretariat of the Committee, which shall forward it to the heads of delegation. The working groups shall not be authorised to take decisions, but may make recommendations to the Committee.

Each working group shall be assisted by the representatives of the Parties, which shall decide on the number and identity of those representatives.

For the Joint Committee on Agriculture

The Heads of Delegations

Signed at Brussels, 21 October 2003

For the Swiss Confederation

Christian HÄBERLI

For the European Community

Aldo LONGO

For the Secretariat of the Joint Committee on Agriculture

Remigi WINZAP

DECISION No 2/2003 OF THE JOINT COMMITTEE ON AGRICULTURE SET UP BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS

of 21 October 2003

concerning the setting-up of the working groups and the adoption of the terms of reference of those groups

(2003/809/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community, of the one part, and the Swiss Confederation, of the other part, on trade in agricultural products (hereinafter referred to as 'the Agreement'), and in particular Article 6(7) thereof,

Whereas that Agreement entered into force on 1 June 2002,

HAS DECIDED AS FOLLOWS:

Sole Article

The following Working Groups shall be set up under the Agreement:

- Working Group on Plant Health,
- Working Group on Animal Feed,
- Working Group on Seeds,
- Working Group on Wine-Sector Products,
- Working Group on Spirit Drinks,
- Working Group on Organic Products,
- Working Group on Fruit and Vegetables,
- Working Group on PDOs and PGI,
- Working Group on Cheeses and Yogurt,
- Working Group on Enlargement.

The respective terms of reference of these working groups appear in the Annex to this Decision.

For the Joint Committee on Agriculture

The Heads of Delegation

Signed at Brussels, 21 October 2003.

For the Swiss Confederation

Christian HÄBERLI

For the European Community

Aldo LONGO

For the Secretariat of the Joint Committee on Agriculture

Remigi WINZAP

ANNEX

Working Group on Plant Health*Basis in the Agreement (Annex 4)*

Article 10 of Annex 4 on plant health.

Terms of reference of the Working Group according to Articles 3, 5, 8 and 10

1. Assess the consequences for Annex 4 to the Agreement of changes in legislation on plant-health measures with a view to proposing any amendments to the relevant Appendices (Article 3);
2. Propose, on the basis of best practice in the field, the percentage of checks to be conducted at borders on consignments of plants subject to plant-health sampling checks, and propose a reduction in this percentage (Article 5);
3. Propose the procedure for joint checks at borders (Article 8);
4. Consider all matters which may arise in connection with Annex 4 and its implementation; periodically consider the state of the laws and regulations of the two Parties and put forward proposals with a view to adapting and updating the Appendices to Annex 4 (Article 10).

Working Group on Animal Feed*Basis in the Agreement (Annex 5)*

Article 11 of Annex 5 on animal feed.

Terms of reference of the Working Group according to Article 11

1. Consider all matters which may arise in connection with Annex 5 and its implementation;
2. Periodically consider the state of the domestic laws and regulations of the two Parties;
3. Put forward proposals with a view to updating the Appendices to Annex 5.

Working Group on Seeds*Basis in the Agreement (Annex 6)*

Article 9 of Annex 6 on seeds.

Terms of reference of the Working Group according to Articles 5, 8 and 9

1. Technical consultations with a view to assessing the data on which acceptance of a given variety is based; cooperation concerning the registration of varieties in the catalogue (Article 5);
2. Comparative trials in the Parties (Article 8);
3. Consider all matters which may arise in connection with Annex 6 and its implementation; periodically consider the state of the laws and regulations of the two Parties and put forward proposals with a view to adapting and updating the Appendices to Annex 6 (Article 9).

Working Group on Wine-Sector Products*Basis in the Agreement (Annex 7)*

Article 27 of Annex 7 on wine-sector products.

Terms of reference of the Working Group according to Article 27

1. Periodically consider the state of the domestic laws and regulations of the Parties in the fields covered by Annex 7;
2. In particular put forward proposals to the Joint Committee with a view to adapting and updating the Appendices to Annex 7 and, if necessary, proposals aimed at adapting the Annex itself.

Working Group on Spirit Drinks

Basis in the Agreement (Annex 8)

Article 17 of Annex 8 on the mutual recognition and protection of names of spirit drinks and aromatised wine-based drinks.

Terms of reference of the Working Group according to Article 17

1. Consider all issues which may arise in connection with the implementation of Annex 8;
2. In particular, the possibility of making recommendations to the Joint Committee to contribute to the attainment of the objectives of Annex 8 and, if necessary, making proposals aimed at adapting the Annex itself.

Working Group on Organic Products

Basis in the Agreement (Annex 9)

Article 8 of Annex 9 on organically produced agricultural products and foodstuffs.

Terms of reference of the Working Group according to Article 8

1. Consider all matters which may arise in connection with Annex 9 and its implementation.
2. Periodically consider the state of the respective laws and regulations of the Parties in the fields covered by Annex 9. The Working Group shall be responsible in particular for:
 - verifying that the Parties' laws and regulations are equivalent with a view to their inclusion in Appendix 1,
 - recommending to the Committee, where necessary, that the requisite implementing rules be included in Appendix 2 with a view to ensuring consistent implementation of the laws and regulations covered by this Annex in the respective territory of the Parties,
 - recommending to the Committee that the scope of this Annex be extended to products other than those covered by Article 2(1).

Working Group on Fruit and Vegetables

Basis in the Agreement (Annex 10)

Article 6 of Annex 10 on recognition of conformity checks for fruit and vegetables subject to marketing standards.

Terms of reference of the Working Group according to Article 6

1. Consider any matter arising in connection with Annex 10 and its implementation. The Working Group shall periodically review the Parties' internal laws and regulations in the fields covered by Annex 10;
2. In particular put forward proposals to the Committee with a view to adapting and updating the Appendix to Annex 10;
3. Regularly examine market developments, notably in respect to bilateral trade in fruit and vegetables, as well as any question of interest for this group relating to the fruit and vegetable sector;
4. The possibility of appointing external experts if required in order to comply with its terms of reference.

Working Group on Cheeses and Yogurt

Basis in the Agreement (Annexes 2 and 3)

Annex 2 (concessions granted by the Community) where yogurt is concerned and Annex 3 (concessions regarding cheese), points 3 to 5.

Terms of reference of the Working Group

1. Evaluate market conditions, and bilateral trade in cheese and milk products;
2. Consider periodically and reciprocally the state of laws and regulations, and exchange information regularly;
3. Examine the system for allocating quotas for cheese and yogurt;
4. Put forward proposals with a view to facilitating trade arrangements and, if necessary, make suggestions to the Joint Committee.

Working Group on PDOs and PGIs

Basis in the Agreement

Joint Declaration on the protection of geographical indications and designations of origin of agricultural products and foodstuffs (Appendix D to the Agreement).

Terms of reference of the Working Group

According to the above Declaration, the Parties shall provide for the incorporation of provisions on the mutual protection of PDOs and PGIs. It is specified that such incorporation should take place after Article 17 (simplified procedure) of Regulation (EEC) No 2081/92 has been fully applied as regards the Community as constituted at present. In the meantime, the Joint Committee shall be kept regularly informed of the progress of the work in this area.

Consequently, it is proposed that a Working Group be set up on an exploratory basis for the purposes of the mutual protection of PDOs and PGIs. This Working Group for PDOs and PGIs shall consider all matters which may arise in connection with the mutual protection of PDOs and PGIs, including consequences on international agreements, and shall exchange the information required in order to implement this protection.

Working Group on Enlargement

Basis in the Agreement

Articles 11 and 16 of the Agreement.

Terms of reference of the Working Group

The Group shall be set up temporarily in order to consider the implications of the enlargement of the European Union, with a view to establishing whether any adaptations need to be made to the Agreement on account of enlargement, and shall draw up recommendations for the Joint Committee. That shall concern in particular the impact on bilateral trade in agricultural products, the Annexes on tariff concessions (Annexes 1 to 3), and the Annexes on reducing the technical barriers to trade (Annexes 3 to 10 ⁽¹⁾), and involve drawing up any other relevant measure required in order to take account of enlargement in the context of bilateral trade in agriculture.

⁽¹⁾ Annex 11 on animal-health and zootechnical measures applicable to trade in live animals and animal products falls within the scope of the Joint Veterinary Committee.