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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1361/2002

of 22 July 2002

establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Lithuania

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part ⁽¹⁾, hereinafter referred to as the 'Europe Agreement', provides for certain concessions for certain agricultural products originating in Lithuania.
- (2) The first improvements to the preferential arrangements of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential agreements ⁽²⁾.
- (3) Improvements to the preferential arrangements of the Europe Agreement were also provided for, in the form of an autonomous and transitional measure pending a second adjustment of the relevant provisions of the Europe Agreement, as a result of a first round of negotiations to liberalise the agricultural trade. The improvements entered into force as from 1 January 2001 in the form of Council Regulation (EC) No 2766/2000 of 14 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Lithuania ⁽³⁾. The second adjustment of the relevant provisions in the Europe Agreement, which will take the form of another Additional Protocol to the Europe Agreement, has not yet entered into force.
- (4) A new Additional Protocol to the Europe Agreement on trade liberalisation for agricultural products has been negotiated.
- (5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement. It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement.
- (6) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾.
- (7) Commission Regulation (EC) 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 ⁽⁵⁾ codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Tariff quotas under this Regulation should therefore be administered in accordance with those rules.
- (8) As a result of the aforementioned negotiations, Regulation (EC) No 2766/2000 has effectively lost its substance and should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The conditions for import into the Community applicable to certain agricultural products originating in Lithuania as set out in Annex C(a) and Annex C(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement.

⁽¹⁾ OJ L 51, 20.2.1998, p. 3.

⁽²⁾ OJ L 321, 30.11.1998, p. 1.

⁽³⁾ OJ L 321, 19.12.2000, p. 8.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).

2. On the entry into force of the additional protocol adjusting the Europe Agreement to take into account the outcome of the negotiations between the parties on new mutual agricultural concessions, the concessions provided for in that Protocol shall replace those referred to in Annex C(a) and Annex C(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 2766/2000 shall be fully counted against the quantities provided for in Annex C(b) to this Regulation, except for quantities for which import licences have been issued before 1 July 2002.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regu-

lation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾ or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 4

Regulation (EC) No 2766/2000 is hereby repealed.

Article 5

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

It shall apply from 1 July 2002.

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

Done at Brussels, 22 July 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

ANNEX C(a)

The following products originating in Lithuania shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of MFN) when imported into the Community

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
0101 10 90	0710 29 00	0813 40 30	1518 00 39
0101 90 19	0710 30 00	0813 40 95	1522 00 91
0101 90 30	0710 80 51	0813 50 15	1602 10 00
0101 90 90	0710 80 59	0813 50 19	1602 20 11
0104 20 10	0710 80 61	0813 50 91	1602 20 19
0106 19 10	0710 80 69	0813 50 99	1602 20 90
0106 39 10	0710 80 70	0901 12 00	1602 31
0205	0710 80 80	0901 21 00	1602 41 90
0206 80 91	0710 80 85	0901 22 00	1602 42 90
0206 90 91	0710 80 95	0901 90 90	1602 49 90
0207 13 91	0710 90 00	0902 10 00	1602 90 10
0207 14 91	0711 40 00	0904 12 00	1602 90 31
0207 26 91	0711 59 00	0904 20 10	1602 90 41
0207 27 91	0711 90 10	0904 20 90	1602 90 72
0207 35 91	0711 90 50	0907 00 00	1602 90 74
0207 36 89	0711 90 80	0910 40 13	1602 90 76
0208	0711 90 90	0910 40 19	1602 90 78
0210 91 00	0712 20 00	0910 40 90	1602 90 98
0210 92 00	0712 31 00	0910 91 90	1603 00 10
0210 93 00	0712 32 00	0910 99 99	1704 90 10
0210 99 10	0712 33 00	1001 90 10	2001 10 00
0210 99 31	0712 39 00	1105	2001 90 20
0210 99 39	0712 90 05	1106 10 00	2001 90 50
0210 99 59	0712 90 30	1106 30	2001 90 70
0210 99 79	0712 90 50	1108 20 00	2001 90 75
0210 99 80	0712 90 90	1208 10 00	2001 90 85
0407 00 90	0713 50 00	1209	2003 20 00
0409 00 00	0713 90 10	1210	2003 90 00
0410 00 00	0713 90 90	1211 90 30	2004 10 10
0601	0802 11 90	1212 10 10	2004 10 99
0602	0802 12 90	1212 10 99	2004 90 30
0603	0802 21 00	1214 90 10	2004 90 50
0604	0802 22 00	1501 00 90	2004 90 91
0701 10 00	0802 31 00	1502 00 90	2004 90 98
0701 90 10	0802 32 00	1503 00 19	2005 10 00
0703 10	0802 40 00	1503 00 90	2005 20 20
0703 90 00	0802 90 50	1504 10 10	2005 20 80
0704 20 00	0802 90 85	1504 10 99	2005 40 00
0704 90 90	0806 20 11	1504 20 10	2005 51 00
0705 19 00	0806 20 12	1504 30 10	2005 59 00
0705 21 00	0806 20 91	1507	2005 60 00
0705 29 00	0806 20 92	1508 10 90	2005 90 10
0706	0806 20 98	1508 90 10	2005 90 50
0707 00 90	0808 20 90	1508 90 90	2005 90 60
0708 10 00	0809 40 90	1511 10 90	2005 90 70
0708 90 00	0810 40 30	1511 90 11	2005 90 75
0709 20 00	0810 40 50	1511 90 19	2005 90 80
0709 30 00	0810 40 90	1511 90 91	2006 00 99
0709 40 00	0811 90 39	1511 90 99	2007 10 91
0709 51 00	0811 90 50	1512	2007 10 99
0709 52 00	0811 90 75	1513	2007 99 10
0709 59 00	0811 90 80	1514	2007 99 91
0709 60 10	0811 90 85	1515	2007 99 98
0709 60 99	0811 90 95	1516 10 10	2008 11 92
0709 70 00	0812 10 00	1516 10 90	2008 11 94
0709 90 10	0812 90 40	1516 20 91	2008 11 96
0709 90 20	0812 90 50	1516 20 95	2008 11 98
0709 90 50	0812 90 60	1516 20 96	2008 19 19
0709 90 90	0812 90 99	1516 20 98	2008 19 93
0710 10 00	0813 10 00	1517 10 90	2008 19 95
0710 21 00	0813 20 00	1517 90 99	2008 19 99
0710 22 00	0813 30 00	1518 00 31	2008 40 11
	0813 40 10		

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
2008 40 21	2008 60 59	2008 92 14	2009 80 38
2008 40 29	2008 60 61	2008 92 34	2009 80 50
2008 40 39	2008 60 69	2008 92 38	2009 80 63
2008 40 51	2008 60 71	2008 92 59	2009 80 69
2008 40 59	2008 60 79	2008 92 74	2009 80 71
2008 40 71	2008 60 91	2008 92 78	2009 80 79
2008 40 79	2008 60 99	2008 92 93	2009 80 89
2008 40 91	2008 80 11	2008 92 96	2009 80 95
2008 40 99	2008 80 31	2008 92 98	2009 80 96
2008 50 11	2008 80 39	2008 99 28	2009 80 99
2008 60 11	2008 80 50	2008 99 37	2009 90 19
2008 60 31	2008 80 70	2008 99 40	2009 90 29
2008 60 39	2008 80 91	2008 99 45	2009 90 39
2008 60 51	2008 80 99	2009 80 19	2009 90 51
			2309 90 91

⁽¹⁾ As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).

ANNEX C(b)

Imports into the Community of the following products originating in Lithuania shall be subject to the concessions set out below (MFN = most favoured nation duty)

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4598	0102 90 05	Live bovine animals of domestic species of a live weight not exceeding 80 kg	20	178 000 heads	0	⁽³⁾
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of domestic species of a live weight exceeding 80 kg but not exceeding 300 kg	20	153 000 heads	0	⁽³⁾
09.4563	ex 0102 90	Heifers and cows, not for slaughter, of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % <i>ad valorem</i>	7 000 heads	0	⁽⁴⁾
09.4861	0201 0202 0206 10 95 0206 29 91 0210 20 0210 99 51 0210 99 90 1602 50	Meat of bovine animals, fresh or chilled Meat of bovine animals, frozen Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt Edible offal of bovine animals, frozen, other, thick skirt and thin skirt Meat of bovine animals, salted, in brine, dried or smoked Thick skirt and thin skirt of bovine animals Edible flours and meals of meat or meat offal Other prepared or preserved meat or meat offal of bovine animals	free	2 200	200	⁽⁸⁾
09.4542	ex 0203	Meat of domestic swine, fresh, chilled or frozen, excluding CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90	free	1 800	150	⁽⁵⁾ ⁽⁸⁾
	0104 10 30 0104 10 80 0104 20 90 0204	Live sheep, lambs up to a year old Live sheep, other Live goats, other Meat of sheep or goats, fresh, chilled or frozen	free	unlimited		⁽⁸⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0210 99 21	Edible meat of sheep and goats with bone in				
	0210 99 29	Edible meat of sheep and goats, boneless				
	0210 99 60	Edible meat offal of sheep and goats				
09.6661	ex 0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen excluding CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85, 0207 36 89	free	1 200	100	⁽⁸⁾
09.4862	0401	Milk and cream, not concentrated, nor containing added sugar or other sweetening matter	free	3 000	300	⁽⁸⁾
09.4863	0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	free	6 350	635	⁽⁸⁾
09.4864	0403 10 11 to 0403 10 39 0403 90 11 to 0403 90 69	Yoghurt, not flavoured nor containing added fruit, nuts or cocoa Buttermilk, curdled milk and cream, kephir and other fermented or acidified milk and cream, not flavoured nor containing added fruit nuts or cocoa	free	300	30	⁽⁸⁾
09.4865	0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	free	2 000	200	⁽⁸⁾
09.4866	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90 0405 90	Natural butter of a fat content, by weight, not exceeding 85 %, in immediate packings of a net content not exceeding 1 kg Natural butter of a fat content by weight not exceeding 85 %, other Recombined butter, of a fat content, by weight, not exceeding 85 % Whey butter Butter, other Dairy spreads of a fat content, by weight, of more than 75 % but less than 80 % Other fats and oils derived from milk	free	2 100	210	⁽⁸⁾
09.4557	0406	Cheese and curd	free	7 200	600	⁽⁸⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6662	0407 00 11 0407 00 19 0407 00 30	Poultry eggs	free	700	70	⁽⁸⁾
09.6663	0408 91 80	Dried eggs, other	free	140	15	⁽⁸⁾ ⁽⁹⁾
09.6452	ex 0702 00 00 ex 0702 00 00	Tomatoes, fresh or chilled 15 May to 31 October 1 November to 14 May	free free	400 unlimited	40	⁽⁷⁾ ⁽⁸⁾
09.6453	0703 20 00	Garlic, fresh or chilled	free	60	5	
09.6664	ex 0707 00 05 ex 0707 00 05	Cucumbers, fresh or chilled, 1 March to 31 October Cucumbers, fresh or chilled, 1 November to end of February	free free	100 unlimited	10	⁽⁷⁾ ⁽⁷⁾
	0709 10 00	Globe artichokes, fresh or chilled	free	unlimited		⁽⁷⁾
	0709 90 70	Courgettes, fresh or chilled	free	unlimited		⁽⁷⁾
09.6631	0808 10	Apples, fresh	free	2 760	230	⁽⁷⁾ ⁽⁸⁾
	0808 20 50	Fresh pears (excluding perry pears, in bulk, 1 August to 31 December)	free	unlimited		⁽⁷⁾
	0809 20	Cherries, fresh	free	unlimited		⁽⁷⁾
	ex 0809 40 05	Fresh plums, from 1 July to 30 September	free	unlimited		⁽⁷⁾
	0810 10 00	Strawberries, fresh	free	unlimited		⁽⁶⁾
	0810 30	Black-, white- or redcurrants and gooseberries, fresh	free	unlimited		⁽⁶⁾
	0811 10 19	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight	free	unlimited		⁽⁶⁾
	0811 10 90	Strawberries, frozen, other	free	unlimited		⁽⁶⁾
	0811 20 19	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcur- rants and gooseberries, frozen, with a sugar content not exceeding 13 % by weight	free	unlimited		⁽⁶⁾
	0811 20 31	Other frozen raspberries	free	unlimited		⁽⁶⁾
	0811 20 39	Other frozen blackcurrants	free	unlimited		⁽⁶⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0811 20 51	Other frozen redcurrants	free	unlimited		⁽⁶⁾
	0811 20 59	Other frozen blackberries and mulberries	free	unlimited		
	0811 20 90	Other, frozen	free	unlimited		
09.6665	1001 10 00 1001 90 91 1001 90 99 1101 00 11 1101 00 15 1101 00 90 1103 11 10 1103 11 90 1103 20 60	Durum wheat Common wheat and meslin seed Other Durum wheat flour Flour of common wheat and spelt Meslin flour Durum wheat groats and meal Common wheat and spelt groats and meal Wheat pellets	free	25 000	2 500	⁽⁸⁾
09.6666	1002 00 00 1102 10 00 1103 19 10 1103 20 10	Rye Rye flour Rye groats and meal Rye pellets	free	6 000	600	⁽⁸⁾
09.6667	1004 00 00 1102 90 30 1103 19 40 1103 20 30	Oats Oat flour Groats and meal of oats Pellets of oats	free	500	50	⁽⁸⁾
09.6668	1008 10 00 1008 20 00 1008 30 00 1008 90 10 1008 90 90 1102 90 90 1103 19 90 1103 20 90 1104 29 19 1104 29 39 1104 29 59	Buckwheat Millet Canary seed Triticale Other cereals, other Cereals flour, other Groats and meal of other cereals Cereal pellets, other Grains of cereals, hulled (shelled or husked), whether or not sliced or kibbled, other than of oats, maize (corn), barley, wheat and rye Grains of cereals, pearled, other than of oats, maize (corn), barley, wheat and rye Grains of cereals, not otherwise worked than kibbled, other than of oats, maize (corn), barley, wheat and rye	free	unlimited 1 000	 100	⁽⁸⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4569	1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	free	360	30	⁽⁸⁾
	ex 1602 41	Other prepared or preserved meat, meat offal or blood: of swine: Hams and cuts thereof, excluding CN code 1602 41 90				
	ex 1602 42	Other prepared or preserved meat, meat offal or blood: of swine: Shoulders and cuts thereof, excluding CN code 1602 42 90				
	ex 1602 49	Other prepared or preserved meat, meat offal or blood: of swine: Other, including mixtures, excluding CN code 1602 49 90				
09.6669	1602 32	Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: of fowls of the species <i>Gallus domesticus</i>	free	240	20	⁽⁸⁾
	1602 39	Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: Other than of fowls of the species <i>Gallus domesticus</i> and other than of turkeys				
	1703	Molasses resulting from the extraction or refining of sugar	free	unlimited		⁽⁸⁾
09.6670	2001 90 93	Onions, prepared or preserved by vinegar or acetic acid	free	100	10	
	2001 90 96	Other vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid				
	2002	Prepared or preserved tomatoes, otherwise than by vinegar or acetic acid	free	unlimited		⁽⁸⁾
09.6671	ex 2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals of leguminous plants	free	300	30	
	2302 30	– of wheat				
	2302 40	– of other cereals				
09.6672	ex 2309 90	Preparations of a kind used in animal feeding, other than dog or cat food, put up for retail sale	free	200	20	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	2309 90 33	Other, containing no starch or containing 10 % or less by weight of starch, containing not less than 10 % but less than 50 % by weight of milk products				
	2309 90 43	Other, containing more than 10 % but not more than 30 % by weight of starch, containing not less than 10 % but less than 50 % by weight of milk products				
	2309 90 53	Other, containing more than 30 % by weight of starch, containing not less than 10 % but less than 50 % by weight of milk products				

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

⁽²⁾ In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

⁽³⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. Should imports into the Community of live bovine domestic animals exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

⁽⁴⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania.

⁽⁵⁾ Excluding tenderloin presented alone.

⁽⁶⁾ Subject to minimum import price arrangements contained in the Appendix to this Annex.

⁽⁷⁾ The reduction applies only to the *ad valorem* part of the duty.

⁽⁸⁾ This concession is only applicable to products not benefiting from export refunds.

⁽⁹⁾ In dried egg equivalent (100 kg liquid egg = 25,7 kg of dried eggs).

APPENDIX to Annex C(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Lithuania:

CN code	Description	Minimum import price (EUR/tonne net)
ex 0810 10	Strawberries, fresh, intended for processing	514
ex 0810 30 10	Blackcurrants, fresh, intended for processing	385
ex 0810 30 30	Redcurrants, fresh, intended for processing	233
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	750
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	576
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	750
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	576
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: whole fruit	995
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: other	796
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	995
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	796
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	628
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	448
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	390
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	295

2. The minimum import prices, as set out in point 1, will be respected on a consignment-by-consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.
3. If the import prices of a given product covered by this Appendix show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Lithuanian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Lithuania, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting may be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, on the one part and the authorities', producers' and exporters' organisations of all the associated exporting countries, on the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

COUNCIL REGULATION (EC) No 1362/2002

of 22 July 2002

establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Latvia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part⁽¹⁾, hereinafter referred to as the 'Europe Agreement', provides for certain concessions for certain agricultural products originating in Latvia.
- (2) The first improvements to the preferential arrangements of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements⁽²⁾.
- (3) Improvements to the preferential arrangements of the Europe Agreement were also provided for, as a result of a first round of negotiations to liberalise agricultural trade. The improvements entered into force as from 1 July 2000 in the form of Council Regulation (EC) No 2341/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Latvia⁽³⁾. The second adjustment of the relevant provisions in the Europe Agreement — which will take the form of another Additional Protocol to the Europe Agreement — has not yet entered into force.
- (4) A new Additional Protocol to the Europe Agreement on trade liberalisation for agricultural products has been negotiated.
- (5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement. It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement.

(6) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁴⁾.

(7) 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⁽⁵⁾ codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Tariff quotas under this Regulation should therefore be administered in accordance with those rules.

(8) As a result of the aforementioned negotiations, Regulation (EC) No 2341/2000 has effectively lost its substance and should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The conditions for import into the Community applicable to certain agricultural products originating in Latvia as set out in Annex C(a) and Annex C(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement.

2. On the entry into force of the Additional Protocol adjusting the Europe Agreement to take into account the outcome of the negotiations between the parties on new mutual agricultural concessions, the concessions provided for in that Protocol shall replace those referred to in Annex C(a) and Annex C(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

⁽¹⁾ OJ L 26, 2.2.1998, p. 3.

⁽²⁾ OJ L 317, 10.12.1999, p. 1.

⁽³⁾ OJ L 271, 24.10.2000, p. 7.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002 p. 11).

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 2341/2000 shall be fully counted against the quantities provided for in Annex C(b) to this Regulation, except for quantities for which import licences have been issued before 1 July 2002.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾ or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 4

Regulation (EC) No 2341/2000 is hereby repealed.

Article 5

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

It shall apply from 1 July 2002.

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

Done at Brussels, 22 July 2002.

For the Council
The President
P. S. MØLLER

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (O L 193, 29.7.2000, p. 1).

ANNEX C(a)

The following products originating in Latvia shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of MFN) when imported into the Community

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
0101 10 90	0709 90 50	0813 50 19	2001 90 20
0101 90 19	0709 90 70	0813 50 91	2001 90 70
0101 90 30	0709 90 90	0813 50 99	2001 90 75
0101 90 90	0710 29 00		2001 90 85
0104 20 10	0710 30 00	0901 12 00	2003 20 00
0106 19 10	0710 80 51	0901 21 00	2003 90 00
0106 39 10	0710 80 59	0901 22 00	2004 90 50
	0710 80 69	0901 90 90	2004 90 91
0205	0710 80 80	0902 10 00	2004 90 98
0206 80 91	0710 80 85	0904 12 00	2005 10 00
0206 90 91	0711 40 00	0904 20 10	2005 60 00
0207 13 91	0711 59 00	0904 20 90	2005 90 10
0207 14 91	0711 90 10	0907 00 00	2005 90 50
0207 26 91	0711 90 50	0910 40 13	2006 00 99
0207 27 91	0711 90 80	0910 40 19	2007 10 91
0207 35 91	0711 90 90	0910 40 90	2007 10 99
0207 36 89	0712 20 00	0910 91 90	2008 11 92
0208 10 11	0712 32 00	0910 99 99	2008 11 94
0208 10 19	0712 33 00		2008 11 96
0208 20 00	0712 39 00	1106 10 00	2008 11 98
0208 30 00	0713 50 00	1106 30	2008 19 19
0208 40 10	0713 90 10	1208 10 00	2008 19 93
0208 40 90	0713 90 90	1209	2008 19 95
0208 90 10		1210	2008 19 99
0208 90 55	0802 11 90	1211 90 30	2008 40 11
0208 90 60	0802 12 90	1212 10 10	2008 40 21
0208 90 95	0802 21 00	1212 10 99	2008 40 29
0210 91 00	0802 22 00	1214 90 10	2008 40 39
0210 92 00	0802 31 00		2008 40 51
0210 93 00	0802 32 00	1502 00 90	2008 40 59
0210 99 10	0802 40 00	1503 00 19	2008 40 71
0210 99 31	0802 90 50	1503 00 90	2008 40 79
0210 99 39	0802 90 85	1504	2008 40 91
0210 99 59	0806 20 11	1507	2008 40 99
0210 99 79	0806 20 12	1508	2008 50 11
0210 99 80	0806 20 91	1511	2008 60 11
0407 00 90	0806 20 92	1512	2008 60 31
0410 00 00	0806 20 98	1513	2008 60 39
	0808 20 90	1514	2008 60 51
0601 10	0809 40 90	1515	2008 60 59
0601 20	0810 40 30	1516 10 10	2008 60 61
0602	0810 40 50	1516 10 90	2008 60 69
0603	0810 40 90	1516 20 91	2008 60 71
0604	0811 90 39	1516 20 95	2008 60 79
	0811 90 50	1516 20 96	2008 60 91
0701 10 00	0811 90 75	1516 20 98	2008 60 99
0701 90 10	0811 90 80	1518 00 31	2008 80 11
0703 10	0811 90 85	1518 00 39	2008 80 31
0703 90 00	0811 90 95	1522 00 91	2008 80 39
0707 00 90	0812 10 00		2008 92 12
0708 10 00	0812 90 40	1602 31	2008 92 14
0708 90 00	0812 90 50	1602 90 10	2008 92 34
0709 10 00	0812 90 60	1602 90 31	2008 92 38
0709 20 00	0812 90 99	1602 90 41	2008 92 51
0709 30 00	0813 10 00	1602 90 72	2008 92 59
0709 40 00	0813 20 00	1602 90 74	2008 92 74
0709 52 00	0813 30 00	1602 90 76	2008 92 78
0709 59 00	0813 40 10	1602 90 78	2008 92 93
0709 60	0813 40 30	1602 90 98	2008 92 96
0709 70 00	0813 40 95	1603 00 10	2008 92 98
0709 90 10	0813 50 15	1704 90 10	2008 99 28
0709 90 20			

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
2008 99 37	2009 49 30	2009 80 96	2204 30 10
2008 99 40	2009 50 10	2009 80 99	
2008 99 45	2009 50 90	2009 90 19	2302 50 00
2008 99 49	2009 80 19	2009 90 29	2306 90 19
2008 99 55	2009 80 38	2009 90 39	2308 00 90
2008 99 68	2009 80 50	2009 90 51	2309 10 51
2008 99 72	2009 80 63	2009 90 59	2309 10 90
2008 99 78	2009 80 69	2009 90 96	2309 90 10
2008 99 99	2009 80 71	2009 90 97	2309 90 31
2009 31 11	2009 80 79	2009 90 98	2309 90 41
2009 39 31	2009 80 89		2309 90 51
2009 41 10	2009 80 95		

⁽¹⁾ As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).

ANNEX C(b)

Imports into the Community of the following products originating in Latvia shall be subject to the concessions set out below (MFN = most favoured nation duty)

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4598	0102 90 05	Live bovine animals of domestic species of a live weight not exceeding 80 kg	20	178 000 heads	0	⁽³⁾
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of domestic species of a live weight exceeding 80 kg but not exceeding 300 kg	20	153 000 heads	0	⁽³⁾
09.4563	ex 0102 90	Heifers and cows, not for slaughter, of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % <i>ad valorem</i>	7 000 heads	0	⁽⁴⁾
09.4871	0201 0202 0206 10 95 0206 29 91 0210 20 0210 99 51 0210 99 90 1602 50	Meat of bovine animals, fresh or chilled Meat of bovine animals, frozen Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt Edible offal of bovine animals, frozen, other, thick skirt and thin skirt Meat of bovine animals, salted, in brine, dried or smoked Thick skirt and thin skirt of bovine animals Edible flours and meals of meat or meat offal Other prepared or preserved meat or meat offal of bovine animals	free	675	75	⁽⁸⁾
09.4540	ex 0203	Meat of domestic swine, fresh, chilled or frozen, excluding CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90	free	1 500	125	⁽⁵⁾ ⁽⁸⁾
	0104 10 30 0104 10 80 0104 20 90 0204	Live sheep, lambs up to a year old Live sheep, other Live goats, other Meat of sheep or goats, fresh, chilled or frozen	free	unlimited		⁽⁸⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0210 99 21	Edible meat of sheep and goats, with bone in				
	0210 99 29	Edible meat of sheep and goats, boneless				
	0210 99 60	Edible meat offal of sheep and goats				
09.6676	ex 0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen excluding CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85, 0207 36 89	free	755	65	⁽⁸⁾
09.4872	0401	Milk and cream, not concentrated, nor containing added sugar or other sweetening matter	free	200	20	⁽⁸⁾
09.4873	0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	free	3 800	0	⁽⁸⁾
09.4878	0403 10 11 to 0403 10 39 0403 90 11 to 0403 90 69	Yoghurt, not flavoured nor containing added fruit, nuts or cocoa Buttermilk, curdled milk and cream, kephir and other fermented or acidified milk and cream, not flavoured nor containing added fruit nuts or cocoa	free	100	10	⁽⁸⁾
09.4551	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90 0405 90	Natural butter of a fat content, by weight, not exceeding 85 %, in immediate packings of a net content not exceeding 1 kg Natural butter of a fat content by weight not exceeding 85 %, other Recombined butter, of a fat content, by weight, not exceeding 85 % Whey butter Butter, other Dairy spreads of a fat content, by weight, of more than 75 % but less than 80 % Other fats and oils derived from milk	free	2 255	190	⁽⁸⁾
09.4552	0406	Cheese and curd	free	5 000	500	⁽⁸⁾
09.6677	0409 00 00	Natural honey	free	100	10	⁽⁸⁾
09.6621	ex 0702 00 00	Tomatoes, fresh or chilled, 15 May to 31 October	free	250	50	⁽⁷⁾ ⁽⁸⁾
09.6623	0703 20 00	Garlic, fresh or chilled	free	60	5	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6456	0704 90	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled, other	free	550	50	
09.6457	ex 0706 10 00	Carrots, fresh or chilled	20	250	0	
09.6678	0706 90	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled, other	free	200	20	
09.6679	ex 0707 00 05	Cucumbers, fresh or chilled	free	500	50	⁽⁷⁾
09.6680	0709 40 00	Celery other than celeriac, fresh or chilled	free	50	5	
09.6458	0710 10 00	Potatoes, frozen	20	250	0	
09.6681	0712 90 50	Carrots, dried, whole, cut, sliced, broken or in powder, but not further prepared	free	200	20	
	0712 90 90	Other vegetables and mixtures of vegetables, dried, whole, cut, sliced, broken or in powder, but not further prepared				
09.6682	ex 0714 90 90	Frozen or dried Jerusalem artichokes	free	100	10	
	0806 10 10	Fresh table grapes	free	unlimited		⁽⁷⁾
09.6625	0808 10	Apples, fresh	free	250	50	⁽⁷⁾ ⁽⁸⁾
	0808 20 50	Fresh pears (excl. perry pears, in bulk, 1 August to 31 December)	free	unlimited		⁽⁷⁾
	0809 20	Cherries, fresh	free	unlimited		⁽⁷⁾
	0809 40 05	Plums, fresh	free	unlimited		⁽⁷⁾
	ex 0810 10 00	Strawberries, fresh, 1 August to 14 June	free	unlimited		⁽⁶⁾
	0810 20	Raspberries, blackberries, mulberries and loganberries, fresh	free	unlimited		⁽⁶⁾
	0810 30	Black-, white- or redcurrants and gooseberries, fresh	free	unlimited		⁽⁶⁾
09.6683	0811 10 11	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content exceeding 13 % by weight	20	250	0	⁽⁶⁾
	0811 10 19	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight	free	unlimited		⁽⁶⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0811 10 90	Strawberries, frozen, other	free	unlimited		⁽⁶⁾
	0811 20 19	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen, with a sugar content not exceeding 13 % by weight	free	unlimited		⁽⁶⁾
	0811 20 31	Other frozen raspberries	free	unlimited		⁽⁶⁾
	0811 20 39	Other frozen blackcurrants	free	unlimited		⁽⁶⁾
	0811 20 51	Other frozen redcurrants	free	unlimited		⁽⁶⁾
	0811 20 59	Other frozen blackberries and mulberries	free	unlimited		⁽⁶⁾
	0811 20 90	Other, frozen	free	unlimited		⁽⁶⁾
09.6684	1001 10 00 1001 90 10 1001 90 91 1001 90 99	Durum wheat Spelt for sowing Common wheat and meslin seed Other	free	26 000	2 600	⁽⁸⁾
09.6685	1101 00 11 1101 00 15 1101 00 90 1103 11 10 1103 11 90 1103 20 60	Durum wheat flour Flour of common wheat and spelt Meslin flour Durum wheat groats and meal Common wheat and spelt groats and meal Wheat pellets	free	9 000	900	⁽⁸⁾
09.6686	1002 00 00	Rye	free	3 750	375	⁽⁸⁾
09.6687	1102 10 00 1103 19 10 1103 20 10	Rye flour Rye groats and meal Rye pellets	free	1 250	125	⁽⁸⁾
09.6688	1003 00	Barley	free	4 500	450	⁽⁸⁾
09.6689	1102 90 10 1103 19 30 1103 20 20	Barley flour Barley groats and meal Barley pellets	free	1 500	150	⁽⁸⁾
09.6690	1004 00 00	Oats	free	1 500	150	⁽⁸⁾
09.6691	1102 90 30 1103 19 40 1103 20 30	Oat flour Groats and meal of oats Pellets of oats	free	500	50	⁽⁸⁾
09.6692	ex 1104	Cereals grains, otherwise worked, excluding CN codes 1104 19 50 and 1104 23	free	900	90	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6473	1108 13 00	Potato starch	free	500	0	
09.4564	1601 00	Sausages and similar products, of meat, meat offal or blood: food preparations based on these products	free	180	15	⁽⁸⁾
	1602 41	Other prepared or preserved meat, meat offal or blood: of swine: Hams and cuts thereof				
	1602 42	Other prepared or preserved meat, meat offal or blood: of swine: Shoulders and cuts thereof				
	1602 49	Other prepared or preserved meat, meat offal or blood: of swine: Other, including mixtures				
09.6693	1602 32 to 1602 39	Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: of fowls of the species <i>Gallus domesticus</i> Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: Other than of fowls of the species <i>Gallus domesticus</i> and other than of turkeys	free	120	10	⁽⁸⁾
	1703	Molasses resulting from the extraction or refining of sugar	free	unlimited		⁽⁸⁾
09.6694	ex 2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid, excluding CN codes 2001 90 30, 2001 90 40, 2001 90 60, 2001 90 65 and 2001 90 91	free	600	60	
09.6695	ex 2005	Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen, excluding CN codes 2005 20 10, 2005 70 and 2005 80 00	free	300	30	
09.6696	2009 71	Apple juice of a brix value not exceeding 20	free	1 000	100	
09.6697	ex 2009 79	Apple juice of a brix value exceeding 20, excluding CN codes 2009 79 11 and 2009 79 91	free	1 000	100	

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

⁽²⁾ In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

⁽³⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. Should imports into the Community of live bovine domestic animals exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

⁽⁴⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania.

⁽⁵⁾ Excluding tenderloin presented alone.

⁽⁶⁾ Subject to minimum import price arrangements contained in the Appendix to this Annex.

⁽⁷⁾ The reduction applies only to the *ad valorem* part of the duty.

⁽⁸⁾ This concession is only applicable to products not benefiting from export refunds.

APPENDIX to Annex C(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Latvia:

CN code	Description	Minimum import price (EUR/tonne net)
ex 0810 10	Strawberries, fresh, intended for processing	514
ex 0810 30 10	Blackcurrants, fresh, intended for processing	385
ex 0810 30 30	Redcurrants, fresh, intended for processing	233
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit	750
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other	576
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	750
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	576
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	750
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	576
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter not exceeding 13 % by weight: whole fruit	995
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter not exceeding 13 % by weight: other	796
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	995
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	796
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	628
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	448
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	390
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	295

2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.
3. If the import prices of a given product covered by this Appendix show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Latvian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Latvia, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting may be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, on the one part, and the authorities', producers' and exporters' organisations of all the associated exporting countries, on the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

COMMISSION REGULATION (EC) No 1363/2002
of 26 July 2002
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 1498/98 ⁽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 27 July 2002.

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

Done at Brussels, 26 July 2002.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 26 July 2002 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	85,0
	064	75,1
	096	30,6
	999	63,6
0707 00 05	052	83,4
	999	83,4
0709 90 70	052	72,7
	999	72,7
0805 50 10	388	60,8
	524	72,9
	528	55,9
	999	63,2
0806 10 10	052	141,2
	220	119,5
	508	86,5
	512	89,8
	600	144,5
	624	234,7
	999	136,0
0808 10 20, 0808 10 50, 0808 10 90	388	88,8
	400	106,8
	404	94,8
	508	77,7
	512	92,0
	524	62,5
	528	70,5
	720	143,5
	800	99,9
	804	99,7
	999	93,6
0808 20 50	388	87,0
	512	86,5
	528	70,2
	804	114,1
	999	89,5
0809 10 00	052	142,5
	064	171,1
	999	156,8
0809 20 95	052	391,5
	400	263,4
	404	251,5
	616	281,4
	999	296,9
0809 30 10, 0809 30 90	052	126,0
	064	88,7
	999	107,3
0809 40 05	064	62,6
	624	157,7
	999	110,1

⁽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 1364/2002
of 26 July 2002
prohibiting fishing for herring by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾ lays down quotas for herring for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of herring in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of

Denmark or registered in Denmark have exhausted the quota allocated for 2002. Denmark has prohibited fishing for this stock from 3 July 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of herring in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of Denmark or registered in Denmark are hereby deemed to have exhausted the quota allocated to Denmark for 2002.

Fishing for herring in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of Denmark or registered in Denmark is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 3 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1365/2002**of 26 July 2002****amending Regulation (EC) No 21/2002 as regards the forecast supply balances for the French overseas departments for the cereal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) ⁽¹⁾, and in particular Article 3(6) thereof,

Whereas:

- (1) Part 1 of Annex I to Commission Regulation (EC) No 21/2002 of 28 December 2001 establishing the supply balances and Community aid for the outermost regions under Council Regulations (EC) No 1452/2001, (EC) 1453/2001 and (EC) No 1454/2001 ⁽²⁾, as last amended by Regulation (EC) No 1291/2002 ⁽³⁾, lays down the forecast supply balances and fixes the Community aid for cereals and cereal products for the French overseas departments in accordance with Regulation (EC) No 1452/2001.
- (2) In the case of common wheat, the forecast supply balance provides for an annual quantity of 40 000 tonnes for Guadeloupe and 2 000 tonnes for Martinique. The current level of implementation of the specific supply arrangement indicates that the quantities set for Martinique are below the requirements of this region. The quantities set for Guadeloupe are at present sufficient to meet that region's requirements.

- (3) Thus, by letter dated 13 June 2002, the French authorities submitted a request for a transfer of 10 000 tonnes from the balance for Guadeloupe to the balance for Martinique in order to meet the legitimate supply needs of the latter.

- (4) As a result, the distribution of the quantities of common wheat originally laid down in the supply balances for these two islands should be amended and the requested transfer carried out.

- (5) Regulation (EC) No 21/2002 should therefore be amended accordingly.

- (6) 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

Part 1 of Annex I to Regulation (EC) No 21/2002 is replaced by the text in the Annex to this Regulation.

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

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 198, 21.7.2001, p. 11.⁽²⁾ OJ L 8, 11.1.2002, p. 15.⁽³⁾ OJ L 188, 17.7.2002, p. 3.

ANNEX

Part 1

Cereals and cereal products intended for human consumption and animal feed; oilseeds, protein crops, dried fodder

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Department	Quantity (in tonnes)	Aid (EUR/tonne)
Common wheat	1001 90	Guadeloupe	30 000	42
		French Guiana	100	52
		Martinique	12 000	42
		Réunion	33 000	48
		Total	75 100	
Barley	1003 00	Guadeloupe	200	42
		French Guiana	200	52
		Martinique	2 000	42
		Réunion	20 000	48
		Total	22 400	
Maize	1005 90	Guadeloupe	14 000	42
		French Guiana	1 500	52
		Martinique	18 000	42
		Réunion	110 000	48
		Total	143 500	
Groats and meal of durum wheat	1103 11	Martinique	700	42
		Total	700	
Malt	1107 10	Réunion	3 000	48
		Total	3 000	
Oats	1004 00		0	42
Products intended as animal feed	2309 90 31	French Guiana Total	2 500	52
	2309 90 41		2 500	
	2309 90 51			
Products intended as animal feed	2309 90 33	French Guiana Total	3	52
	2309 90 43		3	
	2309 90 53			

The products in this part are 100 % interchangeable for one and the same department.'

COMMISSION REGULATION (EC) No 1366/2002**of 26 July 2002****amending Regulation (EC) No 1557/2001 laying down detailed rules for the application of Council Regulation (EC) No 814/2000 on information measures relating to the common agricultural policy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 814/2000 of 17 April 2000 on information measures relating to the common agricultural policy ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1557/2001 of 30 July 2001 laying down detailed rules for the application of Council Regulation (EC) No 814/2000 on information measures relating to the common agricultural policy ⁽²⁾ provides for a call for proposals to ensure that the grants offered under Regulation (EC) No 814/2000 receive the widest publicity and the best measures are selected. The call must be published no later than 31 July each year. For administrative reasons this date should be postponed by three months.

- (2) Regulation (EC) No 1557/2001 should be amended accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EC) No 1557/2001, '31 July' is replaced by '31 October'.

Article 2

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

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 100, 20.4.2000, p. 7.

⁽²⁾ OJ L 205, 31.7.2001, p. 25.

COMMISSION REGULATION (EC) No 1367/2002

of 26 July 2002

opening crisis distillation as provided for in Article 30 of Council Regulation (EC) No 1493/1999 in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2585/2001 ⁽²⁾, and in particular Articles 30 and 33 thereof,

Whereas:

- (1) Article 30 of Regulation (EC) No 1493/1999 provides for the possibility of opening crisis distillation in the event of exceptional market disturbance due to major surpluses. Such measures may be limited to certain categories of wine and/or certain areas of production and may apply to quality wines psr at the request of the Member State.
- (2) By letter of 7 June 2002, the Portuguese Government requested that crisis distillation be opened in Portugal for 250 000 hl of wine, mainly quality wine psr, produced on its territory (Vinho Verde produced in the Minho region) and for some of the table wine which was not accepted for distillation under Article 29 of Regulation (EC) No 1493/1999.
- (3) Wine production in Portugal was 3,7 million hectolitres in 1998/99 and 7,8 million hectolitres in 1999/2000. It stood at 6,6 million hectolitres in 2000/01 and the latest estimates for the current wine year put table wine production at 7,6 million hl.
- (4) Stocks of wine in Portugal amounted to 7,3 million hectolitres in 1999/2000 and 9,1 million hectolitres in 2000/01, showing a substantial increase (25 %) over the previous wine year. According to Portuguese forecasts for the current wine year, stocks are set to reach 10,2 million hl, representing a further increase of 12 % over 2000/01.
- (5) Portugal thus has around 2,1 million hectolitres more in store now than it did in the 2000/01 wine year. Neither the quantities accepted for voluntary distillation in 2001/02 (695 224 hl), nor the other intervention measures such as private storage for wine (486 000 hl) have had a sufficient impact on the market in wine in Portugal to reduce the stock surplus. According to the Portuguese authorities, this substantial wine surplus has pushed

down prices, in particular for Vinho Verde, which has fallen by around 40 %. Production estimates for the next harvest suggest the same high level as for the current wine year.

- (6) Despite a significant increase in intervention during this wine year, and despite the crisis distillation of 450 000 hl launched during the previous year, under which 580 000 hl were actually distilled, stocks were 11 % higher than for the previous wine year and more than 15 % higher than in 1999/2000.
- (7) Production, particularly of Vinho Verde in the Minho region, is substantially higher than in previous wine years, while consumption is falling. According to the figures provided by the Portuguese authorities, stocks increased by 25 % during the last wine year. The specific characteristics of this wine entail a rather short storage period and a low alcoholic strength.
- (8) The crisis distillation measures decided during the 2000/01 wine year have definitely had a positive effect in terms of stabilising prices for a period, but they have proved insufficient when set against the large increase in stocks, which are depressing the market and preventing a return to balance.
- (9) In order to reverse this negative trend in prices and sales, stocks of table wine and quality wine psr should be reduced to a level that can be regarded as normal in terms of covering market requirements, and so deal with the difficult situation on the market. Stocks that have built up over the last three years must be reduced to a reasonable level reflecting more normal consumption requirements.
- (10) Since the conditions laid down in Article 30(5) of Regulation (EC) No 1493/1999 are still satisfied, a crisis distillation measure should be opened for a maximum of 250 000 hl of quality wine psr and table wine in order to reduce stocks to an acceptable level. The measure should apply for a limited period with a view to maximum effectiveness. No ceiling should be set on the quantity that individual producers can have distilled because stocks may vary substantially from one producer to another and depend more on sales than on the individual producer's annual output.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 10.

- (11) The mechanism to be introduced is the one provided for in Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽¹⁾, as last amended by Regulation (EC) No 1315/2002 ⁽²⁾. In addition to the Articles of that Regulation that refer to the distillation measure provided for in Article 30 of Regulation (EC) No 1493/1999, other provisions of Regulation (EC) No 1623/2000 apply, in particular those concerning the delivery of alcohol to intervention agencies and the payment of advances.
- (12) The price to be paid by distillers to producers should be set at a level that permits the problems faced to be solved by allowing producers to take advantage of this measure. In order to recognise the greater quality effort required of producers of quality wine psr, a slightly higher price should be set for this product. However, that price should not be set at a level that might adversely affect the application of distillation under Article 29 of Regulation (EC) No 1493/1999.
- (13) The product of crisis distillation must be raw or neutral alcohol only, for compulsory delivery to the intervention agency in order to avoid disturbing the market for potable alcohol, which is supplied largely by distillation under Article 29 of Regulation (EC) No 1493/1999.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Crisis distillation as provided for in Article 30 of Regulation (EC) No 1493/1999 is hereby opened for a maximum of 250 000 hl of quality wine psr and table wine in Portugal, of which no more than 200 000 hl may be quality wine psr, mainly Vinho Verde produced in the Minho region.

Article 2

In addition to the provisions of Regulation (EC) No 1623/2000 referring to Article 30 of Regulation (EC) No 1493/1999, the following provisions of Regulation (EC) No 1623/2000 shall apply to the measure provided for in this Regulation:

- Article 62(5) as regards payment by the intervention agency of the price as referred to in Article 6(2) of this Regulation,
- Articles 66 and 67 as regards advances as provided for in Article 6(2) of this Regulation.

Article 3

Producers may conclude contracts as provided for in Article 65 of Regulation (EC) No 1623/2000 from 29 July to 14 August 2002. Contracts shall be accompanied by proof that a security equal to EUR 5 per hectolitre has been lodged. Contracts may not be transferred.

⁽¹⁾ OJ L 194, 31.7.2000, p. 45.

⁽²⁾ OJ L 192, 20.7.2002, p. 24.

Article 4

1. The Member State shall determine the rate of reduction to be applied to the above contracts where the overall quantity covered by contracts presented exceeds that laid down in Article 1.
2. The Member State shall take the administrative steps necessary to approve the above contracts by 15 September 2002, at the latest, shall specify the rate of reduction applied and the quantity of wine accepted per contract and shall stipulate that the producer may cancel the contract where the quantity to be distilled is reduced. The Member State shall notify the Commission before 30 September 2002, of the quantities of such wine covered by approved contracts.
3. The wine must be delivered to the distilleries by 30 November 2002, at the latest. The alcohol obtained must be delivered to the intervention agency by 31 January 2003, at the latest.
4. Securities shall be released in proportion to the quantities delivered where the producer provides proof of delivery to the distillery.
5. The security shall be forfeit where no delivery is made within the time limit laid down.
6. The Member State may limit the number of contracts that individual producers may conclude under this distillation measure.

Article 5

The minimum price paid for wine delivered for distillation under this Regulation shall be:

- EUR 1,914 per % vol. per hectolitre for table wine, and
- EUR 2,300 per % vol. per hectolitre for quality wine psr.

Article 6

1. Distillers shall deliver the product obtained from distillation to the intervention agency. That product shall be of an alcoholic strength of at least 92 % vol.

2. The price the intervention agency must pay to distillers for raw alcohol delivered shall be:

- EUR 2,2812 per % vol. per hectolitre for alcohol distilled from table wine, and
- EUR 2,667 per % vol. per hectolitre for alcohol distilled from quality wine psr.

Distillers may receive an advance on that amount of:

- EUR 1,1222 per % vol. per hectolitre for distillation of table wine and
- EUR 1,508 per % vol. per hectolitre for distillation of quality wine psr.

The advance shall in that case be deducted from the price actually paid.

Article 7

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

It shall apply from 29 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1368/2002

of 26 July 2002

amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 26(3) and Article 31(14) thereof,

Whereas:

(1) Commission Regulation (EC) No 174/1999 ⁽³⁾, as last amended by Regulation (EC) No 1166/2002 ⁽⁴⁾, lays down special detailed rules for applying Council Regulation (EEC) No 804/68 ⁽⁵⁾, as last amended by Regulation (EC) No 1587/96 ⁽⁶⁾, as regards export licences and export refunds in the case of milk and milk products. In order to ensure that the export refund arrangements are properly managed and reduce the risk of speculative applications and disruption to the arrangements for certain milk products, there is a need to depart from Article 35(3) of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁷⁾, as last amended by Regulation (EC) No 2299/2001 ⁽⁸⁾, which limits the portion of the security to be forfeit where the trader returns the licence before the end of the validity period.

(2) Council Regulation (EC) No 1151/2002 of 27 June 2002 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia ⁽⁹⁾ introduces concessions in the form of reciprocal tariff quotas involving the abolition of Community refunds on certain milk products. Similar concessions have been agreed with Latvia and Lithuania. Refunds on the products concerned were consequently abolished in the case of the three Baltic countries as from 4 July 2002. In

order to avoid disrupting trade with these countries and guarantee that only products which have not benefited from refunds are exported to them, specific arrangements for the issue of licences to these countries should be drawn up as soon as possible. To that end, the provisions applicable to Poland by virtue of Article 20b of Regulation (EC) No 174/1999 should also apply to the countries and products concerned.

- (3) Article 6 of Regulation (EC) No 174/1999 lays down the validity period of export licences. Article 18(3) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽¹⁰⁾, as last amended by Regulation (EC) No 1253/2002 ⁽¹¹⁾, establishes the rate of refund to be paid in cases where the destination indicated on the licence has not been complied with. In order to comply with the concessions granted, the necessary steps should be taken to prevent licences issued for other third countries from being used to export to those countries to which concessions have been granted, and to allow licences to be cancelled and the securities lodged to be released.
- (4) Regulation (EC) No 174/1999 should therefore be amended accordingly.
- (5) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 174/1999 is amended as follows:

1. In Article 9 the following fourth subparagraph is added:

‘As an exception to Regulation (EC) No 1291/2000, Article 35(3) of the said Regulation shall not apply to licences issued in accordance with this Regulation.’

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 51.

⁽⁵⁾ OJ L 148, 28.6.1968, p. 13.

⁽⁶⁾ OJ L 206, 16.8.1996, p. 21.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁸⁾ OJ L 308, 27.11.2001, p. 19.

⁽⁹⁾ OJ L 170, 29.6.2002, p. 15.

⁽¹⁰⁾ OJ L 102, 17.4.1999, p. 11.

⁽¹¹⁾ OJ L 183, 12.7.2002, p. 12.

2. Article 20b is replaced by the following:

'Article 20b

1. Paragraphs 1 to 11 shall apply to exports of the products listed in Annex VIII to the destinations listed therein.

2. Exports as referred to in paragraph 1 shall be subject to the presentation to the competent authorities of the countries listed in Annex VIII of a certified copy of the export licence, issued in accordance with this Article, and a duly endorsed copy of the export declaration for each consignment. The goods shall not have been exported previously to another third country.

3. Licence applications and licences shall contain the following entries:

- (a) In Box 7, the country of destination;
- (b) In Box 15, a description of the goods in accordance with the Combined Nomenclature;
- (c) In Box 16, the eight-figure CN code and the quantity in kilograms for each of the products referred to in Box 15;
- (d) In Boxes 17 and 18, the total quantity of the products referred to in Box 16;
- (e) In Box 20, one of the following:
 - Exportación en virtud del artículo 20 *ter* del Reglamento (CE) n° 174/1999
 - Udførsel i overensstemmelse med artikel 20b i forordning (EF) nr. 174/1999
 - Ausfuhr in Übereinstimmung mit Artikel 20b der Verordnung (EG) Nr. 174/1999
 - Εξαγωγή σύμφωνα με το άρθρο 20β του κανονισμού (ΕΚ) αριθ. 174/1999
 - Export in accordance with Article 20b of Regulation (EC) No 174/1999
 - Exportation au titre de l'article 20 *ter* du règlement (CE) n° 174/1999
 - Esportazione in conformità all'articolo 20 *ter* del regolamento (CE) n. 174/1999
 - Uitvoer op grond van artikel 20 *ter* van Verordening (EG) nr. 174/1999
 - Exportação conforme o artigo 20.ºB do Regulamento (CE) n.º 174/1999
 - Asetuksen (EY) N:o 174/1999 20 b artiklan mukainen vienti
 - Export i överensstämmelse med artikel 20b i förordning (EG) nr 174/1999;

(f) In Box 22, one of the following:

- Sin restitución por exportación
- Uden eksportrestitution
- Ohne Ausfuhrerstattung

- Χωρίς επιστροφή κατά την εξαγωγή
- No export refund
- Sans restitution à l'exportation
- Senza restituzione all'esportazione
- Zonder uitvoerrestitutie
- Sem restituição à exportação
- Ilman vientitukea
- Utan exportbidrag;

(g) Licences shall be valid only for the products and quantities thus specified.

4. Licences issued under this Article shall carry with them an obligation to export to the destination indicated in Box 7.

5. At the request of the party concerned, a certified copy of the endorsed licence shall be issued.

6. Issue of licences shall not be subject to the lodging of a security.

7. As an exception to Article 9 of Regulation (EC) No 1291/2000, licences shall not be transferable.

8. Licences shall be valid from their date of issue within the meaning of Article 23(1) of Regulation (EC) No 1291/2000 until the following 30 June.

9. Before the end of February, the competent authorities of the Member States shall notify the Commission of the number of licences issued for the previous year and the quantity of products concerned, broken down by Combined Nomenclature code.

10. Chapter I shall not apply.

11. As an exception to Article 18(3) of Regulation (EC) No 800/1999, no refund shall be paid for licences used from the date of entry into force of this Regulation for exports of the products listed in Annex VIII to the destinations listed in Annex VIII which give in Box 7 a destination other than those listed in the said Annex.'

3. The Annex to this Regulation shall be added as Annex VIII.

Article 2

Where they are issued before the date of entry into force of this Regulation and their validity period expires after 30 June 2002, licences for one of the products listed in Annex VIII to Regulation (EC) No 174/1999 which indicate in Box 7 one of the destinations listed in that Annex shall be cancelled at the request of the interested party, and the relevant securities shall be released in proportion to the quantities not used.

Article 3

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

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

Done at Brussels, 26 July 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'ANNEX VIII

Application of Article 20b

Products CN code	Country of destination			
	Poland	Estonia	Latvia	Lithuania
0401		X	X	X
0402		X	X	X
ex 0403:				
0403 90 11		X	X	X
0403 90 13		X	X	X
0403 90 19		X	X	X
0403 90 33		X	X	X
0403 90 51		X	X	X
0403 90 59		X	X	X
0404 90		X	X	X
ex 0405:				
0405 10 11	X	X	X	X
0405 10 19	X	X	X	X
0405 10 30	X	X	X	X
0405 10 50	X	X	X	X
0405 10 90	X	X	X	X
0405 20 90	X	X	X	X
0405 90 10	X	X	X	X
0405 90 90	X	X	X	X

X application of Article 20b.'

COMMISSION REGULATION (EC) No 1369/2002

of 26 July 2002

derogating from Article 31(10) of Council Regulation (EC) No 1255/1999 as regards proof of arrival at destination in the case of differentiated refunds and laying down detailed rules for the application of the lowest export refund rate for certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular the third indent of Article 31(10) and Article 31(14) thereof,

Whereas:

- (1) The third indent of Article 31(10) of Regulation (EC) No 1255/1999 stipulates that in the case of differentiated refunds the refund is to be paid on presentation of proof that the products have reached the destination indicated on the licence or another destination for which a refund was fixed. Exceptions to that rule are possible provided that conditions are laid down offering equivalent guarantees.
- (2) In the event that export refunds are differentiated according to destination, Article 18(1) and (2) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾, as last amended by Regulation (EC) No 1253/2002 ⁽⁴⁾, stipulates that part of the refund, calculated using the lowest rate for the refund, is to be paid on application by the exporter once proof is furnished that the product has left the customs territory of the Community.
- (3) Under special arrangements with certain third countries, the refund rate applicable to the export of certain milk products to those countries may be lower, in some cases by a large amount, than the refund normally applied. It is also possible that a refund may not be fixed so the lowest rate of the refund is also the result of the lack of fixing of a refund.
- (4) Council Regulation (EC) No 1151/2002 of 27 June 2002 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions

provided for in the Europe Agreement with Estonia ⁽⁵⁾ establishes concessions in the form of reciprocal tariff quotas involving the abolition of Community refunds on certain milk products. Similar concessions have been agreed with Latvia and Lithuania. Refunds for the products concerned from the three Baltic states have therefore been abolished with effect from 4 July 2002.

- (5) The abolition of refunds entails a differentiation of refunds for certain milk products. So as to avoid requiring exporters to furnish proof of arrival at destination in order to qualify for a refund in accordance with Regulation (EC) No 1255/1999, the authorities of the countries to whom concessions have been granted have undertaken to ensure that only consignments of Community products which have not received refunds will be accepted for import into those countries. To that end, the provisions applicable to Poland by virtue of Article 20(b) of Commission Regulation (EC) No 174/1999 ⁽⁶⁾, as last amended by Regulation (EC) No 1368/2002 ⁽⁷⁾, have been extended to the countries and products concerned. A derogation should therefore be made from Article 31(10) of Regulation (EC) No 1255/1999.
- (6) Article 20(b) of Commission Regulation (EC) No 174/1999 obliges operators to present a certified copy of the export licence and the corresponding export declaration to the competent authorities when the products referred to in Annex VIII to Regulation (EC) No 174/1999 are imported to the destinations referred to in that Annex. The export licence must bear special indications guaranteeing that the products concerned have not received an export refund. The authorities of the third countries concerned are to verify compliance with the provisions of Article 20b of Regulation (EC) No 174/1999.
- (7) Account should be taken of these special arrangements when applying Regulations (EC) No 1255/1999 and (EC) No 800/1999 so as to avoid imposing on exporters unnecessary financial charges during their trade with third countries. To that end, when the lowest refund rate is determined the rates fixed on the conditions and for the particular destination concerned should not be taken into account.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁴⁾ OJ L 183, 12.7.2002, p. 12.

⁽⁵⁾ OJ L 170, 29.6.2002, p. 15.

⁽⁶⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁷⁾ See page 33 of this Official Journal.

- (8) For the sake of clarity, Commission Regulation (EC) No 2886/2000 of 27 December 2000 derogating from Article 31(10) of Council Regulation (EC) No 1255/1999 as regards proof of arrival at destination in the case of differentiated refunds and laying down detailed rules for the application of the lowest export refund rate for certain milk products ⁽¹⁾, which lays down similar provisions for the export of certain products to Poland, should be repealed. The provisions of that Regulation should be incorporated into this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from the third indent of Article 31(10) of Regulation (EC) No 1255/1999, proof of arrival at destination shall

not be required for the products referred to in Annex VIII to Regulation (EC) No 174/1999.

Article 2

The fact that no refund is fixed on the products referred to in Annex VIII to Regulation (EC) No 174/1999 shall not be taken into account in determining the lowest refund rate within the meaning of the first subparagraph of Article 18(2) of Regulation (EC) No 800/1999.

Article 3

Regulation (EC) No 2886/2000 is hereby repealed.

Article 4

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

It shall apply to licences applied for from 4 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 333, 29.12.2000, p. 79.

COMMISSION REGULATION (EC) No 1370/2002

of 26 July 2002

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 102nd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 102nd individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 26 July 2002 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 102nd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

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

COMMISSION REGULATION (EC) No 1371/2002**of 26 July 2002****fixing the maximum purchasing price for butter for the 55th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 55th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 23 July 2002, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

COMMISSION REGULATION (EC) No 1372/2002**of 26 July 2002****fixing the maximum aid for concentrated butter for the 274th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 274th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1373/2002**of 26 July 2002****fixing the maximum buying-in price for skimmed-milk powder for the third invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 214/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 17 of Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed-milk powder ⁽³⁾ provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed by reference to the intervention price applicable and that it may also be decided to make no award under the round.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the third invitation to tender issued under Regulation (EC) No 214/2001, for which tenders had to be submitted not later than 23 July 2002, the maximum buying-in price shall be EUR 198,33/100 kg.

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 37, 7.2.2001, p. 100.

COMMISSION REGULATION (EC) No 1374/2002**of 26 July 2002****determining to what extent applications for the right to import for cows and heifers of certain mountain breeds lodged under Regulation (EC) No 1143/98 can be met**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1143/98 of 2 June 1998 laying down detailed rules for a tariff quota for cows and heifers of specified mountain breeds originating in various third countries, other than for slaughter and amending Regulation (EC) No 1012/98 ⁽¹⁾, as last amended by Regulation (EC) No 1096/2001 ⁽²⁾, and in particular Article 5(1) thereof,

Whereas:

- (1) Article 2(2) of Regulation (EC) No 1143/98 provides for the quantities reserved to traditional importers to be assigned in proportion to their imports during the period 1 July 1999 to 30 June 2002.
- (2) Allocation of the quantities available to operators covered by Article 2(3) of the abovementioned Regulation is to be made in proportion to the quantities applied

for. Since the quantities applied for exceed those available, a fixed percentage reduction should be set,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for the right to import lodged in accordance with Regulation (EC) No 1143/98 shall be granted to the following extent:

- (a) for importers covered by Article 2(1)(a) of Regulation (EC) No 1143/98, 39,727 % of the quantities imported during the period 1 July 1999 to 30 June 2002;
- (b) for importers covered by Article 2(1)(b) of Regulation (EC) No 1143/98, 5,384 % of the quantities applied for.

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General⁽¹⁾ OJ L 159, 3.6.1998, p. 14.⁽²⁾ OJ L 150, 6.6.2001, p. 33.

COMMISSION REGULATION (EC) No 1375/2002**of 26 July 2002****determining the extent to which the applications for import licences submitted in July 2002 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 2535/2001 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾,Having regard to Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas ⁽³⁾, as last amended by Regulation (EC) No 1165/2002 ⁽⁴⁾, and in particular Article 16(2) thereof,

Whereas:

Applications lodged in July 2002 for certain products referred to in Annex I to Regulation (EC) No 2535/2001 concern quan-

tities greater than those available; therefore, the allocation factors should be fixed for the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

The allocation coefficients set out in the Annex to this Regulation shall be applied to the quantities for which import licences have been sought for the period 1 July to 31 December 2002 in respect of products falling within the quotas referred to in Annex I to Regulation (EC) No 2535/2001.

Article 2

This Regulation shall enter into force on 27 July 2002.

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

Done at Brussels, 26 July 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 341, 22.12.2001, p. 29.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 49.

ANNEX

Applications submitted for the period 1 July to 31 December 2002

ANNEX I. A

Quota number	Allocation coefficient
09.4590	0,0099
09.4599	0,0087
09.4591	1,0000
09.4592	—
09.4593	1,0000
09.4594	1,0000
09.4595	0,0086
09.4596	0,0172

ANNEX I. B

1. Poland

Quota number	Allocation coefficient
09.4813	0,0088
09.4814	0,0089
09.4815	0,0098

2. Czech Republic

Quota number	Allocation coefficient
09.4611	0,0089
09.4612	0,0088
09.4613	1,0000

3. Slovak Republic

Quota number	Allocation coefficient
09.4611	0,0089
09.4612	0,0091
09.4613	1,0000

4. Hungary

Quota number	Allocation coefficient
09.4731	0,0104
09.4733	1,0000

5. Romania

Quota number	Allocation coefficient
09.4758	0,6564

6. Bulgaria

Quota number	Allocation coefficient
09.4660	1,0000

7. Estonia

Quota number	Allocation coefficient
09.4578	0,0917
09.4546	0,0103
09.4579	—
09.4580	1,0000
09.4547	0,0088
09.4581	0,0109
09.4582	0,0242

8. Latvia

Quota number	Allocation coefficient
09.4549	0,8752
09.4550	—
09.4551	0,0087
09.4552	0,0100

9. Lithuania

Quota number	Allocation coefficient
09.4554	1,0000
09.4567	1,0000
09.4556	0,0091
09.4557	0,0096

10. Slovenia

Quota number	Allocation coefficient
09.4086	1,0000
09.4087	—
09.4088	1,0000

ANNEX I. C

Quota number	Allocation coefficient
09.4026	—
09.4027	—

ANNEX I. D

Quota number	Allocation coefficient
09.4101	1,0000

ANNEX I. E

Quota number	Allocation coefficient
09.4151	1,0000

ANNEX I. F

Quota number	Allocation coefficient
09.4155	1,0000
09.4156	1,0000

ANNEX I. G

Quota number	Allocation coefficient
09.4159	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION
of 26 July 2002
establishing a Radio Spectrum Policy Group

(Text with EEA relevance)

(2002/622/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community ⁽¹⁾ (hereinafter the Radio Spectrum Decision) establishes a policy and legal framework in the Community for radio spectrum policy so as to ensure the coordination of policy approaches and, where appropriate, harmonised conditions with regard to the availability and efficient use of the radio spectrum necessary for the establishment and functioning of the internal market in Community policy areas such as electronic communications, transport and Research and Development.
- (2) The Radio Spectrum Decision recalls that the Commission may organise consultations in order to take into account the views of Member States, Community institutions, industry and of all radio spectrum users involved, both commercial and non-commercial, as well as of other interested parties on technological, market and regulatory developments which may relate to the use of radio spectrum.
- (3) A consultative group to be called the Radio Spectrum Policy Group (hereinafter the Group) should be established. The Group should assist and advise the Commission on radio spectrum policy issues such as radio spectrum availability, harmonisation and allocation of radio spectrum, provision of information concerning allocation, availability and use of radio spectrum, methods for granting rights to use spectrum, refarming, relocation, valuation and efficient use of radio spectrum as well as protection of human health.
- (4) The Group should contribute to the development of a radio spectrum policy in the Community that takes into account not only technical parameters but also economic, political, cultural, strategic, health and social considerations, as well as the various potentially conflicting needs of radio spectrum users with a view to ensuring that a fair, non-discriminatory and proportionate balance is achieved.
- (5) The Group should gather high-level governmental experts from the Member States and a high level representative of the Commission. The Group could also include observers and invite other persons to attend meetings as appropriate, including regulators, competition authorities, market participants, user or consumer groups. The Group should therefore allow cooperation between Member States and the Commission in such a way as to contribute to the development of the internal market.
- (6) As the focal point for addressing radio spectrum policy issues in the context of all relevant Community policies, close operational links should be maintained between the Group and specific groups or committees established for the implementation of sectoral Community policies including transport policy, internal market policy for radio equipment, audiovisual policy, space policy, and communications.
- (7) The Radio Spectrum Decision has created a Radio Spectrum Committee to assist the Commission in the elaboration of binding implementing measures addressing harmonised conditions for the availability and efficient use of radio spectrum. The work of the Group should not interfere with the work of the Committee.

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

- (8) In order to guarantee effective discussions, each national delegation attending the Group should have a consolidated and coordinated national view of all policies which affect the use of radio spectrum in that Member State in relation not only to the internal market but also to public order, public security, civil protection and defence policies as the use of radio spectrum for such policies may influence the organisation of radio spectrum as a whole. At present, different national government departments have responsibility over different parts of the radio spectrum.
- (9) The Group should consult extensively and in a forward-looking manner on technological, market and regulatory developments relating to the use of radio spectrum with all radio spectrum users involved, both commercial and non-commercial, as well as with any other interested parties.
- (10) The use of radio spectrum does not stop at borders and given the forthcoming accession of additional Member States, the Group may be opened to these countries and to countries which are members of the European Economic Area.
- (11) CEPT (European Conference of Postal and Telecommunications administrations, comprising 44 European countries) should be invited as observer with the work of the Group considering the impact of the activities of the Group on radio spectrum at a pan-European level and considering the technical expertise gained by CEPT and its affiliate bodies in radio spectrum management. It is also appropriate to draw on such expertise on the basis of mandates to be granted pursuant to the Radio Spectrum Decision in view to the development of technical implementing measures in the areas of radio spectrum allocation and information availability. In view of the importance of European standardisation for the development of equipment using radio spectrum, it is likewise important to associate as observer the European Telecommunications Standardisation Institute (ETSI),

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

An advisory group on radio spectrum policy, called the Radio Spectrum Policy Group (hereinafter referred to as the Group), is hereby established.

Article 2

Aims

The Group shall assist and advise the Commission on radio spectrum policy issues, on coordination of policy approaches and, where appropriate, on harmonised conditions with regard to the availability and efficient use of radio spectrum necessary for the establishment and functioning of the internal market.

Article 3

Membership

The Group shall be composed of one high level governmental expert from each Member State as well as of a high-level representative from the Commission.

The Commission shall provide the secretariat to the Group.

Article 4

Operational arrangements

At the Commission's request or at its own initiative, the Group shall adopt opinions to be addressed to the Commission, upon consensus or, if not possible, on the basis of a simple majority, each member having one vote except the Commission which shall not vote. Dissenting opinions shall be attached to the adopted opinions. Observers may participate in the deliberation but shall not vote.

The Group shall elect a chairperson from among its members. The Commission may organise the work of the Group into subgroups and expert working groups as appropriate.

The Commission shall convene the meetings of the Group through the secretariat in agreement with the chairperson. The Group shall adopt its rules of procedure upon a proposal from the Commission, by consensus or, in the absence of consensus, by a two-thirds majority vote, one vote being expressed per Member State, subject to the approval of the Commission.

The Group may invite observers, including those from EEA States and those States that are candidates for accession to the European Union, as well as from the European Parliament, CEPT and ETSI, to attend its meetings and it may hear experts and interested parties.

Article 5

Consultation

The Group shall consult extensively and at an early stage with market participants, consumers and end-users in an open and transparent manner.

Article 6

Confidentiality

Without prejudice to the provisions of Article 287 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Group as well as observers and any other person attending shall be under an obligation not to disclose information which has come to their knowledge through the work of the Group, its subgroups or expert working groups. The Commission may decide in such cases that only members of the Group may be present at meetings.

*Article 7***Entry into force**

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

The Group shall take up its duties on the date of entry into force of this Decision.

Done at Brussels, 26 July 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1273/2002 of 12 July 2002 concerning the issue of licences for the import of garlic**

(Official Journal of the European Communities L 184 of 13 July 2002)

On page 14 in Article 2, sixth and seventh lines:

for: '... may be lodged from 7 October 2002',

read: '... may be lodged from 14 October 2002'.

Corrigendum to Commission Regulation (EC) No 1274/2002 of 12 July 2002 concerning the issue of licences for the import of garlic

(Official Journal of the European Communities L 184 of 13 July 2002)

On page 15 in Article 2, seventh and eighth lines:

for: '... may be lodged from 7 October 2002',

read: '... may be lodged from 14 October 2002'.
