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2003/833/EC:

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2098/2003**of 27 November 2003****amending Regulation (EC) No 1080/2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 181a(2), first sentence thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Stability Pact for south-eastern Europe (SP) is a regional policy framework that was established by the international community in Cologne on 10 June 1999 in order to support the countries in that region in their efforts to foster peace, democracy, respect for human rights and economic prosperity, and to achieve stability in the region as a whole.
- (2) Paragraph 13 of the SP stipulates that the SP will have a special coordinator appointed by the European Union, after consultation with the Organisation for Security and Cooperation in Europe (OSCE) Chairman in Office and other participants, and endorsed by the OSCE Chairman in office. Provisions should therefore be made for a procedure for the appointment of the Special Coordinator of the Stability Pact (Special Coordinator).
- (3) The Special Coordinator chairs the south-eastern Europe regional table, which ensures coordination of activities of and among three working tables. The Special Coordinator promotes the achievement of the SP objectives where the SP proves to have an added value, with a view to fostering regional cooperation and enhancing regional ownership, and ensuring complementarity between the work of the SP and the stabilisation and association process of the Union.
- (4) Financial support to the regular operation of the SP is an important factor in achieving the goals of the European Community in the region, in particular in promoting regional cooperation and optimising the effectiveness of Community assistance.

(5) Regulation (EC) No 1080/2000 ⁽²⁾ established a legal framework that could also cover the Community's financial support to the SP.

(6) Regulation (EC) No 1080/2000 should therefore be amended to extend its scope to include the SP,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1080/2000 is hereby amended as follows:

1. The title is replaced by the following:

‘Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK), the Office of the High Representative in Bosnia and Herzegovina (OHR) and the Stability Pact for south-eastern Europe (SP)’.

2. Article 1 is replaced by the following:

‘Article 1

1. Within the context of its policy of reconstruction, aid to assist the return of refugees and displaced persons and economic and regional cooperation with Kosovo and Bosnia and Herzegovina, as well as its policy towards the region as a whole, the Community shall contribute financially to the establishment and operation of the UNMIK (fourth pillar), the OHR and the Special Coordinator of the Stability Pact.

2. This financing shall be in the form of a grant to the budgets of the UNMIK, the OHR and the Special Coordinator.’

3. The following Article is inserted:

‘Article 1a

The Special Coordinator shall be appointed on an annual basis by the Council acting by a qualified majority on a proposal from the Commission.’

⁽¹⁾ Opinion delivered on 20 November 2003 (not yet published in the Official Journal).

⁽²⁾ OJ L 122, 24.5.2000, p. 27.

4. The following sentence is added to Article 2(2), second subparagraph:
'Co-financing in kind shall be possible.'

Article 2

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

It shall apply from 1 January 2004.

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

Done at Brussels, 27 November 2003.

For the Council
The President
R. CASTELLI

COMMISSION REGULATION (EC) No 2099/2003
of 28 November 2003
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	71,1
	096	54,2
	204	41,3
	999	55,5
0707 00 05	052	143,2
	220	139,2
	628	139,2
	999	140,5
0709 90 70	052	116,6
	204	39,5
	999	78,1
0805 20 10	204	56,2
	999	56,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	70,3
	388	48,7
	999	59,5
0805 50 10	052	75,7
	388	55,8
	528	81,9
	600	72,8
	999	71,6
0808 10 20, 0808 10 50, 0808 10 90	060	39,7
	064	50,7
	388	87,1
	400	68,8
	404	92,5
	720	70,2
	800	133,4
	999	77,5
0808 20 50	052	102,3
	060	49,6
	064	60,8
	400	80,7
	720	40,8
	999	66,8

⁽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 2100/2003
of 28 November 2003**

**fixing the minimum selling prices for butter for the 131st individual invitation to tender under the
standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1787/2003 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter from intervention stocks 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 stipu-

lated 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 of butter from intervention stocks and processing securities applying for the 131st individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 270, 21.10.2003, p. 1.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 28 November 2003 fixing the minimum selling prices for butter for the 131st 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	—	218	—	218
		Concentrated	—	—	—	—
Processing security		Unaltered	—	126	—	126
		Concentrated	—	—	—	—

**COMMISSION REGULATION (EC) No 2101/2003
of 28 November 2003**

fixing the maximum aid for cream, butter and concentrated butter for the 131st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1787/2003 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter of intervention stocks 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 stipu-

lated 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 maximum aid and processing securities applying for the 131st individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 270, 21.10.2003, p. 1.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 28 November 2003 fixing the maximum aid for cream, butter and concentrated butter for the 131st 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
Maximum aid	Butter $\geq 82\%$	79	75	—	71
	Butter $< 82\%$	77	72	—	72
	Concentrated butter	98	91	97	89
	Cream	—	—	34	31
Processing security	Butter	87	—	—	—
	Concentrated butter	108	—	107	—
	Cream	—	—	37	—

**COMMISSION REGULATION (EC) No 2102/2003
of 28 November 2003**

**fixing the maximum purchasing price for butter for the 84th 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 Regulation (EC) No 806/2003 ⁽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 359/2003 ⁽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 84th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 25 November 2003, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 53, 28.2.2003, p. 17.

**COMMISSION REGULATION (EC) No 2103/2003
of 28 November 2003**

**fixing the maximum aid for concentrated butter for the 303rd 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 Regulation (EC) No 1787/2003 ⁽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 303rd 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 97/100 kg, |
| — end-use security: | EUR 107/100 kg. |

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 270, 21.10.2003, p. 1.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 2104/2003**of 28 November 2003****fixing the production refund on white sugar used in the chemical industry**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of

each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 46,208 EUR/100 kg net.

Article 2

This Regulation shall enter into force on 1 December 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

**COMMISSION REGULATION (EC) No 2105/2003
of 28 November 2003**

fixing the minimum selling price for skimmed-milk powder for the 50th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999

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 Regulation (EC) No 1787/2003 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽³⁾, as last amended by Regulation (EC) No 2238/2002 ⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.
- (2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed

taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

- (3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.
- (4) 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 50th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 25 November 2003, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | EUR 198,52/100 kg, |
| — processing security: | EUR 52,00/100 kg. |

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 340, 31.12.1999, p. 3.

⁽⁴⁾ OJ L 341, 17.12.2002, p. 11.

COMMISSION REGULATION (EC) No 2106/2003

of 28 November 2003

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1787/2003 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 740/2003 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (2) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) 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 ⁽⁵⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) In accordance with Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia ⁽⁷⁾, Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia ⁽⁸⁾, Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia ⁽⁹⁾, Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania ⁽¹⁰⁾, Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak Republic ⁽¹¹⁾ and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic ⁽¹²⁾ with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or Czech Republic are not eligible for export refunds.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 270, 21.10.2003, p. 121.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 76, 25.3.2000, p. 9.

⁽⁷⁾ OJ L 151, 19.6.2003, p. 1.

⁽⁸⁾ OJ L 163, 1.7.2003, p. 1.

⁽⁹⁾ OJ L 163, 1.7.2003, p. 19.

⁽¹⁰⁾ OJ L 163, 1.7.2003, p. 38.

⁽¹¹⁾ OJ L 163, 1.7.2003, p. 56.

⁽¹²⁾ OJ L 163, 1.7.2003, p. 73.

- (7) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary ⁽¹⁾, with effect from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds.
- (8) In accordance with Council Regulation (EC) No 1890/2003 of 27 October 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Malta and the exportation of certain processed agricultural products to Malta ⁽²⁾, with effect from 1 November 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Malta, shall not be eligible for export refunds.
- (9) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (10) 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*
1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, are fixed as set out in the Annex to this Regulation.
2. No rates of refund are fixed for any of the products referred to in paragraph 1 which are not listed in the Annex to this Regulation.
- Article 2*
- This Regulation shall enter into force on 1 December 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 146, 13.6.2003, p. 10.

⁽²⁾ OJ L 278, 29.10.2003, p. 1.

ANNEX

Rates of the refunds applicable from 1 December 2003 to certain milk products exported in the form of goods not covered by Annex I to the Treaty

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

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

COMMISSION REGULATION (EC) No 2107/2003
of 28 November 2003
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 1110/2003 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 December 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 158, 27.6.2003, p. 12.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	13,49
1005 10 90	Maize seed other than hybrid	41,46
1005 90 00	Maize other than seed ⁽²⁾	41,46
1007 00 90	Grain sorghum other than hybrids for sowing	13,49

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 14 November to 27 November 2003)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	135,14 (****)	78,90	164,93 (***)	154,93 (***)	134,93 (***)	116,29 (***)
Gulf premium (EUR/t)	—	16,92	—	—	—	—
Great Lakes premium (EUR/t)	19,07	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Fob Duluth.

(****) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the two-week period preceding the day of fixing:

Freight/cost: Gulf of Mexico–Rotterdam: 22,63 EUR/t; Great Lakes–Rotterdam: 30,12 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 2108/2003
of 28 November 2003
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 33,242/100 kg.

Article 2

This Regulation shall enter into force on 29 November 2003.

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

Done at Brussels, 28 November 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 November 2003

approving on behalf of the European Community amendments to the Annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products

(Text with EEA relevance)

(2003/833/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 98/258/EC of 16 March 1998 on the conclusion of the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products ⁽¹⁾, and in particular Article 4, third paragraph thereof,

Whereas:

- (1) The Joint Management Committee for the Agreement (the Committee) at its meeting on 2 October 2003 issued a recommendation concerning the determination of equivalence for gelatin and collagen for human consumption. As a result of this recommendation it is appropriate to amend Annex V to the Agreement.
- (2) Those amendments should be approved on behalf of the Community.
- (3) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS DECIDED AS FOLLOWS:

Article 1

Pursuant to the recommendations made by the Joint Management Committee established under Article 14 of the Agreement between the European Community and the United States of

America on sanitary measures to protect public and animal health in trade in live animals and animal products, the amendments to Annex V to the said Agreement are hereby approved on behalf of the European Community. The text of the Agreement in the form of an Exchange of Letters, including the amendments to Annex V to the Agreement, is attached to this Decision.

Article 2

The Director General for Health and Consumer Protection is hereby authorised to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Article 3

This Decision shall apply from the first day of the month following the month in which the United States of America notifies the Commission in writing that its internal procedures for the approval of the amendments referred to in Article 1 have been completed.

Done at Brussels, 28 November 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 118, 21.4.1998, p. 1.

ANNEX

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

on the amendments to the Annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products

A. Letter from the European Community

Brussels, 27 October 2003

Your Excellency,

With reference to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products. I have the honour to propose to you to amend the Annexes of the Agreement as follows:

Replace the text of Annex V, point 43 of the Agreement, as recommended by the Joint Management Committee established under Article 14(1) of the Agreement with the respective text of Appendix A as attached hereto.

I would be obliged if you would confirm the Agreement of the United States of America to such amendment of Annex V to the Agreement.

Please accept, Sir, the assurance of my highest consideration.

For the European Community

Jaana HUSU-KALLIO

Enclosure: Appendix A to replace Annex V, point 43 of the Agreement

B. Letter from the United States of America

Brussels, November 14, 2003

Madam,

I refer to your letter of 10/27/03 containing details of the proposed amendments to Annex V of the Agreement of July 20, 1999 between the United States of America and the European Community on the sanitary measures to protect public and animal health in trade in live animals and animal products, as set forth in Appendix A of your letter.

In this regard I have the honor to confirm the acceptability to the United States of America of the proposed amendments as recommended by the Joint Management Committee established under Article 14(1) of the Agreement, a copy of which is attached hereto. It is my understanding that these amendments shall take effect on the date on which the EC notifies the US that it has completed the necessary procedures for implementing these amendments.

Please accept, Madam, the assurances of my high consideration.

For the competent authority of the United States of America

Norval FRANCIS

Enclosure: Appendix A amending Annex V of the Agreement

Commodity	EC Exports to the United States					United States Exports to the EC				
	Trade conditions		Equivalence	Special conditions	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	US standards				US standards	EC standards			

43. Gelatin for human consumption

Animal health	92/118	9 CFR 93, 94, 95, 309, 310, 311	NE			9 CFR 93, 94, 95, 309, 310, 311	92/118	Yes ⁽²⁾	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	
Public health	92/118	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.110, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.110, 570, 573-589	92/118	Yes ⁽²⁾	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	

44. Gelatin for technical use

Animal health	1774/2002	9 CFR 94	NE			9 CFR 94	1774/2002	NE		
Public health	1774/2002	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	1774/2002	NE		

Commodity	EC Exports to the United States					United States Exports to the EC				
	Trade conditions		Equivalence	Special conditions	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	US standards				US standards	EC standards			
45. Collagen for human consumption										
Animal health	92/118	9 CFR 94	NE			9 CFR 93, 94, 95, 309, 310, 311	92/118	Yes ⁽²⁾	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	
Public health	92/118	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	92/118	Yes ⁽²⁾	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)’	