

English edition

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## I

(Acts whose publication is obligatory)

**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**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Articles 133(2) and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Protocol No 2 to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, hereinafter referred to as the 'Europe Agreement' and approved by Decision 98/180/EC, ECSC, Euratom of the Council and of the Commission <sup>(1)</sup>, provides for tariff concessions for processed agricultural products originating in Estonia. Protocol No 2 was amended by the Adaptation Protocol <sup>(2)</sup> adjusting trade aspects of the Europe Agreement. It was improved by Decision No 6/2001 of the EC-Estonia Association Council <sup>(3)</sup>.

(2) A trade agreement has recently been concluded which amends the Adaptation Protocol. It aims to improve economic convergence in preparation for accession and should enter into force not later than 1 July 2003. On the Community side this agreement lays down concessions in the form of completed liberalisation of trade for certain processed agricultural products and duty-free quotas for others. For imports outside of these quotas the current provisions continue to apply.

(3) The procedure for adopting a decision to amend the Adaptation Protocol will not be completed in time for it to enter into force on 1 July 2003. It is therefore necessary to provide for the application of the concessions made to Estonia on an autonomous basis from 1 July 2003.

(4) On processed agricultural products covered by Protocol No 2, but not listed in the present Regulation, the trade provisions laid down by Protocol No 2 should apply.

(5) For the importation of certain goods no duties should be applied; those goods should not be eligible for export refunds.

(6) 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 <sup>(4)</sup> provides for a system for managing tariff quotas. The duty-free quotas opened by this Regulation should be managed by the Community authorities and the Member States in accordance with this system.

(7) The measures necessary to implement 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 <sup>(5)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 1 July 2003, on imports of processed agricultural products originating in Estonia listed in Annex I no duties shall be applied.

*Article 2*

The duty-free quotas referred to in Annex II shall be open from 1 July 2003 to 31 December 2003 and for 2004 under the conditions laid down therein.

<sup>(1)</sup> OJ L 68, 9.3.1998, p. 1.

<sup>(2)</sup> OJ L 29, 3.2.1999, p. 11.

<sup>(3)</sup> OJ L 283, 27.10.2001, p. 49.

<sup>(4)</sup> 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).

<sup>(5)</sup> OJ L 184, 17.7.1999, p. 23.

*Article 3*

Processed agricultural products not listed in Annex I to the Treaty shall not be eligible for export refunds under Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds <sup>(1)</sup>.

*Article 4*

For processed agricultural products, which are not covered by Annex I and Annex II, the provisions set out in Protocol No 2 shall apply.

*Article 5*

The Commission may suspend the measures provided for in Articles 1 and 2 in case of non-application of the reciprocal preferences agreed by Estonia in accordance with the procedure set out in Article 7.

*Article 6*

The duty-free quotas referred to in Annex II shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

*Article 7*

1. The Commission shall be assisted by the Committee referred to in Article 16 of Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products <sup>(2)</sup>, hereinafter referred to as 'the Committee'.

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 8*

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

It shall apply from 1 July 2003.

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

Done at Luxembourg, 2 June 2003.

*For the Council*  
*The President*  
K. STEFANIS

<sup>(1)</sup> OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 740/2003 (OJ L 106, 29.4.2003, p. 12).

<sup>(2)</sup> OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

## ANNEX I

## MUTUAL LIBERALISATION

CN code	Description
(1)	(2)
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:
0403 10	– Yogurt:
	– – Flavoured or containing added fruit, nuts or cocoa:
	– – – In powder, granules or other solid forms, of a milk-fat content, by weight:
0403 10 51	– – – – Not exceeding 1,5 %
0403 10 53	– – – – Exceeding 1,5 % but not exceeding 27 %
0403 10 59	– – – – Exceeding 27 %
	– – – Other, of a milk-fat content, by weight:
0403 10 91	– – – – Not exceeding 3 %
0403 10 93	– – – – Exceeding 3 % but not exceeding 6 %
0403 10 99	– – – – Exceeding 6 %
0403 90	– Other:
	– – Flavoured or containing added fruit, nuts or cocoa:
	– – – In powder, granules or other solid forms, of a milk-fat content, by weight:
0403 90 71	– – – – Not exceeding 1,5 %
0403 90 73	– – – – Exceeding 1,5 % but not exceeding 27 %
0403 90 79	– – – – Exceeding 27 %
	– – – Other, of a milk-fat content, by weight:
0403 90 91	– – – – Not exceeding 3 %
0403 90 93	– – – – Exceeding 3 % but not exceeding 6 %
0403 90 99	– – – – Exceeding 6 %
0405	Butter and other fats and oils derived from milk; dairy spreads:
0405 20	– Dairy spreads:
0405 20 10	– – Of a fat content, by weight, of 39 % or more but less than 60 %
0501 00 00	Human hair, unworked, whether or not washed or scoured; waste of human hair
0502	Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair:
0502 10 00	– Pigs', hogs' or boars' bristles and hair and waste thereof
0502 90 00	– Other
0503 00 00	Horsehair and horsehair waste, whether or not put up as a layer with or without supporting material

(1)	(2)
0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers:
0505 10	– Feathers of a kind used for stuffing; down:
0505 10 10	– – Raw
0505 10 90	– – Other
0505 90 00	– Other
0506	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products:
0506 10 00	– Ossein and bones treated with acid
0506 90 00	– Other
0507	Ivory, tortoiseshell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products:
0507 10 00	– Ivory; ivory powder and waste
0507 90 00	– Other
0508 00 00	Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttle-bone, unworked or simply prepared but not cut to shape, powder and waste thereof
0509 00	Natural sponges of animal origin:
0509 00 10	– Raw
0509 00 90	– Other
0510 00 00	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:
0710 40 00	– Sweetcorn
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
0711 90	– Other vegetables; mixtures of vegetables:
0711 90 30	– – Vegetables:
0711 90 30	– – – Sweetcorn
0903 00 00	Maté

(1)	(2)
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products:  – Vegetable saps and extracts:  1302 12 00 – – Of liquorice 1302 13 00 – – Of hops 1302 14 00 – – Of pyrethrum or of the roots of plants containing rotenone 1302 19 – – Other: 1302 19 30 – – – Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations – – – Other: 1302 19 91 – – – – Medicinal 1302 20 – Pectic substances, pectinates and pectates: 1302 20 10 – – Dry 1302 20 90 – – Other  – Mucilages and thickeners, whether or not modified, derived from vegetable products: 1302 31 00 – – Agar-agar 1302 32 – – Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or sugar seeds: 1302 32 10 – – – Of locust beans or locust bean seeds
1401	Vegetable materials of a kind used primarily for plaiting (for example, bamboos, rattans, reeds, rushes, osier, raffia, cleaned, bleached or dyed cereal straw and lime bark):  1401 10 00 – Bamboos 1401 20 00 – Rattans 1401 90 00 – Other
1402 00 00	Vegetable materials of a kind used primarily as stuffing or padding (for example, kapok, vegetable hair and eel-grass), whether or not put up as a layer with or without supporting material
1403 00 00	Vegetable materials of a kind used primarily in brooms or in brushes (for example, broomcorn, piassava, couch-grass and istle), whether or not in hanks or bundles
1404	Vegetable products not elsewhere specified or included:  1404 10 00 – Raw vegetable materials of a kind used primarily in dyeing or tanning 1404 20 00 – Cotton linters 1404 90 00 – Other
1505	Wool grease and fatty substances derived therefrom (including lanolin):  1505 00 10 – Wool grease, crude 1505 00 90 – Other

(1)	(2)
1506 00 00	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified
1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified:
1515 90 15	-- Jojoba and oiticica oils; myrtle wax and Japan wax; their fractions
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, interesterified, re-esterified or elaidinised, whether or not refined, but not further prepared:
1516 20	- Vegetable fats and oils and their fractions:
1516 20 10	-- Hydrogenated castor oil, so-called 'opal-wax'
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading 1516:
1517 10	- Margarine, excluding liquid margarine:
1517 10 10	-- Containing, by weight, more than 10 % but not more than 15 % of milk fats
1517 90	- Other:
1517 90 10	-- Containing, by weight, more than 10 % but not more than 15 % of milk fats -- Other:
1517 90 93	--- Edible mixtures or preparations of a kind used as mould-release preparations
1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included:
1518 00 10	- Linoxyn - Other:
1518 00 91	-- Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516 -- Other:
1518 00 95	--- Inedible mixtures or preparations of animal or of animal and vegetable fats and oils and their fractions
1518 00 99	--- Other
1520 00 00	Glycerol, crude; glycerol waters and glycerol lyes
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured:
1521 10 00	- Vegetable waxes
1521 90	- Other:
1521 90 10	-- Spermaceti, whether or not refined or coloured -- Beeswax and other insect waxes, whether or not refined or coloured:
1521 90 91	--- Raw
1521 90 99	--- Other

(1)	(2)
1522 00	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes:
1522 00 10	– Degras
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:
1702 50 00	– Chemically pure fructose
1702 90	– Other, including invert sugar and other sugar and sugar-syrup blends containing in the dry state 50 % by weight of fructose:
1702 90 10	– – Chemically pure maltose
1704	Sugar confectionery (including white chocolate), not containing cocoa:
1704 10	– Chewing gum, whether or not sugar-coated:
	– – Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose):
1704 10 11	– – – Gum in strips
1704 10 19	– – – Other
	– – Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose):
1704 10 91	– – – Gum in strips
1704 10 99	– – – Other
1704 90	– Other:
1704 90 10	– – Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances
1704 90 30	– – White chocolate
	– – Other:
1704 90 51	– – – Pastes, including marzipan, in immediate packings of a net content of 1 kg or more
1704 90 55	– – – Throat pastilles and cough drops
1704 90 61	– – – Sugar coated (panned) goods
	– – – Other:
1704 90 65	– – – – Gum confectionery and jelly confectionery including fruit pastes in the form of sugar confectionery
1704 90 71	– – – – Boiled sweets, whether or not filled
1704 90 75	– – – – Toffees, caramels and similar sweets
	– – – – Other:
1704 90 81	– – – – – Compressed tablets
ex 1704 90 99 (TARIC code 1704 90 99 10)	– – – – – Other (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))

(1)	(2)
1803	Cocoa paste, whether or not defatted:
1803 10 00	– Not defatted
1803 20 00	– Wholly or partly defatted
1804 00 00	Cocoa butter, fat and oil
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter
1806	Chocolate and other food preparations containing cocoa:
1806 10	– Cocoa powder, containing added sugar or other sweetening matter:
1806 10 15	– – Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 20	– – Containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 30	– – Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 20	– Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:
1806 20 10	– – Containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat
1806 20 30	– – Containing a combined weight of 25 % or more, but less than 31 % of cocoa butter and milk fat
	– – Other:
1806 20 50	– – – Containing 18 % or more by weight of cocoa butter
1806 20 70	– – – Chocolate milk crumb
ex 1806 20 80 (TARIC code 1806 20 80 10)	– – – – Chocolate flavour coating (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))
ex 1806 20 95 (TARIC code 1806 20 95 10)	– – – – Other (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))
	– Other, in blocks, slabs or bars:
1806 31 00	– – Filled
1806 32	– – Not filled:
1806 32 10	– – – With added cereal, fruit or nuts
1806 32 90	– – – Other
1806 90	– Other:
	– – Chocolate and chocolate products:
	– – – Chocolates, whether or not filled:
1806 90 11	– – – – Containing alcohol

(1)	(2)
1806 90 19	----- Other
	---- Other:
1806 90 31	----- Filled
1806 90 39	----- Not filled
1806 90 50	-- Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
1806 90 60	-- Spreads containing cocoa
1806 90 70	-- Preparations containing cocoa for making beverages
ex 1806 90 90 (TARIC code 1806 90 90 11 and 1806 90 90 91)	-- Other (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:
1901 10 00	- Preparations for infant use, put up for retail sale
1901 20 00	- Mixes and doughs for the preparation of bakers' wares of heading 1905
1901 90	- Other:
	-- Malt extract:
1901 90 11	--- With a dry extract content of 90 % or more by weight
1901 90 19	--- Other
	-- Other:
1901 90 91	--- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared:
	- Uncooked pasta, not stuffed or otherwise prepared:
1902 11 00	-- Containing eggs
1902 19	-- Other:
1902 19 10	--- Containing no common wheat flour or meal
1902 19 90	--- Other
1902 20	- Stuffed pasta, whether or not cooked or otherwise prepared:
	-- Other:
1902 20 91	--- Cooked

(1)	(2)
1902 20 99	--- Other
1902 30	- Other pasta:
1902 30 10	-- Dried
1902 30 90	-- Other
1902 40	- Couscous:
1902 40 10	-- Unprepared
1902 40 90	-- Other
1903 00 00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:
1904 10	- Prepared foods obtained by the swelling or roasting of cereals or cereal products:
1904 10 10	-- Obtained from maize
1904 10 30	-- Obtained from rice
1904 10 90	-- Other
1904 20	- Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:
1904 20 10	-- Preparation of the Müsli type based on unroasted cereal flakes
1904 20 91	-- Other:
1904 20 91	--- Obtained from maize
1904 20 95	--- Obtained from rice
1904 20 99	--- Other
1904 30 00	- Bulgur wheat
1904 90	- Other:
1904 90 10	-- Rice
1904 90 80	-- Other

(1)	(2)
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:
1905 10 00	– Crispbread
1905 20	– Gingerbread and the like:
1905 20 10	– – Containing by weight less than 30 % of sucrose (including invert sugar expressed as sucrose)
1905 20 30	– – Containing by weight 30 % or more but less than 50 % of sucrose (including invert sugar expressed as sucrose)
1905 20 90	– – Containing by weight 50 % or more of sucrose (including invert sugar expressed as sucrose)
	– Sweet biscuits; waffles and wafers:
1905 31	– – Sweet biscuits:
	– – – Completely or partially coated or covered with chocolate or other preparations containing cocoa:
1905 31 11	– – – – In immediate packings of a net content not exceeding 85 g
1905 31 19	– – – – Other
	– – – Other:
1905 31 30	– – – – Containing 8 % or more by weight of milk fats
	– – – – Other:
1905 31 91	– – – – – Sandwich biscuits
1905 31 99	– – – – Other
1905 32	– – Waffles and wafers:
	– – – Completely or partially coated or covered with chocolate or other preparations containing cocoa:
1905 32 11	– – – – In immediate packings of a net content not exceeding 85 g
1905 32 19	– – – – Other
	– – – Other:
1905 32 91	– – – – Salted, whether or not filled
1905 32 99	– – – – Other
1905 40	– Rusks, toasted bread and similar toasted products:
1905 40 10	– – Rusks
1905 40 90	– – Other
1905 90	– Other:
1905 90 10	– – Matzos

(1)	(2)
1905 90 20	-- Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products  -- Other:
1905 90 30	--- Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5 % of sugars and not more than 5 % of fat
1905 90 40	--- Waffles and wafers with a water content exceeding 10 % by weight
1905 90 45	--- Biscuits
1905 90 55	--- Extruded or expanded products, savoury or salted  --- Other:
1905 90 60	---- With added sweetening matter
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
2001 90	- Other:
2001 90 30	-- Sweetcorn ( <i>Zea mays var. saccharata</i> )
2001 90 40	-- Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
2001 90 60	-- Palm hearts
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:
2004 10	- Potatoes:  -- Other:
2004 10 91	--- In the form of flour, meal or flakes
2004 90	- Other vegetables and mixtures of vegetables:
2004 90 10	-- Sweetcorn ( <i>Zea mays var. saccharata</i> )
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:
2005 20	- Potatoes:
2005 20 10	-- In the form of flour, meal or flakes
2005 80 00	- Sweetcorn ( <i>Zea mays var. saccharata</i> )
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:
2008 11	- Nuts, groundnuts and other seeds, whether or not mixed together:
2008 11 10	-- Groundnuts:
2008 11 10	--- Peanut butter
2008 19	- Other, including mixtures other than those of subheading 2008 19:

(1)	(2)
2008 91 00	-- Palm hearts
2008 99	-- Other:
	--- Not containing added spirit:
	---- Not containing added sugar:
2008 99 85	----- Maize (corn), other than sweetcorn ( <i>Zea mays var. saccharata</i> )
2008 99 91	----- Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch
2101	Extracts, essences and concentrates of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:
	– Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:
2101 11	-- Extracts; essences and concentrates:
2101 11 11	--- With a coffee-based dry matter content of 95 % or more by weight
2101 11 19	--- Other
2101 12	-- Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:
2101 12 92	--- Preparations with a basis of these extracts, essences or concentrates of coffee
2101 12 98	--- Other
2101 20	– Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, essences and concentrates or with a basis of tea or maté:
2101 20 20	-- Extracts, essences or concentrates
	-- Preparations:
2101 20 92	--- With a basis of extracts, essences or concentrates of tea or maté
2101 20 98	--- Other
2101 30	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:
	-- Roasted chicory and other roasted coffee substitutes:
2101 30 11	--- Roasted chicory
2101 30 19	--- Other
	-- Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:
2101 30 91	--- Of roasted chicory
2101 30 99	--- Other
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 3002); prepared baking powders:
2102 10	– Active yeasts:
2102 10 10	-- Culture yeast
	-- Baker's yeast:
2102 10 31	--- Dried

(1)	(2)
2102 10 39	--- Other
2102 10 90	-- Other
2102 20	- Inactive yeasts; other single-cell micro-organisms, dead:
	-- Inactive yeasts:
2102 20 11	--- In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg
2102 20 19	--- Other
2102 20 90	-- Other
2102 30 00	- Prepared baking powders
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:
2103 10 00	- Soya sauce
2103 20 00	- Tomato ketchup and other tomato sauces
2103 30	- Mustard flour and meal and prepared mustard:
2103 30 10	-- Mustard flour
2103 30 90	-- Prepared mustard
2103 90	- Other:
2103 90 10	-- Mango chutney, liquid
2103 90 30	-- Aromatic bitters of an alcoholic strength by volume of 44,2 % to 49,2 % vol containing from 1,5 % to 6 % by weight of gentian, spices and various ingredients and from 4 % to 10 % of sugar, in containers holding 0,5 litre or less
2103 90 90	-- Other
2104	Soups and broths and preparations therefor; homogenised composite food preparations:
2104 10	- Soups and broths and preparation therefor:
2104 10 10	-- Dried
2104 10 90	-- Other
2104 20 00	- Homogenised composite food preparations
2105 00	Ice cream and other edible ice, whether or not containing cocoa:
2105 00 10	- Containing no milk fats or containing less than 3 % by weight of such fats - Containing by weight of milk fats:
2105 00 91	-- 3 % or more but less than 7 %
2105 00 99	-- 7 % or more
2106	Food preparations not elsewhere specified or included:
2106 10	- Protein concentrates and textured protein substances:
2106 10 20	-- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch

(1)	(2)
2106 10 80	-- Other
2106 90	- Other:
2106 90 20	-- Compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages
	-- Other:
2106 90 92	--- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch:
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow:
2201 10	- Mineral waters and aerated waters:
	-- Natural mineral waters:
2201 10 11	--- Not carbonated
2201 10 19	--- Other
2201 10 90	-- Other
2201 90 00	- Other
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009:
2202 10 00	- Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured
2202 90	- Other:
2202 90 10	-- Not containing products of heading 0401 to 0404 or fat obtained from products of headings 0401 to 0404
	-- Other, containing by weight of fat obtained from the products of headings 0401 to 0404:
2202 90 91	--- Less than 0,2 %
2202 90 95	--- 0,2 % or more but less than 2 %
2202 90 99	--- 2 % or more
2203 00	Beer made from malt:
	- In containers holding 10 litres or less:
2203 00 01	-- In bottles
2203 00 09	-- Other
2203 00 10	- In containers holding more than 10 litres
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:
2205 10	- In containers holding 2 litres or less:
2205 10 10	-- Of an actual alcoholic strength by volume of 18 % vol or less

(1)	(2)
2205 10 90	-- Of an actual alcoholic strength by volume exceeding 18 % vol
2205 90	- Other:
2205 90 10	-- Of an actual alcoholic strength by volume of 18 % vol or less
2205 90 90	-- Of an actual alcoholic strength by volume exceeding 18 % vol
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength:
2207 10 00	- Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher
2207 20 00	- Ethyl alcohol and other spirits, denatured, of any strength
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
2208 20	- Spirits obtained by distilling grape wine or grape marc:
2208 20 12	-- In containers holding 2 litres or less:
2208 20 14	--- Cognac
2208 20 16	--- Armagnac
2208 20 18	--- Grappa
2208 20 20	--- Brandy de Jerez
2208 20 22	--- Other
2208 20 24	-- In containers holding more than 2 litres:
2208 20 26	--- Raw distillate
2208 20 28	--- Other:
2208 20 30	---- Cognac
2208 20 32	---- Armagnac
2208 20 34	---- Grappa
2208 20 36	---- Brandy de Jerez
2208 20 38	---- Other
2208 30	- Whiskies:
2208 30 10	-- Bourbon whisky, in containers holding:
2208 30 12	--- 2 litres or less
2208 30 14	--- More than 2 litres
2208 30 16	-- Scotch whisky:
2208 30 18	--- Malt whisky, in containers holding:
2208 30 20	---- 2 litres or less
2208 30 22	---- More than 2 litres
2208 30 24	--- Blended whisky, in containers holding:
2208 30 26	---- 2 litres or less

(1)	(2)
2208 30 58	----- More than 2 litres
	---- Other, in containers holding:
2208 30 72	----- 2 litres or less
2208 30 78	----- More than 2 litres
	---- Other in containers holding:
2208 30 82	---- 2 litres or less
2208 30 88	---- More than 2 litres
2208 40	- Rum and tafia:
	-- In containers holding 2 litres or less:
2208 40 11	--- Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 g per hectolitre of pure alcohol (with a 10 % tolerance)
	--- Other:
2208 40 31	----- Of a value exceeding EUR 7,9 per litre of pure alcohol
2208 40 39	----- Other
	-- In containers holding more than 2 litres:
2208 40 51	--- Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 g per hectolitre of pure alcohol (with a 10 % tolerance)
	-- Other:
2208 40 91	----- Of a value exceeding EUR 2 per litre of pure alcohol
2208 40 99	----- Other
2208 50	- Gin and Geneva:
	-- Gin, in containers holding:
2208 50 11	--- 2 litres or less
2208 50 19	--- More than 2 litres
	-- Geneva, in containers holding:
2208 50 91	--- 2 litres or less
2208 50 99	--- More than 2 litres
2208 60	- Vodka:
	-- Of an alcoholic strength by volume of 45,4 % vol or less in containers holding:
2208 60 11	--- 2 litres or less
2208 60 19	--- More than 2 litres
	-- Of an alcoholic strength by volume of more than 45,4 % vol in containers holding:
2208 60 91	--- 2 litres or less

(1)	(2)
2208 60 99	--- More than 2 litres
2208 70	- Liqueurs and cordials:
2208 70 10	-- In containers holding 2 litres or less
2208 70 90	-- In containers holding more than 2 litres
2208 90	- Other:
	-- Arrack, in containers holding:
2208 90 11	--- 2 litres or less
2208 90 19	--- More than 2 litres
	-- Plum, pear or cherry spirit (excluding liqueurs), in containers holding:
2208 90 33	--- 2 litres or less
2208 90 38	--- More than 2 litres
	-- Other spirits and other spirituous beverages, in containers holding:
	--- 2 litres or less:
2208 90 41	---- Ouzo
	---- Other:
	----- Spirits (excluding liqueurs):
	----- Distilled from fruit:
2208 90 45	----- Calvados
2208 90 48	----- Other
	----- Other:
2208 90 52	----- Korn
2208 90 54	----- Tequila
2208 90 56	----- Other
2208 90 69	----- Other spirituous beverages
	--- More than 2 litres:
	---- Spirits (excluding liqueurs):
2208 90 71	----- Distilled from fruit
2208 90 75	----- Tequila
2208 90 77	----- Other
2208 90 78	----- Other spirituous beverages
	-- Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % volume, in containers holding:
2208 90 91	--- 2 litres or less
2208 90 99	--- More than 2 litres

(1)	(2)
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes:
2402 10 00	– Cigars, cheroots and cigarillos, containing tobacco
2402 20	– Cigarettes containing tobacco:
2402 20 10	– – Containing cloves
2402 20 90	– – Other
2402 90 00	– Other
2403	Other manufactured tobacco and manufactured tobacco substitutes; 'homogenised' or 'reconstituted' tobacco; tobacco extracts and essences:
2403 10	– Smoking tobacco, whether or not containing tobacco substitutes in any proportion:
2403 10 10	– – In immediate packings of a net content not exceeding 500 g
2403 10 90	– – Other
	– Other:
2403 91 00	– – 'Homogenised' or 'reconstituted' tobacco
2403 99	– – Other:
2403 99 10	– – – Chewing tobacco and snuff
2403 99 90	– – – Other
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils:
3301 90	– Other:
3301 90 10	– – Terpenic by-products of the deterpenation of essential oils
	– – Extracted oleoresins:
3301 90 21	– – – Of liquorice and hops
3301 90 30	– – – Other
3301 90 90	– – Other
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:
3302 10	– Of a kind used in the food or drink industries:
	– – Of a kind used in the drink industries:
	– – – Preparations containing all flavouring agents characterising a beverage:

(1)	(2)
3302 10 10	----- Of an actual alcoholic strength by volume exceeding 0,5 %
	----- Other:
3302 10 21	----- Containing no milk-fats, sucrose, isoglucose, glucose, or starch or containing, by weight, less than 1,5 % milk-fat, 5 % sucrose or isoglucose, 5 % glucose or starch
3302 10 29	----- Other
3501	Casein, caseinates and other casein derivatives; casein glues:
3501 10	- Casein:
3501 10 10	-- For the manufacture of regenerated textile fibres
3501 10 50	-- For industrial uses other than the manufacture of foodstuffs or fodder
3501 10 90	-- Other
3501 90	- Other:
3501 90 90	-- Other
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:
	- Industrial monocarboxylic fatty acids; acid oils from refining:
3823 11 00	-- Stearic acid
3823 12 00	-- Oleic acid
3823 13 00	-- Tall oil fatty acids
3823 19	-- Other:
3823 19 10	--- Distilled fatty acids
3823 19 30	--- Fatty acid distillate
3823 19 90	--- Other
3823 70 00	- Industrial fatty alcohols

## ANNEX II

## DUTY-FREE QUOTAS FOR PRODUCTS ORIGINATING IN ESTONIA

Order number	CN code	Description	Tariff quota (tonnes)
09.6564	ex 1704 90 99 TARIC code 1704 90 99 90	Sugar confectionery (including white chocolate), not containing cocoa. Other, containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose)	300
09.6565	2106 90 98	Food preparations not elsewhere specified or included, other	600

**COUNCIL REGULATION (EC) No 1040/2003**  
**of 11 June 2003**  
**amending Regulation (EC) No 1255/97 as regards the use of staging points**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC <sup>(1)</sup>, and in particular Article 13(2) thereof,

Having regard to the proposal from the Commission <sup>(2)</sup>,

Whereas:

- (1) According to Directive 91/628/EC, in the course of the transport of livestock the animals are to be unloaded, rested, watered and fed at prescribed intervals.
- (2) Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC <sup>(3)</sup>, provides for health measures in order to prevent the possible transmission of diseases. It also lays down an obligation of recording the movements of animals.
- (3) Certain outbreaks of foot and mouth disease declared in the Community in 2001 were linked with the commingling of animals at a staging point. The investigation of those outbreaks revealed that the health measures and the obligation to record the movements of animals had been disregarded.
- (4) Commission Decision 2001/327/EC <sup>(4)</sup>, temporarily suspended the use of staging points to prevent the possible extension of the epidemic of foot and mouth disease within the Community. This measure being temporary in nature, it is necessary to replace it by appropriate permanent measures.
- (5) The use of staging points may represent an animal health risk, in particular where the points are not operated properly from an animal health point of view. Consequently the animal health rules applicable to staging points should be reinforced in particular in relation to cleansing and disinfection.
- (6) In the light of the experience gained it appears also necessary to provide that staging points be transited only by animals complying with the Community health requirements for the species for which the staging point

is approved and which after the completion of a compulsory residence on a single holding have transited only through a single approved assembly centre.

- (7) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of the protection of the animal health status of the Community to lay down rules on the use of staging points. This Regulation does not go beyond what is necessary in order to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty.
- (8) Developments in the animal health situation of the Community may require adaptation of the conditions under which staging points are used. It is appropriate to provide for a procedure by which the technical provisions in Regulation (EC) No 1255/97 may be adapted to take account of the animal health situation of the Community.
- (9) The measures necessary for the implementation of Regulation (EC) No 1255/97 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 <sup>(5)</sup>.
- (10) The Member States should lay down rules on penalties applicable to infringements of the provisions of Regulation (EC) No 1255/97 and ensure that they are implemented. Those penalties should be effective, proportionate and dissuasive.
- (11) Regulation (EC) No 1255/97 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1255/97 is hereby amended as follows:

1. Article 3(3) shall be replaced by the following:

'3. The competent authority shall issue an approval number to each staging point. Such approval may be limited to a particular species or to certain categories of animal and health status.

<sup>(1)</sup> OJ L 340, 11.12.1991, p. 17. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(2)</sup> OJ C 291, 26.11.2002, p. 179.

<sup>(3)</sup> OJ L 174, 2.7.1997, p. 1.

<sup>(4)</sup> OJ L 115, 25.4.2001, p. 12. Decision as last amended by Decision 2002/1004/EC (OJ L 349, 24.12.2002, p. 108).

<sup>(5)</sup> OJ L 184, 17.7.1999, p. 23.

Member States shall notify the Commission of the list of approved staging points and any updates.

Member states shall also notify the Commission of the detailed arrangements in application of the provisions in Article 4(2), in particular the period of use as staging points and the double purpose of approved premises. The Commission shall present this information to Member States in the framework of the Standing Committee on the Food Chain and Animal Health.'

2. Article 4 shall be replaced by the following:

*'Article 4*

1. Staging points shall be used exclusively to receive, feed, water, rest, accommodate, care for and dispatch animals passing through.

2. However, by way of derogation from paragraph 1, Member States may also approve as staging points the entire premises of assembly centres as defined in Article 2(o) of Directive 64/432/EEC and Article 2(b)(3) of Directive 91/68/EEC provided that they comply with paragraph 3 of this Article and of point A.4 of Annex I to this Regulation during the entire period of operation as staging points.

3. Animals may be present at the same time at a staging point only if:

(a) they are of the same certified health status, including where appropriate, any additional guarantee granted in accordance with Community legislation; and

(b) their health status is certified;

(i) either according to the requirements applicable to the category of animals of the species concerned as laid down in the Community veterinary legislation listed in Annex A to Directive 90/425/EEC.

Where not otherwise provided by the respective animal health requirements, additional certification shall guarantee that the animals have remained for at least 21 days on a single holding, or since birth on the holding of origin, if the animals are less than 21 days of age, before being dispatched from that holding either directly or transiting through one single approved assembly centre and, in the case of sheep and goats, comply with the requirements of Article 4b(4) of Directive 91/68/EEC; or

(ii) in the case of bovine and porcine animals destined for export to a third country in application of Article 2(1) of Decision 93/444/EEC; (\*)

(c) they belong to the category of animals for which the staging point is approved.

(\*) OJ L 208, 19.8.1993, p. 34.'

3. Article 5 shall be amended as follows:

(a) point (b) is deleted;

(b) point (h) shall be replaced by the following:

'(h) to notify to the competent authority within one working day after departure of a consignment the information set out in point C.7 of Annex I, to keep a record or database of that information, to store it and to hold it at the disposal of the competent authority for at least three years;'

4. The following Articles are inserted:

*'Article 6a*

Any amendments to Annex I to this Regulation which are necessary to adapt it to the animal health situation shall be adopted in accordance with the procedure laid down in Article 17 of Directive 91/628/EEC.

*Article 6b*

The Member States shall apply the provisions of Article 18 of Directive 91/628/EEC to penalise any infringement of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The Member States shall notify those provisions to the Commission by 1 May 2004 at the latest and shall notify it without delay of any subsequent amendment affecting them.'

5. The following is added to section A of Annex I:

'5. Before accepting animals, staging points shall:

(a) have started the cleansing and disinfection operations within 24 hours following the departure of all animals previously held there in accordance with the provisions of Article 4(3) of this Regulation;

(b) have remained clear of animals until the cleansing and disinfection operation is completed to the satisfaction of the official veterinarian.'

*Article 2*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2004.

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

Done at Luxembourg, 11 June 2003.

*For the Council*

*The President*

G. DRYG

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**COMMISSION REGULATION (EC) No 1041/2003**  
**of 18 June 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <sup>(2)</sup>, 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 19 June 2003.

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

Done at Brussels, 18 June 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 18 June 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

<i>(EUR/100 kg)</i>		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	67,0
	999	67,0
0707 00 05	052	87,3
	628	143,3
	999	115,3
0709 90 70	052	72,3
	999	72,3
0805 50 10	382	44,5
	388	57,3
	528	61,4
	999	54,4
0808 10 20, 0808 10 50, 0808 10 90	388	82,1
	400	116,4
	508	90,7
	512	85,4
	524	59,9
	528	65,1
	720	101,6
	804	90,7
	999	86,5
	0809 10 00	052
624		236,6
999		238,3
0809 20 95	052	262,8
	064	218,7
	094	197,7
	400	268,3
	999	236,9
0809 30 10, 0809 30 90	052	115,0
	999	115,0
0809 40 05	052	134,1
	624	223,2
	999	178,6

<sup>(1)</sup> 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 1042/2003  
of 18 June 2003**

**on the issuing of system A3 export licences in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 857/2003 <sup>(3)</sup> opens a tendering procedure setting the indicative refund rates and indicative quantities for which system A3 export licences may be issued.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.
- (3) In the case of tomatoes, oranges, lemons and apples, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is more than one-and-a-half times the indicative refund rate. The

rate must therefore be set in accordance with Article 4(4) of Commission Regulation (EC) No 1961/2001 of 8 October 2001 laying down detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(4)</sup>, as last amended by Regulation (EC) No 1176/2002 <sup>(5)</sup>.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In the case of tomatoes, oranges, lemons and apples, the maximum refund rates and the percentages of quantities to be awarded under the tendering procedure opened by Regulation (EC) No 857/2003 shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 20 June 2003.

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

Done at Brussels, 18 June 2003.

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

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 1.

<sup>(2)</sup> OJ L 7, 11.1.2002, p. 64.

<sup>(3)</sup> OJ L 123, 17.5.2003, p. 15.

<sup>(4)</sup> OJ L 268, 9.10.2001, p. 8.

<sup>(5)</sup> OJ L 170, 29.6.2002, p. 69.

## ANNEX

**Issuing of system A3 export licences in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)**

Product	Maximum refund rate (EUR/tonne net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Tomatoes	30	100 %
Oranges	30	100 %
Lemons	25	100 %
Apples	29	100 %

**COMMISSION REGULATION (EC) No 1043/2003**  
**of 17 June 2003**  
**establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(3)</sup>, as last amended by Regulation (EC) No 444/2002 <sup>(4)</sup>, and in particular Article 173(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 June 2003.

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

Done at Brussels, 17 June 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(2)</sup> OJ L 311, 12.12.2000, p. 17.

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(4)</sup> OJ L 68, 12.3.2002, p. 11.

## ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	48,67	361,35	441,35	34,33
1.30	Onions (other than seed) 0703 10 19	40,83	303,10	370,21	28,79
1.40	Garlic 0703 20 00	156,44	1 161,43	1 418,57	110,33
1.50	Leeks ex 0703 90 00	40,98	304,25	371,61	28,90
1.80	White cabbages and red cabbages 0704 90 10	73,15	543,09	663,32	51,59
1.90	Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,07	557,05	43,33
1.100	Chinese cabbage ex 0704 90 90	54,27	402,92	492,12	38,28
1.130	Carrots ex 0706 10 00	36,50	270,99	330,98	25,74
1.140	Radishes ex 0706 90 90	92,37	685,78	837,61	65,15
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 00	467,30	3 469,35	4 237,44	329,58
1.170	Beans:				
1.170.1	— Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	152,29	1 130,63	1 380,95	107,41
1.170.2	— Beans ( <i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	93,80	696,40	850,58	66,16
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	226,63	1 682,58	2 055,09	159,84
1.200.2	— other 0709 20 00	226,60	1 682,34	2 054,80	159,82
1.210	Aubergines (eggplants) 0709 30 00	64,83	481,35	587,92	45,73
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	79,14	587,56	717,64	55,82
1.230	Chantarelles 0709 59 10	809,36	6 008,93	7 339,28	570,84
1.240	Sweet peppers 0709 60 10	149,80	1 112,16	1 358,39	105,65
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	122,23	907,47	1 108,38	86,21
2.30	Pineapples, fresh ex 0804 30 00	144,56	1 073,25	1 310,86	101,96

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.40	Avocados, fresh ex 0804 40 00	154,57	1 147,57	1 401,63	109,02
2.50	Guavas and mangoes, fresh ex 0804 50 00	155,92	1 157,61	1 413,90	109,97
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	50,80	377,15	460,65	35,83
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	53,22	395,09	482,56	37,53
2.60.3	— Others 0805 10 50	44,25	328,53	401,26	31,21
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	94,54	701,88	857,27	66,68
2.70.2	— Monreales and satsumas ex 0805 20 30	78,33	581,55	710,30	55,25
2.70.3	— Mandarines and wilkings ex 0805 20 50	80,75	599,51	732,24	56,95
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	79,28	588,60	718,91	55,92
2.85	Limes ( <i>Citrus aurantifolia</i> , <i>Citrus latifolia</i> ), fresh 0805 50 90	92,45	686,35	838,30	65,20
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	87,92	652,74	797,25	62,01
2.90.2	— pink ex 0805 40 00	78,38	581,90	710,72	55,28
2.100	Table grapes 0806 10 10	174,84	1 298,05	1 585,44	123,31
2.110	Water melons 0807 11 00	50,84	377,45	461,02	35,86
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	44,30	328,93	401,76	31,25
2.120.2	— Other ex 0807 19 00	54,15	402,05	491,06	38,19
2.140	Pears				
2.140.1	— Pears — nashi ( <i>Pyrus pyrifolia</i> ), Pears — Ya ( <i>Pyrus bretschneideri</i> ) ex 0808 20 50	73,61	546,50	667,50	51,92
2.140.2	— Other ex 0808 20 50	81,15	602,47	735,85	57,23
2.200	Strawberries 0810 10 00	110,16	817,86	998,93	77,70
2.205	Raspberries 0810 20 10	361,18	2 681,51	3 275,18	254,74

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	2 297,10	17 054,36	20 830,10	1 620,14
2.220	Kiwi fruit ( <i>Actinidia chinensis</i> Planch.) 0810 50 00	102,10	758,02	925,84	72,01
2.230	Pomegranates ex 0810 90 95	381,46	2 832,07	3 459,08	269,04
2.240	Khakis (including sharon fruit) ex 0810 90 95	253,64	1 883,09	2 300,00	178,89
2.250	Lychees ex 0810 90 30	392,70	2 915,54	3 561,03	276,97

**COMMISSION REGULATION (EC) No 1044/2003**  
**of 18 June 2003**  
**amending Regulations (EC) No 451/2000 and (EC) No 1490/2002**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, as last amended by Commission Directive 2003/31/EC <sup>(2)</sup>, and in particular the second subparagraph of Article 8(2) thereof,

Article 12 of Regulation (EC) No 451/2000 is amended as follows:

1. Paragraph 1 is replaced by the following:

'1. Member States shall establish a regime obliging notifiers to pay a fee or charge for the administrative treatment and evaluation of notifications and dossiers.'

Whereas:

2. Paragraph 2 is amended as follows:

(a) point (a) is replaced by the following:

'(a) require the payment of a fee or charge for each notification and for each submission of a dossier;'

(1) Commission Regulation (EEC) No 3600/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 2266/2000 <sup>(4)</sup>, Commission Regulation (EC) No 451/2000 <sup>(5)</sup>, as last amended by Regulation (EC) No 1490/2002 <sup>(6)</sup>, and Regulation (EC) No 1490/2002 lay down the detailed rules for the implementation of the first, second and third stages of the programme of work referred to in Article 8(2) of Directive 91/414/EEC. That programme is ongoing.

(b) point (c) is replaced by the following:

'(c) ensure that the fee or charge is received in accordance with the instructions given by the organisation in each Member State listed in Annex VI and that the income from the fee or charge is used to finance exclusively the costs actually incurred by the Member State for the evaluation and administrative treatment of the notifications and the dossiers for which that Member State is rapporteur or to finance general activities of the Member States resulting from Articles 7 and 8;'

(2) Experience from the first stage has shown that enhanced cooperation between Member States is required to ensure fast and consistent decision-making. The provisions concerning the third stage provide for fees to be paid to the Member States, not only for their work as rapporteur Member State but also for other activities under that stage, in order to ensure proper resourcing of their work. For the sake of consistency, provision should also be made for such fees for the second stage, in Regulation (EC) No 451/2000.

*Article 2*

**Amendment to Regulation (EC) No 1490/2002**

Article 17(2)(c) of Regulation (EC) No 1490/2002 is replaced by the following:

'(c) ensure that the fee or charge is received in accordance with the instructions given by the organisation in each Member State listed in Annex IV and that the income from the fee or charge is used to finance exclusively the costs actually incurred by the Member State for the evaluation and administrative treatment of the dossiers for which that Member State is rapporteur or to finance general activities of the Member States resulting from Articles 9, 10 or 11;'

(3) When the European Food Safety Authority (EFSA) carries out evaluations, it may also consult experts. It is necessary to ensure proper resourcing for Member States when such consultations are organised.

(4) Regulations (EC) No 451/2000 and (EC) No 1490/2002 should therefore be amended accordingly.

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

*Article 3*

**Entry into force**

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

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 101, 23.4.2003, p. 3.

<sup>(3)</sup> OJ L 366, 15.12.1992, p. 10.

<sup>(4)</sup> OJ L 259, 13.10.2000, p. 27.

<sup>(5)</sup> OJ L 55, 29.2.2000, p. 25.

<sup>(6)</sup> OJ L 224, 21.8.2002, p. 23.

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

Done at Brussels, 18 June 2003.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1045/2003**  
**of 18 June 2003**

**derogating from Regulation (EC) No 708/98 on the taking over of paddy rice by the intervention agencies and fixing the corrective amounts and the price increases and reductions to be applied as regards the time limit for delivery into intervention for the 2002/03 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 8(b) thereof,

Whereas:

- (1) The conditions governing the taking over of paddy rice by the intervention agencies are laid down in Commission Regulation (EC) No 708/98 <sup>(3)</sup>, as last amended by Regulation (EC) No 610/2001 <sup>(4)</sup>. Article 6(1) of that Regulation stipulates that delivery must take place by the end of the second month following receipt of the offer and in any case not later than 31 August of the current marketing year.
- (2) As a result of the exceptionally large quantities of paddy rice currently offered for buying in, it is difficult for the intervention agencies to meet the time limit for the

delivery of the products. This situation justifies a derogation, for the 2002/03 marketing year, from the time limit requiring delivery by the end of the second month.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding Article 6(1) of Regulation (EC) No 708/98, the delivery of paddy rice for taking over by the intervention agency in respect of the 2002/03 marketing year must take place no later than 31 August 2003.

*Article 2*

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

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

Done at Brussels, 18 June 2003.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 98, 31.3.1998, p. 21.

<sup>(4)</sup> OJ L 90, 30.3.2001, p. 17.

**COMMISSION REGULATION (EC) No 1046/2003  
of 18 June 2003**

**determining the extent to which applications for import rights lodged in respect of subquota I for frozen meat of bovine animals, provided for in Regulation (EC) No 780/2003, can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 780/2003 of 7 May 2003 opening and providing for the administration of a tariff quota for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91 (1 July 2003 to 30 June 2004) <sup>(1)</sup>, and in particular Article 5 thereof,

Whereas:

Article 2 of Regulation (EC) No 780/2003 fixes at 18 550 tonnes the quantity of subquota I in respect of which Community importers can lodge an application for import rights based on imports under Commission Regulations (EC) No 995/1999 <sup>(2)</sup>, (EC) No 980/2000 <sup>(3)</sup> and (EC) No 1080/2001 <sup>(4)</sup>. As

the import rights applied for exceed the available quantity referred to in Article 2, a reduction coefficient should be fixed in accordance with Article 5 of Regulation (EC) No 780/2003,

HAS ADOPTED THIS REGULATION:

*Article 1*

Each application for import rights lodged in accordance with Article 4(1) of Regulation (EC) No 780/2003 shall be accepted at a rate of 12,1696 % of the import rights applied for.

*Article 2*

This Regulation shall enter into force on 19 June 2003.

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

Done at Brussels, 18 June 2003.

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

<sup>(1)</sup> OJ L 114, 8.5.2003, p. 8.

<sup>(2)</sup> OJ L 122, 12.5.1999, p. 3.

<sup>(3)</sup> OJ L 113, 12.5.2000, p. 27.

<sup>(4)</sup> OJ L 149, 2.6.2001, p. 11.

**COMMISSION REGULATION (EC) No 1047/2003  
of 18 June 2003**

**repealing Regulation (EC) No 1899/97 laying down rules for the application in the egg sector of the arrangements provided for by Council Regulations (EC) No 2290/2000, (EC) No 2433/2000 and (EC) No 2434/2000 and providing for transitional measures for the import licence arrangements introduced by that Regulation**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/286/EC of 8 April 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions <sup>(1)</sup>, and in particular Article 3(2) thereof,

Having regard to Council Decision 2003/298/EC of 14 April 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions <sup>(2)</sup>, and in particular Article 3(2) thereof,

Having regard to Council Decision 2003/299/EC of 14 April 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions <sup>(3)</sup>, and in particular Article 3(2) thereof,

Whereas:

- (1) Decisions 2003/286/EC, 2003/298/EC and 2003/299/EC provide for the direct management on entry into the territory of the Community of quotas of certain products in the egg sector originating in Bulgaria, the Czech Republic and Slovakia, respectively, and imported at a reduced rate of customs duty, and repeal Council Regulations (EC) No 2290/2000 <sup>(4)</sup>, (EC) No 2433/2000 <sup>(5)</sup> and (EC) No 2434/2000 <sup>(6)</sup>.
- (2) Commission Regulation (EC) No 1899/97 <sup>(7)</sup>, as last amended by Regulation (EC) No 834/2003 <sup>(8)</sup>, should consequently be repealed.

- (3) Import duties on products of group 25 listed in Part C of Annex I to Regulation (EC) No 1899/97 imported under licences used from 1 May 2003 are repaid in accordance with Articles 878 to 898 of 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 <sup>(9)</sup>, as last amended by Regulation (EC) No 881/2003 <sup>(10)</sup>.
- (4) To limit the potential trade problems that might arise from 1 May 2003 because of the parallel existence of two different procedures for imports of eggs in shells originating in the Czech Republic, namely an import licence scheme and free access to the Community market as introduced by Decision 2003/298/EC, importers should be allowed to cancel the licences and have their securities released.
- (5) Since the Protocols approved by Decisions 2003/298/EC, 2003/299/EC and 2003/286/EC enter into force on 1 May and 1 June, respectively, this Regulation should also apply from those dates.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1899/97 is hereby repealed.

*Article 2*

However, the import licences issued under Regulation (EC) No 1899/97 shall remain valid until their expiry date and until 30 June 2003 at the latest.

<sup>(1)</sup> OJ L 102, 24.4.2003, p. 60.

<sup>(2)</sup> OJ L 107, 30.4.2003, p. 12.

<sup>(3)</sup> OJ L 107, 30.4.2003, p. 36.

<sup>(4)</sup> OJ L 262, 17.10.2000, p. 1.

<sup>(5)</sup> OJ L 280, 4.11.2000, p. 1.

<sup>(6)</sup> OJ L 280, 4.11.2000, p. 9.

<sup>(7)</sup> OJ L 267, 30.9.1997, p. 67.

<sup>(8)</sup> OJ L 120, 15.5.2003, p. 20.

<sup>(9)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(10)</sup> OJ L 134, 29.5.2003, p. 1.

Holders of import licences issued under Regulation (EC) No 1899/97 for group 25 listed in Part C of Annex I thereto who applied for those licences between 1 and 7 December 2002 or between 1 and 7 March 2003 may, before 25 June 2003, request their cancellation with release of the security.

*Article 3*

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

It shall apply from 1 May 2003 for imports from the Czech Republic and the Slovak Republic, and from 1 June 2003 for imports from the Republic of Bulgaria.

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

Done at Brussels, 18 June 2003.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## COMMISSION DIRECTIVE 2003/57/EC

of 17 June 2003

## amending Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed<sup>(1)</sup>, and in particular Article 8(1) thereof,

Whereas:

- (1) Council Directive 1999/29/EC on the undesirable substances and products in animal nutrition<sup>(2)</sup>, as amended by Directive 2001/102/EC<sup>(3)</sup>, establishes maximum levels for dioxins in several feed materials and compound feedingstuffs.
- (2) Directive 2002/32/EC repeals and replaces Directive 1999/29/EC with effect from 1 August 2003.
- (3) It is of major importance for public and animal health protection that the maximum levels for dioxins established by Directive 1999/29/EC remain in force after 1 August 2003. Directive 2002/32/EC should therefore be amended in order to include the maximum levels for dioxins, established by Directive 1999/29/EC.
- (4) In order to avoid any confusion it is appropriate to specify that minerals refer to the feed materials in the meaning of the Annex of Council Directive 96/25/EC of 29 April 1996 on the circulation and use of feed materials<sup>(4)</sup> as last amended by Directive 2001/46/EC of the European Parliament and of the Council<sup>(5)</sup>.
- (5) For greater clarity the rules governing dioxins should be collected in a single text. As a result, it is appropriate to amend Directive 2002/32/EC by inserting as an annex thereto the provisions of Commission Regulation (EC) No 2439/1999 of 17 November 1999 on the conditions for the authorisation of additives belonging to the group 'binders, anti-caking agents and coagulants' in feedingstuffs<sup>(6)</sup>, as amended by Regulation (EC) No 739/2000<sup>(7)</sup>, which establishes a provisional maximum limit for kaolinitic clays and other additives authorised for use as binders, anti-caking agents and coagulants. As no or insufficient monitoring data on the presence of dioxins have been provided for calcium sulphate dihydrate, vermiculite, natrolite-phonolite, synthetic calcium alumi-

nates and clinoptilolite of sedimentary origin demonstrating the absence of contamination by dioxins or contamination at levels below the limit of quantification, it is therefore appropriate in order to protect animal and human health to establish for these additives a maximum level for dioxins in addition to the maximum level for dioxins in kaolinitic clay. As a result, Regulation (EC) 2439/1999 can be repealed.

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

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Annex I to Directive 2002/32/EC is hereby amended in accordance with the Annex to this Directive.

*Article 2*

1. With exception of the provisions concerning the entries (c) and (j) in the list of products in the table annexed to this Directive, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 July 2003 at the latest. They shall forthwith inform the Commission thereof. They shall apply these provisions from 1 August 2003.

With regard to the provisions concerning the entries (c) and (j) in the list of products in the table annexed to this Directive, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 29 February 2004 at the latest. They shall forthwith inform the Commission thereof. They shall apply these provisions from 1 March 2004.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the provisions of national law, which they adopt in the field covered by this Directive.

<sup>(1)</sup> OJ L 140, 30.5.2002, p. 10.

<sup>(2)</sup> OJ L 115, 4.5.1999, p. 32.

<sup>(3)</sup> OJ L 6, 10.1.2002, p. 45.

<sup>(4)</sup> OJ L 125, 23.5.1996, p. 35.

<sup>(5)</sup> OJ L 234, 1.9.2001, p. 55.

<sup>(6)</sup> OJ L 297, 18.11.1999, p. 8.

<sup>(7)</sup> OJ L 87, 8.4.2000, p. 14.

*Article 3*

Commission Regulation (EC) No 2439/1999 of 17 November 1999 on the conditions for the authorisation of additives belonging to the group 'binders, anti-caking agents and coagulants' in feedingstuffs shall be repealed with effect from 1 March 2004.

*Article 4*

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 17 June 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX

Annex I to Directive 2002/32/EC is amended as follows:

(a) in the table, point 27 shall be replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content relative to a feeding-stuff with a moisture content of 12 %
(1)	(2)	(3)
27. Dioxin (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997))	(a) All feed materials of plant origin including vegetable oils and by-products	0,75 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(b) Minerals in the meaning of the Annex to Council Directive 96/25/EC of 29 April 1996 on the circulation and use of feed materials	1,0 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(c) Kaolinitic clay, calcium sulphate dihydrate, vermiculite, natrolite-phonolite, synthetic calcium aluminates and clinoptilolite of sedimentary origin belonging to the group "binders, anti-caking agents and coagulants" authorised under Council Directive 70/524/EEC	0,75 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(d) Animal fat, including milk fat and egg fat	2,0 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(e) Other land animal products including milk and milk products and eggs and egg products	0,75 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(f) Fish oil	6 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(g) Fish, other aquatic animals, their products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat (7)	1,25 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(h) Compound feedingstuffs, with the exception of feedingstuffs for fur animals, pet foods and feedingstuffs for fish	0,75 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(i) Feedingstuffs for fish. Pet foods	2,25 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)
	(j) Fish protein hydrolysates containing more than 20 % fat	2,25 ng WHO-PCDD/F-TEQ/kg <sup>(5)</sup> (6)

(b) at the end of Annex I, footnote <sup>(5)</sup> is deleted and the following footnotes shall be added:

- <sup>(5)</sup> Upper-bound concentrations; upper-bound concentrations are calculated assuming that all values of the different congeners less than the limit of quantification are equal to the limit of quantification.
- <sup>(6)</sup> These maximum limits shall be reviewed for the first time before 31 December 2004 in the light of new data on the presence of dioxins and dioxin-like PCBs, in particular with a view to the inclusion of dioxin-like PCBs in the levels to be set and will be further reviewed before 31 December 2006 with the aim of significantly reducing of the maximum levels.
- <sup>(7)</sup> Fresh fish directly delivered and used without intermediate processing for the production of feedingstuffs for fur animals is exempted from the maximum limit and a maximum level of 4,0 ng WHO-PCDD/F-TEQ/kg product is applicable to fresh fish used for the direct feeding of pet animals, zoo and circus animals. The products, processed animal proteins produced from these animals (fur animals, pet animals, zoo and circus animals) cannot enter the food chain and the feeding thereof is prohibited to farmed animals which are kept, fattened or bred for the production of food.'
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## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 18 June 2003

**recognising the provisions in the Czech Republic on combating *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckerman and Kotthoff) Davis et al. as equivalent to the Community provisions**

(notified under document number C(2003) 1870)

(2003/450/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>(1)</sup>, as last amended by Regulation (EC) No 806/2003<sup>(2)</sup>, and in particular Annex III, Part A, point 12 thereof,

Having regard to the request made by the Czech Republic,

Whereas:

(1) Under the provisions of Annex III, Part A, point 12 of Directive 2000/29/EC, tubers of *Solanum tuberosum* L., other than seed potatoes and certain other potatoes specified in Annex III, Part A, points 10 and 11, originating in certain European third countries other than those recognised as being free from *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckerman and Kotthoff) Davis et al. (hereinafter 'the organism'), or in which provisions are recognised as equivalent to the Community provisions on combating the organism, may not be introduced into the Member States.

(2) It appears from official information supplied by the Czech Republic and from information collected during missions carried out in this country in January 2001 and

November 2002 by the Food and Veterinary Office, that the Czech Republic has applied control, inspection and testing systems for the organism on imports of potatoes and domestic seed and ware potato production, through its 'Methodical instruction B/KAR/1/2002 to protection against the spread of the pathogenic agents of the potato ringrot disease and potato brownrot disease'.

(3) Given the above, it can be recognised that the provisions in the Czech Republic on combating the organism are equivalent to the Community provisions and that the risk of the organism spreading is obviated.

(4) The Commission will ensure that the Czech Republic makes all technical information available that is necessary to continue to assess the aforementioned situation.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby recognised that the provisions in the Czech Republic on combating *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckerman and Kotthoff) Davis et al. are equivalent to the Community provisions.

<sup>(1)</sup> OJ L 169, 10.7.2000, p. 1.

<sup>(2)</sup> OJ L 122, 16.5.2003, p. 1.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 18 June 2003.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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**CORRIGENDA****Corrigendum to the Twenty-sixth Commission Directive 2002/34/EC of 15 April 2002 adapting to technical progress Annexes II, III and VII to Council Directive 76/748/EEC on the approximation of the laws of the Member States relating to cosmetic products**

*(Official Journal of the European Communities L 102 of 18 April 2002)*

On page 25, against reference number 17, column b:

*for:* '2,4-Diamino-5 methylphenetol (CAS No 141614-04-2) and its salts',

*read:* '2,4-Diamino-5 methyphenetol (CAS No 113715-25-6) and its salts';

on page 26, against reference number 19, column b:

*for:* '3-Amino-2,4-dichlorophenol (CAS No 61693-42-3) and its salts',

*read:* '3-Amino-2,4-dichlorophenol (CAS No 61693-43-4) and its salts';

on page 27, against reference number 31, column b:

*for:* 'HC Red No 13 (CAS No 29705-39-3) and its salts',

*read:* 'HC Red No 13 (CAS No 94158-13-1) and its salts';

on page 28, against reference number 36, column b:

*for:* '2,4-Diaminophenoxyethanol (CAS No 70643-19-5) and its salts',

*read:* '2,4-Diaminophenoxyethanol (CAS No 66422-95-5) and its salts';

on page 29, against reference number 45, column b:

*for:* 'Acid Black 52 (CAS No 16279-54-2) and its salts',

*read:* 'Acid Black 52 (CAS No 3618-58-4) and its salts';

on page 30, against reference number 53, column b:

*for:* 'HC Blue No 10 (CAS No 173994-75-7) and its salts',

*read:* 'HC Blue No 10 (CAS No 102767-27-1) and its salts'.

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