

# Official Journal

## of the European Union

ISSN 1725-2555

L 27

Volume 46

1 February 2003

English edition

## Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 180/2003**  
**of 31 January 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 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

<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 31 January 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	94,5
	204	66,3
	212	111,3
	999	90,7
0707 00 05	052	114,0
	204	114,7
	999	114,3
0709 10 00	220	55,7
	999	55,7
0709 90 70	052	145,0
	204	164,6
	999	154,8
0805 10 10, 0805 10 30, 0805 10 50	052	44,5
	204	49,3
	212	39,9
	220	38,3
	624	86,1
	999	51,6
0805 20 10	204	69,7
	999	69,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	61,7
	204	48,9
	220	75,0
	464	143,4
	600	60,6
	624	67,0
0805 50 10	999	76,1
	052	58,0
	220	68,7
	600	65,0
0808 10 20, 0808 10 50, 0808 10 90	999	63,9
	400	87,4
	404	99,9
	720	115,6
0808 20 50	999	101,0
	388	102,2
	400	112,8
	524	115,5
	528	92,6
	720	41,0
	999	92,8

<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 181/2003**  
**of 31 January 2003**

**fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 112th 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 635/2000 <sup>(4)</sup>, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The minimum selling prices and the maximum aid and processing securities applying for the 112th 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 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 350, 20.12.1997, p. 3.

<sup>(4)</sup> OJ L 76, 25.3.2000, p. 9.

## ANNEX

to the Commission Regulation of 31 January 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 112th 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 $\geq$ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter $\geq$ 82 %		85	81	85	81
	Butter $<$ 82 %		83	79	—	—
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	94	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

**COMMISSION REGULATION (EC) No 182/2003****of 31 January 2003****fixing the maximum purchasing price for butter for the 65th 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1614/2001 <sup>(4)</sup>, 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 65th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 28 January 2003, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 333, 24.12.1999, p. 11.

<sup>(4)</sup> OJ L 214, 8.8.2001, p. 20.

**COMMISSION REGULATION (EC) No 183/2003****of 31 January 2003****fixing the maximum aid for concentrated butter for the 284th 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 124/1999 <sup>(4)</sup>, 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 284th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

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

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 45, 21.2.1990, p. 8.

<sup>(4)</sup> OJ L 16, 21.1.1999, p. 19.



**COMMISSION REGULATION (EC) No 184/2003****of 31 January 2003****fixing the rates of refunds applicable to certain products from the sugar sector 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 1260/2001 of 19 June 2001 on the common organisation of the market in sugar <sup>(1)</sup>, as amended by Commission Regulation (EC) No 680/2002 <sup>(2)</sup>, and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EC) No 1052/2002 <sup>(4)</sup>, 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 I to Regulation (EC) No 1260/2001.

(2) In accordance with 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 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as shown in the Annex hereto.

*Article 2*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 26.

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(4)</sup> OJ L 160, 18.6.2002, p. 16.

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*  
Erkki LIIKANEN  
*Member of the Commission*

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ANNEX

**to the Commission Regulation of 31 January 2003 fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	42,23	42,23

## COMMISSION REGULATION (EC) No 185/2003

of 31 January 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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. Whereas 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1052/2002 <sup>(4)</sup>, 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 the Annex 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 11(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 <sup>(5)</sup>, as last amended by Regulation (EC) No 635/2002 <sup>(6)</sup>, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(4)</sup> OJ L 160, 18.6.2002, p. 16.

<sup>(5)</sup> OJ L 350, 20.12.1997, p. 3.

<sup>(6)</sup> OJ L 76, 25.3.2002, p. 9.

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

Done at Brussels, 31 January 2003.

*For the Commission*  
Erkki LIIKANEN  
*Member of the Commission*

ANNEX

**to the Commission Regulation of 31 January 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**

(EUR/100 kg)

CN code	Description	Rate of refund
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	44,00
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	64,27
	(b) On exportation of other goods	93,00
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	100,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	192,25
	(c) On exportation of other goods	185,00

**COMMISSION REGULATION (EC) No 186/2003**  
**of 31 January 2003**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 174/1999 <sup>(3)</sup>, as last amended by Regulation (EC) No 2279/2002 <sup>(4)</sup>, lays down special detailed rules for the application of Council Regulation (EEC) No 804/68 <sup>(5)</sup> as regards export licences and export refunds in the case of milk and milk products. In order to ensure the proper management of the export refund arrangements in view of the low demand for export licences and the forthcoming opening of intervention for skimmed-milk powder, the length of validity of export refunds should be extended.

- (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*

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

Article 6(a) is replaced by the following:

‘(a) the end of the fourth month following issue in the case of products falling within CN code 0402 10;’.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 20, 27.1.1999, p. 8.

<sup>(4)</sup> OJ L 347, 20.12.2002, p. 31.

<sup>(5)</sup> OJ L 148, 28.6.1968, p. 13.

**COMMISSION REGULATION (EC) No 187/2003****of 31 January 2003****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular the third subparagraph of Article 13(2) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(4)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid <sup>(5)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.

- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 288, 25.10.1974, p. 1.

## ANNEX

**to the Commission Regulation of 31 January 2003 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

*(EUR/t)*

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	12,90
1002 00 00 9000	21,00
1003 00 90 9000	14,00
1005 90 00 9000	20,00
1006 30 92 9100	165,00
1006 30 92 9900	165,00
1006 30 94 9100	165,00
1006 30 94 9900	165,00
1006 30 96 9100	165,00
1006 30 96 9900	165,00
1006 30 98 9100	165,00
1006 30 98 9900	165,00
1006 30 65 9900	165,00
1007 00 90 9000	20,00
1101 00 15 9100	14,50
1101 00 15 9130	13,50
1102 10 00 9500	28,75
1102 20 10 9200	30,98
1102 20 10 9400	26,56
1103 11 10 9200	0,00
1103 13 10 9100	39,83
1104 12 90 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

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**COMMISSION REGULATION (EC) No 188/2003**  
**of 31 January 2003**

**amending Regulation (EC) No 2222/2000 laying down financial rules for the application of Council Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period <sup>(1)</sup>, as amended by Regulation (EC) No 2500/2001 <sup>(2)</sup>, and in particular Article 12(2) thereof,

Whereas:

- (1) One of the objectives of Article 1(2)(b) of Regulation (EC) No 1268/1999 is to solve priority and specific problems for the sustainable adaptation of the agricultural sector and rural areas in the applicant countries. Damage caused to agriculture and rural areas by exceptional natural disasters can constitute such problems as demonstrated by the flooding which in August 2002 caused considerable damage in various applicant countries. The Community needs to be able to respond appropriately to such exceptional natural disasters using various instruments including the pre-accession instrument set up under Regulation (EC) No 1268/1999 (the pre-accession instrument).
- (2) Commission Regulation (EC) No 2222/2000 <sup>(3)</sup>, as amended by Regulation (EC) No 2252/2001 <sup>(4)</sup>, does not contain any particular provisions concerning the management of aid where the granting of such aid is related to, or affected by, an exceptional natural disaster. Such provisions should be laid down to permit appropriate and rapid action by the Community in the wake of such disasters.
- (3) The second indent of Article 5(1) of Regulation (EC) No 2222/2000 lays down that one of the tasks of the Sapard agency is project selection. Experience has shown that in certain circumstances that task need not be handled by that agency.
- (4) Article 7(3) of Regulation (EC) No 2222/2000 lays down the rules regarding automatic decommitment of unused appropriations, reflecting those in Article 31(2) of

Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds <sup>(5)</sup>, as amended by Regulation (EC) No 1447/2001 <sup>(6)</sup>. For those rules to be applied under Sapard in conditions equivalent to those for Member States it should be taken into account that in the absence of Commission decisions conferring management of aid to the applicant countries, the instrument may not be applied, no eligible expenditure on projects may be generated and consequently none of the appropriations for the countries concerned may be the subject of any payment order. The timing of such decisions is likely to have repercussions on use of appropriations in the initial years of application of the pre-accession instrument in each applicant country.

- (5) As implementation of Sapard Programmes has only started for most Candidate Countries in 2002, whereas appropriations were first entered in the budget in 2000, it is appropriate to extend for two years the time limit for use of appropriations for the annual allocations 2000 to 2002 and thereafter to move progressively towards the rules of automatic decommitment as provided in Regulation (EC) No 1260/1999. Moreover, where a risk of decommitment is invoked, applications for payment should also be admissible by the end of the quarter concerned.
- (6) Regulation (EC) No 2222/2000 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee of the European Agriculture and Guidance Fund (EAGGF),

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2222/2000 is amended as follows:

1. In Article 2, the following point is added:
  - (j) "exceptional natural disaster" means a natural disaster on an unusually large scale and causing intense damage and destruction.'

<sup>(1)</sup> OJ L 161, 26.6.1999, p. 87.

<sup>(2)</sup> OJ L 342, 27.12.2001, p. 1.

<sup>(3)</sup> OJ L 253, 7.10.2000, p. 5.

<sup>(4)</sup> OJ L 304, 21.11.2001, p. 8.

<sup>(5)</sup> OJ L 161, 26.6.1999, p. 1.

<sup>(6)</sup> OJ L 198, 21.7.2001, p. 1.



2. In Article 5(1), the second and third indents are replaced by the following:
- project selection, except where for the measure in question in the approved Sapard agriculture and rural development programme (hereinafter referred to as the programme), there is only one designated beneficiary or the task of project selection has been granted to a designated body or bodies;
  - checking of applications for approval of projects against terms and conditions, eligibility and against the content of the programme, including, where appropriate, public procurement provisions.'
3. Article 7(3) is replaced by the following:
- '3. Taking account of the requirements of Article 10, the Commission shall decommit any part of a commitment which has not been settled by the payment on account or for which it has not received an acceptable payment application by the following dates:
- (a) for appropriations corresponding to the 2000 annual allocation: 31 December 2004;
  - (b) for appropriations corresponding to the annual allocation for 2001: 31 December 2005;
  - (c) for appropriations corresponding to the annual allocations for 2002 and 2003: 31 December 2006;
  - (d) for appropriations corresponding to the annual allocations for any year after 2003: 31 December of the second year following the year of the financial commitment concerned.'
4. In Article 9(1), the second indent is replaced by the following:
- be based on declarations of expenditure incurred by the beneficiary. Such declarations shall include only projects selected and expenditure paid from the date of the Commission decision referred to in Article 3(1), except for feasibility and related studies concerning the selected projects and for technical assistance. However, where the Commission determines that an exceptional natural disaster has occurred, payments to beneficiaries for projects related to that disaster may benefit from a derogation replacing the requirement concerning declarations of expenditure by the possibility of payment of advances.'
5. Article 10(1) is replaced by the following:
- '1. The Commission shall take into consideration only payment applications drawn up by the Sapard agency on a quarterly basis, presented in accordance with a form established by the Commission and transmitted by the national authorizing officer to the Commission within one month of the end of each quarter. However, supplementary applications may be submitted if justified on the basis of the risk of:
- the net balance in the Sapard euro account being exhausted before the next quarterly application has been processed, or
  - decommitment being invoked as set out in Article 7(3).'

#### Article 2

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

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

Done at Brussels, 31 January 2003.

For the Commission  
Franz FISCHLER  
Member of the Commission

**COMMISSION REGULATION (EC) No 189/2003****of 31 January 2003****fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

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 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1896/2002 <sup>(3)</sup>.(2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1896/2002 is hereby fixed on the basis of the tenders submitted from 27 to 30 January 2003 at 159,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 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 287, 25.10.2002, p. 5.<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 190/2003****of 31 January 2003****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002**

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 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1897/2002 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1897/2002 is hereby fixed on the basis of the tenders submitted from 27 to 30 January 2003 at 165,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 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 287, 25.10.2002, p. 8.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 191/2003**  
**of 31 January 2003**

**fixing the maximum export refund on wholly milled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

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 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1898/2002 <sup>(3)</sup>.

(2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 1948/2002 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 27 to 30 January 2003 at 279,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 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 287, 25.10.2002, p. 11.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 192/2003**  
**of 31 January 2003**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 <sup>(1)</sup>, as amended by Commission Regulation (EC) No 680/2002 <sup>(2)</sup>, and in particular the third subparagraph of Article 27(5) thereof,

*Article 1*

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 169/2003 are hereby altered to the amounts shown in the Annex hereto.

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 169/2003 <sup>(3)</sup>.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 169/2003 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 26.

<sup>(3)</sup> OJ L 26, 31.1.2003, p. 24.

## ANNEX

**to the Commission Regulation of 31 January 2003 altering the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	38,85 <sup>(1)</sup>
1701 11 90 9910	A00	EUR/100 kg	38,85 <sup>(1)</sup>
1701 12 90 9100	A00	EUR/100 kg	38,85 <sup>(1)</sup>
1701 12 90 9910	A00	EUR/100 kg	38,85 <sup>(1)</sup>
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4223
1701 99 10 9100	A00	EUR/100 kg	42,23
1701 99 10 9910	A00	EUR/100 kg	42,23
1701 99 10 9950	A00	EUR/100 kg	42,23
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4223

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 28(4) of Council Regulation (EC) No 1260/2001.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

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

**COMMISSION REGULATION (EC) No 193/2003****of 31 January 2003****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

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 <sup>(1)</sup>, as amended by Commission Regulation (EC) No 680/2002 <sup>(2)</sup>, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(3)</sup>, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to 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 <sup>(4)</sup> to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said

Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article (1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.

(8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.

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

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 26.

<sup>(3)</sup> OJ L 214, 8.9.1995, p. 16.

<sup>(4)</sup> OJ L 178, 30.6.2001, p. 63.

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

ANNEX

**to the Commission Regulation of 31 January 2003 fixing the export refunds on syrups and certain other sugar products exported in the natural state**

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	42,23 <sup>(?)</sup>
1702 60 10 9000	A00	EUR/100 kg dry matter	42,23 <sup>(?)</sup>
1702 60 80 9100	A00	EUR/100 kg dry matter	80,24 <sup>(4)</sup>
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4223 <sup>(1)</sup>
1702 90 30 9000	A00	EUR/100 kg dry matter	42,23 <sup>(?)</sup>
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4223 <sup>(1)</sup>
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4223 <sup>(1)</sup>
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4223 <sup>(1)</sup> <sup>(3)</sup>
2106 90 30 9000	A00	EUR/100 kg dry matter	42,23 <sup>(?)</sup>
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4223 <sup>(1)</sup>

<sup>(1)</sup> The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

<sup>(2)</sup> Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

<sup>(3)</sup> The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

<sup>(4)</sup> Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

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



**COMMISSION REGULATION (EC) No 194/2003****of 31 January 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 <sup>(1)</sup>, as amended by Commission Regulation (EC) No 680/2002 <sup>(2)</sup>, 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 <sup>(3)</sup> 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 40,966 EUR/100 kg net.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 26.

<sup>(3)</sup> OJ L 178, 30.6.2001, p. 63.

**COMMISSION REGULATION (EC) No 195/2003**  
**of 31 January 2003**  
**on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1176/2002 <sup>(2)</sup>, and in particular Article 6(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2201/2002 <sup>(3)</sup> fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for lemons after 1 February 2003 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 2201/2002, export declarations for which are accepted after 1 February 2003 and before 16 March 2003, are hereby rejected.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

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

<sup>(1)</sup> OJ L 268, 9.10.2001, p. 8.

<sup>(2)</sup> OJ L 170, 29.6.2002, p. 69.

<sup>(3)</sup> OJ L 286, 24.10.2002, p. 3.

**COMMISSION REGULATION (EC) No 196/2003**  
**of 31 January 2003**  
**determining the world market price for unginning 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 <sup>(1)</sup>,

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

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginning 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 unginning cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 <sup>(3)</sup>, as amended by Regulation (EC) No 1486/2002 <sup>(4)</sup>. 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 unginning 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 unginning cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for unginning cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 25,533/100 kg.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 148, 1.6.2001, p. 1.

<sup>(2)</sup> OJ L 148, 1.6.2001, p. 3.

<sup>(3)</sup> OJ L 210, 3.8.2001, p. 10.

<sup>(4)</sup> OJ L 223, 20.8.2002, p. 3.

**COMMISSION REGULATION (EC) No 197/2003**  
**of 31 January 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1900/2002 <sup>(4)</sup>, 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 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 125.

<sup>(4)</sup> OJ L 287, 25.10.2002, p. 15.

## ANNEX I

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

CN code	Description	Import duty <sup>(1)</sup> (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
1001 90 99	Common high quality wheat other than for sowing <sup>(2)</sup>	0,00
1002 00 00	Rye	30,02
1005 10 90	Maize seed other than hybrid	47,40
1005 90 00	Maize other than seed <sup>(3)</sup>	47,40
1007 00 90	Grain sorghum other than hybrids for sowing	30,02

<sup>(1)</sup> 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.

<sup>(2)</sup> Importers are entitled to a flat-rate reduction of EUR 14 per tonne.

<sup>(3)</sup> 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 16 January 2003 to 30 January 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)	130,13	86,09	213,92 (***)	203,92 (***)	183,92 (***)	118,30 (***)
Gulf premium (EUR/t)	32,64	14,84	—	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—

(\*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(\*\*) A discount of 30 EUR/t (Article 3 of Regulation (EC) No 2378/2002).

(\*\*\*) Fob Gulf.

## 2. Freight/cost: Gulf of Mexico–Rotterdam: 14,48 EUR/t; Great Lakes–Rotterdam: 22,58 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 198/2003**  
**of 31 January 2003**  
**amending the corrective amount applicable to the refund on cereals**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000<sup>(2)</sup>, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 38/2003<sup>(3)</sup>.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2003.

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

Done at Brussels, 31 January 2003.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 5, 10.1.2003, p. 9.

## ANNEX

## to the Commission Regulation of 31 January 2003 altering the corrective amount applicable to the refund on cereals

Product code	Destination	(EUR/t)						
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	A00	0	0	0	0	- 10,00	—	—
1002 00 00 9000	C03	- 20,00	- 20,00	- 20,00	- 20,00	- 20,00	—	—
	A05	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	0	0	0	- 10,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	- 0,93	- 1,86	- 2,79	- 3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	- 13,70	—	—
1101 00 15 9130	A00	0	0	0	0	- 12,80	—	—
1101 00 15 9150	A00	0	0	0	0	- 11,80	—	—
1101 00 15 9170	A00	0	0	0	0	- 10,90	—	—
1101 00 15 9180	A00	0	0	0	0	- 10,20	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the A series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

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

The other destinations are as follows:

C03 Switzerland, Liechtenstein, Poland, Czech Republic, Slovak Republic, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Morocco, Algeria, Tunisia, Libya, Egypt, Malta, Cyprus and Turkey.



## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 30 January 2003

**amending Decision 97/468/EC as regards the inclusion of Estonia and Namibia establishments in provisional lists of third country establishments from which Member States authorise imports of wild game meat**

(notified under document number C(2003) 333)

(Text with EEA relevance)

(2003/73/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs <sup>(1)</sup>, as last amended by Decision 2001/4/EC <sup>(2)</sup>, and in particular Article 2(1) and (4) thereof,

Whereas:

- (1) Provisional lists of establishments in third countries producing wild game meat have been drawn up by Commission Decision 97/468/EC <sup>(3)</sup> as last amended by Decision 2002/672/EC <sup>(4)</sup>.
- (2) Estonia and Namibia have sent lists of establishments producing wild game meat for which the responsible authorities certify that the establishments complies with the Community rules.
- (3) As on the spot inspections have not yet been carried out, imports from such establishments are not eligible for reduced physical checks in accordance with Article 2(4) of Decision 95/408/EC.
- (4) Decision 97/468/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 97/468/EC is amended in accordance with the Annex to this Decision.

*Article 2*

This Decision shall apply from 4 February 2003.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 30 January 2003.

For the Commission

David BYRNE

Member of the Commission

<sup>(1)</sup> OJ L 243, 11.10.1995, p. 17.

<sup>(2)</sup> OJ L 2, 5.1.2001, p. 21.

<sup>(3)</sup> OJ L 199, 26.7.1997, p. 62.

<sup>(4)</sup> OJ L 228, 24.8.2002, p. 26.

## ANNEX

The following text is inserted in the Annex in accordance with the alphabetical order of the ISO code:

*País: Estonia/Land: Estland/Land: Estland/Χώρα: Εσθονία/Country: Estonia/Pays: Estonie/Paese: Estonia/Land: Estland/*  
*País: Estónia/Maa: Viro/Land: Estland*

1	2	3	4	5	6
34	AS Villem Lihakaup	Arukiüla	Harju	PH	( <sup>a</sup> ) ( <sup>e</sup> )

(<sup>a</sup>) Large wild game.

(<sup>e</sup>) Excluding meat of wild swine.

*País: Namibia/Land: Namibia/Land: Namibia/Χώρα: Ναμίμπια/Country: Namibia/Pays: Namibie/Paese: Namibia/Land: Namibië/*  
*País: Namibia/Maa: Namibia/Land: Namibia*

1	2	3	4	5	6
21	State Veterinary Marintal Abattoir	Marintal	Hardap Region	PH	( <sup>1</sup> ) ( <sup>a</sup> ) ( <sup>e</sup> )

(<sup>1</sup>) Deboned wild game meat only — offals excluded.

(<sup>a</sup>) Large wild game (Springbok (*Antidorcas marsupialis*))

(<sup>e</sup>) Excluding meat of wild swine.

## CORRIGENDA

**Corrigendum to Commission Regulation (EC) No 118/2003 of 23 January 2003 fixing the export refunds on beef and veal and amending Regulations (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds and (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector**

(Official Journal of the European Communities L 20 of 24 January 2003)

On page 3, in recital 6:

for: '... CN codes ...',

read: '... product codes ...';

on page 11, in the Annex, the footnotes should be replaced by the following:

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<sup>(1)</sup> Entry within subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82 (OJ L 4, 8.1.1982, p. 11), as last amended by Regulation (EC) No 2326/97 (OJ L 323, 26.11.1997, p. 1).

<sup>(2)</sup> The granting of the refund is subject to compliance with the conditions laid down in Commission Regulation (EEC) No 1964/82 (OJ L 212, 21.7.1982, p. 48), as last amended by Regulation (EC) No 2772/2000 (OJ L 321, 19.12.2000, p. 35).

<sup>(3)</sup> OJ L 336, 29.12.1979, p. 44.

<sup>(4)</sup> OJ L 274, 26.10.1996, p. 18.

<sup>(5)</sup> OJ L 221, 18.8.1984, p. 28.

<sup>(6)</sup> The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39). The term 'average content' refers to the sample quantity as defined in Article 2(1) of Regulation (EC) No 2457/97 (OJ L 340, 11.12.1997, p. 29). The sample is to be taken from that part of the consignment presenting the highest risk.

<sup>(7)</sup> OJ L 62, 7.3.1980, p. 5.

<sup>(8)</sup> Determination of collagen content:

The collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

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NB: Article 33 of Council Regulation (EC) No 1254/1999 (OJ L 160, 26.6.1999, p. 21) provides that no export refunds are to be granted on products imported from third countries and re-exported to third countries.'

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