COMMISSION REGULATION (EC) No 1446/2002

of 8 August 2002

on the suspension and opening of tariff quotas applicable to the importation into the Community of certain processed agricultural products originating in Bulgaria and amending Regulation (EC) No 1477/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ([1]), as last amended by Regulation (EC) No 2580/2000 ([2]), and in particular Article 7(2) thereof,

Having regard to Council Decision 1999/278/EC of 9 March 1999 relating to the conclusion of a Protocol adjusting trade aspects of the Europe Agreement 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 accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements ([3]), and in particular Article 2 thereof,

Whereas:

(1) Protocol 3 to 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, approved by Decision 94/908/ECSC, EC, Euratom of the Council and of the Commission ([4]), lays down the trade arrangements for the processed agricultural products which are listed therein.

(2) Protocol 3 to the Europe Agreement was amended, as regards the volume of tariff quotas and the system for calculating the reduced agricultural components and additional duties, by Decision No 2/2002 of the EU-Bulgaria Association Council of 1 July 2002 on improvements to the trade arrangements for processed agricultural products provided for in Protocol 3 to the Europe Agreement ([5]). The amendments shall enter into force as of 1 September 2002.

(3) As a result, it is appropriate to suspend the application of tariff quotas opened for the year 2002 for imports into the European Community of products originating in Bulgaria by Commission Regulation (EC) No 2542/2001 ([6]) and to open the new annual quotas provided for in Annex I to Protocol 3. Given that for the year 2002, these new annual quotas cannot be opened before 1 September 2002, they should be reduced, for the year 2002, in proportion to the period which has already elapsed.

(4) The tariff quotas opened for Bulgaria must be managed in accordance with 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 ([7]), as last amended by Regulation (EC) No 444/2002 ([8]).

(5) The reduced agricultural components and additional duties applicable from 1 July 2000 to the importation into the Community of goods covered by Regulation (EC) No 3448/93, laid down in the framework of the Europe Agreement with Bulgaria by Commission Regulation (EC) No 1477/2000 ([9]), as last amended by Regulation (EC) No 748/2002 ([10]), should be abolished.

(6) Regulation (EC) No 1477/2000 must be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The application of tariff quotas opened by Annex V to Regulation (EC) No 2542/2001 is suspended as from 1 September 2002.

Article 2

The Community tariff quotas for goods originating in Bulgaria, set out in the Annex to this Regulation, shall be opened annually from 1 January to 31 December and exempt from duty.

For the year 2002, they shall be reduced on a pro rata basis according to the period, based on whole months, already elapsed.

Article 3

The Community tariff quotas referred to in Article 2 shall be managed by the Commission in accordance with the provisions of Articles 308(a), 308(b) and 308(c) of Regulation (EEC) No 2454/93.

([1]) OJ L 318, 20.12.1993, p. 18.
([2]) OJ L 298, 25.11.2000, p. 5.
([3]) OJ L 112, 29.4.1999, p. 1.
([4]) OJ L 358, 31.12.1994, p. 1.
([5]) Not yet published in the Official Journal.
([6]) OJ L 341, 22.12.2001, p. 82.
([7]) OJ L 253, 11.10.1993, p. 1.
([8]) OJ L 68, 12.3.2002, p. 11.
([9]) OJ L 171, 11.7.2000, p. 44.
([10]) OJ L 115, 1.5.2002, p. 15.

Article 4

Regulation (EC) No 1477/2000 shall be amended as follows:

1. the fifth paragraph of Article 2 is deleted;

2. Annexes XI and XII are deleted.

Article 5

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

It shall apply from 1 September 2002.

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

Done at Brussels, 8 August 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

Quotas applicable upon import into the Community of goods originating in Bulgaria — exempt from duty

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5481	0405	Butter and other fats and oils derived from milk; dairy spreads:	196	637	49
	0405 20	– Dairy spreads:			
	0405 20 10	– – Of a fat content, by weight, of 39 % or more but less than 60 %			
	0405 20 30	– – Of a fat content, by weight, of 60 % or more but not exceeding 75 %			
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20 and 2106 90 20 and other than flavoured or coloured sugar syrups [1]			
	3302 10	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in the food or drink industries:			
	3302 10 29	– – – – – Other			
09.5486	1702 50	Chemically pure fructose	1 334	4 000	—
09.5461	ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances falling within CN code 1704 90 10	68	219	17
09.5463	ex 1806	Chocolate and other food preparations containing cocoa other than those of CN code 1806 10 15	202	654	50
09.5485	ex 1901	Malt extract; food preparations of flour, 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 heading Nos 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, excluding goods falling within CN code 1901 90 91	41	131	10

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5469	ex 1902	Pasta, whether or not cooked or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	135	438	34
09.5471	1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals (other than maize (corn)), in grain form, or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	101	327	25
09.5473	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	236	765	59
09.5474	2101 12 98 2101 20 98	Preparations with a basis of extracts, essences or concentrates of coffee or with a basis of coffee, other than those of CN code 2101 12 92 Preparations with a basis of extracts, essences or concentrates of tea or maté or with a basis of tea or maté, other than those of CN code 2101 20 92	68	219	17
09.5476	2101 30 2101 30 19 2101 30 99	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: – – Roasted chicory and other roasted coffee substitutes: – – – Other – – Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes: – – – Other	9	28	2
	2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:			
09.5487	2103 20 00	Tomato ketchup and other tomato sauces	734	2 400	200
09.5488	2103 30 90	– – Prepared mustard	734	2 400	200
09.5489	2103 90 90	– – Other	734	2 400	200
09.5479	2105 00	Ice cream and other edible ice, whether or not containing cocoa	34	108	8

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5483	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 No 2209:	7	23	2
	2202 90 91 to 2202 90 99	– – Other			

(1) For products under CN code 2106 90 10, eligibility to benefit from this preference is subject to conditions laid down in the relevant Community provisions.