COMMISSION REGULATION (EC) No 2153/2002

of 3 December 2002

amending Regulation (EC) No 1599/97 laying down detailed rules for the application of the system of minimum import prices for certain soft fruits originating in Bulgaria, Hungary, Poland, Romania, Slovakia, the Czech Republic, Estonia, Latvia and Lithuania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2290/2000 of 9 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Bulgaria [1], and in particular Article 1(3) thereof, and the corresponding provisions of the Council Regulations and Decisions relating to the Baltic states and the other central and eastern European countries concerned,

Whereas:

(1) At the close of the recent trade negotiations between the Community, on the one hand, and Latvia and Lithuania on the other, the system of minimum import prices for imports into the Community of certain soft fruits originating in these third countries for processing were amended. The new provisions of this system are set out in the appendix to Annex C(b) to Council Regulation (EC) No 1361/2002 [2] for Lithuania and the appendix to Annex C(b) to Council Regulation (EC) No 1362/2002 [3] for Latvia.

(2) For reasons of clarity and legal certainty, the minimum import prices currently set out in the Annex to Commission Regulation (EC) No 1599/97 [4], as last amended by Regulation (EC) No 538/2000 [5], should no longer be shown in that Annex. It is, however, necessary to indicate the Community legislation under which these prices are fixed. Depending on the third country in question, this may be a Council regulation establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the country concerned, or the relevant provisions of the Europe Agreement with that country.

(3) Regulation (EC) No 1599/97 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1599/97 is hereby amended as follows:

1. The second sentence of Article 1 is replaced by the following:

   'Each declaration may cover only goods of one and the same origin falling within a single combined nomenclature code and, in the case of frozen products, a single Taric code as shown in Annex I.'

2. Article 3 is replaced by the following:

   '*Article 3*

   1. For each lot and each origin concerned, during the completion of the customs import formalities with a view to release for free circulation, the competent authorities shall make a comparison of the value shown in the customs declaration and the minimum import price shown, for the product in question, in the Community legislation, as referred to in Annex II, applicable to the imports in question.

   2. Where the value shown in the customs declaration is below the applicable minimum price referred to in paragraph 1, a countervailing charge shall be levied equal to the difference between that value and the minimum price.'

3. Article 5(1) is replaced by the following:

   '1. For the products listed in Annex I hereto, Member States shall communicate to the Commission the quantities put into free circulation and their values, broken down by origin and CN code and, for frozen products, by Taric code.'

4. The Annex is replaced by the Annex to this Regulation.

Article 2

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

[1] OJ L 262, 17.10.2000, p. 1.
[2] OJ L 198, 27.7.2002, p. 1.
[3] OJ L 198, 27.7.2002, p. 13.
[4] OJ L 216, 8.8.1997, p. 63.
[5] OJ L 65, 14.3.2000, p. 11.

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

Done at Brussels, 3 December 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'ANNEX I

List of products subject to the system of minimum import prices

CN code	Taric code	Description
ex 0810 10 00	0810 10 00 10	Strawberries for processing
ex 0810 20 10	0810 20 10 10	Raspberries for processing
ex 0810 30 10	0810 30 10 10	Blackcurrants for processing
ex 0810 30 30	0810 30 30 10	Redcurrants for processing
ex 0811 10 11	0811 10 11 10	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content exceeding 13 % by weight; whole
	0811 10 11 90	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content exceeding 13 % by weight; other
ex 0811 10 19	0811 10 19 10	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight; whole
	0811 10 19 90	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight; other
ex 0811 10 90	0811 10 90 10	Strawberries, frozen, containing no added sugar or other sweetening matter; whole
	0811 10 90 90	Strawberries, frozen, containing no added sugar or other sweetening matter; other
ex 0811 20 19	0811 20 19 11	Raspberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight; whole
	0811 20 19 19	Raspberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight; other
ex 0811 20 31	0811 20 31 10	Raspberries, frozen, containing no added sugar or other sweetening matter; whole
	0811 20 31 90	Raspberries, frozen, containing no added sugar or other sweetening matter; other
ex 0811 20 39	0811 20 39 10	Blackcurrants, frozen, containing no added sugar or other sweetening matter; without stalk
	0811 20 39 90	Blackcurrants, frozen, containing no added sugar or other sweetening matter; other
ex 0811 20 51	0811 20 51 10	Redcurrants, frozen, containing no added sugar or other sweetening matter; without stalk
	0811 20 51 90	Redcurrants, frozen, containing no added sugar or other sweetening matter; other

ANNEX II

Community legislation referred to in Article 3(1)

Third country of origin	Relevant Community legislation
Bulgaria	Annex to Annex A(b) to Council Regulation (EC) No 2290/2000 of 9 October 2000 (OJ L 262, 17.10.2000, p. 1)
Hungary	Appendix of Annex A(b) to Council Regulation (EC) No 1408/2002 of 29 July 2002 (OJ L 205, 2.8.2002, p. 9)
Poland	Annex to Annex VIII to the Europe Agreement attached to Decision 93/743/EC, ECSC, Euratom of the Council and of the Commission of 13 December 1993 (OJ L 348, 31.12.1993, p. 1), as amended by the Protocol attached to Council Decision 2002/63/EC of 23 October 2001 (OJ L 27, 30.1.2002, p. 1)
Romania	Annex to Annex A(b) to Council Regulation (EC) No 2435/2000 of 17 October 2000 (OJ L 280, 4.11.2000, p. 17)
Slovakia	Annex to Annex A(b) to Council Regulation (EC) No 2434/2000 of 17 October 2000 (OJ L 280, 4.11.2000, p. 9)
Czech Republic	Annex to Annex A(b) to Council Regulation (EC) No 2433/2000 of 17 October 2000 (OJ L 280, 4.11.2000, p. 1)
Estonia	Annex to Annex C(b) to Council Regulation (EC) No 1151/2002 of 27 June 2002 (OJ L 170, 29.6.2002, p. 15)
Latvia	Annex to Annex C(b) to Council Regulation (EC) No 1362/2002 of 22 July 2002 (OJ L 198, 27.7.2002, p. 13)
Lithuania	Annex to Annex C(b) to Council Regulation (EC) No 1361/2002 of 22 July 2002 (OJ L 198, 27.7.2002, p. 1).'