COMMISSION REGULATION (EC) No 2359/2002

of 27 December 2002

opening tariff quotas for the year 2003 for imports into the European Community of certain products originating in the Czech Republic, Romania and Slovakia

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 98/707/EC of 22 October 1998 relating to the conclusion of a Protocol for the adaptation of the trade aspects of Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the agricultural negotiations of the Uruguay Round, including the improvements of the existing preferential regime [3], and in particular Article 2(1) of that Decision and Articles 2 and 6 of that Protocol,

Having regard to Council Decision 98/626/EC of 5 October 1998 relating to the conclusion of a Protocol for the adaptation of the trade aspects of the Europe Agreement between the European Communities and their Member States, of the one part, and Romania, of the other part, to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the agricultural negotiations of the Uruguay Round, including the improvements to the existing preferential regime [4], and in particular Article 2(1) of that Decision and Articles 2 and 5 of that Protocol,

Having regard to Council Decision 98/638/EC of 5 October 1998 relating to the conclusion of a Protocol for the adaptation of the trade aspects of the Europe Agreement between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the agricultural negotiations of the Uruguay Round, including the improvements of the existing preferential regime [5], and in particular Article 2(1) of that Decision and Articles 2 and 6 of that Protocol,

Whereas:

(1) Protocols 3 on trade in processed agricultural products to the Europe Agreements with the Czech Republic, Romania and Slovakia, as amended by the Protocols for the adapting of those Agreements, provide for the granting of annual tariff quotas for imports of products originating in the Czech Republic, Romania and Slovakia. Those quotas should be opened for 2003.

(2) 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 Common Customs Code [6], as last amended by Regulation (EC) No 444/2002 [7], lays down rules for the management of tariff quotas. It is appropriate to provide that the tariff quotas opened by this Regulation are to be managed in accordance with those rules.

(3) 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 annual quotas for the products originating in the Czech Republic, Romania and Slovakia, set out in Annexes I, II and III are opened from 1 January 2003 to 31 December 2003 under the conditions set out in the said Annexes.

Article 2

The Community tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall apply with effect from 1 January 2003.

[1] OJ L 318, 20.12.1993, p. 18.
[2] OJ L 298, 25.11.2000, p. 5.
[3] OJ L 341, 16.12.1998, p. 1.
[4] OJ L 301, 11.11.1998, p. 1.
[5] OJ L 306, 16.11.1998, p. 1.
[6] OJ L 253, 11.10.1993, p. 1.
[7] OJ L 68, 12.3.2002, p. 11.

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

Done at Brussels, 27 December 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX I

CZECH REPUBLIC

Serial No	CN code	Description	Quota for 2003	Rate of duty applicable
09.5417	0403 10 51 to 0403 10 99	Yogurt, flavoured or containing added fruit, nuts or cocoa	EUR 5 436 000	0 + RAC [1]
	0403 90 71 to 0403 90 99	Other, flavoured or containing added fruit, nuts or cocoa		
	0405 20 10 0405 20 30	Dairy spreads of a fat content, by weight, of 39 % or more, but not exceeding 75 %		
	1517 10 10	Margarine, excluding liquid margarine, containing more than 10 % but not more than 15 % by weight of milk fats		
	1517 90 10	Other, containing more than 10 % but not more than 15 % by weight of milk fats		
	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		
	ex 1806	Chocolate and other food preparations containing cocoa other than those of CN code 1806 10 15		
	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 CN codes 0401 to 0404, not containing cocoa powder or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, other than in CN code 1901 90 91		
	ex 1902	Pasta, whether or not cooked or stuffed or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared		
	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 and meal), precooked, or otherwise prepared, not elsewhere specified or included		
	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		
	2101 12 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		

Serial No	CN code	Description	Quota for 2003	Rate of duty applicable
09.5417 *(suite)*	ex 2101 20 98	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 not falling within CN codes 2101 20 20 or 2101 20 92 excluding products containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch		
	2101 30 19	Roasted coffee substitutes		
	2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
	2102 10 31 2102 10 39	Bakers' yeast		
	2105 00	Ice cream and other edible ice, whether or not containing cocoa		
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20, 2106 90 20 and 2106 90 92 and other than flavoured or coloured sugar syrups		
	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 to 0404 or fat obtained from products of CN codes 0401 to 0404		
	ex 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 for the beverages industries:		
	3302 10 29	Other		
09.5641	1516 20 10	Hydrogenated castor oil, so called 'opal wax'	314 tonnes	0 %

([1]) RAC = reduced agricultural components (calculated in accordance with the basic amounts set out in Protocol 3 to the Agreement) applicable within the quantitative limits of the quotas. Such reduced agricultural components are subject to the maximum duty laid down in the Common Customs Tariff, if any.

ANNEX II

ROMANIA

Serial No	CN code	Description	Quota for 2003 (tonnes)	Rate of duty applicable (1)
09.5431	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 (*)	2 100	0 + RAC
09.5433	ex 1806	Chocolate and other food preparations containing cocoa (*), other than those falling within CN codes, 1806 10 15 or 1806 20 70	1 500	0 + RAC
09.5435	ex 1902	Pasta, whether or not cooked or stuffed or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	600	0 + RAC
09.5437	ex 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 and meal), precooked, or otherwise prepared, not elsewhere specified or included, excluding products falling within CN code 1904 20 10	438	0 + RAC
09.5439	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	1 875	0 + RAC
09.5441	2101 30 19 2101 30 99	Roasted coffee substitutes Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory	163	0 + RAC
09.5443	2105 00	Ice cream and other edible ice, whether or not containing cocoa	114	0 + RAC
09.5445	0405 20 10 0405 20 30 ex 2106 ex 3302 10 3302 10 29	Dairy spreads of a fat content, by weight, of 39 % or more, but not exceeding 75 % Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20, 2106 90 20 and 2106 90 92 and other than flavoured or coloured sugar syrups (*) Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used for the beverages industries: Other	1 050	0 + RAC
09.5447	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 a 0404 or fat obtained from products of CN codes 0401 to 0404	100	0 + RAC

(1) RAC = reduced agricultural components (calculated in accordance with the basic amounts set out in Protocol 3 to the Agreement) applicable within the quantitative limits of the quotas. Such reduced agricultural components are subject to the maximum duty laid down in the Common Customs Tariff, if any, and in the case of products falling within CN codes 1704 10 91, 1704 10 99, 2105 00 10, 2105 00 91 or 2106 90 10, to the maximum duty provided for in the Agreement.

(*) Excluding goods containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose), falling within CN codes ex 1704 90 51, ex 1704 90 99, ex 1806 20 80, ex 1806 20 95, ex 1806 90 90 or ex 2106 90 98.

ANNEX III

SLOVAKIA

Serial No	CN code	Description	Quota for 2003	Rate of duty applicable
09.5417	0403 10 51 to 0403 10 99	Yogurt, flavoured or containing added fruit, nuts or cocoa	EUR 2 718 000	0 + RAC [1]
	0403 90 71 to 0403 90 99	Other, flavoured or containing added fruit, nuts or cocoa		
	0405 20 10 0405 20 30	Dairy spreads of a fat content, by weight, of 39 % or more, but not exceeding 75 %		
	1517 10 10	Margarine, excluding liquid margarine, containing more than 10 % but not more than 15 % by weight of milk fats		
	1517 90 10	Other, containing more than 10 % but not more than 15 % by weight of milk fats		
	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		
	ex 1806	Chocolate and other food preparations containing cocoa other than those of CN code 1806 10 15		
	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 CN codes 0401 to 0404, not containing cocoa powder or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, other than in CN code 1901 90 91		
	ex 1902	Pasta, whether or not cooked or stuffed or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30, couscous, whether or not prepared		
	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 and meal), precooked, or otherwise prepared, not elsewhere specified or included		
	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		
	2101 12 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		

Serial No	CN code	Description	Quota for 2003	Rate of duty applicable
09.5417	ex 2101 20 98	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 not falling within CN codes 2101 20 20 or 2101 20 92 excluding products containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch		
	2101 30 19	Roasted coffee substitutes		
	2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
	2102 10 31 2102 10 39	Bakers' yeast		
	2105 00	Ice cream and other edible ice, whether or not containing cocoa		
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20, 2106 90 20 and 2106 90 92 and other than flavoured or coloured sugar syrups		
	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 to 0404 or fat obtained from products of CN codes 0401 to 0404		
	ex 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 for the beverages industries:		
	3302 10 29	Other		

([1]) RAC = reduced agricultural components (calculated in accordance with the basic amounts set out in Protocol 3 to the Agreement) applicable within the quantitative limits of the quotas. Such reduced agricultural components are subject to the maximum duty laid down in the Common Customs Tariff, if any.