COMMISSION REGULATION (EC) No 349/2002

of 25 February 2002

amending Regulation (EC) No 896/2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas [1], as last amended by Regulation (EC) No 2587/2001 [2], and in particular Article 20 thereof,

Whereas:

(1) Commission Regulation (EC) No 896/2001 [3], as last amended by Regulation (EC) No 2351/2001 [4], lays down detailed rules for implementing Regulation (EEC) No 404/93, to apply from 1 July 2001, with a view to the management of the tariff import quotas provided for in Article 18(1) of the latter Regulation.

(2) Article 18(1) of Regulation (EEC) No 404/93, as amended by Regulation (EC) No 2587/2001, amends the tariff import quotas from 1 January 2002. In particular it reduces tariff quota C by 100 000 tonnes and reserves access to it for products originating in the ACP countries. As a result of those amendments, it should be borne in mind that the structures of the trade in products originating in the ACP countries feature greater integration of the various commercial operations, which are carried out to a large extent by traditional operators as defined in Article 3(1) of Regulation (EC) No 896/2001. In order to ensure the continuity of import flows and at the same time to allocate non-traditional operators a share of tariff quota C that enables them to continue their activities in this trade and in order to foster sound competition, the allocation of tariff quota C among traditional and non-traditional operators should be adjusted and Article 2 of the abovementioned Regulation should be amended accordingly. The new allocation should correspond more closely to the operations actually carried out by each of the two categories of operators over the last three years.

(3) The Annex to Regulation (EC) No 896/2001 lists the authorities competent in the Member States to issue licences for importing bananas from third countries. Following notifications from several Member States, that Annex should be amended.

(4) This Regulation must enter into force immediately in view of the time limits laid down in Regulation (EC) No 896/2001.

(5) The Management Committee for Bananas has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 896/2001 is hereby amended as follows:

1. Article 2 is replaced by the following:

'*Article 2*

1. Tariff quotas A and B as provided for in Article 18(1)(a) and (b) of Regulation (EEC) No 404/93 shall be made available as follows:

(a) 83 % to traditional operators A/B as defined in Article 3(2) of this Regulation;

(b) 17 % to non-traditional operators A/B as defined in Article 6 of this Regulation.

2. Tariff quota C as provided for in Article 18(1)(c) of Regulation (EEC) No 404/93 shall be made available as follows:

(a) 89 % to traditional operators C as defined in Article 3(3) of this Regulation;

(b) 11 % to non-traditional operators C as defined in Article 6 of this Regulation.'

2. The Annex is replaced by the Annex hereto.

Article 2

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

[1] OJ L 47, 25.2.1993, p. 1.
[2] OJ L 345, 29.12.2001, p. 13.
[3] OJ L 126, 8.5.2001, p. 6.
[4] OJ L 315, 1.12.2001, p. 46.

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

Done at Brussels, 25 February 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'ANNEX

The authorities of the Member States competent for compiling the lists of operators and of quantities marketed are as follows:

— BELGIUM

Bureau d'intervention et de restitution belge/Belgisch Interventie- en Restitutiebureau
Rue de Trèves, 82/Trierstraat 82
B-1040 Bruxelles/Brussel

— DENMARK

Ministeriet for Fødevarer, Landbrug og Fiskeri
Direktoratet for Fødevare Erhverv; Eksportstøttekontoret
Kampmannsgade 3
DK-1780 København V

— GERMANY

Bundesanstalt für Landwirtschaft und Ernährung
Referat 322
Adickesallee, 40
D-60322 Frankfurt am Main

— GREECE

OPEKEPE (ex-GEDIDAGEP)
Dirección de Frutas y Hortalizas, Vino y Productos Industriales
241 Acharnon
GR-10446 Atenas

— SPAIN

Ministerio de Economía
Secretaría General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid

— FRANCE

Office de développement de l'économie agricole des départements d'outre-mer (ODEADOM)
31, Quai de Grenelle
F-75738 Paris Cedex 15

— IRELAND

Department of Agriculture and Rural Development
Horticulture Division
Agriculture House (7W)
Kildare Street
Dublin 2
Ireland

— ITALY

Until 15 July 2001:

Ministero del Commercio con l'Estero
DG Politica Commerciale e Gestione Regime Scambi — Div. II
Viale Boston, 25
I-00144 Roma

From 16 July 2001:

Ministero delle Attività Produttive
DG Politica Commerciale e Gestione Regime Scambi — Div. II
Viale Boston, 25
I-00144 Roma

— LUXEMBOURG

Ministère de l'agriculture/Administration des services techniques de l'agriculture
Service de l'horticulture
16, Route d'Esch
Boîte postale 1904
L-1014 Luxembourg

— NETHERLANDS

Produktschap Tuinbouw
Louis Pasteurlaan 6
Postbus 280
2700 AG Zoetermeer
The Netherlands

— AUSTRIA

Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft
Abteilung III 10 — Obst, Gemüse, Sonderkulturen
Stubenring 1
A-1012 Wien

— PORTUGAL

Until 31 December 2001:

Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
Direcção de Serviços de Licenciamento do Comércio Externo
Avenida da República, 79
P-1069 059 Lisboa

From 1 January 2002:

Ministério das Finanças
Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Direcção de Serviços de Licenciamento
Rua Terreiro do Trigo — Edifício da Alfândega
P-1149 060 Lisboa

— FINLAND

Registration of operators

Maa- ja Metsätalousministeriö
Hallituskatu 3a, Helsinki
PL 30
FIN-00023 Valtioneuvosto

Licences issued by

Tullihallitus
Erottajankatu 2
PL 512
FIN-00101 Helsinki

— SWEDEN

Jordbruksverket
Vallgatan 8–10
S-551 82 Jönköping

— UNITED KINGDOM

Until 15 October 2001:

Intervention Board
External Trade Division
Lancaster House
Hampshire Court
Newcastle upon Tyne, NE99 1AW
United Kingdom

From 16 October 2001:

Rural Payments Agency
External Trade Division
Lancaster House
Hampshire Court
Newcastle upon Tyne, NE99 1AW
United Kingdom'