COMMISSION REGULATION (EC) No 1142/2003

of 27 June 2003

amending Regulation (EC) No 2125/95 as regards the tariff quota for preserved mushrooms of the genus *Agaricus* allocated to Bulgaria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products [1], as last amended by Commission Regulation (EC) No 453/2002 [2], and in particular Article 15 (1) thereof,

Whereas:

(1) Commission Regulation (EC) 2125/95 [3], as last amended by Regulation (EC) No 225/2003 [4], has opened and provided for the administration of tariff quotas for preserved mushrooms.

(2) Council Decision 2003/286/EC of 8 April 2003 on the conclusion of a Protocol adjusting the trade aspects of 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, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions [5], has approved the arrangements for import into the Community applicable to certain agricultural products originating in Bulgaria.

(3) These arrangements entered into force on 1 June 2003.

(4) The allocation of quotas for preserved mushrooms of the genus *Agaricus* covered by CN codes 0711 51 00, 2003 10 20 and 2003 10 30 originating in Bulgaria set out in Annex I to Regulation (EC) No 2125/95 should be amended accordingly.

(5) Regulation (EC) No 2125/95 should therefore be amended accordingly.

(6) 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

Article 1 of Regulation (EC) No 2125/95 is replaced by the following text:

'*Article 1*

1. Tariff quotas for preserved mushrooms of the genus *Agaricus* falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30, shown in Annex I, shall be opened subject to the conditions laid down in this Regulation.

2. The rate of duty applicable shall be 12 % *ad valorem* in the case of products falling within CN code 0711 51 00 (Serial No 09.4062) and 23 % in the case of products falling within CN codes 2003 10 20 and 2003 10 30 (Serial No 09.4063). However, a single rate of 8,4 % shall apply in the case of the above products originating in Romania (Serial No 09.4726), and no duty shall apply in the case of the above products originating in Bulgaria (Serial No 09.4725).'

Article 2

Annex I to Regulation (EC) No 2125/95 is replaced by the text in the Annex to this Regulation.

Article 3

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

It shall apply from 1 June 2003.

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

Done at Brussels, 27 June 2003.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 297, 21.11.1996, p. 29.
[2] OJ L 72, 14.3.2002, p. 9.
[3] OJ L 212, 7.9.1995, p. 16.
[4] OJ L 31, 6.2.2003, p. 10.
[5] OJ L 102, 24.4.2003, p. 60.

ANNEX

'ANNEX I

Allocation as referred to in Article 2 in tonnes (net drained weight)

Supplier country	1 January to 31 December of each year
Bulgaria	2 625 (*)
Romania	500
China	22 750
Others	3 290
Reserve	1 000

(*) From 1 January to 31 December 2003, the allocation for Bulgaria shall be 2 313 tonnes.
As from 1 January 2005, the allocation for Bulgaria shall be increased by 250 tonnes each year.'