COMMISSION REGULATION (EC) No 17/2003
of 6 January 2003
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ([1]), as last amended by Regulation (EC) No 1666/2000 ([2]),

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ([3]), as last amended by Regulation (EC) No 597/2002 ([4]), and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 2392/2002 ([5]), as amended by Regulation (EC) No 8/2003 ([6]).

(2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2392/2002.

(3) Article 1 of Regulation (EC) No 2378/2002 provides for derogations from Regulation (EC) No 1249/96 regarding import duties in the cereals sector. Accordingly, the Annexes to Regulation (EC) No 2392/2002 should be amended to indicate the duties applicable where importation is not effected under a tariff quota,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2392/2002 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 7 January 2003.

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

Done at Brussels, 6 January 2003.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

([1]) OJ L 181, 1.7.1992, p. 21.
([2]) OJ L 193, 29.7.2000, p. 1.
([3]) OJ L 161, 29.6.1996, p. 125.
([4]) OJ L 91, 6.4.2002, p. 9.
([5]) OJ L 358, 31.12.2002, p. 139.
([6]) OJ L 1, 4.1.2003, p. 56.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty [1] (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing [2]	0,00
	medium quality [3]	95,00
	low quality [3]	95,00
1002 00 00	Rye	31,86
1003 00 10	Barley, seed	93,00
1003 00 90	Barley, other [4]	93,00
1005 10 90	Maize seed other than hybrid	40,60
1005 90 00	Maize other than seed [5]	40,60
1007 00 90	Grain sorghum other than hybrids for sowing	31,86

[1] For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

[2] Importers are entitled to a flat-rate reduction of EUR 14 per tonne.

[3] Importers may take advantage of an import duty of EUR 12 per tonne under the tariff quota opened by Regulation (EC) No 2375/2002.

[4] Importers may take advantage of an import duty of EUR 8 per tonne under the tariff quota for malting barley opened by Regulation (EC) No 2377/2002 or an import duty of EUR 16 per tonne under the tariff quota for barley opened by Regulation (EC) No 2376/2002.

[5] The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 December 2002 to 3 January 2003)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	142,90	92,03	216,02 (***)	206,02 (***)	186,02 (***)	114,82 (***)
Gulf premium (EUR/t)	38,14	13,95	—	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).
(**) A discount of 30 EUR/t (Article 3 of Regulation (EC) No 2378/2002).
(***) Fob Gulf.

2. Freight/cost: Gulf of Mexico–Rotterdam: 14,69 EUR/t; Great Lakes–Rotterdam: 23,61 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).