COMMISSION REGULATION (EC) No 1708/2003

of 26 September 2003

fixing the coefficients applicable to cereals exported in the form of Irish whiskey for the period 2003/2004

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 1104/2003 ([2]),

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ([3]), as last amended by Regulation (EC) No 1633/2000 ([4]), and in particular Article 5 thereof,

Whereas:

(1) Article 4(1) of Regulation (EEC) No 2825/93 lays down that the quantities of cereals eligible for the refund shall be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned. The coefficient shall express the average ratio between the total quantities exported and the total quantities marketed of the spirit drink concerned, on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirit drink in question. On the basis of the information supplied by Ireland on the period from 1 January to 31 December 2002, the average ageing period in 2002 was five years for Irish whiskey. The coefficients for the period from 1 October 2003 to 30 September 2004 should therefore be fixed accordingly.

(2) Article 10 of Protocol 3 to the Agreement on the European Economic Area ([5]) precludes the grant of refunds in respect of exports to Liechtenstein, Iceland and Norway. Moreover, the Community has concluded with certain third countries agreements abolishing export refunds. According to Article 7(2) of Regulation (EEC) No 2825/93, this should be taken into account in the calculation of the coefficients for the period 2003/2004.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 October 2003 to 30 September 2004 the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 which are applicable to cereals used in Ireland in the production of Irish whiskey shall be as specified in the Annex hereto.

Article 2

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

It shall apply from 1 October 2003.

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

Done at Brussels, 26 September 2003.

For the Commission

Franz FISCHLER

Member of the Commission

([1]) OJ L 181, 1.7.1992, p. 21.
([2]) OJ L 158, 27.6.2003, p. 1.
([3]) OJ L 258, 16.10.1993, p. 6.
([4]) OJ L 187, 26.7.2000, p. 29.
([5]) OJ L 1, 3.1.1994, p. 1.

ANNEX

COEFFICIENTS APPLICABLE IN IRELAND

Period of application	Coefficient applicable	
	to barley used in the production of Irish whiskey, category B (1)	to cereals used in the production of Irish whiskey, category A
1 October 2003 to 30 September 2004	0,262	0,367

(1) Including barley transformed into malt.