COMMISSION REGULATION (EC) No 1740/2003

of 30 September 2003

amending Regulation (EC) No 1555/96 as regards the trigger levels for additional duties on tomatoes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], as last amended by Commission Regulation (EC) No 47/2003 [2], and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables [3], as last amended by Regulation (EC) No 1487/2003 [4], provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of 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 Community Customs Code [5], as last amended by Regulation (EC) No 1335/2003 [6].

(2) For the purposes of Article 5(4) of the Agreement on Agriculture [7] concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 2000, 2001 and 2002, the trigger levels for additional duties on tomatoes should be adjusted.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the day following 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, 30 September 2003.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 297, 21.11.1996, p. 1.
[2] OJ L 7, 11.1.2003, p. 64.
[3] OJ L 193, 3.8.1996, p. 1.
[4] OJ L 213, 23.8.2003, p. 7.
[5] OJ L 253, 11.10.1993, p. 1.
[6] OJ L 187, 26.7.2003, p. 16.
[7] OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX

Without prejudice to the rules governing the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger levels (in tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	182 801
78.0020			— 1 April to 30 September	25 438
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	7 037
78.0075			— 1 November to 30 April	4 555
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	1 109
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	50 201
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	331 166
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	81 509
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	85 422
78.0155	ex 0805 50 10	Lemons	— 1 June to 31 December	183 211
78.0160			— 1 January to 31 May	63 096
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	62 108
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	642 617
78.0180			— 1 September to 31 December	42 076
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	212 016
78.0235			— 1 July to 31 December	84 984
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	24 312
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	62 483
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	113 101
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	18 236'