COMMISSION REGULATION (EC) No 1987/2003

of 12 November 2003

amending Regulation (EC) No 98/2003 as regards the forecast supply balance for the Azores for cereals and oilseeds, the forecast supply balance for Madeira for vegetable oils, sugar and meats and the forecast supply balance for the Canary Islands for cereals, oilseeds, hops, livestock feed, milk and milk products and meats

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima) ([1]), and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ([2]), and in particular Article 3(6) thereof,

Whereas:

(1) Commission Regulation (EC) No 98/2003 of 20 January 2003 establishing the supply balances and Community aid for the supply of certain essential products for human consumption, for processing and as agricultural inputs and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 ([3]), establishes a forecast supply balance and Community aid for the products covered by the specific supply arrangements for the Azores, Madeira and the Canary Islands.

(2) Current execution of the annual supply balance for the Azores, Madeira and the Canary Islands in cereals, vegetable oils, sugar, fresh or chilled beef, pigmeat, livestock feed, hops, poultrymeat and butter indicates that the quantities fixed for the supply of the abovementioned products are below requirements. On the other hand, the consumption of oilseed products, frozen beef, olive oil, milk and cream (whether concentrated or with added sugar) as well as milk preparations, is below the forecasts.

(3) The quantities of the above products should therefore be adjusted in line with the actual needs of the outermost regions concerned and, in the case of the supply of cereals, oilseeds and livestock feeds, the quotas should be aggregated with a view to their more flexible use.

(4) Regulation (EC) No 98/2003 should be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

([1]) OJ L 198, 21.7.2001, p. 26. Regulation as amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).
([2]) OJ L 198, 21.7.2001, p. 45. Regulation as amended by Regulation (EC) No 1782/2003.
([3]) OJ L 14, 21.1.2003, p. 32. (Regulation as last amended by Regulation (EC) No 1756/2003 (OJ L 252, 4.10.2003, p. 7).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 98/2003 is amended as follows:

1. In Annex III, part 1, the table concerning the Azores is replaced by the following table:

'AZORES

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat of bread-making quality, durum wheat, barley, maize, rye, malt, soya seeds and sunflower seeds	1001 90 99, 1001 10 00, 1003 00 90, 1005 90 00, 1002, 1107 10, 1201 00 90, 1206 00 99	195 300		37	(1)

(1) The amount shall be equal to the amount of the refund for products falling within the same CN code which may have been granted under Article 7 of Commission Regulation (EC) No 1501/95 (OJ L 147, 30.6.1995, p. 7).'

2. In Annex III, part 3, the table concerning Madeira is replaced by the following table:

'MADEIRA

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil):					
— Vegetable oil	1507 to 1516 (1)	2 500	52	70	(2)
Olive oil:					
— Virgin olive oil, or	1509 10 90	300	52	—	(2)
— Olive oil	1509 90 00			—	

(1) Except 1509 and 1510.
(2) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Council Regulation No 136/66/EEC (OJ L 172, 30.9.1966, p. 3025/66).'

3. In Annex III, part 5, the table concerning Madeira is replaced by the following table:

'MADEIRA

Description	CN code	Quantity (tonnes of white sugar)	Aid (EUR/100 kg)		
			I	II	III
Sugar	1701 and 1702 (except glucose and isoglucose)	7 000	7,4	9,2	(1)

(1) For white sugar, the amount shall be equal to the maximum export refund fixed for white sugar under the standing invitations to tender for the export of white sugar. Where two standing invitations to tender are issued simultaneously, the maximum to take into consideration is that most recently fixed for the standing invitation to tender for export in the forthcoming marketing year. The amount for raw sugar shall be equal to 92 % of that applicable to white sugar. If the raw sugar dispatched produces a yield different from 92 %, the amount shall be adjusted by applying Annex I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).
For sucrose syrups the amount shall be equal to 1 % of the amount applicable to white sugar for each percentage point of sucrose content per 100 kilograms net of syrup. Article 7(3) of Regulation (EC) No 1260/2001 shall not apply.'

4. In Annex III, part 7, the table concerning Madeira is replaced by the following table:

'MADEIRA

Description	CN code	Quantity	Aid (EUR/tonne)		
			I	II	III
Meat:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 (1) 0201 10 00 9120 0201 10 00 9130 (1) 0201 10 00 9140 0201 20 20 9110 (1) 0201 20 20 9120 0201 20 30 9110 (1) 0201 20 30 9120 0201 20 50 9110 (1) 0201 20 50 9120 0201 20 50 9130 (1) 0201 20 50 9140 0201 20 90 9700	4800	144	162	(*)
	0201 30 00 9100 (2) (6) 0201 30 00 9120 (2) (6) 0201 30 00 9060 (6)		120	138	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	1000	130	148	(*)
	0202 30 90 9200 (6)		108	126	(*)

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Council Regulation (EC) No 1254/1999 (OJ L 160, 26.6.1999, p. 21). Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.'

5. In Annex III, part 8, the table concerning Madeira is replaced by the following table:

'MADEIRA

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat of domestic swine, fresh, chilled or frozen:	ex 0203	2 300			—
— carcases and half-carcases	0203 11 10 9000		85	103	(1)
— hams and cuts thereof	0203 12 11 9100		128	146	(1)
— shoulders and cuts thereof	0203 12 19 9100		85	103	(1)

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
— fore-ends and cuts thereof	0203 19 11 9100		85	103	(1)
— loins and cuts thereof	0203 19 13 9100		128	146	(1)
— bellies (streaky) and cuts thereof	0203 19 15 9100		85	103	(1)
— other: boned	0203 19 55 9110		157	175	(1)
— other: boned	0203 19 55 9310		157	175	(1)
— carcases and half-carcases	0203 21 10 9000		85	103	(1)
— hams and cuts thereof	0203 22 11 9100		128	146	(1)
— shoulders and cuts thereof	0203 22 19 9100		85	103	(1)
— fore-ends and cuts thereof	0203 29 11 9100		85	103	(1)
— loins and cuts thereof	0203 29 13 9100		128	146	(1)
— bellies (streaky) and cuts thereof	0203 29 15 9100		85	103	(1)
— other: boned	0203 29 55 9110		157	175	(1)

(1) The amount shall be equal to the refund for products falling within the same CN code, where applicable, granted under Article 13 of Regulation (EEC) No 2759/75 (OJ L 282, 1.11.1975, p. 1).

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87.'

6. In Annex V, part 1, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat, barley, hay, maize, durum wheat meal, maize meal, malt and glucose (2), lucerne (alfalfa) meal and pellets, oil-cake and other solid residues resulting from the extraction of soya, soya-bean oil, and other forms of lucerne	1001 90 99, 1003 00 90, 1004 00 00, 1005 90 00, 1103 11 10, 1103 13, 1107, 1702 30, 1702 40, 1214 10 00, 2304 00 and ex 1214 90 99	441 800	—	35	(1)

(1) The amount shall be equal to the amount of the refund for products falling within the same CN code granted under Article 7 of Regulation (EC) No 1501/95.

(2) Except products falling within CN codes 1702 30 10 and 1702 40 10.'

7. In Annex V, part 3, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil):					
— vegetable oils (processing and/or packaging sector)	1507 to 1516 (1)	20 000	—	25	(2)
— vegetable oils (direct consumption)	1507 to 1516 (2)	9 000	6	—	(2)

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Olive oil:					
— virgin olive oil	1509 10 90				
— olive oil	1509 90 00	17 500	45	63	(2)
— olive-residue oil	1510 00 90				

(1) Except 1509 and 1510.
(2) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation No 136/66/EEC.'

8. In Annex V, part 6, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Hops	1210	50	—	64'	

9. In Annex V, part 8, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity	Aid (EUR/tonne)		
			I	II	III
Meat:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 (1) 0201 10 00 9120 0201 10 00 9130 (1) 0201 10 00 9140 0201 20 20 9110 (1) 0201 20 20 9120 0201 20 30 9110 (1) 0201 20 30 9120 0201 20 50 9110 (1) 0201 20 50 9120 0201 20 50 9130 (1) 0201 20 50 9140 0201 20 90 9700	21 200	133	151	(*)
	0201 30 00 9100 (2) (6) 0201 30 00 9120 (2) (6) 0201 30 00 9060 (6)		111	129	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	14 500	104	122	(*)
	0202 30 90 9200 (6)		87	105	(*)

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.'

10. In Annex V, part 10, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat:					
— ex 0207; frozen meat and offal of fowl under CN code 0105, excluding products coming under subheading 0207 23	0207 12 10 9900 0207 12 90 9190 0207 12 90 9990 0207 14 20 9900 0207 14 60 9900 0207 14 70 9190 0207 14 70 9290	40 200 (1)	85	103	(2)
Eggs:					
— ex 0408 birds' eggs, not in shell, and egg yolks, dried, whether or not containing added sugar or other sweetening matter, fit for human consumption	0408 11 80 9100 0408 91 80 9100	40	46	64	(3)

(1) Including 200 tonnes for the processing and/or packaging sector.
(2) The amount shall be equal to the amount of the refund granted for products falling within the same CN code under Article 8 of Council Regulation (EC) No 2777/75 (OJ L 282, 1.11.1975, p. 77). Where the refunds granted under Article 8 of Regulation (EC) No 2777/75 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code (Commission Regulation (EEC) No 3846/87).
(3) The amount shall be equal to the amount of the refund granted for products falling within the same CN code under Article 8 of Council Regulation (EC) No 2771/75 (OJ L 282, 1.11.1975, p. 49). Where the refunds granted under Article 8 of Regulation (EEC) No 2771/75 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code for export refunds (Regulation (EEC) No 3846/87).'

11. In Annex V, part 11, the table concerning the Canary Islands is replaced by the following table:

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III (1)
Milk and cream, not concentrated nor containing added sugar or other sweetening matter (2)	0401	114 800 (3)	41	59	(4)
Milk and cream, concentrated or containing added sugar or other sweetening matter (2):	0402	28 000 (5)	41	59	(4)
Milk and cream, concentrated or containing added sugar or other sweetening matter of a non-fat milk solid content of 15 % or more by weight and a fat content by weight not exceeding 3 % (6)	0402 91 19 9310		—	97	—
Butter and other fats and oils derived from milk; dairy spreads (2)	0405	4 000	72	90	(4)

'Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)		
			I	II	III [1]
Cheese [2]	0406 0406 30 0406 90 23 0406 90 25 0406 90 27 0406 90 76 0406 90 78 0406 90 79 0406 90 81	15 000	72	—	[4]
	0406 90 86 0406 90 87 0406 90 88	1 900			
Fat-free milk preparations	1901 90 99	650	—	59	[7]
Milk preparations for children containing no milk fat etc.	2106 90 92	45			

[1] In EUR/100 kg net weight, unless otherwise specified.
[2] The products concerned and the related footnotes are the same as those covered by the Commission Regulation fixing the export refunds under Article 31 of Council Regulation (EC) No 1255/1999 (OJ L 160, 26.6.1999, p. 48).
[3] Including 1 300 tonnes for the processing and/or packaging sector.
[4] The amount shall be equal to the amount of the refund for products falling within the same CN code granted under Article 31 of Regulation (EC) No 1255/1999.
Where the refunds granted under Article 31 of Regulation (EC) No 1255/1999 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same CN code of the agricultural product nomenclature for export refunds (Regulation (EEC) No 3846/87).
[5] To be allocated as follows:
— 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for direct consumption,
— 4 750 tonnes falling within CN codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,
— 16 000 tonnes falling within CN codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.
[6] Where the milk protein content (nitrogen content x 6,38) in the non-fatty milk solid of a product under this position is less than 34 %, no aid shall be granted. Where the water content by weight of the powdered products under this position is greater than 5 %, no aid shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose the minimum milk protein content in the non-fatty milk solid, and the maximum water content for powdered products.
[7] The amount shall be equal to the refund set in the Commission Regulation fixing the refund rates applicable to certain milk products exported in the form of goods not covered by Annex I, granted under Regulation (EC) No 1520/2000.'

Article 2

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

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

Done at Brussels, 12 November 2003.

For the Commission
Franz FISCHLER
Member of the Commission