# COMMISSION REGULATION (EC) No 498/2003

## of 19 March 2003

## amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice

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], and in particular Article 13(11) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice [3], as last amended by Commission Regulation (EC) No 411/2002 [4], and in particular Article 9(2) and Article 13(15) thereof,

Whereas:

(1) Negotiations with a view to adapting the trade agreement between the Community and Poland establishing certain concessions in the form of Community tariff quotas for certain agricultural products and the total liberalisation of trade in other agricultural products have recently been concluded. In the cereals sector, one of the new concessions provided for is the abolition of export refunds for malt.

(2) With a view to adopting this agreement, and in order to clarify the export terms at the beginning of April 2003 for all exporters in the cereals sector, in particular in view of the period of validity of export licences, those export refunds should be abolished from 1 April 2003.

(3) The authorities of Poland have undertaken to ensure that only consignments of Community products covered by the trade agreement on which no refund has been granted are allowed for import into that country. To that end, Article 7a of Commission Regulation (EC) No 1162/95 [5], as last amended by Regulation (EC) No 2305/2002 [6], should apply to malt exports to Poland.

(4) It has been found that, in periods of increase in refund rates, the security of EUR 15 per tonne laid down in Article 10(d) of Regulation (EC) No 1162/95 is not sufficient to prevent large numbers of export licences in force for cereals and cereal products being returned to the issuing authorities. As such returns may generate problems in the administration of the exports, they should be discouraged by raising that security.

(5) Regulation (EC) No 1162/95 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1162/95 is amended as follows:

1. in Article 10(d), the first subparagraph is replaced by the following:

   'EUR 20 per tonne for the products referred to in Article 1 of Regulation (EEC) No 1766/92 in the case of export licences.'

2. Annex IV is replaced by the Annex to this Regulation.

*Article 2*

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

Point 2 of Article 1 shall apply from 1 April 2003.

[1] OJ L 181, 1.7.1992, p. 21.
[2] OJ L 193, 29.7.2000, p. 1.
[3] OJ L 329, 30.12.1995, p. 18.
[4] OJ L 62, 5.3.2002, p. 27.
[5] OJ L 117, 24.5.1995, p. 2.
[6] OJ L 348, 21.12.2002, p. 92.

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

Done at Brussels, 19 March 2003.

*For the Commission*
Franz FISCHLER
*Member of the Commission*

*ANNEX*

*'ANNEX IV*

**Products affected by the abolition of export refunds referred to in Article 7a**

| Third country | Products |
|---|---|
| Bulgaria | 1001 10 00 9200, 1001 10 00 9400, 1001 90 91 9000, 1001 90 99 9000, 1002 00 00 9000, 1003 00 10 9000, 1003 00 90 9000, 1004 00 00 9200, 1004 00 00 9400, 1005 10 90 9000, 1005 90 00 9000, 1008 20 00 9000, 1102 10 00 9500, 1102 10 00 9700, 1102 10 00 9900, 1107 10 19 9000, 1107 10 99 9000, 1107 20 00 9000, 1102 90 10 9100, 1102 90 10 9900, 1102 90 30 9100, 1103 20 20 9000, 1107 10 11 9000, 1107 10 91 9000 |
| Estonia | All products referred to in Article 1(1) of Regulation (EEC) No 1766/92 and rice starch falling within CN code 1108 19 10 |
| Hungary | 1001 10 00, 1001 90 91, 1001 90 99, 1002 00 00, 1003 00 10, 1003 00 90, 1004 00 00, 1005 10 90, 1005 90 00, 1007 00 90, 1008 20 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1102 20 10, 1102 20 90, 1102 90 10, 1102 90 30, 1103 11 10, 1103 11 90, 1103 13 10, 1103 13 90, 1103 19 10, 1103 19 30, 1103 19 40, 1103 20 20, 1103 20 60, 1104 12 90, 1104 19 10, 1104 19 50, 1104 19 69, 1104 22 20, 1104 22 30, 1104 23 10, 1104 29 01, 1104 29 03, 1104 29 05, 1104 29 11, 1104 29 51, 1104 29 55, 1104 30 10, 1104 30 90, 1107 10 11, 1107 10 19, 1107 10 91, 1107 10 99, 1107 20 00 |
| Latvia | 1001 10 00, 1001 90 91, 1001 90 99, 1002 00 00, 1003 00 10, 1003 00 90, 1004 00 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1102 90 10, 1102 90 30, 1103 11 10, 1103 11 90, 1103 19 10, 1103 19 40, 1103 20 60 |
| Lithuania | 1001 10 00 1001 90 91 1001 90 99, 1002 00 00, 1004 00 00, 1008 20 00, 1101 00 11, 1101 00 15, 1101 00 90, 1102 10 00, 1103 11 10, 1103 11 90, 1103 19 40, 1102 90 30, 1103 19 10, 1103 20 60, 1104 12 90, 1104 19 10, 1104 22 20, 1104 22 30,1104 29 11, 1104 29 51, 1104 29 55, 1104 30 10, 1107 10 11, 1107 10 19, 1107 10 91, 1107 10 99 and 1107 20 00 |
| Poland | 1001 90, 1101, 1102, 1107 10 11, 1107 10 19, 1107 10 91, 1107 10 99, 1107 20 00 and ex 2302 with the exception of products falling within CN code 2302 50 |
| Czech Republic | 1001 90 91 9000, 1001 90 99 9000, 1002 00 00 9000, 1003 00 10 9000, 1003 00 90 9000, 1004 00 00 9200, 1004 00 00 9400, 1005 10 90 9000, 1005 90 00 9000, 1008 20 00 9000, 1107 10 19 9000, 1107 10 99 9000, 1107 20 00 9000 |
| Romania | 1001 10 00 9200, 1001 10 00 9400, 1001 90 91 9000, 1001 90 99 9000, 1005 10 90 9000, 1005 90 00 9000, 1101 00 11 9000, 1101 00 15 9100, 1101 00 15 9130, 1101 00 15 9150, 1101 00 15 9170, 1101 00 15 9180, 1101 00 15 9190, 1101 00 90 9000, 1103 11 10 9200, 1103 11 10 9400, 1103 11 10 9900, 1103 11 90 9200, 1103 11 90 9800, 1103 20 60 9000, 1107 10 11 9000, 1107 10 19 9000, 1107 10 91 9000, 1107 10 99 9000, 1107 20 00 9000 |
| Slovakia | 1001 10 00 9200, 1001 10 00 9400, 1001 90 91 9000, 1001 90 99 9000, 1002 00 00 9000, 1003 00 10 9000, 1003 00 90 9000, 1004 00 00 9200, 1004 00 00 9400, 1005 10 90 9000, 1005 90 00 9000, 1008 20 00 9000, 1107 10 99 9000 |
| Slovenia | 1001 10 00 9200, 1001 10 00 9400, 1001 90 91 9000, 1001 90 99 9000, 1002 00 00 9000, 1003 00 10 9000, 1003 00 90 9000, 1004 00 00 9200, 1004 00 00 9400, 1005 10 90 9000, 1005 90 00 9000, 1008 20 00 9000, 1102 10 00 9500, 1102 10 00 9700, 1102 10 00 9900, 1107 10 19 9000, 1107 10 99 9000, 1107 20 00 9000, 1102 20 10 9200, 1102 20 10 9400, 1102 20 90 9200, 1102 90 10 9100, 1102 90 10 9900, 1102 90 30 9100, 1103 13 10 9100, 1103 13 10 9300, 1103 13 10 9500, 1103 20 20 9000, 1107 10 11 9000, 1107 10 91 9000' |