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COMMISSION REGULATION (EC) No 2256/2004

of 14 October 2004

amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas for certain products originating in Egypt, in Malta and in Cyprus and as regards reference quantities for certain products originating in Malta and in Cyprus

(OJ L 385, 29.12.2004, p. 24)

Corrected by:

►**C1** Corrigendum, OJ L 48, 19.2.2005, p. 47 (2256/2004)

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COMMISSION REGULATION (EC) No 2256/2004

of 14 October 2004

amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas for certain products originating in Egypt, in Malta and in Cyprus and as regards reference quantities for certain products originating in Malta and in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded ([1]), and in particular Article 57(2) thereof,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 ([2]), and in particular Article 5(1)(b) thereof,

Whereas:

(1) By its ►C1 Decision 2005/89/EC ([3]) ◄ of 24 September 2004, the Council has given authorisation for the signature and has provided for the provisional application from 1 May 2004 of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union.

(2) This Protocol provides for a new tariff quota and for changes to the existing tariff quotas laid down in Regulation (EC) No 747/2001.

(3) To implement the new tariff quota and the changes to the existing tariff quotas, it is necessary to amend Regulation (EC) No 747/2001.

(4) For the year 2004 the volumes of the new tariff quota and the increases of the volumes of existing tariff quotas should be calculated as a pro rata of the basic volumes specified in the Protocol, taking into account the part of the period elapsed before 1 May 2004.

(5) In order to facilitate the management of certain existing tariff quotas provided for in Regulation (EC) No 747/2001, the quantities imported within the framework of those quotas should be taken into account for charging on the tariff quotas opened in accordance with Regulation (EC) No 747/2001, as amended by this Regulation.

(6) After the accession of Malta and Cyprus to the European Union, the tariff quotas and reference quantities for products originating in those Member States as provided for in Regulation (EC) No 747/2001 should lapse. The references to those quotas and reference quantities should therefore be deleted.

([1]) OJ L 236, 23.9.2003, p. 33.
([2]) OJ L 109, 19.4.2001, p. 2. Regulation as last amended by Commission Regulation (EC) No 54/2004 (OJ L 7, 13.1.2004, p. 30).
([3]) OJ L 31, 4.2.2005, p. 30.

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(7) Since the Protocol to the EU-Egypt Euro-Mediterranean Agreement applies on a provisional basis from 1 May 2004, this Regulation should apply from the same date and should enter into force as soon as possible.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 747/2001 is amended as follows:

1. Article 1 is replaced by the following:

   'Article 1

   Tariff concessions within Community tariff quotas or within reference quantities

   When products originating in Algeria, Morocco, Tunisia, Egypt, Jordan, Syria, Lebanon, Israel, the West Bank and the Gaza Strip and Turkey, listed in Annexes I to IX, are put into free circulation in the Community, they shall be eligible for exemption or reduced rates of customs duties within the limits of the Community tariff quotas or in the framework of the reference quantities, during the periods and in accordance with the provisions set out in this Regulation.'.

2. Article 3(2) is deleted.

3. Annex IV is amended as set out in the Annex to this Regulation.

4. Annexes X and XI are deleted.

Article 2

The quantities which, pursuant to Regulation (EC) No 747/2001, have been put into free circulation in the Community since the start of the quota periods that are still open on 1 May 2004 within the tariff quotas with order numbers 09.1707, 09.1710, 09.1711, 09.1719, 09.1721 and 09.1772, are at the entry into force of this Regulation taken into account for charging on the respective tariff quotas laid down in Annex IV to Regulation (EC) No 747/2001, as amended by this Regulation.

Article 3

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 May 2004.

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

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ANNEX

The table in Annex IV is amended as follows:

(a) the following new row is inserted:

‘09.1779	ex 0701 90 50	New potatoes, fresh or chilled	from 1.5. to 30.6.2004	1 166,66	Exemption’
			from 1.4. to 30.6.2005 and for each period thereafter from 1.4. to 30.6.	1 750	

(b) the rows for the tariff quotas with order numbers 09.1710, 09.1719, 09.1707, 09.1711, 09.1721, 09.1725 and 09.1772 are replaced, respectively, by the following:

‘09.1710	0703 10	Onions and shallots, fresh or chilled	from 1.2. to 15.6.2004	15 000 + 313,64 tonnes net weight increase from 1.5. to 15.6.2004	Exemption
			for each period thereafter from 1.1. to 15.6.	16 150 (i)	
09.1719	0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared	from 1.1. to 31.12.2004	16 000 + 366,67 tonnes net weight increase from 1.5. to 31.12.2004	Exemption
			for each period thereafter from 1.1. to 31.12.	16 550 (ii)	
09.1707	0805 10	Oranges, fresh or dried	from 1.1. to 30.6.2004	25 000 + 1 336,67 tonnes net weight increase from 1.5. to 30.6.2004	Exemption (2)
			from 1.7.2004 to 30.6.2005	63 020	
			from 1.7.2005 to 30.6.2006 and for each period thereafter from 1.7 to 30.6.	68 020	
		of which:		of which:	
09.1711	0805 10 10 0805 10 30 0805 10 50	Sweet oranges, fresh	from 1.1. to 31.5.2004	25 000 + 1 336,67 tonnes net weight increase from 1.5. to 31.5.2004 (5)	Exemption (6)
			from 1.12.2004 to 31.5.2005 and for each period thereafter from 1.12. to 31.5.	34 000 (5)	

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09.1721	0807 19 00	Other melons, fresh	from 1.1. to 31.5.2004	666,667 + 23,33 tonnes net weight increase from 1.5. to 31.5.2004	Exemption
			for each period thereafter from 15.10. to 31.5.	1 175 (7)	
09.1725	0810 10 00	Strawberries, fresh	from 1.1. to 31.3.2004	250	Exemption
			from 1.10.2004 to 31.3.2005	1 205	
			from 1.10.2005 to 31.3.2006 and for each period thereafter from 1.10. to 31.3.	1 705	
09.1772	2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	from 1.1. to 31.12.2004	1 000 + 33,33 tonnes net weight increase from 1.5. to 31.12.2004	Exemption (2)
			for each period thereafter from 1.1. to 31.12.	1 050 (iii)	

(i) From 1 January 2005, this quota volume shall be annually increased by 3 % of the volume of the previous year. The first increase shall take place on the volume of 16 150 tonnes net weight.

(ii) From 1 January 2005, this quota volume shall be annually increased by 3 % of the volume of the previous year. The first increase shall take place on the volume of 16 550 tonnes net weight.

(iii) From 1 January 2005, this quota volume shall be annually increased by 3 % of the volume of the previous year. The first increase shall take place on the volume of 1 050 tonnes net weight.

(7) From 15 October 2004, this quota volume shall be increased annually by 3 % of the volume of the previous quota period. The first increase shall take place on the volume of 1 175 tonnes net weight.'