COMMISSION REGULATION (EC) No 2235/2003

of 23 December 2003

laying down common rules for the application of Council Regulations (EC) No 1782/2003 and (EC) No 1868/94 as regards potato starch

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 [1], and in particular Article 145(c) thereof,

Having regard to Council Regulation (EC) No 1868/94 of 27 July 1994 establishing a quota system in relation to the production of potato starch [2], and in particular Article 8 thereof,

Whereas:

(1) Chapter 6 of Title IV of Regulation (EC) No 1782/2003 provides for an aid for farmers producing potatoes intended for the manufacture of potato starch. According to Article 93 of that Regulation, the amount of the payment applies to the quantity of potatoes needed for making one tonne of starch.

(2) Article 4a of Regulation (EC) No 1868/94 provides for a minimum price for potatoes intended for the manufacture of potato starch. This price shall be adjusted according to the starch content of the potatoes. Article 5 of that Regulation provides for a premium to be paid to undertakings producing potato starch for the quantity of potato starch produced.

(3) It is necessary to establish common rules for the determination of the weight of the potatoes and the payments of the aid for starch potato, the minimum price, and the premium in relation to the starch content of the potatoes.

(4) The measures provided for in this Regulation are in accordance with the opinions of the Management Committee for Direct Payments and of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Articles 93 and 94 of Regulations (EC) No 1782/2003 and of Articles 4a and 5 of Regulation (EC) No 1868/94, the weight of the potatoes shall be determined in accordance with Annex I to this Regulation.

The payments of the aid for starch potato provided for in Article 93 of Regulation (EC) No 1782/2003, the minimum price and the premium in relation to the starch content of the potatoes provided for in Articles 4a and 5 of Regulation (EC) No 1868/94 shall be as set out in Annex II to this Regulation.

Article 2

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

It shall apply from the marketing year 2004/05.

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

Done at Brussels, 23 December 2003.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 270, 21.10.2003, p. 1.

[2] OJ L 197, 30.7.1994, p. 4. Regulation as last amended by Regulation (EC) No 1782/2003.

ANNEX I

The weight of the potatoes shall be determined in accordance with one of the following methods:

Method A

The net weight of the potatoes is determined by taking samples. Samples are taken from several parts of the means of transport used and at three different levels, namely the upper, middle and lower levels.

The residual earth is discharged before the means of transport is weighed empty.

Samples taken for weight checking should weigh not less than 20 kilograms. The tubers are washed, cleaned of any extraneous matter and reweighed.

The recorded weight is reduced by 2 % to allow for the quantity of water absorbed during washing. The result constitutes the total reduction to be applied to 1 000 kilograms of potatoes.

Method B

The potatoes constituting a batch from a single grower are collected in silos.

The potatoes are washed, the extraneous matter is removed and the total actual weight of the potatoes in the silos is determined, allowing 2 % for absorbed water.

Method C

1. This method of determining the actual weight of the potatoes shall apply where batches of potatoes from different growers are collected in the same silo, provided that the growers have first agreed to the use of this method.

   Before the total actual weight of the batches is determined, the net weight of each batch must be determined by means of Method A.

2. The potatoes collected in the silo are then washed, the extraneous matter is removed and their total actual weight is determined, allowing 2 % for absorbed water.

3. If the total weight of the batches of washed potatoes is different from the sum of the weights obtained by means of Method A, the following correction is applied: the total weight mentioned at point 2 above is multiplied by the net weight obtained by means of Method A for each batch in turn.

   Each result is divided by the total net weight of the batches as determined by means of Method A.

ANNEX II

Underwater weight of 5 050 g of potatoes (grams)	Starch content of potatoes (%)	Quantity of potatoes needed for the manufacture of 1 000 kg of starch (kg)	Minimum price to be paid to the potato producer per 1 000 kg of potatoes (EUR)	Premium to be paid to the starch producer per 1 000 kg of potatoes (EUR)	Payment to be paid to the producer per 1 000 kg of potatoes (EUR)	
					Regulation (EC) No 1782/2003 Article 93	
					first indent	second indent
(1)	(2)	(3)	(4)	(5)	(6)	(7)
352	13,0	6 533	27,29	3,406	16,92	10,15
353	13,1	6 509	27,39	3,418	16,98	10,19
354	13,1	6 486	27,49	3,430	17,04	10,23
355	13,2	6 463	27,59	3,443	17,10	10,26
356	13,2	6 439	27,69	3,456	17,17	10,30
357	13,3	6 416	27,79	3,468	17,23	10,34
358	13,3	6 393	27,89	3,480	17,29	10,37
359	13,4	6 369	28,00	3,493	17,36	10,41
360	13,4	6 346	28,10	3,506	17,42	10,45
361	13,5	6 322	28,20	3,519	17,48	10,49
362	13,5	6 299	28,31	3,532	17,55	10,53
363	13,6	6 276	28,41	3,545	17,61	10,57
364	13,6	6 252	28,52	3,559	17,68	10,61
365	13,7	6 229	28,63	3,572	17,75	10,65
366	13,7	6 206	28,73	3,585	17,81	10,69
367	13,8	6 182	28,84	3,599	17,88	10,73
368	13,8	6 159	28,95	3,613	17,95	10,77
369	13,9	6 136	29,06	3,626	18,01	10,81
370	13,9	6 112	29,17	3,640	18,09	10,85
371	14,0	6 089	29,28	3,654	18,15	10,89
372	14,0	6 065	29,40	3,669	18,23	10,93
373	14,1	6 047	29,49	3,680	18,28	10,97
374	14,1	6 028	29,58	3,691	18,34	11,00
375	14,2	6 005	29,69	3,705	18,41	11,04
376	14,2	5 981	29,81	3,720	18,48	11,09
377	14,3	5 963	29,90	3,731	18,54	11,12
378	14,3	5 944	30,00	3,743	18,60	11,16
379	14,4	5 921	30,11	3,758	18,67	11,20
380	14,4	5 897	30,24	3,773	18,75	11,25

Underwater weight of 5 050 g of potatoes (grams)	Starch content of potatoes (%)	Quantity of potatoes needed for the manufacture of 1 000 kg of starch (kg)	Minimum price to be paid to the potato producer per 1 000 kg of potatoes (EUR)	Premium to be paid to the starch producer per 1 000 kg of potatoes (EUR)	Payment to be paid to the producer per 1 000 kg of potatoes (EUR)	
					Regulation (EC) No 1782/2003 Article 93	
					first indent	second indent
(1)	(2)	(3)	(4)	(5)	(6)	(7)
381	14,5	5 879	30,33	3,785	18,80	11,28
382	14,5	5 860	30,43	3,797	18,86	11,32
383	14,6	5 841	30,53	3,809	18,92	11,35
384	14,6	5 822	30,63	3,822	18,99	11,39
385	14,7	5 799	30,75	3,837	19,06	11,44
386	14,7	5 776	30,87	3,852	19,14	11,48
387	14,8	5 757	30,97	3,865	19,20	11,52
388	14,8	5 738	31,08	3,878	19,26	11,56
389	14,9	5 720	31,17	3,890	19,33	11,59
390	14,9	5 701	31,28	3,903	19,39	11,63
391	15,0	5 682	31,38	3,916	19,45	11,67
392	15,0	5 664	31,48	3,928	19,52	11,71
393	15,1	5 626	31,69	3,955	19,65	11,79
394	15,2	5 607	31,80	3,968	19,71	11,83
395	15,2	5 589	31,90	3,981	19,78	11,87
396	15,3	5 570	32,01	3,995	19,85	11,91
397	15,3	5 551	32,12	4,008	19,91	11,95
398	15,4	5 542	32,17	4,015	19,95	11,97
399	15,4	5 533	32,23	4,021	19,98	11,99
400	15,4	5 523	32,28	4,029	20,01	12,01
401	15,5	5 486	32,50	4,056	20,15	12,09
402	15,6	5 467	32,62	4,070	20,22	12,13
403	15,6	5 449	32,72	4,083	20,29	12,17
404	15,7	5 430	32,84	4,098	20,36	12,21
405	15,7	5 411	32,95	4,112	20,43	12,26
406	15,8	5 393	33,06	4,126	20,50	12,30
407	15,8	5 374	33,18	4,140	20,57	12,34
408	15,9	5 364	33,24	4,148	20,61	12,36
409	15,9	5 355	33,30	4,155	20,64	12,38
410	15,9	5 346	33,35	4,162	20,68	12,41
411	16,0	5 327	33,47	4,177	20,75	12,45