COMMISSION REGULATION (EC) No 1810/2003

of 15 October 2003

laying down detailed rules for applying Council Decision 2003/263/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Republic of Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/263/EC of 27 March 2003 on the signature and conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions [1], and in particular Article 3 thereof,

Whereas:

(1) In accordance with Decision 2003/263/EC, the Community has undertaken to establish import tariff quotas for each marketing year at a zero rate of duty for common wheat and meslin originating in the Republic of Poland.

(2) To ensure that imports of the products covered by these tariff quotas are orderly and not speculative, they should be made subject to the issue of import licences. The licences should be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of a reduction coefficient in respect of the quantities applied for.

(3) To ensure the proper management of these quotas, deadlines should be laid down for lodging licence applications and the information to be included in the applications and licences should be specified.

(4) To take account of delivery conditions, the import licences should be valid from the day of their issue until the end of the month following that in which they are issued.

(5) With a view to the sound management of the quotas, provision should be made to derogate from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products [2], as last amended by Regulation (EC) No 325/2003 [3], as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.

(6) To ensure sound management of the quotas, the security on the import licences should be set at a relatively high level, as an exception to Article 12 of Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice [4].

(7) Rapid two-way communication is needed between the Commission and the Member States regarding the quantities applied for and imported.

(8) Since Council Regulation (EC) No 2851/2000 of 22 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Republic of Poland [5], has been repealed by Decision 2000/263/EC, Commission Regulation (EC) No 2809/2000 [6] laying down the detailed rules for implementing Regulation (EC) No 2851/2000, as last amended by Regulation (EC) No 958/2003 [7], should also be repealed.

(9) Since the adjusting Protocol approved by Decision 2003/263/EC entered into force on 1 April 2003, the Regulation laying down the detailed rules for implementing that Decision must enter into force immediately.

(10) 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

1. Imports of common wheat and meslin falling within CN codes 1001 90 91 and 1001 90 99 as listed in Annex I originating in the Republic of Poland and benefiting from a zero rate of import duty under the tariff quota bearing the order number 09.4831, in accordance with Decision 2003/263/EC, shall be subject to an import licence issued in accordance with this Regulation.

[1] OJ L 97, 15.4.2003, p. 53.
[2] OJ L 152, 24.6.2000, p. 1.
[3] OJ L 47, 21.2.2003, p. 21.
[4] OJ L 189, 29.7.2003, p. 12.
[5] OJ L 332, 28.12.2000, p. 7.
[6] OJ L 326, 22.12.2000, p. 16.
[7] OJ L 136, 4.6.2003, p. 3.