COMMISSION REGULATION (EC) No 1202/2003

of 4 July 2003

laying down transitory measures arising from the adoption of autonomous and transitional measures concerning the export of certain processed agricultural products to the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products [1], as last amended by Regulation (EC) No 2580/2000 [2], and in particular Article 8(3) thereof,

Whereas:

(1) The Community has recently concluded trade agreements for processed agricultural products with the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia in preparation for their accession to the Community. These agreements provide for concessions involving, on the Community side, the abolition of export refunds on certain processed agricultural products.

(2) Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia [3], Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia [4], Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia [5], Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania [6], Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak Republic [7] and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic [8] provide on an autonomous basis for the abolition of refunds on processed agricultural products not listed in Annex I to the Treaty when exported to the Estonia, Slovenia, Latvia, Lithuania, Slovakia and Czech Republic respectively, from 1 July 2003.

(3) Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary [9], provides on an autonomous basis for the abolition of refunds on the goods, set out in its Article 1, when exported to Hungary, from 1 July 2003.

(4) In return for the abolition of export refunds as set out in Regulations (EC) No 1090/2003, (EC) No 1039/2003, (EC) No 999/2003, (EC) No 1087/2003, (EC) No 1088/2003, (EC) No 1089/2003 and (EC) No 1086/2003, hereinafter referred to as 'the Regulations', the Czech, Estonian, Hungarian, Latvian, Lithuanian, Slovakian and Slovenian authorities have undertaken to grant reciprocal duty free import, or duty free import within quotas, to certain goods imported into their respective territories if the goods concerned are accompanied by a copy of the export declaration containing a special mention indicating that they are not eligible for payment of export refunds. The full rate of duty applies in the absence of such documentation.

(5) With the entry into force of the Regulations, certain goods for which operators have applied for refund certificates in accordance with Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds [10], as last amended by Regulation (EC) No 740/2003 [11], will no longer be eligible for refund when they are exported to the mentioned countries.

[1] OJ L 318, 20.12.1993, p. 18.
[2] OJ L 298, 25.11.2000, p. 5.
[3] OJ L 151, 19.6.2003, p. 1.
[4] OJ L 163, 1.7.2003, p. 1.
[5] OJ L 163, 1.7.2003, p. 19.
[6] OJ L 163, 1.7.2003, p. 38.
[7] OJ L 163, 1.7.2003, p. 56.
[8] OJ L 163, 1.7.2003, p. 73.
[9] OJ L 146, 13.6.2003, p. 10.
[10] OJ L 177, 15.7.2000, p. 1.
[11] OJ L 106, 29.4.2003, p. 12.