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COMMISSION REGULATION (EC) No 788/2003

of 8 May 2003

laying down detailed rules for the application of Council Decision 2003/299/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Slovak Republic and amending Regulation (EC) No 2809/2000

(OJ L 115, 9.5.2003, p. 25)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 970/2003 of 5 June 2003	L 139	25	6.6.2003

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/299/EC of 14 April 2003 on the 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 Slovak Republic, 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(2) thereof,

Whereas:

(1) In accordance with Decision 2003/299/EC, the Community has undertaken to establish for each marketing year import tariff quotas at a zero rate of duty for wheat and meslin and maize originating in the Slovak Republic.

(2) To ensure that imports of wheat and maize 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 for the lodging of licence applications should be laid down 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 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, by way of derogation from Article 10 of Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice [4], as last amended by Regulation (EC) No 498/2003 [5].

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

(8) As Council Regulation (EC) No 2434/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an

(1) OJ L 107, 30.4.2003, p. 36.
(2) OJ L 152, 24.6.2000, p. 1.
(3) OJ L 47, 21.2.2003, p. 21.
(4) OJ L 117, 24.5.1995, p. 2.
(5) OJ L 74, 19.3.2003, p. 15.

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adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Slovak Republic [1] has been repealed by Decision 2003/299/EC, Commission Regulation (EC) No 2809/2000 laying down detailed rules for the application, for cereals sector products, of Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000 and (EC) No 2851/2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products originating in the Republic of Bulgaria, the Czech Republic, the Slovak Republic and the Republic of Poland respectively and amending Regulation (EC) No 1218/96 [2], as last amended by Regulation (EC) No 573/2003 [3], should be amended.

(9) 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 wheat and meslin falling within CN code 1001 and referred to in Annex I, originating in the Slovak Republic and benefiting from a zero rate of import duty, under the tariff quota bearing the order number 09.4646, in accordance with Decision 2003/299/EC, shall be subject to an import licence issued in accordance with this Regulation.

2. Imports of maize falling within ►**M1** CN codes 1005 10 90 and 1005 90 00 ◄ and referred to in Annex I, originating in the Slovak Republic and benefiting from a zero rate of import duty, under the tariff quota bearing the order number 09.4647, in accordance with Decision 2003/299/EC, shall be subject to an import licence issued in accordance with this Regulation.

▼M1

2a. Imports of wheat and meslin flour falling within CN code 1101 00 as referred to in Annex I originating in the Slovak Republic and benefiting from a reduction to 20 % of the most favoured nations rate of import duty, under the tariff quota bearing the order number 09.4618, in accordance with Decision 2003/299/EC, shall be subject to an import licence issued in accordance with this Regulation.

2b. Imports of malt, not roasted, other than of wheat falling within CN code 1107 10 99 as referred to in Annex I originating in the Slovak Republic and benefiting from a zero rate of import duty, under the tariff quota bearing the order number 09.4619, in accordance with Decision 2003/299/EC, shall be subject to an import licence issued in accordance with this Regulation.

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3. ►**M1** The products referred to in paragraphs 1 to 2b shall be released into free circulation upon presentation of one of the following documents: ◄

(a) an EUR.1 movement certificate issued by the competent authorities of the exporting country in accordance with Protocol 4 of the Europe Agreement concluded with that country;

(b) an invoice declaration on the invoice provided by the exporter in accordance with that Protocol.

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Article 1a

From 1 July 2003, imports of wheat and meslin flour and malt, not roasted, other than of wheat originating in the Slovak Republic referred

[1] OJ L 280, 4.11.2000, p. 9.
[2] OJ L 326, 22.12.2000, p. 16.
[3] OJ L 82, 29.3.2003, p. 25.