COMMISSION REGULATION (EC) No 130/2003

of 24 January 2003

fixing the aid for tomatoes for processing for the 2003/04 marketing year under Council Regulation (EC) No 2201/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products [1], as last amended by Commission Regulation (EC) No 453/2002 [2], and in particular Article 6(1) thereof,

Whereas:

(1) Article 2(3) of Commission Regulation (EC) No 449/2001 of 2 March 2001 laying down detailed rules for the implementation of Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables [3], as last amended by Regulation (EC) No 1426/2002 [4], stipulates that the Commission is to publish the amount of the aid for tomatoes after verifying that the thresholds fixed in Annex III to Regulation (EC) No 2201/96 have been complied with.

(2) Article 5(3)(c) of Regulation (EC) No 2201/96 provides that for the 2003/04 marketing year the overrun of the processing threshold is to be calculated on the basis of the average quantity supplied for processing with aid during the 2001/02 and 2002/03 years.

(3) The average quantities of tomatoes delivered for processing with aid during the 2001/02 and 2002/03 marketing years as notified by the Member States under Article 23(2)(a) of Regulation (EC) No 449/2001 are below the Community threshold. Since the threshold has not been overrun, the aid for the 2003/04 marketing year should be kept at the level fixed in Article 4(2) of Regulation (EC) No 2201/96.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2003/04 marketing year the aid for tomatoes referred to in Article 2 of Regulation (EC) No 2201/96 shall be EUR 34,50/tonne.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 24 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 297, 21.11.1996, p. 29.
[2] OJ L 72, 14.3.2002, p. 9.
[3] OJ L 64, 6.3.2001, p. 16.
[4] OJ L 206, 3.8.2002, p. 4.