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COUNCIL REGULATION (EC) No 1362/2002

of 22 July 2002

establishing 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 Latvia

(OJ L 198, 27.7.2002, p. 13)

Corrected by:

►**C1** Corrigendum, OJ L 215, 10.8.2002, p. 48 (1362/2002)

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COUNCIL REGULATION (EC) No 1362/2002

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establishing 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 Latvia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part [1], hereinafter referred to as the 'Europe Agreement', provides for certain concessions for certain agricultural products originating in Latvia.

(2) The first improvements to the preferential arrangements of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements [2].

(3) Improvements to the preferential arrangements of the Europe Agreement were also provided for, as a result of a first round of negotiations to liberalise agricultural trade. The improvements entered into force as from 1 July 2000 in the form of Council Regulation (EC) No 2341/2000 of 17 October 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 Latvia [3]. The second adjustment of the relevant provisions in the Europe Agreement — which will take the form of another Additional Protocol to the Europe Agreement — has not yet entered into force.

(4) A new Additional Protocol to the Europe Agreement on trade liberalisation for agricultural products has been negotiated.

(5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement. It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement.

(6) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [4].

(7) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regu-

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([1]) OJ L 26, 2.2.1998, p. 3.
([2]) OJ L 317, 10.12.1999, p. 1.
([3]) OJ L 271, 24.10.2000, p. 7.
([4]) OJ L 184, 17.7.1999, p. 23.

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lation (EEC) No 2913/92 establishing the Community Customs Code [1] codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Tariff quotas under this Regulation should therefore be administered in accordance with those rules.

(8) As a result of the aforementioned negotiations, Regulation (EC) No 2341/2000 has effectively lost its substance and should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The conditions for import into the Community applicable to certain agricultural products originating in Latvia as set out in Annex C(a) and Annex C(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement.

2. On the entry into force of the Additional Protocol adjusting the Europe Agreement to take into account the outcome of the negotiations between the parties on new mutual agricultural concessions, the concessions provided for in that Protocol shall replace those referred to in Annex C(a) and Annex C(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 2341/2000 shall be fully counted against the quantities provided for in Annex C(b) to this Regulation, except for quantities for which import licences have been issued before 1 July 2002.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals [2] or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

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[1] OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002 p. 11).

[2] OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (O L 193, 29.7.2000, p. 1).

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Article 4

Regulation (EC) No 2341/2000 is hereby repealed.

Article 5

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

It shall apply from 1 July 2002.

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

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ANNEX C(a)

The following products originating in Latvia shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of MFN) when imported into the Community

CN code [1]
0101 10 90
0101 90 19
0101 90 30
0101 90 90
0104 20 10
0106 19 10
0106 39 10
0205
0206 80 91
0206 90 91
0207 13 91
0207 14 91
0207 26 91
0207 27 91
0207 35 91
0207 36 89
0208 10 11
0208 10 19
0208 20 00
0208 30 00
0208 40 10
0208 40 90
0208 90 10
0208 90 55
0208 90 60
0208 90 95
0210 91 00
0210 92 00
0210 93 00
0210 99 10
0210 99 31
0210 99 39
0210 99 59
0210 99 79
0210 99 80
0407 00 90
0410 00 00
0601 10
0601 20
0602
0603
0604
0701 10 00
0701 90 10
0703 10
0703 90 00
0707 00 90
0708 10 00
0708 90 00
0709 10 00
0709 20 00
0709 30 00
0709 40 00
0709 52 00
0709 59 00
0709 60
0709 70 00
0709 90 10
0709 90 20

[1] As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).