COMMISSION REGULATION (EC) No 54/2004

of 12 January 2004

amending Council Regulation (EC) No 747/2001 as regards the Community tariff quotas and reference quantities for certain agricultural products originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 [1], and in particular Article 5(1)(b) thereof,

Whereas:

(1) An Agreement in the form of an Exchange of Letters has been concluded on 22 December 2003 between the European Community and the State of Israel concerning reciprocal liberalisation measures and the replacement of the Protocols Nos 1 and 2 to the EC-Israel Association Agreement. That new Agreement applies from 1 January 2004.

(2) The new Protocol No 1 concerning the arrangements applicable to imports into the Community of agricultural products originating in Israel, hereinafter 'the new Protocol No 1', provides for new tariff concessions and changes to the existing concessions laid down in Regulation (EC) No 747/2001, some of which fall within Community tariff quotas and reference quantities.

(3) To implement the tariff concessions provided for in the new Protocol No 1, it is necessary to amend Regulation (EC) No 747/2001.

(4) For the purpose of calculating tariff quotas for the first year of application, it should be provided that, where the quota period starts before the date on which the new Agreement enters into force, the tariff quota volumes are to be reduced in proportion to that part of the period which has already elapsed before that date.

(5) In order to facilitate the management of certain existing tariff quotas provided for in Regulation (EC) No 747/2001, the quantities imported within the framework of those quotas should be taken into account for charging on the tariff quotas opened in accordance with Regulation (EC) No 747/2001, as amended by this Regulation.

(6) In accordance with the new Protocol No 1, the tariff quota and references quantity volumes should be increased from 1 January 2004 to 1 January 2007, on the basis of four equal instalments, each corresponding to 3 % of those volumes.

(7) Since the provisions provided for in this Regulation should apply from the date of application of the new Agreement, it is appropriate for this Regulation to enter into force as soon as possible.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EC) No 747/2001 is replaced by the Annex to this Regulation.

Article 2

For the quota periods still open on 1 January 2004, the quantities which pursuant to Regulation (EC) No 747/2001 have been put into free circulation in the Community within the tariff quotas with order numbers 09.1311, 09.1313, 09.1329, 09.1339 and 09.1341, shall be taken into account for charging on the tariff quotas laid down in Annex VII to Regulation (EC) No 747/2001, as amended by this Regulation.

Article 3

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

It shall apply from 1 January 2004.

[1] OJ L 109, 19.4.2001, p. 2. Regulation as last amended by Regulation (EC) No 53/2004 (see page 24 of this Official Journal).

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

Done at Brussels, 12 January 2004.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

'ANNEX VII

ISRAEL

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the current regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

PART A: **Tariff quotas**

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1302	0404 10		Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	from 1.1 to 31.12	800 (1)	Exemption
09.1306	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.1 to 31.12	19 500 (1)	Exemption
09.1341	0603 10 80		Other fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.11.2003 to 15.4.2004	6 273	Exemption
				from 1.11.2004 to 15.4.2005	7 210	
				from 1.11.2005 to 15.4.2006	7 420	
				from 1.11.2006 to 15.4.2007	7 630	
				from 1.11.2007 to 15.4.2008 and for each period thereafter from 1.11 to 15.4	7 840	
09.1351	0603 90 00		Cut flowers and flower buds, dried, dyed, bleached, impregnated or otherwise prepared	from 1.1 to 31.12	100 (1)	Exemption
09.1309	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.3	30 000 (1)	Exemption
	0702 00 00		Tomatoes, fresh or chilled:			
09.1304		07	— Cherry tomatoes	from 1.1 to 31.12	9 000 (1)	Exemption (2)
09.1342		99	— Other	from 1.1 to 31.12	1 000 (1)	Exemption (2)
09.1305	0703 90 00		Leeks and other alliaceous vegetables, fresh or chilled	from 1.1 to 31.12	1 500 (1)	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1335	0703 10 11 0703 10 19 ex 0709 90 90	 50	Onions, including wild onions of the species *Muscari comosum*, fresh or chilled	from 15.2 to 15.5	1 500 (1)	Exemption
09.1311	ex 0704 90 90	20	Chinese cabbage, fresh or chilled	from 1.11.2003 to 31.3.2004	1 198	Exemption
				from 1.11.2004 to 31.3.2005	1 287,5	
				from 1.11.2005 to 31.3.2006	1 325	
				from 1.11.2006 to 31.3.2007	1 362,5	
				from 1.11.2007 to 31.3.2008 and for each period thereafter from 1.11 to 31.3	1 400	
09.1313	0705 11 00		Cabbage lettuce (head lettuce), fresh or chilled	from 1.11.2003 to 31.3.2004	336	Exemption (2)
				from 1.11.2004 to 31.3.2005	346,08	
				from 1.11.2005 to 31.3.2006	356,16	
				from 1.11.2006 to 31.3.2007	366,24	
				from 1.11.2007 to 31.3.2008 and for each period thereafter from 1.11 to 31.3	376,32	
09.1317	ex 0706 10 00	10	Carrots, fresh or chilled	from 1.1 to 30.4	6 832 (1)	Exemption
09.1308	0706 90 90		Salad beetroot, salsify, radishes and similar edible roots, fresh or chilled	from 1.1 to 31.12	2 000 (1)	Exemption
09.1321	ex 0709 40 00	10	Stick celery (*Apium graveolens, var. dulce*), fresh or chilled	from 1.1 to 30.4	13 000 (1)	Exemption
09.1303	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	15 000 (1)	Exemption
09.1310	ex 0709 90 60	10	Sweetcorn, fresh	from 1.1 to 31.12	1 500 (1)	Exemption
09.1312	ex 0709 90 90	10, 20, 30, 40, 60, 90	Other fresh or chilled vegetables, other than wild onions of the species *Muscari comosum*	from 1.1 to 31.12	2 000 (1)	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1353	0710 40 00 2004 90 10		Sweetcorn, frozen	from 1.1 to 31.12	10 600	70 % of the specific duty
09.1354	0711 90 30 2001 90 30 2005 80 00		Sweetcorn, not frozen	from 1.1 to 31.12	5 400	70 % of the specific duty
09.1314	0711 90 50		Onions, provisionally preserved but unsuitable in that state for immediate consumption	from 1.1 to 31.12	300 (1)	Exemption
09.1316	0712 90 30 2002 90 91 2002 90 99		Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared Tomato powder with a dry matter content of more than 30 % by weight, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1 to 31.12	700 (1)	Exemption
09.1318	0712 90 50 0712 90 90 0910 40 19 0910 40 90 0910 91 90 0910 99 99		Dried carrots, whole, cut, sliced, broken or in powder, but not further prepared Other dried vegetables and mixtures of vegetables, whole, cut, sliced, broken or in powder, but not further prepared Crushed or ground thyme Bay leaves Crushed or ground mixtures of different types of spices Other crushed or ground spices	from 1.1 to 31.12	100 (1)	Exemption
09.1323	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	 10	Oranges, fresh	from 1.1 to 31.12	200 000 (1)	Exemption (2) (3)
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 07, 37 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 1.1 to 31.12	21 000 (1)	Exemption (2)
09.1345	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 07, 37 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 15.3 to 30.9	14 000 (1)	Exemption (2)