COMMISSION REGULATION (EC) No 35/2003

of 9 January 2003

concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals [1], as last amended by Regulation (EC) No 1666/2000 [2],

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals [3], as last amended by Regulation (EC) No 1163/2002 [4], as amended by Regulation (EC) No 1324/2002 [5], and in particular Article 7 thereof,

Whereas:

(1) An invitation to tender for the refund for the export of rye to all third countries excluding Hungary, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 [6], as last amended by Regulation (EC) No 2330/2002 [7].

(2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(4) 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

No action shall be taken on the tenders notified from 3 to 9 January 2003 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 900/2002.

Article 2

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

---

[1] OJ L 181, 1.7.1992, p. 21.
[2] OJ L 193, 29.7.2000, p. 1.
[3] OJ L 147, 30.6.1995, p. 7.
[4] OJ L 170, 29.6.2002, p. 46.
[5] OJ L 194, 23.7.2002, p. 26.
[6] OJ L 142, 31.5.2002, p. 14.
[7] OJ L 349, 24.12.2002, p. 18.