

**COMMISSION REGULATION (EC) No 2085/2002
of 25 November 2002**

amending Regulation (EC) No 21/2002 establishing the supply balances and Community aid for the outermost regions under Council Regulations (EC) Nos 1452/2001, 1453/2001 and 1454/2001 as regards vegetable oil, products processed from fruit and vegetables and milk and milk products for the French overseas departments and the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽¹⁾, as last amended by Commission Regulation (EC) No 1922/2002 ⁽²⁾, and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) ⁽³⁾, and in particular Article 3(6) thereof,

Whereas:

(1) Commission Regulation (EC) No 21/2002 ⁽⁴⁾, as last amended by Regulation (EC) No 1976/2002 ⁽⁵⁾, establishes the forecast supply balances and Community aid for the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 ⁽⁶⁾ and (EC) No 1454/2001.

(2) The forecast supply balance for the 2002 calendar year for vegetable oils (except olive oil) for processing in the French overseas departments provides for an annual quantity of 8 500 tonnes for Réunion. Information provided by the French authorities shows that this will be insufficient to cover the needs of the Réunion processing industry. The quantity should therefore be increased to 11 000 tonnes.

(3) The forecast supply balance for the 2002 calendar year for olive oil for the Canary Islands provides for an annual overall quantity of 10 550 tonnes broken down

as follows: 550 tonnes for virgin olive oil, 9 600 tonnes for olive oil and 400 tonnes for olive-residue oil. Information provided by the Spanish authorities shows that the quantities allocated for virgin olive oil and olive oil have now been exhausted. They should therefore be increased by setting the overall quantity for the three categories of oil at 14 500 tonnes.

(4) The forecast supply balance for the 2002 calendar year for fruit pulp falling within CN code 2008 and fruit juice falling within CN code 2009 in the French overseas departments provides for annual quantities of 200 tonnes and 50 tonnes respectively. Information provided by the French authorities suggests that these quantities will be insufficient to cover the needs of the processing industry in those departments. They should therefore be increased to 350 tonnes of fruit pulp and 190 tonnes of fruit juice.

(5) The forecast supply balance for the 2002 calendar year for the Canary Islands for products processed from fruit and vegetables provides for annual quantities of 350 tonnes for citrus fruit falling within CN code 2008 30 tonnes and 900 tonnes for other preserved fruits falling within CN code 2008 99. Information provided by the Spanish authorities shows that the quantities allocated for the two products are likely to be insufficient to cover the needs of the processing industry in the Islands. The quantities should therefore be increased to 400 tonnes of citrus fruit and 1 050 tonnes of other preserved fruits. By contrast, information shows that the quantities allocated for apricots and fruit mixtures are not being used and consequently those quantities will be reduced by 50 tonnes and 175 tonnes respectively.

(6) Regulation (EC) No 21/2002 should therefore be amended accordingly as regards the supply of vegetable oils to Réunion and olive oil to the Canary Islands and the supply of processed fruit and vegetables to the French overseas departments and the Canary Islands.

⁽¹⁾ OJ L 198, 21.7.2001, p. 45.

⁽²⁾ OJ L 293, 29.10.2002, p. 11.

⁽³⁾ OJ L 198, 21.7.2001, p. 11.

⁽⁴⁾ OJ L 8, 11.1.2002, p. 15.

⁽⁵⁾ OJ L 305, 7.11.2002, p. 12.

⁽⁶⁾ OJ L 198, 21.7.2001, p. 26.

- (7) The forecast supply balance for the 2002 calendar year for the Canary Islands for dairy products provides for an annual quantity of 106 300 tonnes for products falling within CN code 0401, i.e. 105 000 tonnes for direct consumption. Information provided by the Spanish authorities shows that the quantity allocated for these products is likely to be insufficient to cover the direct consumption needs of the Islands. It should therefore be increased by 8 500 tonnes. By contrast, information shows that the quantity allocated for butter is not being used and consequently that quantity will be reduced by 750 tonnes.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats, the Management Committee for Products processed from Fruit and Vegetables and the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 21/2002 is amended as follows:

1. In Annex I 'OVERSEAS DEPARTMENTS', Part 2 is replaced by the following:

'Part 2

Vegetable oil

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Department	Quantity (in tonnes)	Aid (EUR/tonne)
Vegetable oil ⁽¹⁾	1507 to 1516 ⁽²⁾	Martinique	300	30
		Réunion	11 000	35
		Total	11 300	

⁽¹⁾ For use in the processing industry.

⁽²⁾ Except 1509 and 1510.

The French authorities may alter the breakdown of the quantity in this part by up to 20 % of the quantity laid down for each department. They shall inform the Commission of any such alteration.'

2. In Annex III 'Canary Islands', Part 3 is replaced by the following:

'Part 3

Vegetable oil

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)
Vegetable oils (except olive oil):			
— vegetable oils (processing and/or packaging sector)	1507 to 1516 ⁽¹⁾	20 000	25
— vegetable oils (direct consumption)	1507 to 1516 ⁽¹⁾	9 000	25
Olive oil:			
— virgin olive oil	1509 10 90	} 14 500	} 10
— olive oil	1509 90 00		
— olive-residue oil	1510 00 90		

⁽¹⁾ Except 1509 and 1510.'

3. In Annex I 'OVERSEAS DEPARTMENTS', Part 3 is replaced by the following:

'Part 3

Products processed from fruit and vegetables

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Department	Quantity (in tonnes)	Aid (EUR/tonne)
Fruit purées obtained by cooking, whether or not containing added sugar or other sweetening matter, for processing:				
— citrus fruit	ex 2007 91			
— other, not including tropical fruit	ex 2007 99	Total	0	390,9
Fruit pulp, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, for processing:				
— citrus fruit	ex 2008 30			
— pears	ex 2008 40			
— apricots	ex 2008 50			
— cherries	ex 2008 60			
— peaches	ex 2008 70			
— strawberries	ex 2008 80			
— mixtures, not including tropical fruit	ex 2008 92			
— other, not including tropical fruit	ex 2008 99	Total	350	215,2
Concentrated fruit juice (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing:				
— orange juice	ex 2009 11 11, ex 2009 11 19, ex 2009 19 11, ex 2009 19 19	Total	190	369,9
— grapefruit juice	ex 2009 20 11, ex 2009 20 19			
— grape juice	ex 2009 60 11, ex 2009 60 19, ex 2009 60 51, ex 2009 60 71			
— apple juice	ex 2009 70 11, ex 2009 70 19			
— pear juice	ex 2009 80 11, ex 2009 80 19			
— other fruit juice not including tropical fruit juice	ex 2009 80 35, ex 2009 80 38			
— mixtures of apple and pear juice	ex 2009 90 11, ex 2009 90 19			
— other mixtures not including tropical fruit juice	ex 2009 90 21, ex 2009 90 29	Total	0	399,6'

4. In Annex III 'Canary Islands' Part 4 is replaced by the following:

'Part 4

Products processed from fruit and vegetables

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Quantity (in tonnes)	Aid (EUR/tonne)
Jams, fruit jellies, marmalades, fruit purées and fruit pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter:			
— preparations other than homogenised, containing fruit other than citrus fruit	2007 99	4 250 ⁽¹⁾	389,9
Fruits and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:			
— pineapples	2008 20	3 200	176,0
— citrus fruit	2008 30	400	206,3
— pears	2008 40	2 700 ⁽²⁾	181,5
— apricots	2008 50	50	210,3
— peaches	2008 70	7 000	192,4
— strawberries	2008 80	400 ⁽³⁾	226,7
— other, including mixtures, other than those of CN code 2008 19:			
— mixtures	2008 92	2 025 ⁽⁴⁾	189,2
— other	2008 99	1 050	222,0

⁽¹⁾ Including 750 tonnes for the products intended for processing and/or packaging.

⁽²⁾ Including 1 700 tonnes for the products intended for processing and/or packaging.

⁽³⁾ Including 350 tonnes for the products intended for processing and/or packaging.

⁽⁴⁾ Including 550 tonnes for the products intended for processing and/or packaging.

5. In Annex III — Canary Islands, Part 9 is replaced by the following:

'Part 9

Milk and milk products

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Quantity (in tonnes)
Milk and cream, not concentrated or containing added sugar or other sweetening matter	0401	114 800 ⁽¹⁾
Milk and cream, not concentrated or containing added sugar or other sweetening matter	0402	29 000 ⁽²⁾
Butter and other fats and oils derived from milk; dairy spreads	0405	3 250

Description	CN code	Quantity (in tonnes)
Cheese and curd	0406	15 000
	0406 30	
	0406 90 23	
	0406 90 25	
	0406 90 27	
	0406 90 76	
	0406 90 78	
	0406 90 79	
	0406 90 81	
	0406 90 86	
	0406 90 87	
0406 90 88		
Milk preparations containing no fats	1901 90 99	3 000 ⁽³⁾
Milk preparations for children containing no milk fats, etc.	2106 90 92	180

⁽¹⁾ Including 1 300 tonnes for the processing and/or packaging sector.

⁽²⁾ To be broken down as follows:

- 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for direct consumption,
- 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,
- 14 500 tonnes falling within CN codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.

⁽³⁾ The entire balance is for the processing and/or packaging sector.

Where two quantities are set for a product in the forecast supply balance, for direct consumption and for processing or packaging respectively, the breakdown between the two uses may be adjusted, up to a maximum of 20 % of the total of the quantities set for the product.'

Article 2

This Regulation shall enter into force on the 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, 25 November 2002.

For the Commission
Franz FISCHLER
Member of the Commission