

**COMMISSION REGULATION (EC) No 689/2004  
of 14 April 2004**

**amending Regulation (EC) No 414/2004 adopting specific measures with a view to adapting the arrangements for administering tariff quotas on banana imports as a result of the accession of new Member States on 1 May 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas <sup>(1)</sup>, and in particular Article 20 thereof,

Whereas:

(4) Article 6 of Regulation (EC) No 414/2004, and Article 7 thereof relating to notifications from the Member States, should therefore be amended accordingly, and the new provisions should apply from the date of entry into force of that Regulation.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 414/2004 is hereby amended as follows:

1. The following paragraph is added to Article 6:

‘4. If the operator concerned is not able to provide the proofs of release for free circulation referred to in the second subparagraph of paragraph 2, he or she must provide proof that the products have been dispatched to a new Member State and present the documents referred to in point (g) of the first subparagraph of paragraph 2, accompanied by proofs of payment. In such cases, the duly annotated Community transit document may be accepted as proof that the products have been dispatched to the new Member State. These additional proofs must be submitted by 21 April 2004 at the latest.

The above subparagraph shall apply for the purposes of fixing a provisional specific reference quantity for the issuing of licences for imports of bananas in the months of May and June 2004.’

2. In Article 7(3), ‘15 April 2004’ is replaced by ‘23 April 2004’.

*Article 2*

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

It shall apply from 7 March 2004.

<sup>(1)</sup> OJ L 47, 25.2.1993, p. 1. Regulation as last amended by Regulation (EC) No 2587/2001 (OJ L 345, 29.12.2001, p. 13).

<sup>(2)</sup> OJ L 68, 6.3.2004, p. 6.

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

Done at Brussels, 14 April 2004.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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