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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

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EN

([1]) Text with EEA relevance

(Continued on inside back cover)

EN

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 887/2004
of 29 April 2004
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables [1], and in particular Article 4(1) thereof,

Whereas:

(1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

(2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

(1) OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to the Commission Regulation of 29 April 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	052	109,9
	204	65,7
	212	120,5
	999	98,7
0707 00 05	052	117,2
	096	84,2
	999	100,7
0709 90 70	052	100,7
	204	74,1
	999	87,4
0805 10 10, 0805 10 30, 0805 10 50	052	60,4
	204	39,7
	220	41,0
	400	44,8
	600	30,7
	624	61,3
	999	46,3
0805 50 10	388	65,6
	528	68,5
	999	67,1
0808 10 20, 0808 10 50, 0808 10 90	388	84,7
	400	118,1
	404	107,5
	508	71,8
	512	73,2
	524	68,3
	528	80,7
	720	80,9
	804	102,8
	999	87,6
0808 20 50	388	87,9
	512	65,5
	524	83,4
	528	78,2
	720	39,9
	804	119,3
	999	79,0

(1) Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 888/2004

of 29 April 2004

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed, account must be taken of:

— the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,

— marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,

— the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

(a) prices ruling on third-country markets;

(b) the most favourable prices in third countries of destination for third-country imports;

(c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and

(d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products [2], the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector [3], however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

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(1) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

(2) OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 1948/2003 (OJ L 287, 5.11.2003, p. 13).

(3) OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

(7) Commission Regulation (EEC) No 896/84 [1] laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.

(8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.

(9) With a view to enlargement on 1 May 2004 and to encourage the gradual alignment of prices in the new Member States on the Community level, all remaining refunds for exports to the new Member States should be abolished.

(10) The consolidation of the maximum quantities for export within the limits set in the WTO Agreement will be more binding on the accession of the new Member States. In order to ensure the satisfactory management and optimum use of the maximum quantities for export, steps should therefore be taken to reduce or abolish the refunds for certain destinations, in particular those located in or close to the geographical area of the Community where the level of prices for milk products no longer justify the present level of refund rates, despite the collection of import duty in some of those countries.

(11) The policy of some non-member countries is to prevent disturbance on the internal market by applying frontier measures. The refunds for certain milk products exported to those destinations should be differentiated in order to reduce the risk of such measures being applied.

(12) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.

(13) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,911
0401 10 90 9000	970	EUR/100 kg	1,911
0401 20 11 9500	970	EUR/100 kg	2,953
0401 20 19 9500	970	EUR/100 kg	2,953
0401 20 91 9000	970	EUR/100 kg	3,737
0401 30 11 9400	970	EUR/100 kg	8,624
0401 30 11 9700	970	EUR/100 kg	12,95
0401 30 31 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	22,02
	A01	EUR/100 kg	31,46
0401 30 31 9400	L01	EUR/100 kg	—
	L02	EUR/100 kg	34,40
	A01	EUR/100 kg	49,14
0401 30 31 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	37,94
	A01	EUR/100 kg	54,20
0401 30 39 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	22,02
	A01	EUR/100 kg	31,46
0401 30 39 9400	L01	EUR/100 kg	—
	L02	EUR/100 kg	34,40
	A01	EUR/100 kg	49,14
0401 30 39 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	37,94
	A01	EUR/100 kg	54,20
0401 30 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	43,24
	A01	EUR/100 kg	61,77
0401 30 99 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	43,24
	A01	EUR/100 kg	61,77
0401 30 99 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	63,55
	A01	EUR/100 kg	90,78
0402 10 11 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0402 10 19 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0402 10 91 9000	L01	EUR/kg	—
	L02	EUR/kg	0,2900
	A01	EUR/kg	0,3500
0402 10 99 9000	L01	EUR/kg	—
	L02	EUR/kg	0,2900
	A01	EUR/kg	0,3500
0402 21 11 9200	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0402 21 11 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	58,84
	A01	EUR/100 kg	75,52
0402 21 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	61,40
	A01	EUR/100 kg	78,82
0402 21 11 9900	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,44
	A01	EUR/100 kg	84,00
0402 21 17 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0402 21 19 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	58,84
	A01	EUR/100 kg	75,52

Product code	Destination	Unit of measurement	Amount of refund
0402 21 19 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	61,40
	A01	EUR/100 kg	78,82
0402 21 19 9900	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,44
	A01	EUR/100 kg	84,00
0402 21 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,85
	A01	EUR/100 kg	84,52
0402 21 91 9200	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,23
	A01	EUR/100 kg	85,02
0402 21 91 9350	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,91
	A01	EUR/100 kg	85,89
0402 21 91 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	71,91
	A01	EUR/100 kg	92,31
0402 21 99 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,85
	A01	EUR/100 kg	84,52
0402 21 99 9200	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,23
	A01	EUR/100 kg	85,02
0402 21 99 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,91
	A01	EUR/100 kg	85,89
0402 21 99 9400	L01	EUR/100 kg	—
	L02	EUR/100 kg	70,62
	A01	EUR/100 kg	90,66
0402 21 99 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	71,91
	A01	EUR/100 kg	92,31
0402 21 99 9600	L01	EUR/100 kg	—
	L02	EUR/100 kg	76,98
	A01	EUR/100 kg	98,82
0402 21 99 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	79,85
	A01	EUR/100 kg	102,51
0402 21 99 9900	L01	EUR/100 kg	—
	L02	EUR/100 kg	83,18
	A01	EUR/100 kg	106,77
0402 29 15 9200	L01	EUR/kg	—
	L02	EUR/kg	0,2900
	A01	EUR/kg	0,3500
0402 29 15 9300	L01	EUR/kg	—
	L02	EUR/kg	0,5884
	A01	EUR/kg	0,7552
0402 29 15 9500	L01	EUR/kg	—
	L02	EUR/kg	0,6140
	A01	EUR/kg	0,7882
0402 29 15 9900	L01	EUR/kg	—
	L02	EUR/kg	0,6544
	A01	EUR/kg	0,8400
0402 29 19 9300	L01	EUR/kg	—
	L02	EUR/kg	0,5884
	A01	EUR/kg	0,7552
0402 29 19 9500	L01	EUR/kg	—
	L02	EUR/kg	0,6140
	A01	EUR/kg	0,7882

Product code	Destination	Unit of measurement	Amount of refund
0402 29 19 9900	L01	EUR/kg	—
	L02	EUR/kg	0,6544
	A01	EUR/kg	0,8400
0402 29 91 9000	L01	EUR/kg	—
	L02	EUR/kg	0,6585
	A01	EUR/kg	0,8452
0402 29 99 9100	L01	EUR/kg	—
	L02	EUR/kg	0,6585
	A01	EUR/kg	0,8452
0402 29 99 9500	L01	EUR/kg	—
	L02	EUR/kg	0,7062
	A01	EUR/kg	0,9066
0402 91 11 9370	L01	EUR/100 kg	—
	L02	EUR/100 kg	5,312
	A01	EUR/100 kg	7,589
0402 91 19 9370	L01	EUR/100 kg	—
	L02	EUR/100 kg	5,312
	A01	EUR/100 kg	7,589
0402 91 31 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	6,278
	A01	EUR/100 kg	8,969
0402 91 39 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	6,278
	A01	EUR/100 kg	8,969
0402 91 99 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	26,57
	A01	EUR/100 kg	37,96
0402 99 11 9350	L01	EUR/kg	—
	L02	EUR/kg	0,1359
	A01	EUR/kg	0,1941
0402 99 19 9350	L01	EUR/kg	—
	L02	EUR/kg	0,1359
	A01	EUR/kg	0,1941
0402 99 31 9150	L01	EUR/kg	—
	L02	EUR/kg	0,1410
	A01	EUR/kg	0,2014
0402 99 31 9300	L01	EUR/kg	—
	L02	EUR/kg	0,1590
	A01	EUR/kg	0,2271
0402 99 39 9150	L01	EUR/kg	—
	L02	EUR/kg	0,1410
	A01	EUR/kg	0,2014
0403 90 11 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	28,59
	A01	EUR/100 kg	34,50
0403 90 13 9200	L01	EUR/100 kg	—
	L02	EUR/100 kg	28,59
	A01	EUR/100 kg	34,50
0403 90 13 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	58,31
	A01	EUR/100 kg	74,85
0403 90 13 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	60,86
	A01	EUR/100 kg	78,12
0403 90 13 9900	L01	EUR/100 kg	—
	L02	EUR/100 kg	64,86
	A01	EUR/100 kg	83,25
0403 90 19 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,25
	A01	EUR/100 kg	83,76
0403 90 33 9400	L01	EUR/kg	—
	L02	EUR/kg	0,5831
	A01	EUR/kg	0,7485
0403 90 33 9900	L01	EUR/kg	—
	L02	EUR/kg	0,6486
	A01	EUR/kg	0,8325
0403 90 51 9100	970	EUR/100 kg	1,911
0403 90 59 9170	970	EUR/100 kg	12,95
0403 90 59 9310	L01	EUR/100 kg	—
	L02	EUR/100 kg	22,02
	A01	EUR/100 kg	31,46
0403 90 59 9340	L01	EUR/100 kg	—
	L02	EUR/100 kg	32,22
	A01	EUR/100 kg	46,03
0403 90 59 9370	L01	EUR/100 kg	—
	L02	EUR/100 kg	32,22
	A01	EUR/100 kg	46,03
0403 90 59 9510	L01	EUR/100 kg	—
	L02	EUR/100 kg	32,22
	A01	EUR/100 kg	46,03
0404 90 21 9120	L01	EUR/100 kg	—
	L02	EUR/100 kg	24,73
	A01	EUR/100 kg	29,86
0404 90 21 9160	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0404 90 23 9120	L01	EUR/100 kg	—
	L02	EUR/100 kg	29,00
	A01	EUR/100 kg	35,00
0404 90 23 9130	L01	EUR/100 kg	—
	L02	EUR/100 kg	58,84
	A01	EUR/100 kg	75,52
0404 90 23 9140	L01	EUR/100 kg	—
	L02	EUR/100 kg	61,40
	A01	EUR/100 kg	78,82
0404 90 23 9150	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,44
	A01	EUR/100 kg	84,00
0404 90 29 9110	L01	EUR/100 kg	—
	L02	EUR/100 kg	65,85
	A01	EUR/100 kg	84,52
0404 90 29 9115	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,23
	A01	EUR/100 kg	85,02
0404 90 29 9125	L01	EUR/100 kg	—
	L02	EUR/100 kg	66,91
	A01	EUR/100 kg	85,89
0404 90 29 9140	L01	EUR/100 kg	—
	L02	EUR/100 kg	71,91
	A01	EUR/100 kg	92,31
0404 90 81 9100	L01	EUR/kg	—
	L02	EUR/kg	0,2900
	A01	EUR/kg	0,3500
0404 90 83 9110	L01	EUR/kg	—
	L02	EUR/kg	0,2900
	A01	EUR/kg	0,3500
0404 90 83 9130	L01	EUR/kg	—
	L02	EUR/kg	0,5884
	A01	EUR/kg	0,7552
0404 90 83 9150	L01	EUR/kg	—
	L02	EUR/kg	0,6140
	A01	EUR/kg	0,7882
0404 90 83 9170	L01	EUR/kg	—
	L02	EUR/kg	0,6544
	A01	EUR/kg	0,8400
0404 90 83 9936	L01	EUR/kg	—
	L02	EUR/kg	0,1359
	A01	EUR/kg	0,1941
0405 10 11 9500	L01	EUR/100 kg	—
	075	EUR/100 kg	131,54
	L02	EUR/100 kg	108,54
	A01	EUR/100 kg	146,34
0405 10 11 9700	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 19 9500	L01	EUR/100 kg	—
	075	EUR/100 kg	131,54
	L02	EUR/100 kg	108,54
	A01	EUR/100 kg	146,34

Product code	Destination	Unit of measurement	Amount of refund
0405 10 19 9700	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 30 9100	L01	EUR/100 kg	—
	075	EUR/100 kg	131,54
	L02	EUR/100 kg	108,54
	A01	EUR/100 kg	146,34
0405 10 30 9300	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 30 9700	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 50 9300	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 50 9500	L01	EUR/100 kg	—
	075	EUR/100 kg	131,54
	L02	EUR/100 kg	108,54
	A01	EUR/100 kg	146,34
0405 10 50 9700	L01	EUR/100 kg	—
	075	EUR/100 kg	134,83
	L02	EUR/100 kg	111,25
	A01	EUR/100 kg	150,00
0405 10 90 9000	L01	EUR/100 kg	—
	075	EUR/100 kg	139,77
	L02	EUR/100 kg	115,32
	A01	EUR/100 kg	155,49
0405 20 90 9500	L01	EUR/100 kg	—
	075	EUR/100 kg	123,34
	L02	EUR/100 kg	101,76
	A01	EUR/100 kg	137,21
0405 20 90 9700	L01	EUR/100 kg	—
	075	EUR/100 kg	128,26
	L02	EUR/100 kg	105,82
	A01	EUR/100 kg	142,69
0405 90 10 9000	L01	EUR/100 kg	—
	075	EUR/100 kg	170,78
	L02	EUR/100 kg	140,92
	A01	EUR/100 kg	190,00
0405 90 90 9000	L01	EUR/100 kg	—
	075	EUR/100 kg	136,60
	L02	EUR/100 kg	112,71
	A01	EUR/100 kg	151,96
0406 10 20 9100	A00	EUR/100 kg	—
0406 10 20 9230	L03	EUR/100 kg	—
	L04	EUR/100 kg	25,26
	075	EUR/100 kg	26,84
	400	EUR/100 kg	—
	A01	EUR/100 kg	31,57
0406 10 20 9290	L03	EUR/100 kg	—
	L04	EUR/100 kg	23,50
	075	EUR/100 kg	24,96
	400	EUR/100 kg	—
	A01	EUR/100 kg	29,37
0406 10 20 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	10,31
	075	EUR/100 kg	10,95
	400	EUR/100 kg	—
	A01	EUR/100 kg	12,88
0406 10 20 9610	L03	EUR/100 kg	—
	L04	EUR/100 kg	34,26
	075	EUR/100 kg	36,40
	400	EUR/100 kg	—
	A01	EUR/100 kg	42,83

Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9620	L03	EUR/100 kg	—
	L04	EUR/100 kg	34,75
	075	EUR/100 kg	36,92
	400	EUR/100 kg	—
	A01	EUR/100 kg	43,43
0406 10 20 9630	L03	EUR/100 kg	—
	L04	EUR/100 kg	38,80
	075	EUR/100 kg	41,21
	400	EUR/100 kg	—
	A01	EUR/100 kg	48,48
0406 10 20 9640	L03	EUR/100 kg	—
	L04	EUR/100 kg	57,00
	075	EUR/100 kg	60,57
	400	EUR/100 kg	—
	A01	EUR/100 kg	71,26
0406 10 20 9650	L03	EUR/100 kg	—
	L04	EUR/100 kg	47,50
	075	EUR/100 kg	50,47
	400	EUR/100 kg	—
	A01	EUR/100 kg	59,37
0406 10 20 9830	L03	EUR/100 kg	—
	L04	EUR/100 kg	17,62
	075	EUR/100 kg	18,73
	400	EUR/100 kg	—
	A01	EUR/100 kg	22,03
0406 10 20 9850	L03	EUR/100 kg	—
	L04	EUR/100 kg	21,36
	075	EUR/100 kg	22,70
	400	EUR/100 kg	—
	A01	EUR/100 kg	26,71
0406 20 90 9100	A00	EUR/100 kg	—
0406 20 90 9913	L03	EUR/100 kg	—
	L04	EUR/100 kg	39,39
	075	EUR/100 kg	41,85
	400	EUR/100 kg	14,39
	A01	EUR/100 kg	49,24
0406 20 90 9915	L03	EUR/100 kg	—
	L04	EUR/100 kg	51,99
	075	EUR/100 kg	55,24
	400	EUR/100 kg	19,17
	A01	EUR/100 kg	64,99
0406 20 90 9917	L03	EUR/100 kg	—
	L04	EUR/100 kg	55,25
	075	EUR/100 kg	58,71
	400	EUR/100 kg	20,38
	A01	EUR/100 kg	69,06
0406 20 90 9919	L03	EUR/100 kg	—
	L04	EUR/100 kg	61,73
	075	EUR/100 kg	65,61
	400	EUR/100 kg	22,74
	A01	EUR/100 kg	77,18
0406 30 31 9710	L03	EUR/100 kg	—
	L04	EUR/100 kg	5,20
	075	EUR/100 kg	10,33
	400	EUR/100 kg	—
	A01	EUR/100 kg	12,15
0406 30 31 9730	L03	EUR/100 kg	—
	L04	EUR/100 kg	7,61
	075	EUR/100 kg	15,16
	400	EUR/100 kg	—
	A01	EUR/100 kg	17,84

Product code	Destination	Unit of measurement	Amount of refund
0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	5,20
	075	EUR/100 kg	10,33
	400	EUR/100 kg	—
	A01	EUR/100 kg	12,15
0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	7,61
	075	EUR/100 kg	15,16
	400	EUR/100 kg	—
	A01	EUR/100 kg	17,84
0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	11,07
	075	EUR/100 kg	22,05
	400	EUR/100 kg	—
	A01	EUR/100 kg	25,94
0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	7,61
	075	EUR/100 kg	15,16
	400	EUR/100 kg	—
	A01	EUR/100 kg	17,84
0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	11,07
	075	EUR/100 kg	22,05
	400	EUR/100 kg	—
	A01	EUR/100 kg	25,94
0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	11,07
	075	EUR/100 kg	22,05
	400	EUR/100 kg	—
	A01	EUR/100 kg	25,94
0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	12,52
	075	EUR/100 kg	24,93
	400	EUR/100 kg	—
	A01	EUR/100 kg	29,33
0406 30 90 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	13,13
	075	EUR/100 kg	26,15
	400	EUR/100 kg	—
	A01	EUR/100 kg	30,77
0406 40 50 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,33
	075	EUR/100 kg	64,11
	400	EUR/100 kg	—
	A01	EUR/100 kg	75,42
0406 40 90 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	61,96
	075	EUR/100 kg	65,82
	400	EUR/100 kg	—
	A01	EUR/100 kg	77,44
0406 90 13 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,13
	075	EUR/100 kg	82,88
	400	EUR/100 kg	27,40
	A01	EUR/100 kg	97,51
0406 90 15 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,40
	075	EUR/100 kg	85,65
	400	EUR/100 kg	28,24
	A01	EUR/100 kg	100,76
0406 90 17 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,40
	075	EUR/100 kg	85,65
	400	EUR/100 kg	28,24
	A01	EUR/100 kg	100,76
0406 90 21 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,99
	075	EUR/100 kg	83,73
	400	EUR/100 kg	20,26
	A01	EUR/100 kg	98,50
0406 90 23 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,58
	075	EUR/100 kg	74,02
	400	EUR/100 kg	—
	A01	EUR/100 kg	87,08
0406 90 25 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,17
	075	EUR/100 kg	73,22
	400	EUR/100 kg	—
	A01	EUR/100 kg	86,14
0406 90 27 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	54,50
	075	EUR/100 kg	66,31
	400	EUR/100 kg	—
	A01	EUR/100 kg	78,02
0406 90 31 9119	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,09
	075	EUR/100 kg	61,04
	400	EUR/100 kg	11,62
	A01	EUR/100 kg	71,82
0406 90 33 9119	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,09
	075	EUR/100 kg	61,04
	400	EUR/100 kg	11,62
	A01	EUR/100 kg	71,82
0406 90 33 9919	L03	EUR/100 kg	—
	L04	EUR/100 kg	45,77
	075	EUR/100 kg	55,99
	400	EUR/100 kg	—
	A01	EUR/100 kg	65,86
0406 90 33 9951	L03	EUR/100 kg	—
	L04	EUR/100 kg	46,24
	075	EUR/100 kg	56,03
	400	EUR/100 kg	—
	A01	EUR/100 kg	65,91
0406 90 35 9190	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,86
	075	EUR/100 kg	86,60
	400	EUR/100 kg	27,94
	A01	EUR/100 kg	101,87
0406 90 35 9990	L03	EUR/100 kg	—
	L04	EUR/100 kg	70,86
	075	EUR/100 kg	86,60
	400	EUR/100 kg	18,27
	A01	EUR/100 kg	101,87
0406 90 37 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,13
	075	EUR/100 kg	82,88
	400	EUR/100 kg	27,40
	A01	EUR/100 kg	97,51
0406 90 61 9000	L03	EUR/100 kg	—
	L04	EUR/100 kg	75,07
	075	EUR/100 kg	92,33
	400	EUR/100 kg	26,01
	A01	EUR/100 kg	108,62
0406 90 63 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	74,69
	075	EUR/100 kg	91,57
	400	EUR/100 kg	29,08
	A01	EUR/100 kg	107,73

Product code	Destination	Unit of measurement	Amount of refund
0406 90 63 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	71,80
	075	EUR/100 kg	88,45
	400	EUR/100 kg	22,25
	A01	EUR/100 kg	104,05
0406 90 69 9100	A00	EUR/100 kg	—
0406 90 69 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	71,80
	075	EUR/100 kg	88,45
	400	EUR/100 kg	22,25
	A01	EUR/100 kg	104,05
0406 90 73 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,53
	075	EUR/100 kg	76,15
	400	EUR/100 kg	23,94
	A01	EUR/100 kg	89,59
0406 90 75 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,96
	075	EUR/100 kg	76,98
	400	EUR/100 kg	10,11
	A01	EUR/100 kg	90,55
0406 90 76 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	56,77
	075	EUR/100 kg	69,08
	400	EUR/100 kg	—
	A01	EUR/100 kg	81,27
0406 90 76 9400	L03	EUR/100 kg	—
	L04	EUR/100 kg	63,58
	075	EUR/100 kg	77,36
	400	EUR/100 kg	10,52
	A01	EUR/100 kg	91,02
0406 90 76 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,49
	075	EUR/100 kg	72,97
	400	EUR/100 kg	10,52
	A01	EUR/100 kg	85,85
0406 90 78 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	58,66
	075	EUR/100 kg	72,84
	400	EUR/100 kg	—
	A01	EUR/100 kg	85,69
0406 90 78 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,20
	075	EUR/100 kg	75,48
	400	EUR/100 kg	—
	A01	EUR/100 kg	88,81
0406 90 78 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	61,61
	075	EUR/100 kg	74,33
	400	EUR/100 kg	—
	A01	EUR/100 kg	87,45
0406 90 79 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,30
	075	EUR/100 kg	61,44
	400	EUR/100 kg	—
	A01	EUR/100 kg	72,29
0406 90 81 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	63,58
	075	EUR/100 kg	77,36
	400	EUR/100 kg	21,64
	A01	EUR/100 kg	91,02
0406 90 85 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,67
	075	EUR/100 kg	83,97
	400	EUR/100 kg	26,97
	A01	EUR/100 kg	98,80
0406 90 85 9970	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,96
	075	EUR/100 kg	76,98
	400	EUR/100 kg	23,60
	A01	EUR/100 kg	90,55
0406 90 86 9100	A00	EUR/100 kg	—
0406 90 86 9200	L03	EUR/100 kg	—
	L04	EUR/100 kg	57,77
	075	EUR/100 kg	72,83
	400	EUR/100 kg	14,16
	A01	EUR/100 kg	85,68
0406 90 86 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	58,60
	075	EUR/100 kg	73,59
	400	EUR/100 kg	15,53
	A01	EUR/100 kg	86,58
0406 90 86 9400	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,25
	075	EUR/100 kg	77,36
	400	EUR/100 kg	17,57
	A01	EUR/100 kg	91,02
0406 90 86 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,67
	075	EUR/100 kg	83,97
	400	EUR/100 kg	20,57
	A01	EUR/100 kg	98,80
0406 90 87 9100	A00	EUR/100 kg	—
0406 90 87 9200	L03	EUR/100 kg	—
	L04	EUR/100 kg	48,15
	075	EUR/100 kg	60,67
	400	EUR/100 kg	12,67
	A01	EUR/100 kg	71,38
0406 90 87 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	53,80
	075	EUR/100 kg	67,59
	400	EUR/100 kg	14,30
	A01	EUR/100 kg	79,51
0406 90 87 9400	L03	EUR/100 kg	—
	L04	EUR/100 kg	55,21
	075	EUR/100 kg	68,61
	400	EUR/100 kg	15,67
	A01	EUR/100 kg	80,72
0406 90 87 9951	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,44
	075	EUR/100 kg	75,98
	400	EUR/100 kg	21,65
	A01	EUR/100 kg	89,39
0406 90 87 9971	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,44
	075	EUR/100 kg	75,98
	400	EUR/100 kg	17,57
	A01	EUR/100 kg	89,39
0406 90 87 9972	L03	EUR/100 kg	—
	L04	EUR/100 kg	26,61
	075	EUR/100 kg	32,51
	400	EUR/100 kg	—
	A01	EUR/100 kg	38,25
0406 90 87 9973	L03	EUR/100 kg	—
	L04	EUR/100 kg	61,32
	075	EUR/100 kg	74,60
	400	EUR/100 kg	12,33
	A01	EUR/100 kg	87,77

Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9974	L03	EUR/100 kg	—
	L04	EUR/100 kg	66,55
	075	EUR/100 kg	80,62
	400	EUR/100 kg	12,33
	A01	EUR/100 kg	94,84
0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	67,87
	075	EUR/100 kg	81,51
	400	EUR/100 kg	16,34
	A01	EUR/100 kg	95,90
0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,58
	075	EUR/100 kg	74,02
	400	EUR/100 kg	12,33
	A01	EUR/100 kg	87,08
0406 90 88 9100	A00	EUR/100 kg	—
0406 90 88 9300	L03	EUR/100 kg	—
	L04	EUR/100 kg	47,53
	075	EUR/100 kg	59,48
	400	EUR/100 kg	15,53
	A01	EUR/100 kg	69,98

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

L01 Holy See, Malta, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Slovenia, Cyprus and the United States of America,

L02 Andorra and Gibraltar,

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Malta, Turkey, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Slovenia, Croatia, Canada, Cyprus, Australia and New Zealand,

L04 Albania, Bosnia and Herzegovina, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia.

'970' includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 889/2004

of 29 April 2004

fixing the minimum selling prices for butter for the 140th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 10 thereof,

Whereas:

(1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs [2], to sell by invitation to tender certain quantities of butter from intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

(2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices of butter from intervention stocks and processing securities applying for the 140th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

[2] OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

ANNEX

to the Commission Regulation of 29 April 2004 fixing the minimum selling prices for butter for the 140th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	215,1	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	129	—	—
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 890/2004

of 29 April 2004

fixing the maximum aid for cream, butter and concentrated butter for the 140th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 10 thereof,

Whereas:

(1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs [2], to sell by invitation to tender certain quantities of butter of intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

(2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 140th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

(2) OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 186/2004.

ANNEX

to the Commission Regulation of 29 April 2004 fixing the maximum aid for cream, butter and concentrated butter for the 140th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter ≥ 82 %	69	65	69	65
	Butter < 82 %	67	62	—	—
	Concentrated butter	86	79	85	77
	Cream	—	—	30	27
Processing security	Butter	76	—	76	—
	Concentrated butter	95	—	94	—
	Cream	—	—	33	—

COMMISSION REGULATION (EC) No 891/2004

of 29 April 2004

fixing the minimum selling price for skimmed-milk powder for the 59th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 10 thereof,

Whereas:

(1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder [2], intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

(3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 59th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 27 April 2004, the minimum selling price and the processing security are fixed as follows:

— minimum selling price: EUR 195,10/100 kg,

— processing security: EUR 50,00/100 kg.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

[2] OJ L 340, 31.12.1999, p. 3. Regulation as last amended by Regulation (EC) No 2132/2003 (OJ L 320, 5.12.2003, p. 4).

COMMISSION REGULATION (EC) No 892/2004

of 29 April 2004

fixing the maximum aid for concentrated butter for the 312th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ([1]), and in particular Article 10 thereof,

Whereas:

(1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ([2]), the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

(2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 312th tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 the maximum aid and the amount of the end-use security shall be as follows:

— maximum aid: EUR 85/100 kg,

— end-use security: EUR 94/100 kg.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

([1]) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

([2]) OJ L 45, 21.2.1990, p. 8. Regulation as last amended by Regulation (EC) No 124/1999 (OJ L 16, 21.1.1999, p. 19).

COMMISSION REGULATION (EC) No 893/2004

of 29 April 2004

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds [2], specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(2) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) However in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(4) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to Regulation (EC) No 1520/2000 or to assimilated products.

(5) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(6) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice cream and other foodstuffs [3], as last amended by Regulation (EC) No 635/2000, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(7) By Regulations (EC) No 1039/2003 [4], (EC) No 1086/2003 [5], (EC) No 1087/2003 [6], (EC) No 1088/2003 [7], (EC) No 1089/2003 [8] and (EC) No 1090/2003 [9] the Council adopted autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia, Slovenia, Latvia, Lithuania, Slovakia and the Czech Republic and the exportation of certain processed agricultural products to those countries.. Those Regulations provide that with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or the Czech Republic, shall not be eligible for export refunds.

(8) Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary [10], provides that with effect from 1 July 2003, the goods referred to in Article 1(2) thereof, which are exported to Hungary shall not be eligible for export refunds.

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[1] OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).
[2] OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 543/2004 (OJ L 87, 25.3.2004, p. 8).
[3] OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).
[4] OJ L 151, 19.6.2003, p. 1.
[5] OJ L 163, 1.7.2003, p. 1.
[6] OJ L 163, 1.7.2003, p. 19.
[7] OJ L 163, 1.7.2003, p. 38.
[8] OJ L 163, 1.7.2003, p. 56.
[9] OJ L 163, 1.7.2003, p. 73.
[10] OJ L 146, 13.6.2003, p. 10.

(9) Council Regulation (EC) No 1890/2003 of 27 October 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Malta and the exportation of certain processed agricultural products to Malta [1], provides that with effect from 1 November 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Malta, shall not be eligible for export refunds.

(10) With a view to enlargement of the European Union on 1 May 2004, and in order to encourage the gradual alignment of prices in the acceding states on the Community level and to prevent any abuse through the re-import or re-introduction into the Community of products in receipt of export refunds, the setting of all remaining export refunds has been discontinued in the milk and milk products sector, in relation to the products concerned when exported unprocessed to the acceding states.

(11) Therefore, with effect from 7 April 2004 no refund should be set for certain milk products exported in the form of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland and for the goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

(12) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999 shall, in respect of the products listed in the Annex to this Regulation, be fixed in accordance with that Annex.

Article 2

1. Without prejudice to Article 1 and with effect from 1 July 2003 the rates set out in the Annex are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia and to the goods referred to in Article 1(2) of Council Regulation (EC) No 999/2003 when exported to Hungary.

With effect from 1 November 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to Malta.

2. Without prejudice to Article 1 and with effect from 7 April 2004 no rates of refund shall be set in respect of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland and in respect of goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

Article 3

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Erkki LIIKANEN

Member of the Commission

[1] OJ L 278, 29.10.2003, p. 1.

ANNEX

Rates of the refunds applicable from 30 April 2004 to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	24,50	35,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	32,56	46,51
	(b) on exportation of other goods	58,80	84,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	45,50	65,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	110,08	157,25
	(c) on exportation of other goods	105,00	150,00

COMMISSION REGULATION (EC) No 894/2004

of 29 April 2004

fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar [1], and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex V to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds [2] specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.

(2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) Pursuant to Regulations (EC) No 1039/2003 [3], (EC) No 1086/2003 [4], (EC) No 1087/2003 [5], (EC) No 1088/2003 [6], (EC) No 1089/2003 [7] and (EC) No 1090/2003 [8] the Council adopted autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia, Slovenia, Latvia, Lithuania, Slovakia and the Czech Republic and the exportation of certain processed agricultural products to those countries. Those regulations provide that, from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or the Czech Republic, shall not be eligible for export refunds.

(7) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary [9], from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds.

(8) In accordance with Council Regulation (EC) No 1890/2003 of 27 October 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Malta and the exportation of certain processed agricultural products to Malta [10], from 1 November 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Malta are not eligible for export refunds.

[1] OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 2196/2003 (OJ L 328, 17.12.2003, p. 17).
[2] OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 740/2003 (OJ L 106, 29.4.2003, p. 12).
[3] OJ L 151, 19.6.2003, p. 1.
[4] OJ L 163, 1.7.2003, p. 1.
[5] OJ L 163, 1.7.2003, p. 19.
[6] OJ L 163, 1.7.2003, p. 38.
[7] OJ L 163, 1.7.2003, p. 56.
[8] OJ L 163, 1.7.2003, p. 73.
[9] OJ L 146, 13.6.2003, p. 10.
[10] OJ L 278, 29.10.2003, p. 1.

(9) With a view to enlargement of the European Union on 1 May 2004, and in order to prevent any abuse through the re-import or re-introduction into the Community of products in receipt of export refunds, the setting of all remaining export refunds has been discontinued in the sugar sector, in relation to the products concerned when exported unprocessed to the acceding States.

(10) Therefore, with effect from 7 April 2004 no refund should be set for certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland and for the goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

(11) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as set out in the Annex to this Regulation.

Article 2

1. Without prejudice to Article 1 and with effect from 1 July 2003 the rates set out in the Annex are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia nor to the goods referred to in Article 1(2) of Council Regulation (EC) No 999/2003 when exported to Hungary.

With effect from 1 November 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to Malta.

2. Without prejudice to Article 1 and with effect from 7 April 2004 no rates of refund shall be set in respect of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland nor in respect of goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

Article 3

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

Rates of refunds applicable from 30 April 2004 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	46,02	46,02

COMMISSION REGULATION (EC) No 895/2004

of 29 April 2004

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty

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], and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice [2], and in particular Article 13(3) thereof,

Whereas:

(1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds [3], specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.

(3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC [4], it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.

(6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 [5], for the basic product in question, used during the assumed period of manufacture of the goods.

(7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 to the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.

(8) In accordance with Council Regulations (EC) No 1039/2003 [6], (EC) No 1086/2003 [7], (EC) No 1087/2003 [8], (EC) No 1088/2003 [9], (EC) No 1089/2003 [10] and (EC) No 1090/2003 [11] the Council adopted autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia, Slovenia, Latvia, Lithuania, Slovakia and the Czech Republic and the exportation of certain processed agricultural products to those countries. Those regulations provide that with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or the Czech Republic shall not be eligible for export refunds.

(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1784/2003 (OJ L 270, 21.10.2003, p. 78).
(2) OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).
(3) OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 543/2004 (OJ L 87, 25.3.2004, p. 8).
(4) OJ L 275, 29.9.1987, p. 36.
(5) OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 216/2004 (OJ L 36, 7.2.2004, p. 13).
(6) OJ L 151, 19.6.2003, p. 1.
(7) OJ L 163, 1.7.2003, p. 1.
(8) OJ L 163, 1.7.2003, p. 19.
(9) OJ L 163, 1.7.2003, p. 38.
(10) OJ L 163, 1.7.2003, p. 56.
(11) OJ L 163, 1.7.2003, p. 73.

(9) Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary [1], provides that with effect from 1 July 2003, the goods referred to in Article 1(2) thereof which are exported to Hungary shall not be eligible for export refunds.

(10) Council Regulation (EC) No 1890/2003 of 27 October 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Malta and the exportation of certain processed agricultural products to Malta [2], provides that with effect from 1 November 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Malta shall not be eligible for export refunds.

(11) With a view to enlargement of the European Union on 1 May 2004, the setting of all remaining export refunds has been discontinued in the cereals and rice sector, in relation to the Annex I processed products concerned when exported to the acceding States.

(12) Therefore, with effect from 7 April 2004 no refund should be set for certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland and for the goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

(13) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(14) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 respectively, are fixed as shown in the Annex to this Regulation.

Article 2

1. Without prejudice to Article 1 and with effect from 1 July 2003, the rates set out in the Annex are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia nor to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

With effect from 1 November 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to Malta.

2. Without prejudice to Article 1 and with effect from 7 April 2004 no rates of refund shall be set in respect of goods not covered by Annex I to the Treaty when exported to Cyprus and Poland and in respect of goods which are not referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

Article 3

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Erkki LIIKANEN

Member of the Commission

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(1) OJ L 146, 13.6.2003, p. 10.
(2) OJ L 278, 29.10.2003, p. 1.

ANNEX

Rates of the refunds applicable from 30 April 2004 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products (1)	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies (2)	—	—
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 (3) are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies (2)	1,731	1,731
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– – in other cases	1,731	1,731
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (4):		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies (2)	1,298	1,298
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– – in other cases	1,298	1,298
	– where goods falling within subheading 2208 (3) are exported	—	—
	– other (including unprocessed)	1,731	1,731
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies (2)	1,731	1,731
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– in other cases	1,731	1,731

(EUR/100 kg)

CN code	Description of products [1]	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	3,900	3,900
	– medium grain	3,900	3,900
	– long grain	3,900	3,900
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

(1) As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

(2) The goods concerned fall under CN code 3505 10 50.

(3) Goods listed in Annex B to Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

(4) For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 896/2004

of 29 April 2004

fixing the export refunds on products processed from cereals and rice

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 organization of the market in cereals (1), and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice (2), and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 (3) on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 April 2004.

(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).
(2) OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 18).
(3) OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 (1)	C10	EUR/t	24,23
1102 20 10 9400 (1)	C10	EUR/t	20,77
1102 20 90 9200 (1)	C10	EUR/t	20,77
1102 90 10 9100	C11	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00
1103 19 40 9100	C10	EUR/t	0,00
1103 13 10 9100 (1)	C10	EUR/t	31,16
1103 13 10 9300 (1)	C10	EUR/t	24,23
1103 13 10 9500 (1)	C10	EUR/t	20,77
1103 13 90 9100 (1)	C10	EUR/t	20,77
1103 19 10 9000	C10	EUR/t	0,00
1103 19 30 9100	C10	EUR/t	0,00
1103 20 60 9000	C12	EUR/t	0,00
1103 20 20 9000	C11	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00
1104 19 10 9000	C10	EUR/t	0,00
1104 19 50 9110	C10	EUR/t	27,70
1104 19 50 9130	C10	EUR/t	22,50
1104 29 01 9100	C10	EUR/t	0,00
1104 29 03 9100	C10	EUR/t	0,00
1104 29 05 9100	C10	EUR/t	0,00
1104 29 05 9300	C10	EUR/t	0,00
1104 22 20 9100	C10	EUR/t	0,00
1104 22 30 9100	C10	EUR/t	0,00
1104 23 10 9100	C10	EUR/t	25,97
1104 23 10 9300	C10	EUR/t	19,91
1104 29 11 9000	C10	EUR/t	0,00
1104 29 51 9000	C10	EUR/t	0,00
1104 29 55 9000	C10	EUR/t	0,00
1104 30 10 9000	C10	EUR/t	0,00
1104 30 90 9000	C10	EUR/t	4,33
1107 10 11 9000	C13	EUR/t	0,00
1107 10 91 9000	C13	EUR/t	0,00
1108 11 00 9200	C10	EUR/t	0,00
1108 11 00 9300	C10	EUR/t	0,00
1108 12 00 9200	C10	EUR/t	27,70
1108 12 00 9300	C10	EUR/t	27,70
1108 13 00 9200	C10	EUR/t	27,70
1108 13 00 9300	C10	EUR/t	27,70
1108 19 10 9200	C10	EUR/t	0,00
1108 19 10 9300	C10	EUR/t	0,00
1109 00 00 9100	C10	EUR/t	0,00
1702 30 51 9000 (2)	C10	EUR/t	27,13
1702 30 59 9000 (2)	C10	EUR/t	20,77
1702 30 91 9000	C10	EUR/t	27,13
1702 30 99 9000	C10	EUR/t	20,77
1702 40 90 9000	C10	EUR/t	20,77
1702 90 50 9100	C10	EUR/t	27,13
1702 90 50 9900	C10	EUR/t	20,77
1702 90 75 9000	C10	EUR/t	28,43
1702 90 79 9000	C10	EUR/t	19,73
2106 90 55 9000	C10	EUR/t	20,77

(1) No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.
(2) Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.
NB The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are as follows:

C10 All destinations except for Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia.
C11 All destinations except for Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia.
C12 All destinations except for Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Romania, Slovenia and Slovakia.
C13 All destinations except for Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Romania, Slovenia and Slovakia.

COMMISSION REGULATION (EC) No 897/2004
of 29 April 2004
fixing the export refunds on cereal-based compound feedingstuffs

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], and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice [2] in Article 2 lays down general rules for fixing the amount of such refunds.

(3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

(4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.

(5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.

(6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

(2) OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

C10 All destinations except for Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia.

COMMISSION REGULATION (EC) No 898/2004

of 29 April 2004

fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter [2] provides for a permanent tender.

(2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products [3] and following an examination of the tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 28 April 2004.

(3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 28 April 2004, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as follows:

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund	
		For export to the destination referred to in the first indent of Article 1(1) of Regulation (EC) No 581/2004	For export to the destinations referred to in the second indent of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—	—
Butter	ex 0405 10 19 9700	—	156,00
Butteroil	ex 0405 90 10 9000	—	195,00

Article 2

This Regulation shall enter into force on 30 April 2004.

(1) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).
(2) OJ L 90, 27.3.2004, p. 64.
(3) OJ L 90, 27.3.2004, p. 58.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 899/2004

of 29 April 2004

fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds for skimmed milk powder [2] provides for a permanent tender.

(2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products [3] and following an examination of the tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 28 April 2004.

(3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 28 April 2004, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be EUR 40,00/100 kg.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

(2) OJ L 90, 27.3.2004, p. 67.

(3) OJ L 90, 27.3.2004, p. 58.

COMMISSION REGULATION (EC) No 900/2004

of 29 April 2004

fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 30 April 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar [1], and in particular Article 24(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 [2] stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 [3], is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.

(2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.

(3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

(4) Pursuant to Article 8 of Regulation (EEC) No 785/68, a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.

(5) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.

(6) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 2004.

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[1] OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

[2] OJ L 141, 24.6.1995 p. 12. Regulation as amended by Commission Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

[3] OJ L 145, 27.6.1968 p. 12. Regulation as amended by Commission Regulation (EC) No 1422/95 (OJ L 141, 24.6.1995, p. 12).

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

Done at Brussels, 29 April 2004.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 30 April 2004

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 (1)
1703 10 00 (2)	8,23	—	0
1703 90 00 (2)	9,90	—	0

(1) This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.
(2) For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 901/2004
of 29 April 2004
fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ([1]), and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ([2]). The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

(4) In special cases, the amount of the refund may be fixed by other legal instruments.

(5) The refund must be fixed every two weeks. It may be altered in the intervening period.

(6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.

(8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.

(9) Import duties and export refunds still apply to certain sugar products traded between the Community, of the one part, and the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, hereinafter referred to as 'new Member States', of the other part, and the level of export refunds is appreciably greater than the level of import duties. In view of the accession of these countries to the Community on 1 May 2004, the appreciable gap between the level of import duties and the level of export refunds granted for the products in question may result in speculative trade flows.

(10) To prevent any abuse through the re-import or re-introduction into the Community of sugar products in receipt of an export refund, no refund or levy should be set for all the new Member States for the products covered by this Regulation.

(11) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 2004.

([1]) OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).
([2]) OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING APPLICABLE FROM 30 APRIL 2004

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	42,33 (1)
1701 11 90 9910	S00	EUR/100 kg	42,33 (1)
1701 12 90 9100	S00	EUR/100 kg	42,33 (1)
1701 12 90 9910	S00	EUR/100 kg	42,33 (1)
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4602
1701 99 10 9100	S00	EUR/100 kg	46,02
1701 99 10 9910	S00	EUR/100 kg	46,02
1701 99 10 9950	S00	EUR/100 kg	46,02
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4602

NB: The product codes and the ‘A’ series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

(1) This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 902/2004

of 29 April 2004

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector [1], and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector [2], provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry [3] to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article (1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The abovementioned refunds must be fixed every month; they may be altered in the intervening period.

(8) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(9) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

[1] OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 2196/2003 (OJ L 328, 17.12.2003, p. 17).
[2] OJ L 214, 8.9.1995, p. 16.
[3] OJ L 178, 30.6.2001, p. 63.

(10) In order to prevent any abuses associated with the reimportation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.

(11) Import duties and export refunds still apply to certain sugar products traded between the Community, on the one hand, and the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, hereafter known as the 'new Member States', on the other, and the level of export refunds is appreciably greater than the level of import duties. In view of the accession of those countries to the Community on 1 May 2004, the appreciable gap between the level of import duties and the level of export refunds granted on the products in question may result in speculative trade movements.

(12) In order to prevent any abuse associated with the re-import or re-introduction into the Community of sugar sector products that have qualified for export refunds, levies and refunds for the products covered by this Regulation should not be set for all the new Member States.

(13) In view of the above, refunds for the products in question should be fixed at the appropriate amounts.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d), (f), (g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto to this Regulation.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

EXPORT REFUNDS ON SYRUPS AND CERTAIN OTHER SUGAR PRODUCTS EXPORTED WITHOUT FURTHER PROCESSING APPLICABLE FROM 30 APRIL 2004

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	46,02 (1)
1702 60 10 9000	S00	EUR/100 kg dry matter	46,02 (1)
1702 60 80 9100	S00	EUR/100 kg dry matter	87,43 (2)
1702 60 95 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4602 (3)
1702 90 30 9000	S00	EUR/100 kg dry matter	46,02 (1)
1702 90 60 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4602 (3)
1702 90 71 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4602 (3)
1702 90 99 9900	S00	EUR/1 % sucrose × net 100 kg of product	0,4602 (3) (4)
2106 90 30 9000	S00	EUR/100 kg dry matter	46,02 (1)
2106 90 59 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4602 (3)

NB The product codes and the ‘A’ series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, except for sugar incorporated into the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

(1) Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.
(2) Applicable only to products referred to in Article 6 of Regulation (EC) No 2135/95.
(3) The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.
(4) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 903/2004

of 29 April 2004

fixing the maximum export refund for white sugar to certain third countries for the 26th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector [1], and in particular the second indent of Article 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1290/2003 of 18 July 2003 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar [2], for the 2003/2004 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1290/2003 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 26th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1290/2003 the maximum amount of the export refund shall be 49,158 EUR/100 kg.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

(1) OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).
(2) OJ L 181, 19.7.2003, p. 7. Regulation as amended by Regulation (EC) No 2126/2003 (OJ L 319, 4.12.2003, p. 4).

COMMISSION REGULATION (EC) No 904/2004

of 29 April 2004

opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges and apples)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1961/2001 [2] lays down the detailed rules of application for export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 [3].These quantities must be allocated taking account of the perishability of the products concerned.

(4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 [4] shall not count against the eligible quantities in the Annex hereto.

3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be two months.

Article 2

This Regulation shall enter into force on 10 June 2004.

[1] OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003(OJ L 7, 11.1.2003, p. 64).
[2] OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 1176/2002(OJ L 170, 29.6.2002, p. 69).
[3] OJ L 366, 24.12.1987, p. 1. Regulation, as last amended by Regulation (EC) No 118/2003(OJ L 20, 24.1.2003, p. 3).
[4] OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

OPENING AN INVITATION TO TENDER FOR THE ALLOCATION OF A3 EXPORT LICENCES FOR FRUIT AND VEGETABLES (TOMATOES, ORANGES AND APPLES)

Tender submission period: 10 to 11 June 2004.

Product code (1)	Destination (2)	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	30	4 493
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	A00	24	6 429
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F09	27	2 244

(1) The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).
(2) The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). The other destinations are defined as follows:

F03 All destinations except Switzerland.

F04 Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

F08 All destinations except Bulgaria.

F09 The following destinations:
— Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,
— African countries and territories except South Africa,
— destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

COMMISSION REGULATION (EC) No 905/2004
of 29 April 2004
amending the annexes to Council Regulation (EC) No 2501/2001 applying a scheme of generalised tariff preferences for the period from 1 January 2002 to 31 December 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2501/2001 of 10 December 2001 applying a scheme of generalised tariff preferences for the period from 1 January 2002 to 31 December 2004 [1], and in particular Article 35 thereof,

Whereas:

(1) Article 35 of Regulation (EC) No 2501/2001 lays down the procedure for updating the Annexes to the Regulation to take account of amendments to the Combined Nomenclature.

(2) Commission Regulation (EC) No 1789/2003 of 11 September 2003 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff [2] includes data affecting the lists appearing in Annexes III and IV to Regulation (EC) No 2501/2001. This Regulation entered into force on 1 January 2004.

(3) The lists in Annexes III and IV to Regulation (EC) No 2501/2001 should therefore be amended accordingly, with effect from 1 January 2004.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Generalised Preferences Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III and IV to Regulation (EC) No 2501/2001 are amended as set out in the Annex to this Regulation.

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 1 January 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Pascal LAMY

Member of the Commission

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(1) OJ L 346, 31.12.2001, p. 1. Regulation as last amended by Regulation (EC) No 2331/2003 (OJ L 346, 31.12.2003 p. 3).

(2) OJ L 281, 30.10.2003, p. 1.

ANNEX

1. In Annex III,

(a) sector XXVI is replaced by the following:

XXVI	Iron or steel [1]	7202 11; 7207 11 11; 7207 11 14; 7207 11 16; 7207 12 10; ex 7207 19 12; ex 7207 19 80; 7207 20 11; 7207 20 15; 7207 20 17;7207 20 32; ex 7207 20 52; ex 7207 20 80; 7208 10 00; 7208 25 00; 7208 26 00; 7208 27 00; 7208 36 00; 7208 37 00; 7208 38 00; 7208 39 00; 7208 40 00; 7208 51 20; 7208 51 91; ex 7208 51 98; 7208 52 20; ex 7208 52 80; ex 7208 53 00; 7208 54; ex 7208 90 00; 7209 15 00; 7209 16; 7209 17; 7209 18; 7209 25 00; 7209 26; 7209 27; 7209 28; ex 7209 90 00; ex 7210 11 00; ex 7210 12; ex 7210 20 00; ex 7210 30 00; ex 7210 41 00; ex 7210 49 00; ex 7210 50 00; ex 7210 61 00; ex 7210 69 00; ex 7210 70 10; 7210 70 80; ex 7210 90; 7211 13 00; ex 7211 14 00; ex 7211 19 00; ex 7211 23 20; ex 7211 23 30; ex 7211 23 80; ex 7211 29 00; ex 7211 90 00; 7212 10 10; ex 7212 10 90; ex 7212 20 00; ex 7212 30 00; ex 7212 40 20; ex 7212 50; ex 7212 60 00; 7213 10 00; 7213 20 00; 7213 91 10; 7213 91 20; 7213 91 41; 7213 91 49; 7213 91 70; 7213 91 90; 7213 99 10; 7213 99 90; 7214 20 00; 7214 30 00; 7214 91 10; 7214 91 90; 7214 99 10; 7214 99 31; 7214 99 39; 7214 99 50; ex 7214 99 71; ex 7214 99 79; ex 7214 99 95; ex 7215 90 00; 7216 10 00; 7216 21 00; 7216 22 00; 7216 31; 7216 32; 7216 33; 7216 40; 7216 50; ex 7216 99 00; ex 7218 91; 7218 99 11; 7218 99 20; 7219 11 00; 7219 12; 7219 13; 7219 14; 7219 21; 7219 22; 7219 23 00; 7219 24 00; 7219 31 00; 7219 32; 7219 33; 7219 34; 7219 35; ex 7219 90 00; 7220 11 00; 7220 12 00; ex 7220 20; ex 7220 90 00; 7221 00; 7222 11; 7222 19; ex 7222 30 97; 7222 40 10; ex 7222 40 90; ex 7224 90 02; 7224 90 03; 7224 90 05; 7224 90 07; 7224 90 14; 7224 90 31; 7224 90 38; 7225 11 00; 7225 19; ex 7225 20 00; 7225 30; 7225 40; 7225 50 00; ex 7225 91 00; ex 7225 92 00; ex 7225 99 00; ex 7226 11 00; 7226 19 10; ex 7226 19 80; ex 7226 20 00; 7226 91; ex 7226 92 00; ex 7226 93 00; ex 7226 94 00; ex 7226 99 00; 7227; 7228 10 20; ex 7228 20 10; 7228 20 91; 7228 30; ex 7228 60; 7228 70 10; ex 7228 70 90; ex 7228 80 00; 7301 10 00; 7302 10 21; 7302 10 23; 7302 10 29; 7302 10 40; 7302 10 50; 7302 10 90; ex 7302 40 00; ex 7302 90 00

[1] The products of sector XXVI not included for the People's Republic of China pursuant to Article 7(7) are underlined.

(b) sector XXXIV is replaced by the following:

XXXIV	Other base metals and articles of base metal	7202 19; 7202 29; 7202 30 00; 7202 92 00; 7207 11 90; 7207 12 90; 7207 19 19; ex 7207 19 80; 7207 20 19; 7207 20 59; ex 7207 20 80; ex 7208 90 00; ex 7209 90 00; ex 7210 11 00; ex 7210 12 20; ex 7210 20 00; ex 7210 30 00; ex 7210 41 00; ex 7210 49 00; ex 7210 50 00; ex 7210 61 00; ex 7210 69 00; ex 7210 70 80; ex 7210 90 30; ex 7210 90 40; ex 7210 90 80; ex 7211 23; ex 7211 29 00; ex 7211 90 00; ex 7212 10 90; ex 7212 20 00; ex 7212 30 00; ex 7212 40; ex 7212 50; ex 7212 60 00; 7215 10 00; 7215 50; ex 7215 90 00; 7216 61; 7216 69 00; 7216 91; ex 7216 99 00; ex 7218 91; ex 7218 99 80; ex 7219 90 00; ex 7220 20; ex 7220 90 00; 7222 20; 7222 30 51; 7222 30 91; ex 7222 30 97; ex 7222 40 50; ex 7222 40 90; ex 7224 90 02; 7224 90 18; ex 7224 90 90; ex 7225 20 00; ex 7225 91 00; ex 7225 92 00; ex 7225 99 00; ex 7226 11 00; ex 7226 19 80; ex 7226 20 00; ex 7226 92 00; ex 7226 93 00; ex 7226 94 00; ex 7226 99 00; 7228 10 50; 7228 10 90; ex 7228 20 10; 7228 20 99; 7228 40; 7228 50; ex 7228 60; ex 7228 70 90; 7229; 7301 20 00; 7302 10 10; ex 7302 40 00; ex 7302 90 00

2. In Annex IV,

(a) the item at CN code ex 0304 20 95 is replaced by the following:

ex 0304 20 94	Other: of halibut (Rheinhardtius hippoglossoides, Hippoglossus	S		X

(b) the item at CN codes 0304 90 47 and 0304 90 49 is replaced by the following:

0304 90 48	Of hake (Merluccius and Urophycis)	S		X

(c) the item at CN code ex 0305 69 90 is replaced by the following:

ex 0305 69 80	Fish of the species Clupea ilisha, in brine	S		X

(d) the item at CN codes 2008 20 51 to 2008 20 99 is replaced by the following:

2008 20 51	Pineapples not containing added spirit	S		X
2008 20 59		S		X
2008 20 71		S		X
2008 20 79		S		X
2008 20 90		S		X

(e) the item at CN codes 2008 99 43 to 2008 99 99 is replaced by the following:

2008 99 43	Other than mixtures, not containing added spirit	S		X
2008 99 45		S		X
2008 99 46		S		X
2008 99 47		S		X
2008 99 49		S		X
2008 99 61		S		X
2008 99 62		S		X
2008 99 67		S		X
2008 99 72		S		X
2008 99 78		S		X
2008 99 85		S		X
2008 99 91		S		X
2008 99 99		S		X

(f) the items at CN codes 2907 22 10 and 2907 22 90 are replaced by the following:

ex 2907 22 00	Hydroquinone (quinol)	S		X
ex 2907 22 00	Other	NS		

(g) the items at CN codes 2916 11 10 and 2916 11 90 are replaced by the following:

ex 2916 11 00	Acrylic acid	S		X
ex 2916 11 00	Salts of acrylic acid	NS		

(h) the item at CN codes 2930 40 90 to 2930 90 70 is replaced by the following:

2930 40 90	Organo-sulphur compounds	S		X
2930 90 13		S		X
2930 90 16		S		X
2930 90 20		S		X
2930 90 70		S		X

(i) the items at CN codes 2940 00 10 and 2940 00 90 are replaced by the following:

ex 2940 00 00	Rhamnose, raffinose and mannose	NS		
ex 2940 00 00	Sugars, chemically pure, other than sucrose, lactose, maltose, glucose and fructose; sugar ethers and sugar esters, and their salts, other than products of 2937, 2938 or 2939, other than rahmnose, raffinose and mannose	S		X

(j) the item at ex Chapter 72 is replaced by the following:

ex Chapter 72	IRON AND STEEL, excluding products of 7201, 7202, 7206, 7218 10 00 and	NS		

COMMISSION REGULATION (EC) No 906/2004

of 29 April 2004

correcting the Spanish and Portuguese versions of Commission Regulation (EEC) No 2598/70 specifying the items to be included under the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70 of 4 June 1970

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1108/70 of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway ([1]), and in particular Article 9(1) thereof,

Whereas:

(1) The Spanish and Portuguese versions of Commission Regulation (EEC) No 2598/70 of 18 December 1970 specifying the items to be included under the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70 of 4 June 1970 ([2]) contain errors. The necessary corrections therefore need to be made to these language versions.

(2) The measures provided for in this Regulation are in accordance with the opinion of the committee of government experts,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2598/70 is corrected as follows:

1. concerns only the Portuguese version;
2. concerns only the Spanish version.

Article 2

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

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

Done at Brussels, 29 April 2004.

For the Commission

Loyola DE PALACIO

Vice-President

([1]) OJ L 130, 15.6.1970, p. 4.
([2]) OJ L 278, 23.12.1970, p. 1.

COMMISSION REGULATION (EC) No 907/2004

of 29 April 2004

amending the marketing standards applicable for fresh fruit and vegetables with regards to presentation and labelling

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], and in particular Articles 2(2),

Whereas:

(1) Marketing standards for fresh fruit and vegetables established according to Article 2 of regulation (EC) No 2200/96 lay down provisions concerning the presentation of products in the package and stipulate that all packages shall be labelled with all the information required with regard to identification of the packer or of the dispatcher, the nature of produce, its origin and commercial specifications.

(2) It is common practice in the sector to affix stickers individually on fruits for publicity purposes or other purposes. The development of such practice for the most delicate ones makes it necessary to adopt rules aiming at avoiding products are damaged by the stickers.

(3) Recent trends in the fruit and vegetables sector show in particular the preparation, more and more frequently in the region of production itself, of sales packages, as defined in Annex IV, part 1, item l) of Commission Regulation (EC) No 1148/2001 of 12 June 2001 on checks on conformity to the marketing standards applicable to fresh fruit and vegetables [2]. Often, when this happens, goods are then shipped to the consuming markets in re-usable transport packages.

(4) In order to take this practice into account, and in particular to avoid risks of confusion when labels of re-usable transport packages are changed, transport packages should be exempted from the labelling of the information required by the marketing standards, provided however that sales packages are correctly labelled and visible. In the case, transport packages are palletised, the pallet should be marked.

(5) In addition, it shall be possible to label pre-packages, as defined in annex IV, point 1, item l) of Regulation (EC) No 1148/2001, with the name of the seller instead of that of the packer and/or the shipper, in particular to be more in line with the provisions applicable to all pre-packed food stuffs as defined by Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs [3], provided that the particulars placed on the pre-package allow easily to know the packer and/or the shipper.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fresh fruit and vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

In title V (Provisions concerning presentation), point B (Packaging), of the Annexes of the Regulations in Annex I to the present Regulation and in title V (Provisions concerning presentation), point C (Packaging), of the Annexes of the Regulations in Annexes II to the present Regulation, the following subparagraph is added:

'Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.'

Article 2

At the end of title VI (Provisions concerning labelling) of the Annexes of the Regulations in Annexes III to the present Regulation and in title VI (Provisions concerning labelling), at the end of item 1, of the Annexes of the Regulations in Annexes IV to the present Regulation, the following subparagraph is added:

'Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.'

(1) OJ L 297, 21.11.1996, p. 1. Regulation last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64.)
(2) OJ L 156, 13.6.2001, p. 9. Regulation last amended by Regulation (EC) No 408/2003 (OJ L 62, 6.3.2003, p. 8.)
(3) OJ L 109, 6.5.2000, p. 29. Directive last amended by Directive 2003/89/EC (OJ L 308, 25.11.2003, p. 15.)

Article 3

In title VI (Provisions concerning labelling), of the Annexes of the Regulations in Annex III and in title VI (Provisions concerning labelling), item 1, of the Annexes of the Regulations in Annex IV to the present Regulation, point A is replaced by the following text:

'A. **Identification**

The name and the address of the packer and/or the dispatcher

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference "Packer and/or Dispatcher" (or equivalent abbreviations);

— for pre-packages only, by the name and the address of a seller established within the Community indicated in close connection with the mention "Packed for:" or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.'

Article 4

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

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Annex to Commission Regulation (EC) No 1292/81 [1]

Annexes I, II and IV to Commission Regulation (EC) No 1591/87 [2]

Annex to Commission Regulation (EC) No 1677/88 [3]

Annex to Commission Regulation (EC) No 410/90 [4]

Annex to Commission Regulation (EC) No 831/97 [5]

Annex to Commission Regulation (EC) No 1093/97 [6]

Annex to Commission Regulation (EC) No 2288/97 [7]

Annex to Commission Regulation (EC) No 963/98 [8]

Annex to Commission Regulation (EC) No 1168/1999 [9]

Annex to Commission Regulation (EC) No 1455/1999 [10]

Annex to Commission Regulation (EC) No 2335/1999 [11]

Annex to Commission Regulation (EC) No 2561/1999 [12]

Annex to Commission Regulation (EC) No 2789/1999 [13]

Annex to Commission Regulation (EC) No 790/2000 [14]

Annex to Commission Regulation (EC) No 851/2000 [15]

Annex to Commission Regulation (EC) No 175/2001 [16]

Annex to Commission Regulation (EC) No 912/2001 [17]

Annex to Commission Regulation (EC) No 1508/2001 [18]

Annex to Commission Regulation (EC) No 1543/2001 [19]

Annex to Commission Regulation (EC) No 1615/2001 [20]

Annex to Commission Regulation (EC) No 1799/2001 [21]

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(1) OJ L 129, 15.5.1981, p. 38. Regulation last amended by Regulation (EC) No 1757/2003 (OJ L 252, 4.10.2003, p. 11.)
(2) OJ L 146, 6.6.1987, p. 36. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(3) OJ L 150, 16.6.1988, p. 21. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(4) OJ L 43, 17.2.1990, p. 22. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(5) OJ L 119, 8.5.1997, p. 13. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(6) OJ L 158, 17.6.1997, p. 21. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(7) OJ L 315, 19.11.1997, p. 3. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(8) OJ L 135, 8.5.1998, p. 18. Regulation last amended by Regulation (EC) No 1466/2003 (OJ L 210, 20.8.2003, p. 6.)
(9) OJ L 141, 4.6.1999, p. 5. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(10) OJ L 167, 2.7.1999, p. 22. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(11) OJ L 281, 4.11.1999, p. 11. Regulation last amended by Regulation (EC) No 582/2003 (OJ L 83, 1.4.2003, p. 37.)
(12) OJ L 310, 4.12.1999, p. 7. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(13) OJ L 336, 29.12.1999, p. 13. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(14) OJ L 95, 15.4.2000, p. 24. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(15) OJ L 103, 28.4.2000, p. 22. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(16) OJ L 26, 27.1.2001, p. 24. Regulation last amended by Regulation (EC) No 80/2003 (OJ L 13, 18.1.2003, p. 5.)
(17) OJ L 129, 11.5.2001, p. 4. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(18) OJ L 200, 25.7.2001, p. 14. Regulation last amended by Regulation (EC) No 1465/2003 (OJ L 210, 20.8.2003, p. 4.)
(19) OJ L 203, 28.7.2001, p. 9. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(20) OJ L 214, 8.8.2001, p. 21. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(21) OJ L 244, 14.9.2001, p. 12. Regulation last amended by Regulation (EC) No 2173/2003 (OJ L 326, 13.12.2003, p. 10.)

Annex to Commission Regulation (EC) No 2396/2001 ([22])

Annex to Commission Regulation (EC) No 843/2002 ([23])

Annex to Commission Regulation (EC) No 982/2002 ([24])

Annex to Commission Regulation (EC) No 1284/2002 ([25])

Annex to Commission Regulation (EC) No 1466/2003 ([26])

Annex to Commission Regulation (EC) No 1757/2003 ([27])

Annex to Commission Regulation (EC) No 85/2004 ([28])

Annex to Commission Regulation (EC) No 86/2004 ([29])

Annex to Commission Regulation (EC) No 214/2004 ([30])

([22]) OJ L 325, 8.12.2001, p. 11. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
([23]) OJ L 134, 22.5.2002, p. 24. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
([24]) OJ L 150, 8.6.2002, p.45. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
([25]) OJ L 187, 16.7.2002, p. 14. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
([26]) OJ L 210, 20.8.2003, p. 6.
([27]) OJ L 252, 4.10.2003, p. 11.
([28]) OJ L 13, 20.1.2004, p. 3.
([29]) OJ L 13, 20.1.2004, p. 19.
([30]) OJ L 36, 7.2.2004, p. 6.

ANNEX II

Annex to Commission Regulation (EC) No 2213/83 [1]

Annex III to Regulation (EC) No 1591/87

Annex to Commission Regulation (EC) No 730/1999 [2]

Annex to Commission Regulation (EC) No 2377/1999 [3]

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(1) OJ L 213, 4.8.1983, p. 13. Regulation last amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(2) OJ L 93, 8.4.1999, p. 14. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)
(3) OJ L 287, 10.11.1999, p. 6. Regulation amended by Regulation (EC) No 46/2003 (OJ L 7, 11.1.2003, p. 61.)

ANNEX III

Annex to Regulation (EC) No 1292/81
Annex to Regulation (EC) No 2213/83
Annexes II, III and IV to Regulation (EC) No 1591/87
Annex to Regulation (EC) No 1677/88
Annex to Regulation (EC) No 410/90
Annex to Regulation (EC) No 831/97
Annex to Regulation (EC) No 1093/97
Annex to Regulation (EC) No 2288/97
Annex to Regulation (EC) No 963/98
Annex to Regulation (EC) No 1168/1999
Annex to Regulation (EC) No 1455/1999
Annex to Regulation (EC) No 2335/1999
Annex to Regulation (EC) No 2377/1999
Annex to Regulation (EC) No 2561/1999
Annex to Regulation (EC) No 2789/1999
Annex to Regulation (EC) No 790/2000
Annex to Regulation (EC) No 851/2000
Annex to Regulation (EC) No 175/2001
Annex to Regulation (EC) No 912/2001
Annex to Regulation (EC) No 1508/2001
Annex to Regulation (EC) No 1543/2001
Annex to Regulation (EC) No 1615/2001
Annex to Regulation (EC) No 1799/2001
Annex to Regulation (EC) No 2396/2001
Annex to Regulation (EC) No 843/2002
Annex to Regulation (EC) No 982/2002
Annex to Regulation (EC) No 1284/2002
Annex to Regulation (EC) No 1466/2003
Annex to Regulation (EC) No 1757/2003
Annex to Regulation (EC) No 85/2004
Annex to Regulation (EC) No 86/2004
Annex to Regulation (EC) No 214/2004

ANNEX IV

Annexes I to Regulation (EC) No 1591/87
Annex to Regulation (EC) No 730/1999

COMMISSION REGULATION (EC) No 908/2004

of 29 April 2004

adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) Certain technical amendments are necessary in several Commission Regulations concerning the common organisation of the market in wine in order to carry out the necessary adaptations by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as 'the new Member States') to the European Union.

(2) Article 52(1) of Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms [1] lays down reference periods for the producing Member States. Such reference period should be determined for the new Member States.

(3) Article 2(1) and Article 11(2) of Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector [2] contain certain entries in all the languages of the Member States. Those provisions should include the language versions of the new Member States.

(4) Article 33 of Regulation (EC) No 883/2001 and Annexes I and IV thereto contain references to some of the new Member States as third countries. Those references should be deleted.

(5) Article 8(2) of Commission Regulation (EC) No 884/2001 of 24 April 2001 laying down detailed rules of application concerning the documents accompanying the carriage of wine products and the records to be kept in the wine sector [3] contains an entry in all the languages of the Member States. That provision should include the language versions of the new Member States.

(6) Article 16(1) of Commission Regulation (EC) No 753/2002 of 29 April 2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products [4] contains certain entries in all the languages of the Member States. Those provisions should include the language versions of the new Member States.

(7) Annex VIII to that Regulation contains a reference to Hungary as a third country. That reference should be deleted.

(8) Regulations (EC) No 1623/2000, No 883/2001, No 884/2001 and No 753/2002 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the third subparagraph of Article 52(1) of Regulation (EC) No 1623/2000, the following indent is added:

'— 1997/98 to 2002/03 in the Czech Republic, Cyprus, Hungary, Malta, Slovenia and Slovakia.'

(1) OJ L 194, 31.7.2000, p. 45. Regulation last amended by Regulation (EC) No 1710/2003 (OJ L 243, 27.9.2003, p. 98).
(2) OJ L 128, 10.5.2001, p. 1. Regulation last amended by Regulation (EC) No 2338/2003 (OJ L 346, 31.12.2003, p. 28).
(3) OJ L 128, 10.5.2001, p. 32. Regulation amended by Regulation (EC) No 1782/2002 (OJ L 270, 8.10.2002, p. 4).
(4) OJ L 118, 4.5.2002, p. 1. Regulation last amended by Regulation (EC) No 316/2004 (OJ L 55, 24.2.2004, p. 16).

Article 2

Regulation (EC) No 883/2001 is amended as follows:

1. In Article 2(1), the second subparagraph is replaced by the following:

   'Box 20 of import licences and export licences shall contain one of the following entries:

   — "Tolerancia de 0,4 % vol"
   — "Přípustná odchylka 0,4 % obj."
   — "Tolerance 0,4 % vol"
   — "Toleranz 0,4 % vol"
   — "Lubatud 0,4 mahuprotsendi suurune hälve"
   — "Ανοχή 0,4 % vol"
   — "Tolerance of 0,4 % vol."
   — "Tolérance de 0,4 % vol"
   — "Tolleranza di 0,4 % vol"
   — "0,4 tilp. % pielaide"
   — "Leistinas nukrypimas 0,4 tūrio %"
   — "0,4 térfogat-százalékos tűrés"
   — "Varjazzjoni massima ta' 0.4 % vol."
   — "Tolerantie van 0,4 % vol"
   — "Tolerancja 0,4 % obj."
   — "Tolerância de 0,4 % vol"
   — "Prípustná odchýlka 0,4 % obj."
   — "Odstopanje 0,4 vol. %"
   — "Sallittu poikkeama 0,4 til — %"
   — "Tolerans 0,4 vol %"'

2. In Article 11, the second paragraph is replaced by the following:

   'At least one of the following entries shall be made in box 22 of licences:

   — Restitución válida para... (cantidad por la que se haya expedido el certificado) como máximo
   — Náhrada platná nejvýše pro … (mnoství, na ně byla vydána licence)
   — Restitutionen omfatter hoejst... (den maengde, licensen er udstedt for)
   — Erstattung gültig für höchstens... (Menge, für die die Lizenz erteilt wurde)
   — Toetus ei kehti rohkem kui... (kogus millele litsents on väljastatud)
   — Επιστροφή που ισχύει για... (ποσότητα για την οποία εκδίδεται το πιστοποιητικό) κατ' ανώτατο όριο
   — Refund valid for not more than … (quantity for which licence is issued)
   — Restitution valable pour … (quantité pour laquelle le certificat est délivré) au maximum
   — Restituzione valida al massimo per... (quantitativo per il quale è rilasciato il titolo)
   — Atmaksa ir spēkā par ne vairāk kā... (daudzums, par ko izdota licence)
   — Grąinamoji išmoka mokama ne daugiau kaip u … (nurodomas kiekis, kuriam išduota licencija)
   — Legfeljebb …-re (az a mennyiség, amelyre az engedélyt kiadták) érvényes visszatérítés
   — Valur mrodd lura ta' mhux aktar minn … (ammont maħrug fil. licenzja)
   — Restitutie voor ten hoogste... (hoeveelheid waarvoor het certificaat is afgegeven)
   — Refundacji udziela się na nie więcej niż … (ilość, na którą wydano licencję)
   — Restituição válida para … (quantidade em relação à qual é emitido o certificado), no máximo
   — Náhrada platná pre nie viac ako … (mnostvo, na ktoré je licencia vydaná)
   — Nadomestilo velja za največ … (količina za katero je izdano dovoljenje)
   — Vientituki voimassa enintään... (määrä, jolle todistus on annettu) osalta
   — Bidrag som gäller för högst... (kvantitet foer vilken licensen skall utfärdas)."

3. Article 33 is amended as follows:

   (a) in paragraph 1, point (a) is deleted;

   (b) in paragraph 2, the introductory phrase is replaced by the following:

   'For the purposes of paragraph 1(b), (c) and (d), the official agency of the country of origin authorised to draw up document V I 1 as referred to in this Regulation shall enter the following in box 15 of that document:'

4. Annex I is replaced by the text in Annex I to this Regulation

5. Annex IV is amended in accordance with Annex II to this Regulation.

Article 3

In Article 8(2) of Regulation (EC) No 884/2001, the second subparagraph is replaced by the following:

'The customs office at the point of exit from the customs territory of the Community shall enter one of the following on the two copies of the latter document and stamp as authentic:

"EXPORTADO", "VYVEZENO", "UDFØRSEL", "AUSGEFÜHRT", "EKSPORDITUD", "ΕΞΑΧΘΕΝ", "EXPORTED", "EXPORTÉ", "ESPORTATO", "EKSPORTĒTS", "EKSPORTUOTA", "EXPORTÁLVA", "EXPORTAT", "UITGEVOERD", "WYWIEZIONO", "VYVEZENÉ", "IZVOENO", "VIETY", "EXPORTERAD"

It shall hand the stamped copies bearing that wording to the exporter or his representative. The latter shall ensure that one copy accompanies carriage of the exported product.'

Article 4

Regulation (EC) No 753/2002 is amended as follows:

1. Article 16 (1) is replaced by the following:

   '1. For the purposes of the second indent of Annex VII(B)(1)(a) to Regulation (EC) No 1493/1999, the following terms may only be used on the labels of table wines, table wines with a geographical indication and quality wines psr, with the exception of the quality liqueur wines psr and quality semi-sparkling wines psr covered by Article 39(1)(b):

   (a) "seco", "suché", "tør", "trocken", "kuiv", "ξηρός", "dry", "sec", "secco", "asciuttto", "sausais", "sausas", "száraz", "droog", "wytrawne", "suho", "kuiva" or "torrt", on condition that the wine concerned has a residual sugar content not exceeding:

      (i) 4 grams per litre; or

      (ii) 9 grams per litre, provided that the total acidity expressed as grams of tartaric acid per litre is not more than 2 grams below the residual sugar content;

   (b) "semiseco", "polosuché", "halvtør", "halbtrocken", "poolkuiv", "ημίξηρος", "medium dry", "demi-sec", "abboccato", "pussausais", "pusiau sausas", "félszáraz", "halfdroog", "półwytrawne", "meio seco", "adamado", "polsuho", "puolikuiva" or "halvtorrt", on condition that the wine concerned has a residual sugar content in excess of the maximum set at (a) but not exceeding:

      (i) 12 grams per litre; or

      (ii) 18 grams per litre, where the minimum total acidity has been set by the Member State under paragraph 2;

   (c) "semidulce", "polosladké", "halvsød", "lieblich", "poolmagus", "ημίγλυκος", "medium", "medium sweet", "moelleux", "amabile", "pussaldais", "pusiau saldus", "félédes", "halfzoet", "półsłodkie", "meio doce", "polsladko", "puolimakea", or "halvsött", on condition that the wine concerned has a residual sugar content higher than the maximum set at (b) but not more than 45 grams per litre;

   (d) "dulce", "sladké", "sød", "süss", "magus", "γλυκός", "sweet", "doux", "dolce", "saldais", "saldus", "édes", "ħelu", "zoet", "słodkie", "doce", "sladko", "makea" or "sött", on condition that the wine concerned has a residual sugar content of at least 45 grams per litre.'

2. In Annex VIII, point 2 is deleted.

Article 5

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX I

ISSUE OF IMPORT LICENCES

Notifications under Article 5

Period from … to …

Quantity in hl

Code	Country of origen	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
036	Switzerland									
800	Australia									
etc.	Etc.									
	All third countries									

Product figures are shown by column as follows:

1: sparkling wines,

2 : red and rosé wines,

3: white wines,

4: liqueur wines,

5: fortified wines,

6: grape juice and grape must,

7: concentrated grape juice and grape must,

8: semi-sparkling wines,

9: other products, to be specified in a note."

ANNEX II

In Annex IV to Regulation (EC) No 883/2001, the text under the headings 'zone 3' and 'zone 4' is replaced by the following:

'ZONE 3: EASTERN EUROPE AND THE COUNTRIES OF THE COMMONWEALTH OF INDEPENDENT STATES

Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

ZONE 4: WESTERN EUROPE

Andorra, Ceuta and Melilla, Gibraltar, Faeroe Islands, Iceland, Liechtenstein, Norway, San Marino, Vatican City.'

COMMISSION REGULATION (EC) No 909/2004

of 29 April 2004

adapting Regulation (EC) No 2090/2002 laying down detailed rules for applying Council Regulation (EEC) No 386/90 as regards physical checks carried out when agricultural products qualifying for refunds are exported, by reason of the accession to the European Union of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) In view of the accession to the Community of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter 'the new Member States'), Commission Regulation (EC) No 2090/2002 [1] should be adapted and provision should be made for certain indications in the languages of the new Member States.

(2) Regulation (EC) No 2090/2002 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Article 10 of Regulation (EC) No 2090/2002 is hereby amended as follows:

1. In paragraph 5, the second subparagraph is replaced by the following:

   'If the customs office of exit or the office to which the T5 control copy is sent has taken a sample, one of the following shall be noted on the T5 control copy or, where applicable, on the national document to be returned to the competent authorities:

   — muestra recogida

   — odebraný vzorek

   — udtaget prøve

   — Probe gezogen

   — võetud proov

   — ελήφθη δείγμα

   — Sample taken

   — échantillon prélevé

   — campione prelevato

   — paraugs paņemts

   — Bandinys paimtas

   — ellenőrzési mintavétel megtörtént

   — kampjun meħud

   — monster genomen

   — pobrana próbka

   — Amostra colhida

   — odobratá vzorka

   — vzorec odvzet

   — näyte otettu

   — varuprov.'

2. In paragraph 6, point (a) is replaced by the following:

   'a) either one of the following:

   — resultado del análisis conforme

   — výsledek analýzy je v souladu

   — analyseresultat i orden

   — konformes Analyseergebnis

   — vastav analüüsitulemus

   — αποτέλεσμα της ανάλυσης σύμφωνο

   — Results of tests conform

   — résultat d'analyse conforme

   — risultato di analisi conforme

   — analīzes rezultāti atbilst

   — Tyrimų rezultatai atitinka eksporto deklaraciją

   — ellenőrzési eredmény megfelelő

   — riżultat ta'l-analiżi konformi

   — analyseresultaat conform

   — wynik analizy zgodny

   — Resultado da análise conforme

   — výsledok testu je v súlade

   — rezultat analize je v skladu z/s

   — analyysin tulos yhtäpitävä

   — Analysresultatet överensstämmer med exportdeklarationen.'

[1] OJ L 322, 27.11.2002, p. 4. Regulation as last amended by Regulation (EC) No 1429/2003 (OJ L 203, 12.8.2003, p. 13).

3. In paragraph 7, the second subparagraph is replaced by the following:

'In such cases, the customs office of exit or the office to which the control copy T5 is sent shall indicate one of the following on the control copy T5 or, where applicable, on the national document to be returned to the competent authorities:

— Solicitud de aplicación del apartado 7 del artículo 10 del Reglamento (CE) nº 2090/2002. Oficina de aduana de salida o de destino del T5:...

— Žádost o použití čl. 10 odst. 7 nařízení (ES) č. 2090/2002. Identifikace celního úřadu výstupu nebo celního úřadu určení T5:

— Anmodning om anvendelse af artikel 10, stk. 7, i forordning (EF) nr. 2090/2002. Identifikation af udgangstoldstedet eller bestemmelsestoldstedet for T5:...

— Antrag auf Anwendung von Artikel 10 Absatz 7 der Verordnung (EG) Nr. 2090/2002. Identifizierung der Ausgangszollstelle oder der Bestimmungsstelle des Kontrollexemplars T5:...

— Määruse (EÜ) nr 2090/2002 artikli 10 lõike 7 kohaldamise taotlus. Väljumistolliasutus või tolliasutus, kuhu saadetakse kontrolleksemplar T5:...

— Αίτηση εφαρμογής του άρθρου 10 παράγραφος 7 του κανονισμού (ΕΚ) αριθ. 2090/2002. Εξακρίβωση του τελωνείου εξόδου ή του τελωνείου προορισμού του T5: …

— Request for application of Article 10(7) of Regulation (EC) No 2090/2002. Identity of the customs office of exit or customs office receiving the control copy T5:...

— Demande d'application de l'article 10, paragraphe 7, du règlement (CE) nº 2090/2002. Identification du bureau de douane de sortie ou de destination du T5:...

— Domanda di applicazione dell'articolo 10, paragrafo 7, del regolamento (CE) n. 2090/2002. Identificazione dell'ufficio doganale di uscita o di destinazione del T5:...

— Pieprasījums piemērot Regulas (EK) Nr. 2090/2002 10. panta 7. punktu. Nobeiguma muitas punkta vai muitas punkta, kas saņem T5 kontroleksemplāru, identitāte:...

— Prašymas taikyti Reglamento (EB) Nr. 2090/2002 10 straipsnio 7 dalį. Išvykimo muitinės įstaiga arba įstaiga, kuriai išsiunčiamas T5 kontrolinis egzempliorius:...

— A 2090/2002/EK rendelet 10. cikke (7) bekezdésének alkalmazására irányuló kérelem. A kilépési vámhivatal vagy a T5 ellenőrző példányt átvevő hivatal azonosítója:

— Talba għall-applikazzjoni ta' l-Artikolu 10, paragrafu 7, tar-Regolament (KE) nru 2090/2002. Identifikazzjoni ta'l-uffiċċju tad-dwana tat-tluq jew tal-wasla tat-T5:...

— Verzoek om toepassing van artikel 10, lid 7, van Verordening (EG) nr. 2090/2002. Identificatie van het kantoor van uitgang of van bestemming van de T5:...

— Wniosek o stosowanie art. 10 ust. 7 rozporządzenia (WE) nr 2090/2002. Identyfikacja urzędu celnego wyjścia lub przeznaczenia T5.

— Pedido de aplicação do n.º 7 do artigo 10.º do Regulamento (CE) n.º 2090/2002. Identificação da estância aduaneira de saída ou de destino do T5:...

— Žiadosť o uplatňovanie článku 10 odsek 7 nariadenia (ES) č. 2090/2002. Identifikácia colného úradu výstupu alebo colného úradu určenia T5:

— Zahteva se uporaba člena 10, odstavka 7, Uredbe(ES) št. 2090/2002. Identifikacija carinskega urada izvoza ali namembnega kraja T5:

— Asetuksen (EY) N:o 2090/2002 10 artiklan 7 kohdan soveltamista koskeva pyyntö. Poistumistullitoimipaikan tai toimipaikan, johon T5-valvontakappale toimitetaan, tunnistustiedot:...

— Begäran om tillämpning av artikel 10.7 i förordning (EG) nr 2090/2002. Uppgift om utfartstullkontor eller bestämmelsetullkontor enligt kontrollexemplaret T5:...'

Article 2

This Regulation shall take effect subject to and on the date of entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 910/2004

of 29 April 2004

adapting Regulation (EEC) No 120/89 laying down common detailed rules for the application of export levies and charges on agricultural products by reason of the accession to the European Union of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) In view of the accession to the Community of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter 'the new Member States'), Commission Regulation (EEC) No 120/89 [1] should be adapted and provision should be made for certain indications in the languages of the new Member States.

(2) Regulation (EEC) No 120/89 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 4a(2) of Regulation (EEC) No 120/89 is hereby replaced by the following:

'The document sent to the customs office where the export formalities were carried out is completed by the customs office of exit to include one of the following statements:

— Aplicación del artículo 4 bis del Reglamento (CEE) nº 120/89

— Použitelnost článku 4a nařízení (EHS) č. 120/89

— Anvendelse af artikel 4a i forordning (EØF) nr. 120/89

— Anwendung von Artikel 4a der Verordnung (EWG) Nr. 120/89

— Määruse (EMÜ) nr 120/89 artikli 4a kohaldamine

— Εφαρμογή του άρθρου 4α του κανονισμού (ΕΟΚ) αριθ. 120/89

— Application of Article 4a of Regulation (EEC) No 120/89

— Application de l'article 4 bis du règlement (CEE) nº 120/89

— Applicazione dell'articolo 4 bis del regolamento (CEE) n. 120/89

— Regulas (EEK) Nr. 120/89 4.a panta piemērošana

— Reglamento (EEB) Nr. 120/89 4 bis straipsnio taikymas

— A 120/89/EGK rendelet 4 bis. cikkének alkalmazása

— Applikazzjoni ta' l-Artikolu 4 bis tar-regolament (KEE) nru 120/89

— Toepassing van artikel 4 bis van Verordening (EEG) nr. 120/89

— Stosowanie art. 4a rozporządzenia (EWG) nr 120/89

— Aplicação do artigo 4.ºA do Regulamento (CEE) nº 120/89

— Uplatňovanie článku 4a nariadenia (EHS) č. 120/89

— Uporaba člena 4 bis Uredbe (EGS) št 120/89

— Asetuksen (ETY) N:o 120/89 4 a artiklan soveltaminen

— I enlighet med artikel 4a i förordning (EEG) nr 120/89.'

Article 2

This Regulation shall take effect subject to and on the date of entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

[1] OJ L 16, 20.1.1989, p. 19. Regulation as last amended by Regulation (EC) No 2194/96 (OJ L 293, 16.11.1996, p. 3).

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 911/2004

of 29 April 2004

implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 [1], and in particular Article 7(1) and Article 10 (a), (b) and (c) thereof,

Whereas:

(1) Commission Regulation (EC) No 2629/97 of 29 December 1997 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards eartags, holding registers and passports in the framework of the system for the identification and registration of bovine animals [2] has been substantially amended several times. For reasons of clarity and consistency of Community legislation those rules should be contained in a single act. Accordingly, Regulation (EC) No 2629/97 should be repealed and replaced by this Regulation.

(2) Ear tags should include information on the Member State of origin together with information on the individual animal. The most appropriate codified form of such information is the two-letter country code together with a maximum of 12 digits. Bar codes could be authorised in addition to the country code and the maximum 12 digits.

(3) It is appropriate to take account of the difficulties pointed out by the competent authority of certain Member States regarding the code for the identification of bovine animals and permit those authorities to use ear tags containing an alpha-numeric code until the end of a transitional period. In addition it is appropriate to take into account the difficulties pointed out by the competent authority of Italy and to permit that authority to use a maximum of three supplementary characters provided those supplementary characters do not form part of the numeric code.

(4) In order to avoid difficulties in intra-Community trade in bovine animals and to clarify the current rules, it is necessary to authorise keepers to acquire in advance, if they so wish and in compliance with the national provisions, a quantity of ear tags proportionate to their needs for a period of no more than one year.

(5) It is appropriate to provide for the information contained in the replacement ear tags in the event of ear tag losses.

(6) It is appropriate to define certain minimum uniform rules for the design and layout of the ear tags.

(7) The provisions concerning the information content of the ear tags should be reviewed in the light of the establishment of the computerised database provided for in Regulation (EC) No 1760/2000.

(8) The information contained in the passport and the register should be in a form which allows animals to be traced.

(9) The information should be consistent with that to be included in the computerised database provided for in Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine [3].

(10) The period between three and seven days to be determined by Member States for keepers to notify movements, births and deaths of animals should be linked to the date of the event. However, it is appropriate to take account of the difficulties pointed out by Member States for notification of births within the deadline foreseen, and consequently to allow Member States to determine the relevant period from the date when the animal is ear tagged.

(11) It is appropriate to take account of the difficulties pointed out by Member States regarding the information to be provided in the passports accompanying bovine animals born before 1 January 1998. The difficulties pointed out during the preparation of the Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia for the passports accompanying animals born before 1 January 2004 should also be taken into account.

(1) OJ L 204, 11.8.2000, p. 1. Regulation as amended by the 2003 Act of Accession.
(2) OJ L 354, 30.12.1997, p. 9. Regulation as last amended by the 2003 Act of Accession.
(3) OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Regulation (EC) No 21/2004 (OJ L 5, 9.1.2004, p. 8).

(12) It is appropriate to make optional the mention of certain pieces of information on passports accompanying bovine animals born before 1 January 1998 and for bovine animals born before 1 January 2004 in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia or Slovakia. That derogation should not put in question the obligation to mention these pieces of information on passports of bovine animals born in the territory of a Member State where such a requirement is provided by its national rules.

(13) In view of the control measures relating to Community aid schemes, it is necessary to include in the passport certain information relating to the premiums, as provided in Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal [1],.

(14) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

CHAPTER I

EAR TAGS

Article 1

1. Ear tags shall contain the name, the code or the logo of the competent authority which allocated the ear tags, and the characters provided for in paragraph 2.

2. The characters forming the identification code on the ear tags shall be as follows:

(a) the first two positions shall identify the Member State of the holding where the animal is first identified; for that purpose the two-letter country code set out in the Annex I shall be used;

(b) the characters following the country code shall be numeric and shall not exceed 12 digits; however, Spain, Ireland, Italy, Portugal and the United Kingdom may maintain their system of an alpha-numeric code for the 12 digits following the country code in respect of animals born until 31 December 1999 for Spain, Ireland, Italy and Portugal and for the United Kingdom in respect of animals born until 30 June 2000.

3. In addition to the information provided for in paragraph 1, a bar code may be authorised by the competent authority.

4. By derogation to the limitation of the number of characters laid down in paragraph 2(b) the competent authority of Italy may use a maximum of three supplementary characters after the sequence of characters provided for in that paragraph. However, those characters shall not form part of the identification code in paragraph 2.

5. Keepers shall be authorised to acquire in advance, if they so wish and in compliance with the applicable national provisions, a quantity of ear tags proportionate to their needs for a period not exceeding one year. In the case of holdings which keep no more than five animals, the competent authority may not provide in advance more than five pairs of eartags.

6. In case of an ear tag loss, the replacement ear tags may contain, in addition to the information provided for and distinct from it, a mark expressing in Roman numerals the version number of the replacement ear tag. In such an event, the identification code provided for in paragraph 2 shall remain unchanged. Replacement ear tags used by a Member State for animals born in another Member State shall bear at least the same identification code in addition to the code or the logo of the competent authority issuing it.

Article 2

Ear tags shall comply with the following requirements:

(a) they shall be of flexible plastic material;

(b) they shall be tamper-proof and easy to read throughout the lifetime of the animal;

(c) they shall not be re-usable;

(d) they shall be designed in such a way that they can remain attached to the animal without being harmful to it;

(e) they shall carry only non-removable inscriptions, as provided for in Article 1.

Article 3

The model of the first ear tag shall be as follows:

(a) it shall consist of two parts, a male part and a female part;

(b) each part of the ear tag shall contain only the information provided for in Article 1;

(c) the length of the ear tag shall be at least 45 mm for each part;

(d) the width of the ear tag shall be at least 55 mm for each part;

(e) the characters shall have a minimum height of 5 mm.

Article 4

Member States may choose other material or model for the second ear tag and may decide to add further information provided that the information requirements provided for in Article 1 (1) and (2) are complied with.

[1] OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

Article 5

Member States shall communicate to each other and to the Commission models for the first and the second ear tags as provided for in Articles 3 and 4.

CHAPTER II

PASSPORTS AND HOLDING REGISTERS

Article 6

1. The passport shall contain at least the following:

(a) the information referred to in the first to seventh indent of Article 14 (3) C (1), of Directive 64/432/EEC;

(b) the information referred to in:

(i) the second indent of Article 14 (3) C (2) of Directive 64/432/EEC, or

(ii) the first indent of Article 14 (3) C (2) if the database provided for by Article 5 of Regulation (EC) No 1760/2000 is fully operational;

(c) the signature of the keeper(s), with the exception of the transporter; when the database is fully operational as provided for in the first indent of Article 6 (3), of Regulation (EC) No 1760/2000, only the signature of the last keeper shall be provided;

(d) the name of issuing authority;

(e) the date of issue of the passport.

2. Without prejudice to Chapter I.A.1 of the Annex to Council Directive 91/628/EEC on the protection of animals during transport [1], a calf under four weeks of age may be moved, provided that its navel is healed. In such a case, Member States may provide for it to be accompanied by a temporary passport containing at least the information set out in paragraph 1 in a format approved by the competent authority.

The temporary passport shall be issued by the first keeper of the calf and shall be completed by each subsequent keeper with the exception of transporters. The keeper shall submit the temporary passport to the competent authority before the animal is four weeks old, or within seven days following the event if the animal dies or is slaughtered before it is four weeks old. Where the calf is still alive, the competent authority shall issue a final passport in accordance with paragraph 1 within 14 days of receipt of the temporary passport. Final passports shall record the details of all previous movements made by the calf as recorded on the temporary passport.

The calf may not move more than twice between holdings, accompanied by the temporary passport. For the purpose of this paragraph, a movement between two holdings through a market or calf collection centre shall count as one movement, provided that the market or the calf collection centre can provide, upon request, to the competent authorities a full record of the transactions carried out within the framework of that market or centre.

3. By way of derogation from paragraph 1(a), the information provided for by the second and fifth indents of Article 14 (3) C (1) of Directive 64/432/EEC shall not be compulsory for passports of bovine animals born before 1 January 1998. The derogation provided for in this paragraph shall be without prejudice to the obligation to provide the abovementioned pieces of information where such a requirement is provided for by national rules. Member States shall communicate to each other and to the Commission the rules effectively applied regarding the information referred to in this paragraph.

4. For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia the derogation provided for in paragraph 3 shall apply to bovine animals born before 1 January 2004.

Article 7

In addition to the information referred to in Article 6, the following information concerning the premium situation of male animals, as provided for in Article 4 of Council Regulation (EC) No 1254/99, shall be added to the passport:

(a) application or grant: first-age bracket;

(b) application or grant: second-age bracket.

Article 8

The register kept on each holding shall contain at least the following information:

(a) the up-to-date information provided for in the first to fourth indent of Article 14 (3) C (1) of Directive 64/432/EEC;

(b) the date of death of the animal on the holding;

(c) in the case of animals departing from the holding, the name and address of the keeper, with the exception of the transporter, or the identification code of the holding, to whom/which the animal is being transferred, as well as the date of departure;

(d) in the case of animals arriving on the holding, the name and address of the keeper, with the exception of the transporter, or the identification code of the holding, from whom/which the animal was transferred, and the date of arrival;

(e) the name and signature of the representative of the competent authority checking the register and the dates on which such checks are carried out.

[1] OJ L 340, 11.12.1991, p. 17. Directive as last amended by Council Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

Article 9

In the case of births, when fixing the period between three and seven days for notification of events by the keeper as provided for in Article 7 (1) of Regulation (EC) No 1760/2000, Member States may use the date when the animal is tagged instead of the date of birth as the starting point for the period concerned, provided that no risk of confusion between those dates shall ensue in any record.

Article 10

Member States shall communicate to each other and to the Commission the model of the passport and the holding register used within their territory.

CHAPTER III

FINAL PROVISIONS

Article 11

1. Regulation (EC) No 2629/97 is repealed.

2. References to Regulation (EC) No 2629/97 shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex II to this Regulation.

Article 12

This Regulation shall enter into force on first May 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

The code on a bovine eartag shall start with the letters identifying the Member State of origin in accordance with the following table:

Member State of origin	ISO-code
Austria	AT
Belgium	BE
Czech Republic	CZ
Cyprus	CY
Denmark	DK
Estonia	EE
Finland	FI
France	FR
Germany	DE
Greece	EL
Hungary	HU
Ireland	IE
Italy	IT
Latvia	LV
Lithuania	LT
Luxembourg	LU
Malta	MT
Netherlands	NL
Poland	PL
Portugal	PT
Slovenia	SI
Slovakia	SK
Spain	ES
Sweden	SE
United Kingdom	UK

ANNEX II

CORRELATION TABLE

Regulation (EC) No 2629/97	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6 (1), (2) and (4)	Article 6
Article 6 (3)	Article 9
Article 7	Article 7
Article 8	Article 8
Article 9	Article 10
-	Article 11
Article 10	Article 12
Annex	Annex I
-	Annex II

COMMISSION REGULATION (EC) No 912/2004

of 29 April 2004

implementing Council Regulation (EEC) No 3924/91 on the establishment of a Community survey of industrial production

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3924/91 of 19 December 1991 on the establishment of a Community survey of industrial production ([1]), and in particular Article 9 thereof,

Whereas:

(1) Regulation (EEC) No 3924/91 provides for measures for adjustment to technical progress concerning collection of data and processing of results to be laid down by the Commission after consulting the Statistical Programme Committee.

(2) Technical progress and subsequent legislation, in particular acts relating to the European Business Statistical System, call for adjustments to be made to the survey coverage and characteristics.

(3) These adjustments should improve coverage of the statistics provided by the Member States without increasing the burden on economic operators.

(4) The statistical data compiled within the Community system must be of satisfactory quality and comparable from one Member State to another.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee set up by Council Decision 89/382/EEC. Euratom ([2]),

HAS ADOPTED THIS REGULATION:

Article 1

The field covered by the survey referred to in Article 1 of Council Regulation (EEC) No 3924/91 is to be identified by reference to the survey population and the observation unit.

The survey population of the reference period shall be enterprises whose principal activity or one of its secondary activities is listed in section C, D or E of the classification of economic activities in the European Community (NACE Rev.1.1), set out in Regulation (EC) No 29/2002 of 19 December 2001 ([3]), amending Council Regulation (EEC) No 3037/90 ([4]).

The observation unit shall be the enterprise as defined in Council Regulation (EEC) No 696/93 ([5]) on the statistical units for the observation and analysis of the production system in the Community. Member States may collect data using another statistical unit as observation unit as long as they transmit Enterprise data to Eurostat.

Article 2

The obligation of the units of the survey population to supply true and complete information if called upon by the Member States referred to in Article 5(2) of the Council Regulation (EEC) No 3924/91 is to be limited to the survey population's observation units that produce products listed in the PRODCOM list.

Article 3

The obligation of Member States to adopt survey methods designed to facilitate the collection of data from units representing at least 90 % of national production per NACE class referred to in Article 3(2) of the Council Regulation (EEC) No 3924/91 is to be implemented as Member States' adoption of survey methods designed to enable the collection of data, representing at least 90 % of national production for each NACE Rev.1.1 class of sections C, D and E.

Article 4

Member States' exemption from data collection referred to in Article 3(4) of the Council Regulation (EEC) No 3924/91 is to be clarified by reference to national production of a product.

([1]) OJ L 374, 31.12.1991, p. 1.
([2]) OJ L 181, 28.6.1989, p. 47.
([3]) OJ L 6, 10.1.2002, p. 3.
([4]) OJ L 293, 24.10.1990, p. 1.
([5]) OJ L 76, 30.3.1993, p. 5.

Member States need not collect data on a product, if total national production of that product is less than 1 % of the total Community production of the product in the previous year. Data on products not collected because of this exemption shall be reported as zero. Member States are to provide the necessary documentation.

Article 5

The waiver of Member States' obligation to carry out the PRODCOM survey referred to in Article 5 (3) of the Council Regulation (EEC) No 3924/91 is to be extended to cases where Member States are able to acquire the necessary data, using a combination of different sources and methods.

Article 6

In addition to the obligation to provide information at the request of Eurostat as set out in Article 5(4) of Council Regulation (EEC) No 3921/91Member States are also to provide Eurostat with the necessary information about their survey methods, samples and coverage for the purpose of documentation of compliance with the principles of the PRODCOM methodology as laid down in the manual of PRODCOM methodology.

Article 7

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

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

Done at Brussels, 29 April 2004.

For the Commission

Joaquin ALMUNIA

Member of the Commission

COMMISSION REGULATION (EC) No 913/2004

of 29 April 2004

amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds ([1]), as last amended by Commission Regulation (EC) No 657/2004 ([2]) and in particular Article 20 thereof,

Whereas:

(1) Article 20 of Regulation (EC) No 2368/2002 provides for the amending of the list of participants in the Kimberley Process certification scheme in Annex II.

(2) The Czech Republic, Hungary, Poland and Slovenia are listed as participants in the Kimberley Process certification scheme in Annex II.

(3) In view of their accession to the European Union on 1 May 2004, the Czech Republic, Hungary, Poland and Slovenia cease to be participants in the Kimberley Process certification scheme in their own right on 30 April 2004 and should therefore be removed from the list of Participants. Annex II should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 2368/2002 is hereby replaced by the Annex to this Regulation.

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 with effect from 1 May 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Christopher PATTEN

Member of the Commission

([1]) OJ L 358, 31.12.2002, p. 28.
([2]) OJ L 104, 8.4.2004, p. 62.

ANNEX

'ANNEX II

List of participants in the Kimberley Process certification scheme and their duly appointed competent authorities as referred to in Articles 2, 3, 8, 9, 12, 17, 18, 19 and 20.

ANGOLA

Ministry of Geology and Mines
Rua Hochi Min
Luanda
Angola

ARMENIA

Department of Gemstones and Jewellery
Ministry of Trade and Economic Development
Yerevan
Armenia

AUSTRALIA

— Community Protection Section
Australian Customs Section
Customs House, 5 Constitution Avenue
Canberra ACT 2601
Australia

— Minerals Development Section
Department of Industry, Tourism and Resources
GPO Box 9839
Canberra ACT 2601
Austrália

BELARUS

Department of Finance
Sovetskaja Str., 7
220010 Minsk
Republic of Belarus

BOTSWANA

Ministry of Minerals, Energy & Water Resources
PI Bag 0018
Gaborone
Botswana

BRAZIL

Ministry of Mines and Energy
Esplanada dos Ministérios — Bloco "U" — 3.º andar
70065 — 900 Brasilia — DF
Brazil

BULGARIA

Ministry of Economy
Multilateral Trade and Economic Policy and Regional Cooperation Directorate
12, Al. Batenberg str.
1000 Sofia
Bulgaria

CANADA

— International:

Department of Foreign Affairs and International Trade
Peace Building and Human Security Division
Lester B Pearson Tower B — Room: B4-120
125 Sussex Drive Ottawa, Ontario K1A 0G2
Canada

— For specimen of the Canadian KP Certificate:

Stewardship Division
International and Domestic Market Policy Division
Mineral and Metal Policy Branch
Minerals and Metals Sector
Natural Resources Canada
580 Booth Street, 10th Floor, Room: 10A6
Ottawa, Ontario
Canada K1A 0E4

— General Enquiries:

Kimberley Process Office
Minerals and Metals Sector (MMS)
Natural Resources Canada (NRCan)
10th Floor, Area A-7
580 Booth Street
Ottawa, Ontario
Canada K1A 0E4

CENTRAL AFRICAN REPUBLIC

Independent Diamond Valuators (IDV)
Immeuble SOCIM, 2 ème étage
BP 1613 Bangui
Central African Republic

CHINA, People's Republic of

Department of Inspection and Quarantine Clearance
General Administration of Quality Supervision, Inspection and Quarantine(AQSIQ)
9 Madiandonglu
Haidian District, Beijing
People's Republic of China

HONG KONG, Special Administrative Region of the People's Republic of China

Department of Trade and Industry
Hong Kong Special Administrative Region
Peoples Republic of China
Room 703, Trade and Industry Tower
700 Nathan Road
Kowloon
Hong Kong
China

CONGO, Democratic Republic of

Centre d'Evaluation, d'Expertise et de Certification (CEEC)
17th floor, BCDC Tower
30th June Avenue
Kinshasa
Democratic Republic of Congo

CONGO, Republic of

Directorate General of Mines and Geology
Brazzaville
Republic of Congo

COTE D'IVOIRE

Ministry of Mines and Energy
BP V 91
Abidjan
Cote d'Ivoire

CROATIA

Ministry of Economy
Zagreb
Republic of Croatia

EUROPEAN COMMUNITY

European Commission
DG External Relations/A/2
B-1049 Brussels

GHANA

Precious Minerals Marketing Company (Ltd.)
Diamond House,
Kinbu Road,
P.O. Box M. 108
Accra
Ghana

GUINEA

Ministry of Mines and Geology
BP 2696
Conakry
Guinea

GUYANA

Geology and Mines Commission
P O Box 1028
Upper Brickdam
Stabroek
Georgetown
Guyana

INDIA

The Gem & Jewellery Export Promotion Council
Diamond Plaza, 5th Floor 391-A, Fr D.B. Marg
Mumbai 400 004
India

ISRAEL

Ministry of Industry and Trade
P.O. Box 3007
52130 Ramat Gan
Israel

JAPAN

— United Nations Policy Division
  Foreign Policy Bureau
  Ministry of Foreign Affairs
  2-11-1, Shibakoen Minato-ku
  105-8519 Tokyo
  Japan

— Mineral and Natural Resources Division
  Agency for Natural Resources and Energy
  Ministry of Economy, Trade and Industry
  1-3-1 Kasumigaseki, Chiyoda-ku
  100-8901 Tokyo
  Japan

KOREA, Republic of

— UN Division
  Ministry of Foreign Affairs and Trade
  Government Complex Building
  77 Sejong-ro, Jongro-gu
  Seoul
  Korea

— Trade Policy Division
  Ministry of Commerce, Industry and Enterprise
  1 Joongang-dong, Kwacheon-City
  Kyunggi-do
  Korea

LAOS, People's Democratic Republic

Department of Foreign Trade,
Ministry of Commerce
Vientiane
Laos

LESOTHO

Commission of Mines and Geology
P.O. Box 750
Maseru 100
Lesotho

MALAYSIA

Ministry of International Trade and Industry
Blok 10
Komplek Kerajaan Jalan Duta
50622 Kuala Lumpur
Malaysia

MAURITIUS

Ministry of Commerce and Co-operatives
Import Division
2nd Floor, Anglo-Mauritius House
Intendance Street
Port Louis
Mauritius

NAMIBIA

Diamond Commission
Ministry of Mines and Energy
Private Bag 13297
Windhoek
Namibia

ROMANIA

National Authority for Consumer Protection
Strada Georges Clemenceau Nr. 5, sectorul 1
Bucharest
Romania

RUSSIAN FEDERATION

Gokhran of Russia
14, 1812 Goda St.
121170 Moscow
Russia

SIERRA LEONE

Ministry of Mineral Resources
Youyi Building
Brookfields
Freetown
Sierra Leone

SINGAPORE

Ministry of Trade and Industry
100 High Street
#0901, The Treasury,
Singapore 179434

SOUTH AFRICA

South African Diamond Board
240 Commissioner Street
Johannesburg
South Africa

SRI LANKA

Trade Information Service
Sri Lanka Export Development Board
42 Nawam Mawatha
Colombo 2
Sri Lanka

SWITZERLAND

State Secretariat for Economic Affairs
Export Control Policy and Sanctions
Effingerstrasse 1
3003 Berne
Switzerland

TAIWAN, PENGHU, KINMEN AND MATSU, Separate Customs Territory

Import and Export office
Licensing and Administration
Board of Foreign Trade
Taiwan

TANZANIA

Commission for Minerals
Ministry of Energy and Minerals
PO Box 2000
Dar es Salaam
Tanzania

THAILAND

Ministry of Commerce
Department of Foreign Trade
44/100 Thanon Sanam Bin Nam-Nonthaburi
Muang District
Nonthaburi 11000
Thailand

TOGO

Directorate General — Mines and Geology
B.P. 356
216, Avenue Sarakawa
Lomé
Togo

UKRAINE

— Ministry of Finance
  State Gemological Center
  Degtyarivska St. 38-44
  Kiev
  04119 Ukraine

— International Department
  Diamond Factory “Kristall”
  600 Letiya Street 21
  21100 Vinnitsa
  Ukraine

UNITED ARAB EMIRATES

Dubai Metals and Commodities Centre
PO Box 63
Dubai
United Arab Emirates

UNITED STATES OF AMERICA

U.S. Department of State
2201 C St., N.W.
Washington D.C.
United States of America

VENEZUELA

Ministry of Energy and Mines
Apartado Postal No. 61536 Chacao
Caracas 1006
Av. Libertadores, Edif. PDVSA, Pent House B
La Campina — Caraca
Venezuela

VIETNAM

Export-Import Management Department
Ministry of Trade of Vietnam
31 Trang Tien
Hanoi 10.000
Vietnam

ZIMBABWE

Principal Minerals Development Office
Ministry of Mines and Mining Development
Private Bag 7709, Causeway
Harare
Zimbabwe’

COMMISSION REGULATION (EC) No 914/2004

of 29 April 2004

fixing the compensatory aid for bananas produced and marketed in the Community in 2003 and the unit value of the advances for 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 [1], and in particular the first subparagraph of Article 12(6) and Article 14 thereof,

Whereas:

(1) Under Article 12(3) of Regulation (EEC) No 404/93, compensatory aid to Community producers for any loss of income is calculated on the basis of the difference between the flat-rate reference income and the average production income from bananas produced and marketed in the Community during the year in question.

(2) Article 2(2) of Commission Regulation (EEC) No 1858/93 of 9 July 1993 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector [2] fixes the flat-rate reference income at EUR 64,03 per 100 kilograms net weight of green bananas ex-packing shed.

(3) In 2003, the average production income, calculated on the basis of the average of the prices for bananas marketed outside the producer regions at the stage of delivery at first port of unloading (goods not unloaded), on the one hand, and the selling prices on local markets for bananas marketed in their producer region, on the other, less the flat-rate amounts laid down in Article 3(2) of Regulation (EEC) No 1858/93, was less than the flat-rate reference income fixed for 2003. The compensatory aid to be granted in respect of 2003 should be fixed accordingly.

(4) Under the second subparagraph of Article 12(6) of Regulation (EEC) No 404/93, supplementary aid is granted in one or more producer regions where the average income from production is significantly lower than the average for the Community.

(5) The annual average production income from the marketing of bananas produced in Martinique and Guadeloupe has proved to be significantly lower than the Community average during 2003. As a result, supplementary aid should be granted in the producer regions of Martinique and Guadeloupe, in accordance with the practice followed in recent years. Supplementary aid covering a percentage of the difference between the average income in the Community and the average income recorded on selling products in those regions should be fixed, using a degressive calculation method in which the first 10 % of this difference is not compensated for.

(6) The unit amount of the advances and the amount of the relevant security are established, in accordance with Article 4(2) and (3) of Regulation (EEC) No 1858/93, on the basis of the aid fixed for the preceding year.

(7) Given that not all the necessary data were available, it has not hitherto been possible to determine the compensatory aid for 2003. Provision should be made for the balance of the aid for 2003 and of the advances for bananas marketed during January and February 2004 to be paid within two months of the entry into force of this Regulation.

(8) 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

1. The compensatory aid provided for in Article 12 of Regulation (EEC) No 404/93 for fresh bananas falling within CN code ex 0803, excluding plantain bananas, produced and marketed in the Community in 2003 shall be EUR 29,46 per 100 kilograms.

2. The aid fixed in paragraph 1 shall be increased by EUR 5,19 per 100 kilograms for bananas produced in Martinique and by EUR 5,15 per 100 kilograms for bananas produced in Guadeloupe.

Article 2

Advances for bananas marketed from January to December 2004 shall amount to EUR 20,62 per 100 kilograms. The relevant security shall be EUR 10,31 per 100 kilograms.

[1] OJ L 47, 25.2.1993, p. 1. Regulation last amended by Regulation (EC) No 2587/2001 (OJ L 345, 29.12.2001, p. 13).
[2] OJ L 170, 13.7.1993, p. 5. Regulation last amended by Regulation (EC) No 471/2001 (OJ L 67, 9.3.2001, p. 52).

Article 3

As an exception to Article 10 of Regulation (EEC) No 1858/93, the competent authorities of the Member States shall pay the balance of the compensatory aid to be granted in respect of 2003 and the advance for bananas marketed during January and February 2004 within two months of the entry into force of this Regulation.

Article 4

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

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 915/2004

of 29 April 2004

repealing certain Regulations in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for the exportation of agricultural products which may benefit from a special import treatment in a third country [1], and in particular Article 1(2) thereof,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [2], and in particular Articles 26(3) and 31(14) thereof,

Whereas:

(1) Article 14 of Commission Regulation (EEC) No 2729/81 of 14 September 1981 laying down special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products [3] provides that for the purposes of applications for licences with advance fixing of the refund submitted under a tendering procedure opened in a non-member country, the only invitations to tender that may be considered are those issued by public agencies or bodies governed by public law appearing on the list attached to Commission Regulation (EEC) No 2730/81 of 14 September 1981 establishing a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector [4]. This provision was reproduced in Article 6(1) of Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products [5], which repeals Regulation (EEC) No 2729/81. Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products [6], which replaces Regulation (EC) No 1466/95, makes no further reference to Regulation (EEC) No 2730/81 and provides in Article 8 that proof that the agency is public or subject to public law will henceforth be furnished by the trader. Regulation (EEC) No 2730/81 has therefore become devoid of purpose and may be repealed.

(2) Article 1(1) of Regulation (EEC) No 2931/79 provides that when agricultural products are exported which may, under agreements concluded by the Community, qualify for special treatment on importation into a third country if certain conditions are met, the competent authorities of the Member States will, on request and after appropriate checks are made, issue a document certifying that the conditions have been met. In accordance with that Regulation, Commission Regulation (EEC) No 3305/82 of 9 December 1982 laying down detailed rules for the provision of administrative assistance in connection with the export of cheeses eligible for special treatment on import into Norway [7] requires exporters to present a certificate attesting to the Community origin of the cheeses exported. Paragraph 4(1) of Annex IV to the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Norway concerning certain arrangements in agriculture [8] provides that products will benefit from the Agreement upon submission of either a movement certificate EUR.1 or an invoice. Regulation (EEC) No 3305/82 may therefore be repealed since the presentation of the certificate referred to in Article 1 thereof is no longer required.

(3) Commission Regulation (EEC) No 3439/83 of 5 December 1983 laying down special conditions for the export of certain cheeses to Australia [9] provides for a special certificate to be presented to the authorities of that country attesting that the Community cheeses imported have benefitted from a lower refund than those set for other destinations. With the adoption of Commission Regulation (EC) No 1776/96 of 12 September 1996 fixing the export refunds on milk and milk products [10] refunds for cheeses exported to Australia are no longer fixed and consequently Regulation (EEC) No 3439/83 has become devoid of purpose and may be repealed.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

(1) OJ L 334, 28.12.1979, p. 8.
(2) OJ L 160, 26.6.1999, p. 48. Regulation last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).
(3) OJ L 272, 26.9.1981, p. 19. Regulation repealed by Regulation (EC) No 1466/95.
(4) OJ L 272, 26.9.1981, p. 25. Regulation last amended by Regulation (EC) No 763/94 (OJ L 90, 7.4.1994, p. 13).
(5) OJ L 144, 28.6.1995, p. 22. Regulation repealed by Regulation (EC) No 174/1999.
(6) OJ L 20, 27.1.1999, p. 8. Regulation last amended by Regulation (EC) No 1948/2003 (OJ L 287, 5.11.2003 p. 13).
(7) OJ L 350, 10.12.1982, p. 11. Regulation amended by Regulation (EEC) No 222/88, (OJ L 28, 1.2.1988, p. 1).
(8) OJ L 109, 1.5.1993, p. 47.
(9) OJ L 340, 6.12.1983, p. 7. Regulation last amended by Regulation (EEC) No 222/88.
(10) OJ L 232, 13.9.1996, p. 19.

HAS ADOPTED THIS REGULATION:

Article 1

Regulations (EEC) No 2730/81, (EEC) No 3305/82 and (EEC) No 3439/83 are hereby repealed.

Article 2

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

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 916/2004

of 29 April 2004

amending Regulation (EC) No 1438/2003 laying down implementing rules on the Community Fleet Policy by reason of the Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) As the date of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia is 1 May 2004, the provisions of Commission Regulation 1438/2003 should be adapted.

(2) Regulation (EC) No 1438/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1438/2003 is amended as follows:

1. Article 2 is amended as follows:

   (a) The following subparagraph is added to point 1:

   'For the New Member States, "GT_a" or "the total tonnage of vessels leaving the fleet with public aid after 31 December 2002" means the total tonnage of vessels that left the fleet with public aid between 1 May 2004 and the date for which $GT_t$is calculated.'

   (b) The following subparagraph is added to point 4:

   'For the New Member States "GT_{100}" or "the total tonnage of vessels of more than 100 GT entering the fleet with public aid granted after 31 December 2002" means the total tonnage of vessels of more than 100 GT that entered into the fleet between 1 May 2004 and the date for which $GT_t$is calculated, and for which an administrative decision by the Member State concerned to grant aid was taken after 30 April 2004.'

   (c) The following subparagraph is added to point 5:

   'For the New Member States "kW_a" or "the total power of vessels leaving the fleet with public aid after 31 December 2002" means the total power of vessels that left the fleet with public aid between 1 May 2004 and the date for which $kW_t$is calculated.'

   (d) The following subparagraph is added to point 6:

   'For the New Member States "kW_{100}"or "the total power of vessels of more than 100 GT entering the fleet with public aid granted after 31 December 2002" means the total power of vessels of more than 100 GT that entered into the fleet between 1 May 2004 and the date for which kW_t is calculated, and for which an administrative decision by the Member State concerned to grant aid was taken after 30 April 2004.'

   (e) The following point is added as point 11:

   '11. The "New Member States": means the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.'

2. The following Article 6a is inserted:

'*Article 6a*

Fishing capacity of the fleet of the New Member States at 1 May 2004

For the New Member States, for the purposes of Article 7a, the fishing capacity in terms of tonnage (GT_{04}) and power (kW_{04}) at 1 May 2004 shall be determined taking into account, in accordance with Annex III, the entries of vessels which are based on an administrative decision by the Member State concerned taken between 1 May 2001 and 30 April 2004, and which take place not later than three years after the date of the administrative decision.'

3. The following Article 7a is inserted:

'*Article 7a*

Monitoring of entries and entries in the New Member States

1. In order to comply with Article 13 of Regulation (EC) No 2371/2002, each New Member State shall ensure that at all times the fishing capacity in tonnage (GT_t) is equal to or less than the fishing capacity at 1 May 2004, (GT_{04}) as adjusted by:

(a) deducting:

   (i) the total tonnage of vessels leaving the fleet with public aid after 30 April 2004 (GT_a);

(ii) 35 % of the total tonnage of vessels of more than 100 GT entering the fleet with public aid granted after 30 April 2004 (GT_{100});

(b) and adding

(i) the total tonnage increases granted under the provisions of Article 11 (5) of Regulation (EC) No 2371/2002 (GT_S);

(ii) the result of the re-measurement of the fleet (Δ(GT-GRT)).

Each New Member State shall ensure that the following formula is complied with:

$$GT_t \leq GT_{04} — GT_{a} — 0.35\ GT_{100} + GT_S + \Delta(GT\text{-}GRT).$$

2. 2. In order to comply with Article 13 of Regulation No 2371/2002, each New Member State shall ensure that at all times the fishing capacity in power (kWt) is equal to or less than the fishing capacity at 1 May 2004, (kW04) as adjusted by deducting:

(a) the total power of vessels leaving the fleet with public aid after 30 April 2004 (kW_a);

(b) 35 % of the total power of vessels of more than 100 GT entering the fleet with public aid granted after 30 April 2004 (kW_{100}).

Each New Member State shall ensure that the following formula is complied with:

$$kW_t \leq kW_{04} — kW_{a} — 0.35\ kW_{100.}’$$

4. The following Annex III is added:

‘*ANNEX III*

RULES FOR THE CALCULATION OF THE FISHING CAPACITY IN TERMS OF TONNAGE (GT_{04}) AND POWER (KW_{04}) FOR THE NEW MEMBER STATES

For the purposes of this Annex:

1. $GT_{FR:}$ meansthefishing capacity of the fleet on the date of accession in terms of tonnage as calculated on the basis of the Community fishing fleet register;

2. $GT_{1:}$ means the total tonnage of vessels which entered the fleet after the 1 May 2004 based on an administrative decision taken between 1st May 2001 and 30 April 2004;

3. $kW_{FR:}$ means fishing capacity of the fleet on the date of accession in terms of power as calculated on the basis of the Community fishing fleet register;

4. $kW_{1:}$ means the total power of vessels which entered the fleet after the 1 May 2004 based on an administrative decision takenbetween 1st May 2001 and 30 April 2004;The fishing capacity of the fleet expressed in terms of tonnage GT_{04} and power kW_{04}, as defined in Article 6a, shall be calculated with the following formulae:

$$GT_{04} = GT_{FR} + GT_1$$

$$kW_{04} = kW_{FR} + kW_1’$$

Article 2

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia..

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 917/2004

of 29 April 2004

on detailed rules to implement Council Regulation (EC) No 797/2004 on actions in the field of beekeeping

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation 797/2004 [1], and in particular Article 6 thereof,

Whereas:

(1) Regulation (EC) No 797/2004 replacing Council Regulation (EC) No 1221/97 [2] lays down measures for the purpose of improving the conditions under which beekeeping products is produced and marketed. In the interest of clarity, it should be repealed Commission Regulation (EC) No 2300/97 of 20 November 1997 on detailed rules to implement Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey [3] and it should be replaced by a new Regulation.

(2) Article 1 of Regulation (EC) No 797/2004 states that Member States may establish apiculture programmes. It is necessary to specify the basic elements that these programmes are required to contain and the time limit for their transmission to the Commission.

(3) The Community's financial contribution to national programmes should be restricted, by reference to each Member State's share of the total number of hives in the Community.

(4) The Member States are to monitor programmes implemented pursuant to this Regulation. Those monitoring measures are to be notified to the Commission.

(5) Consistency between measures of apiculture programmes and other measures under the various Community policies must be ensured during the implementation of programmes. In particular, any overcompensation owing to the combination of aid and any other inconsistency in the definition of measures must be avoided.

(6) In order to allow certain flexibility in the implementation of the programme, the financial limits notified for each measure may vary by certain percentage without, however, exceeding the overall ceiling for the annual programme. If use is made of the flexibility allowed in implementation of the programme, the Community financial contribution must not exceed the limit of 50 % of the expenditure actually borne by the Member State concerned.

(7) In order to allow more flexibility in the implementation of the programme, the measures of the programmes could be adapted during the implementation of the programme, however modified actions must be the same as measures provide for in Council Regulation (EC) No 797/2004.

(8) Rules should be adopted for setting the conversion rates to be applied to the financing of national programmes.

(9) Rules concerning its content should be laid down to ensure that the studies referred to in Article 3 of Regulation (EC) No 797/2004 are carried out and up to date in a consistent fashion.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Eggs and Poultrymeat Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The national programmes referred to in Article 1 of Regulation (EC) No 797/2004 (hereinafter referred to as 'the apiculture programmes') shall:

(a) describe the situation in the sector making it possible to update regularly the structural data in the study referred to in Article 3 of Regulation (EC) No 797/2004;

(b) state its aims;

(c) give a detailed description of the measures involved, with unit costs where appropriate;

(d) state the estimated costs and financing plan broken down yearly at national and regional level;

[1] OJ L 125, 28.4.2004, p. 1.
[2] OJ L 173, 1.7.1997, p. 1.
[3] OJ L 319, 21.11.1997, p. 4. Regulation last amended by Regulation (EC) No 1387/2003 (OJ L 196, 2.8.2003, p. 22).

(e) refer to the applicable laws, regulations and administrative provisions;

(f) list the representative organizations and bee-keeping cooperatives that collaborated in drawing up the apiculture programmes;

(g) set up the monitoring and assessment arrangements of the apiculture programme.

Article 2

1. Member States shall notify their apiculture programme to the Commission before 15 April of the first year of the three years period applied by the programme.

However, for the year 2004, Member States shall notify their apiculture programme for 15 May at latest.

2. The annual exercises of the apiculture programme are established from 16 October each year to 15 October of the following year.

3. The apiculture programme measures, laid down for every year of the three years period, shall be entirely executed before 31 August of the following year. Payments shall be carried out during the exercise.

Article 3

Community part-financing of apiculture programmes shall be restricted for each Member State to an amount corresponding to its share of the total number of beehives in the Community, as stated in Annex I to this Regulation.

However, if one or more Member States does not notify its apiculture programme within the time limits laid down in Article 2 (1), or does not use all of the amount of part-financing referred to in the first paragraph, the shares of the other Member States may be increased in proportion to their share.

Article 4

Member States shall forward to the Commission, together with their apiculture programmes, documents specifying how the programmes are to be monitored.

The monitoring checks shall be designed to verify compliance with the terms on which aid is granted under the national programmes. These shall consist of both administrative and on-the-spot checks.

Sufficient proof of these controls shall be available by the paying agencies.

Article 5

1. Member States shall communicate to the Commission the list of measures on apiculture included in national operational programmes under Objectives 1 and 2 laid down by Council Regulation (EC) No 1260/1999 ([1]), before the date referred to in Article 2 (1).

2. The same measure may not be the subject of payments simultaneously under Regulation (EC) No 797/2004 and under another Community aid scheme, in particular respect of Council Regulation (EC) No 1257/1999 ([2]).

Article 6

The financial limits for each measure may be increased or reduced by a maximum of 20 % provided that the overall ceiling for the annual programme is not exceeded and the Community contribution to financing of the apiculture programme does not exceed 50 % of the expenditure borne by the Member State concerned.

Article 7

The measures of the apiculture programmes could be adapted during the annual exercise, however they must be in accordance with Article 2 of Council Regulation (EC) No 797/2004 and shall be approved in accordance with article 5 of the same Regulation.

Article 8

The conversion rate to be applied to the amount referred to in Article 3 shall be the rate in force on1 May of the year in which the programme is notified.

Article 9

The studies referred to in Article 3 of Regulation (EC) No 1221/97 shall refer the points indicated in Annex II to this Regulation.

Article 10

Regulation (EC) No 2300/97 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex III.

Article 11

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

([1]) OJ L 161, 26.6.1999, p. 1.
([2]) OJ L 160, 26.6.1999, p. 80.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Member State	Bee census Number of hives
BE	100 000
DK	155 000
DE	893 000
EL	1 380 000
ES	2 397 840
FR	1 150 000
IE	20 000
IT	1 100 000
LU	10 213
NL	80 000
AT	336 139
PT	590 000
FI	47 000
SE	145 000
UK	274 000
Total	8 678 192

ANNEX II

Study on the structure of the apiculture sector, as referred to in Article 9

1. **Hives and bee keepers**

Professional beekeeper's hives:

Total hives:

Professional beekeepers (a):

Total beekeepers:

2. **Marketing structures**

Production (b): Direct sales to consumers

Direct sales to retailers

Sales for market preparation/to dealers

Sales to industry

Imports: Sales to dealers/for market preparation/to industry

Exports:

3. **Prices**

4. **Production and market preparation costs**

Fixed costs:

Variable costs:

— Detailed breakdown if available covering:
  — varroasis control costs
  — winter feeding
  — packaging (containers)
  — transhumance

5. **Honey quality**

Certificates of specific character: Council Regulation (EEC) No 2082/92 (1)

Designation of origin: Council Regulation (EEC) No 2081/92 (2)

Geographical indication: Regulation (EEC) No 2081/92

Notes:

(a) A professional beekeeper is one running more than 150 hives.

(b) Where possible please indicate type of honey and size of holding.

ANNEX III

Correlation table

Regulation (EC) No 2300/97	This Regulation
Article 1	Article 1
Article 2(1)	Article 2(1)
	Article 2(2)
Article 2(2)	Article 2(3)
Article 3	Article 3
Article 4(1)	Article 4, subparagraphs 1 and 2
Article 4(2)	Article 5(1)
Article 4(3)	Article 5(2)
Article 4bis	Article 6
	Article 7
Article 5	Article 8
Article 6	Article 9
	Article 10
Article 7	Article 11
Annex I	Annex I
Annex II	Annex II
–	Annex III

COMMISSION REGULATION (EC) No 918/2004

of 29 April 2004

introducing transitional arrangements for the protection of geographical indications and designations of origin for agricultural products and foodstuffs in connection with the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 41 thereof,

Whereas:

(1) Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs [1] institutes a Community system of protection for geographical indications and designations of origin and creates a Community register of protected geographical indications and designations of origin.

(2) Article 5(5) of Regulation (EEC) No 2081/92 provides, however, that geographical indications and designations of origin may be given transitional national protection by Member States from the date on which applications for registration of such names are sent to the Commission. The consequences of such national protection in cases where a name is not registered at Community level are entirely the responsibility of the Member State concerned.

(3) Following the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the geographical indications and designations of origin of these countries (hereinafter 'the new Member States') may therefore be registered at Community level under Article 5 of Regulation (EEC) No 2081/92 and protected under Article 13.

(4) In order to facilitate the submission of applications to the Commission from the new Member States and ensure continuing protection of the relevant geographical indications and designations of origin, provision should be made for these Member States to uphold the national protection existing on 30 April 2004 until a decision has been taken under Article 6 of Regulation (EEC) No 2081/92, provided that an application for registration under that Regulation has been sent to the Commission by 31 October 2004.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on the protection of geographical indications and designations of origin,

HAS ADOPTED THIS REGULATION:

Article 1

The national protection of geographical indications and designations of origin within the meaning of Regulation (EEC) No 2081/92 existing in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia on 30 April 2004 may be upheld by those Member States until 31 October 2004.

Where an application for registration under Regulation (EEC) No 2081/92 is forwarded to the Commission by 31 October 2004, such protection may be upheld until a decision has been taken in accordance with Article 6 of that Regulation.

The consequences of such national protection in cases where the name is not registered at Community level are entirely the responsibility of the Member State concerned.

Article 2

This Regulation shall enter into force on 1 May 2004, subject to the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

[1] OJ L 208, 24.7.1992, p. 1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 919/2004

of 29 April 2004

amending the delivery obligations for cane sugar to be imported under the ACP Protocol and the India Agreement for the 2003/04 delivery period

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector [1], and in particular Articles 22(2) and Article 39(6) thereof,

Whereas:

(1) Commission Regulation (EC) No 737/2004 [2] amended the delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2003/2004 delivery period as fixed in Commission Regulation (EC) No 443/2004 [3].

(2) Article 9(2) of Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 [4], stipulates that at the request of a Member State or an exporting country and to resolve duly justified specific cases, the Commission may amend delivery obligations defined under Article 9(1) of Regulation (EC) No 1159/2003.

(3) The Republic of Mauritius has requested the transfer of some of its delivery obligations between the 2003/04 and 2004/05 delivery periods on the grounds that an import licence issued on 5 March 2004 for 25 376 tonnes of preferential sugar was lost by its holder and another issued to the same holder to replace the one lost. This situation resulted in the suspension of imports of sugar from Mauritius following the adoption of Commission Regulation (EC) No 647/2004 of 6 April 2004 on granting of import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements [5], because licence applications exceeded the delivery obligation concerned for the 2003/04 delivery period.

(4) So that the obligations provided for in Protocol No 3 on ACP sugar [6] can be complied with for the 2003/04 delivery period, the delivery obligation fixed for Mauritius for the 2003/04 delivery period should be amended.

(5) Transferring 25 376 tonnes of preferential sugar from Mauritius's delivery obligation for 2004/05 to its delivery obligation for 2003/04 will not disturb the supply arrangement referred to in Article 39 of Regulation (EC) No 1260/2001, and the transferred quantity will be booked for the 2004/05 delivery period subject to verification that the lost licence was never actually used.

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

HAS ADOPTED THIS REGULATION:

Article 1

The delivery obligations for imports of products falling within CN code 1701 expressed as white sugar equivalent originating in countries which are parties to the ACP Protocol and the India Agreement, for the 2003/04 delivery period and for each exporting country as fixed in the Annex to Regulation (EC) No 737/2004 are hereby amended as set out in the Annex to this Regulation.

Article 2

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

[1] OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 2).
[2] OJ L 116, 22.4.2004, p. 3.
[3] OJ L 72, 11.3.2004, p. 3.
[4] OJ L 162, 1.7.2003, p. 52.
[5] OJ L 102, 7.4.2004, p. 45.
[6] OJ L 317, 15.12.2000, p. 3.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Delivery obligations for imports of preferential sugar, expressed as white sugar equivalent, originating in countries which are parties to the ACP Protocol and the India Agreement for the 2003/04 delivery period

ACP Protocol/India Agreement signatory country	Delivery obligations 2003/04
Barbados	50 641,21
Belize	38 977,79
Congo	10 186,10
Côte d'Ivoire	10 186,10
Fiji	161 123,25
Guyana	153 799,11
India	10 000,00
amaicaJ	118 695,13
Kenya	0,00
Madagascar	18 815,50
Malawi	20 564,84
Mauritius	509 654,72
Uganda	0,00
Saint Kitts and Nevis	8 804,51
Suriname	0,00
Swaziland	111 298,16
Tanzania	10 189,35
Trinidad and Tobago	42 054,47
Zambia	0,00
Zimbabwe	36 658,00
Total	1 311 648,24

COMMISSION REGULATION (EC) No 920/2004

of 29 April 2004

amending Regulation (EC) No 2550/2001 laying down detailed rules for the application of Council Regulation (EC) No 2529/2001 on the common organisation of the market in sheepmeat and goat-meat as regards premium schemes and amending Regulation (EC) No 2419/2001 by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) A number of technical adjustments are required to Commission Regulation (EC) No 2550/2001 [1] by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereafter referred to as the 'new Member States').

(2) Article 2(2) of Regulation (EC) No 2550/2001 lays down that each Member State must set a period for the submission of applications for sheep and goat premiums. Given that the new Member States are due to accede to the European Union on 1 May 2004, they should be authorised to set a special timetable for the submission of premium applications in 2004 and the rules on notifications should be adjusted.

(3) Annex I to Regulation (EC) No 2550/2001 should be amended to take account of the goat herds of Cyprus, Slovenia and Slovakia,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2550/2001 is hereby amended as follows:

(a) In Article 2(2), the following subparagraph is added:

'For 2004, Malta and Slovenia may set a period commencing on the date of entry into force of the 2003 Treaty of Accession at the earliest and ending 31 days later at the latest.'

(b) In Article 18, the following second paragraph is added:

'In the case of Malta and Slovenia, the information referred to in the first paragraph shall be provided before 30 August 2004.'

(c) Annex I is replaced by the text given in the Annex hereto.

Article 2

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 341, 22.12.2001, p. 105. Regulation last amended by Regulation (EC) No 2307/2003 (OJ L 342, 30.12.2003, p. 11).

ANNEX

'ANNEX I

Areas eligible for the goat premium

1. Germany: all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999
2. Greece: the whole country
3. Spain: the autonomous regions of Andalusia, Aragon, the Balearic Islands, Castile-La Mancha, Castile-Leon, Catalonia, Extremadura, Galicia (with the exception of the Provinces of La Coruña and Lugo), Madrid, Murcia, Rioja, the Autonomous Community of Valencia, and the Canary Islands and all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 situated outside those regions
4. France: Corsica, the overseas departments and all mountain areas within the meaning of Article 18 of Council Regulation (EC) No 1257/1999 situated outside those regions
5. Italy: Lazio, Abruzzi, Molise, Campania, Apulia, Basilicata, Calabria, Sicily and Sardinia and all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 situated outside those regions
6. Cyprus: the whole country
7. Austria: all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999
8. Portugal: the whole country, with the exception of the Azores
9. Slovenia: the whole country
10. Slovakia: all mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999'

COMMISSION REGULATION (EC) No 921/2004

of 29 April 2004

amending Regulations (EEC) No 2191/81, (EEC) No 429/90 and (EC) No 2571/97 to take account of the requirements of Council Directive 92/46/EEC laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Articles 10 and 15 thereof,

Whereas:

(1) Article 1(3) of Commission Regulation (EEC) No 2191/81 of 31 July 1981 on the granting of aid for the purchase of butter by non-profit making institutions and organisations [2] indicates the butter eligible under that Regulation.

(2) Article 1 of Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community [3] defines the concentrated butter eligible under that Regulation.

(3) Article 1 of Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs [4] defines the butter, concentrated butter and cream which can be subsidized when used for incorporation into the end products eligible for the measures provided for under that Regulation.

(4) In order to ensure that a subsidy is only given to products offering a high standard of health protection, butter, concentrated butter and cream referred to in Regulations (EEC) No 2191/81, (EEC) No 429/90 and (EC) No 2571/97 should meet the requirements of Council Directive 92/46/EEC [5], notably preparation in an approved establishment and compliance with the health marking requirements specified at A in Chapter IV of Annex C of that Directive.

(5) Regulations (EEC) No 2191/81, (EEC) No 429/90 and (EC) No 2571/97 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(3)(b) of Regulation (EEC) No 2191/81, the first indent is replaced by the following:

'— butter, which:

(i) respects the conditions of Article 6(3) of Council Regulation (EC) No 1255/1999 (*) and complies with the national quality class referred to in Annex V of Commission Regulation (EC) No 2771/1999 (**) in the manufacturing Member State and the packaging of which is marked accordingly,

(ii) meets the requirements of Council Directive 92/46/EEC (***), notably as regards preparation in an approved establishment and compliance with the health marking requirements specified at A in Chapter IV of Annex C of that Directive;

(*) OJ L 160, 26.6.1999, p. 48.
(**) OJ L 333, 24.12.1999, p. 11.
(***) OJ L 268, 14.9.1992, p. 1.'

Article 2

In Article 1(1) of Regulation (EEC) No 429/90, the following sentence is added:

'It must meet the requirements of Council Directive 92/46/EEC (*), notably as regards preparation in an approved establishment and compliance with the health marking requirements specified at A in Chapter IV of Annex C of that Directive.

(*) OJ L 268, 14.9.1992, p. 1.'

(1) OJ L 160, 26.6.1999, p. 48. Regulation last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).
(2) OJ L 213, 1.8.1981, p. 20. Regulation last amended by Regulation (EC) No 1565/2001 (OJ L 208, 1.8.2001, p. 15).
(3) OJ L 45, 21.2.1990, p. 8. Regulation last amended by Regulation (EC) No 124/1999 (OJ L 16, 21.1.1999, p. 19).
(4) OJ L 350, 20.12.1997, p. 3. Regulation last amended by Regulation (EC) No 186/2004.
(5) OJ L 268, 14.9.1992. Directive last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

Article 3

In Article 1(2) of Regulation (EC) No 2571/97, the following subparagraph is added:

'Butter, concentrated butter and cream referred to in points (a), (b) and (c) must meet the requirements of Council Directive 92/46/CEE (*), notably as regards preparation in an approved establishment and compliance with the health marking requirements specified at A in Chapter IV of Annex C of that Directive.

(*) OJ L 268, 14.9.1992, p. 1.'

Article 4

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

It shall apply from 1 May 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 922/2004

of 29 April 2004

amending Regulation (EC) No 2799/1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], and in particular Article 15 thereof,

Whereas:

(1) Article 7(1) of Commission Regulation (EC) No 2799/1999 [2] fixes the amount of aid for skimmed milk and skimmed-milk powder intended for animal feed taking into account the factors set out in Article 11(2) of Regulation (EC) No 1255/1999. In view of developments in the supply situation for skimmed milk and skimmed-milk powder, the amount of aid should be reduced.

(2) Regulation (EC) No 2799/1999 should therefore be amended accordingly.

(3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation (EC) No 2799/1999, paragraph 1 is replaced by the following:

'1. Aid is fixed at:

(a) EUR 4,57 per 100 kg of skimmed milk with a protein content of not less than 35,6 % of the non-fatty dry extract;

(b) EUR 4,04 per 100 kg of skimmed milk with a protein content of not less than 31,4 % but less than 35,6 % of the non-fatty dry extract;

(c) EUR 56,60 per 100 kg of skimmed-milk powder with a protein content of not less than 35,6 % of the non-fatty dry extract;

(d) EUR 49,92 per 100 kg of skimmed-milk powder with a protein content of not less than 31,4 % but less than 35,6 % of the non-fatty dry extract.'

Article 2

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

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 160, 26.6.1999, p. 48. Regulation last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

(2) OJ L 340, 31.12.1999, p. 3. Regulation last amended by Regulation (EC) No 2132/2003 (OJ L 320, 5.12.2003, p. 4).

COMMISSION REGULATION (EC) No 923/2004

of 29 April 2004

on granting import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ([1]),

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ([2]),

Having regard to Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/2004, 2004/2005 and 2005/2006 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 ([3]), and in particular Article 5(3) thereof,

Whereas:

(1) Article 9 of Regulation (EC) No 1159/2003 lays down detailed rules on determining the delivery obligations at zero duty for products falling within CN code 1701 expressed as white sugar equivalent for imports originating in countries which are parties to the ACP Protocol and the India Agreement.

(2) Commission Regulation (EC) No 919/2004 of 29 April 2004 amending the delivery obligations for cane sugar to be imported under the ACP Protocol and the India Agreement for the 2003/2004 delivery period ([4]) fixed a delivery obligation for Mauritius higher than all the import licence applications submitted to date for the 2003/2004 delivery period.

(3) A check on import licence applications submitted for the 2003/2004 delivery period for Malawi has shown that in the case of the delivery obligation for cane sugar originating in Malawi quantities of sugar are still available.

(4) In these circumstances and in the interests of clarity, it should be indicated that the maximum quantities of the delivery obligations for Mauritius and Malawi for the delivery period concerned have not been reached,

HAS ADOPTED THIS REGULATION:

Article 1

For import licence applications submitted in the period from 19 to 23 April 2004 under Article 5(1) of Regulation (EC) No 1159/2003, licences shall be issued up to the maximum quantities indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

([1]) OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

([2]) OJ L 146, 20.6.1996, p. 1.

([3]) OJ L 162, 1.7.2003, p. 25.

([4]) See page 90 of this Official Journal.

ANNEX

ACP-India Preferential Sugar

Title II of Regulation (EC) No 1159/2003

2003/04 marketing year

Country	Week of 19 to 23 April 2004: percentage of requested quantity to be granted	Limit
Barbados	100	
Belize	0	reached
Congo	0	reached
Fiji	100	
Guyana	100	
India	0	reached
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	0	
Mauritius	0	
Saint Kitts and Nevis	100	
Swaziland	100	
Tanzania	100	
Trinidad and Tobago	100	
Zambia	100	
Zimbabwe	0	reached

Special Preferential Sugar

Title III of Regulation (EC) No 1159/2003

2003/04 marketing year

Quota opened for the Member States referred to in Article 39 of Regulation (EC) No 1260/2001, except Slovenia

Country	Week of 19 to 23 April 2004: percentage of requested quantity to be granted	Limit
India	100	
ACP	100	

Special Preferential Sugar

Title III of Regulation (EC) No 1159/2003

2003/04 marketing year

Quota opened for Slovenia

Country	Week of 19 to 23 April 2004: percentage of requested quantity to be granted	Limit
ACP	100	

CXL concessions sugar

Title IV of Regulation (EC) No 1159/2003

2003/04 marketing year

Country	Week of 19 to 23 April 2004: percentage of requested quantity to be granted	Limit
Brazil	0	reached
Cuba	100	
Other third countries	0	reached

COMMISSION REGULATION (EC) No 924/2004

of 29 April 2004

amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96 [1], as amended by Council Regulation (EC) No 2204/2003 [2], and in particular Article 11(b) thereof,

Whereas:

(1) Annex IV to Regulation (EC) No 1210/2003 lists the natural and legal persons, bodies or entities associated with the regime of former President Saddam Hussein covered by the freezing of funds and economic resources under that Regulation.

(2) On 7 April 2004, the Sanctions Committee of the United Nations Security Council decided to amend the list comprising Saddam Hussein and other senior officials of the former Iraqi regime, their immediate family members and the entities owned or controlled by them or by persons acting on their behalf or at their direction, to whom the freezing of funds and economic resources should apply. Therefore, Annex IV should be amended accordingly.

(3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EC) No 1210/2003 is hereby amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 29 April 2004.

For the Commission

Christopher PATTEN

Member of the Commission

(1) OJ L 169, 8.7.2003, p. 6.
(2) OJ L 330, 18.12.2003, p. 7.

ANNEX

Annex IV to Regulation (EC) No 1210/2003 is amended as follows:

The following natural persons shall be added:

1. Sajida Khayrallah Tilfah. Date of birth: 1937. Place of birth: Al-Awja, near Tikrit, Iraq. Nationality: Iraqi. Other information: Saddam Hussein's officially recognised wife and mother of five of his children, including Qusay Saddam Hussein and Uday Saddam Hussein.
2. Raghad Saddam Hussein Al-Tikriti. Date of birth: 1967. Place of birth: Iraq. Nationality: Iraqi. Address: Amman, Jordan. Other information: daughter of Sajida Khayrallah Tilfah and Saddam Hussein.
3. Rana Saddam Hussein Al-Tikriti. Date of birth: 1969. Place of birth: Iraq. Nationality: Iraqi. Address: Amman, Jordan. Other information: daughter of Sajida Khayrallah Tilfah and Saddam Hussein.
4. Hala Saddam Hussein Al-Tikriti. Date of birth: 1972. Place of birth: Iraq. Nationality: Iraqi. Other information: daughter of Sajida Khayrallah Tilfah and Saddam Hussein
5. Samira Shahbandar (alias Chadian) Date of birth: 1946. Place of birth: Baghdad, Iraq. Nationality: Iraqi. Other information: Saddam Hussein's second wife and mother of his third son.
6. Ali Saddam Hussein Al-Tikriti (alias Hassan). Date of birth: 1980 or 1983. Place of birth: Iraq. Nationality: Iraqi. Other information: son of Samira Shahbandar and Saddam Hussein.
7. Mohammad Barzan Ibrahim Hasan Al-Tikriti, Date of birth: 2 November 1972. Nationality: Iraqi. Address: Geneva, Switzerland. Other information: child of Barzan Ibrahim Hasan Al-Tikriti.
8. Saja Barzan Ibrahim Hasan Al-Tikriti. Date of birth: 1 January 1978. Nationality: Iraqi. Address: Geneva, Switzerland. Child of Barzan Ibrahim Hasan Al-Tikriti.
9. Ali Barzan Ibrahim Hasan Al-Tikriti. Date of birth: 18 April 1981. Nationality: Iraqi. Address: Geneva, Switzerland. Other information: child of Barzan Ibrahim Hasan Al-Tikriti.
10. Noor Barzan Ibrahim Hasan Al-Tikriti. Date of birth: 2 November 1983. Nationality: Iraqi. Address: Geneva, Switzerland. Other information: child of Barzan Ibrahim Hasan Al-Tikriti.
11. Khawla Barzan Ibrahim Hasan Al-Tikriti. Date of birth: 3 December 1986. Nationality: Iraqi. Address: Geneva, Switzerland. Other information: child of Barzan Ibrahim Hasan Al-Tikriti.
12. Thoraya Barzan Ibrahim Hasan Al-Tikriti. Date of birth: 19 December 1980 or 19 January 1980. Nationality: Iraqi. Address: Iraq. Other information: child of Barzan Ibrahim Hasan Al-Tikriti.
13. Jawhar Majid Al-Duri. Date of birth: circa 1942, Al-Dur, Iraq. Nationality: Iraqi. Address: Iraq. Other information: wife of Izzat Ibrahim Al-Duri.
14. Sundus Abd Al-Ghafur. Date of birth: Circa 1967, Kirkuk, Iraq. Nationality: Iraqi. Address: Iraq. Other information: wife of Izzat Ibrahim Al-Duri.
15. Nidal Al-Rabi'i. Date of birth: circa 1965. Place of birth: Al-Dur, Iraq. Nationality: Iraqi. Address: Iraq. Other information: wife of Izzat Ibrahim Al-Duri
16. Intissar Al-Ubaydi. Date of birth: circa 1974. Nationality: Iraqi. Address: Iraq. Other information: wife of Izzat Ibrahim Al-Duri.

COMMISSION REGULATION (EC) No 925/2004

of 29 April 2004

fixing the export refunds on rice and broken rice and suspending the issue of export licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ([1]), and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Commission Regulation (EEC) No 1361/76 ([2]) lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.

(4) Export possibilities exist for a quantity of 4 100 tonnes of rice to certain destinations. The procedure laid down in Article 8(3) of Commission Regulation (EC) No 1342/2003 ([3]) should be used. Account should be taken of this when the refunds are fixed.

(5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.

(8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.

(9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.

(10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.

(11) 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

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 4 100 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 30 April 2004.

([1]) OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).
([2]) OJ L 154, 15.6.1976, p. 11.
([3]) OJ L 189, 29.7.2003, p. 12.

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

Done at Brussels, 29 April 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (1)
1006 20 11 9000	R01	EUR/t	26
1006 20 13 9000	R01	EUR/t	26
1006 20 15 9000	R01	EUR/t	26
1006 20 17 9000	—	EUR/t	—
1006 20 92 9000	R01	EUR/t	26
1006 20 94 9000	R01	EUR/t	26
1006 20 96 9000	R01	EUR/t	26
1006 20 98 9000	—	EUR/t	—
1006 30 21 9000	R01	EUR/t	26
1006 30 23 9000	R01	EUR/t	26
1006 30 25 9000	R01	EUR/t	26
1006 30 27 9000	—	EUR/t	—
1006 30 42 9000	R01	EUR/t	26
1006 30 44 9000	R01	EUR/t	26
1006 30 46 9000	R01	EUR/t	26
1006 30 48 9000	—	EUR/t	—
1006 30 61 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 61 9900	R01	EUR/t	32
	A97	EUR/t	39
	066	EUR/t	59
1006 30 63 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 63 9900	R01	EUR/t	32
	066	EUR/t	59
	A97	EUR/t	39
1006 30 65 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 65 9900	R01	EUR/t	32
	066	EUR/t	59
	A97	EUR/t	39
1006 30 67 9100	021 and 023	EUR/t	39
	066	EUR/t	59
1006 30 67 9900	066	EUR/t	59
1006 30 92 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 92 9900	R01	EUR/t	32
	A97	EUR/t	39
	066	EUR/t	59
1006 30 94 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 94 9900	R01	EUR/t	32
	A97	EUR/t	39
	066	EUR/t	59
1006 30 96 9100	R01	EUR/t	32
	R02	EUR/t	39
	R03	EUR/t	44
	066	EUR/t	59
	A97	EUR/t	39
	021 and 023	EUR/t	39
1006 30 96 9900	R01	EUR/t	32
	A97	EUR/t	39
	066	EUR/t	59
1006 30 98 9100	021 and 023	EUR/t	39
1006 30 98 9900	—	EUR/t	—
1006 40 00 9000	—	EUR/t	—

(1) The procedure laid down in Article 8(3) of Regulation (EC) No 1342/2003 applies to licences applied for under that Regulation for quantities according to the destination:

destination R01: 1 000 t,

all destinations R02 and R03: 2 000 t,

destinations 021 and 023: 300 t,

destinations 064 and 066: 500 t,

destination A97: 300 t.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Former Yugoslav Republic of Macedonia, Albania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40 except the Netherlands Antilles, Aruba, Turks and Caicos Islands, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 926/2004

of 26 April 2004

concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [1], and in particular Article 9(1)(a) thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.

(2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN-code indicated in column 2, by virtue of the reasons set out in column 3.

(4) It is appropriate to provide that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code [2].

(5) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN-code indicated in column 2.

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of imports of textile products into the Community, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation can continue to be invoked for a period of 60 days under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 26 April 2004.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

[1] OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 2344/2003 (OJ L 346, 31.12.2003, p. 38).

[2] OJ L 302, 19.10.1992, p. 1. Regulation as last amended by the Act of Accession of 2003.

ANNEX

Description	Classification CN code	Reasons
(1)	(2)	(3)
1. Made-up article consisting of a tubular knitted, elasticated fabric (man-made fibres) combined with rubber thread, in the form of a loop. (hairband) (see photograph No 629) (*)	6117 80 10	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Notes 7(f) and 10 to section XI and the wording of CN codes 6117, 6117 80 and 6117 80 10. Taking into account its textile character the article in question has to be considered, in the same way as e.g. shawls, scarves, mantillas, ties and bow ties, as a made-up clothing accessory. Classification under heading 9615 is ruled out, since articles of this heading are usually made of plastics, ivory, bone, horn, tortoise-shell, metal, etc. See also the HS Explanatory Note to heading 9615 (3). In addition, Note 10 to section XI explicitly includes elastic products consisting of textile materials combined with rubber threads in section XI.
2. Made-up article sewn together to form a loop consisting of an elasticated band, which is completely covered by a woven textile fabric (man-made fibres). (hairband) (see photograph No 630) (*)	6217 10 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 7(e) to section XI and the wording of CN codes 6217 and 6217 10 00. Taking into account its textile character the article in question has to be considered, in the same way as e.g. shawls, scarves, mantillas, ties and bow ties, as a made-up clothing accessory, which in the present case is not elsewhere specified or included. Classification under heading 9615 is ruled out, since articles of this heading are usually made of plastics, ivory, bone, horn, tortoise-shell, metal, etc. See also the HS Explanatory Note to heading 9615 (3).

(*) The photographs are purely for information.


629


630

COMMISSION REGULATION (EC) No 927/2004
of 29 April 2004
fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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], and in particular Article 13(2) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.

(2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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 [2].

(3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

(4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(5) The refund must be fixed once a month. It may be altered in the intervening period.

(6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.

(7) 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

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

(2) OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—
1001 90 91 9000	—	EUR/t	—
1001 90 99 9000	—	EUR/t	—
1002 00 00 9000	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—
1003 00 90 9000	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—
1004 00 00 9400	A00	EUR/t	0
1005 10 90 9000	—	EUR/t	—
1005 90 00 9000	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—
1101 00 11 9000	—	EUR/t	—
1101 00 15 9100	A00	EUR/t	0
1101 00 15 9130	A00	EUR/t	0
1101 00 15 9150	A00	EUR/t	0
1101 00 15 9170	A00	EUR/t	0
1101 00 15 9180	A00	EUR/t	0
1101 00 15 9190	—	EUR/t	—
1101 00 90 9000	—	EUR/t	—
1102 10 00 9500	A00	EUR/t	0
1102 10 00 9700	A00	EUR/t	0
1102 10 00 9900	—	EUR/t	—
1103 11 10 9200	A00	EUR/t	0 (1)
1103 11 10 9400	A00	EUR/t	0 (1)
1103 11 10 9900	—	EUR/t	—
1103 11 90 9200	A00	EUR/t	0 (1)
1103 11 90 9800	—	EUR/t	—

(1) No refund is granted when this product contains compressed meal.

NB: The product codes and the ‘A’ series destination codes are set out in Commission Regulation (EC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

COMMISSION REGULATION (EC) No 928/2004

of 29 April 2004

fixing the export refunds on malt

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 organization of the market in cereals [1], and in particular the third subparagraph of Article 13(2) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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 [2].

(3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.

(4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(5) The refund must be fixed once a month. It may be altered in the intervening period.

(6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.

(7) 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

The export refunds on malt listed in Article 1(1)(c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

(2) OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

to the Commission Regulation of 29 April 2004 fixing the export refunds on malt

Product code	Destination	Unit of measurement	Amount of refunds
1107 10 19 9000	A00	EUR/t	0,00
1107 10 99 9000	A00	EUR/t	0,00
1107 20 00 9000	A00	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 929/2004

of 29 April 2004

concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1814/2003

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],

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 [2], and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 1814/2003 of 15 October 2003 on a special intervention measure for cereals in Finland and Sweden for the marketing year 2003/04 [3], and in particular Article 9 thereof,

Whereas:

(1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland and Sweden to all third countries, with the exception of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Czech Republic, Romania, Slovakia and Slovenia was opened pursuant to Regulation (EC) No 1814/2003.

(2) According to Article 9 of Regulation (EC) No 1814/2003 the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide 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 23 to 29 April 2004 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1814/2003.

Article 2

This Regulation shall enter into force on 30 April 2004.

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

Done at Brussels, 29 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

(2) OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

(3) OJ L 265, 16.10.2003, p. 25.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION TAKEN BY COMMON ACCORD, AT THE LEVEL OF HEADS OF STATE OR GOVERNMENT, BY THE GOVERNMENTS OF THE MEMBER STATES HAVING THE EURO AS THEIR CURRENCY

of 27 April 2004

appointing a Member of the Executive Board of the European Central Bank

(2004/488/EC)

THE HEADS OF STATE OR GOVERNMENT OF THE MEMBER STATES OF THE EUROPEAN COMMUNITY HAVING THE EURO AS THEIR CURRENCY,

Having regard to the Treaty establishing the European Community, and in particular Articles 112(2)(b) and 122(4), and to Articles 11.2 and 43.3 of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank,

Having regard to the recommendation of the Council [1],

Having regard to the Opinion of the European Parliament [2],

Having regard to the Opinion of the Governing Council of the European Central Bank [3],

HAVE DECIDED AS FOLLOWS:

Article 1

Mr José Manuel GONZÁLEZ-PÁRAMO is hereby appointed a Member of the Executive Board of the European Central Bank for a term of office of eight years as from 1 June 2004.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 April 2004.

D. AHERN

The President

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[1] OJ L 97, 1.4.2004, p. 65.
[2] Opinion delivered on 20 April 2004 (not yet published in the Official Journal).
[3] OJ C 87, 7.4.2004, p. 37.