

COMMISSION REGULATION (EC) No 1438/2004

of 11 August 2004

setting the minimum price to be paid to producers for dried plums and the production aid for prunes for the 2004/2005 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products⁽¹⁾, and in particular Articles 6b(3) and 6c(7) thereof,

Whereas:

- (1) Article 3 of the Commission Regulation (EC) 1535/2003 of 29 August 2003 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables⁽²⁾, lays down the dates of the marketing years.
- (2) The criteria for setting the minimum price and the production aid are laid down in Articles 6b and 6c respectively of Regulation (EC) No 2201/96.
- (3) The products for which the minimum price and the aid are to be set are listed in Article 3 of Commission Regu-

lation (EC) No 464/1999 of 3 March 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid arrangements for prunes⁽³⁾ and the characteristics that these products must possess are laid down in Article 2 of that Regulation. The minimum price and the production aid should therefore be set for the 2004/2005 marketing year.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2004/2005 marketing year:

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 for dried 'd'Ente' plums shall be EUR 1 935,23 per tonne net ex-producer's premises;
- (b) the production aid referred to in Article 4 of that Regulation for prunes shall be EUR 923,17 per tonne net.

Article 2

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, 11 August 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 218, 30.8.2003, p. 14. Regulation as last amended by Regulation (EC) No 1132/2004 (OJ L 219, 19.6.2004, p. 3).

⁽³⁾ OJ L 56, 4.3.1999, p. 8. Regulation as amended by Regulation (EC) No 2198/2003 (OJ L 328, 17.12.2003, p. 20).