

**COMMISSION REGULATION (EC) No 1796/2004
of 15 October 2004**

amending and correcting Regulation (EC) No 14/2004 as regards the forecast supply balance for the French overseas departments in the cereal and processed fruit and vegetable product sector and the forecast supply balances for Madeira in the vegetable oil, processed fruit and vegetable product, milk and milk product and pigmeat sectors

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom)⁽¹⁾, and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima)⁽²⁾, and in particular Article 3(6) thereof,

Whereas:

(1) Commission Regulation (EC) No 14/2004 of 30 December 2003 establishing the supply balances and Community aid for the supply of certain essential products for human consumption, for processing and as agricultural inputs and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001⁽³⁾ establishes forecast supply balances and Community aid.

(2) Current execution of the annual supply balances for the French overseas departments for cereals and products processed from fruit and vegetables, and for Madeira for vegetable oil, products processed from fruit and vegetables, whole-milk powder and cheese and pigmeat indicates that the quantities fixed for the supply of the above products are below requirements because of the higher-than-expected demand.

⁽¹⁾ OJ L 198, 21.7.2001, p. 11. Regulation as last amended by Regulation (EC) No 1690/2004 (OJ L 305, 1.10.2004, p. 1).

⁽²⁾ OJ L 198, 21.7.2001, p. 26. Regulation as amended by Regulation (EC) No 1690/2004.

⁽³⁾ OJ L 3, 7.1.2004, p. 6. Regulation as amended by Regulation (EC) No 1232/2004 (OJ L 234, 3.7.2004, p. 5).

(3) The quantity of the above products should therefore be adjusted in line with the actual needs of the outermost regions concerned.

(4) Regulation (EC) No 14/2004 contains a technical error concerning the CN code of breeding horses referred to in Part I of Annex II, intended for the French overseas departments. That error should be corrected.

(5) Regulation (EC) No 14/2004 should therefore be amended and corrected.

(6) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 14/2004 is hereby amended as follows:

1. Parts 1 and 3 of Annex I are replaced by Annex I hereto.
2. Parts 3, 4, 6 and 8 of Annex III are replaced by Annex II hereto.

Article 2

In Part I of Annex II to Regulation (EC) No 14/2004, the CN code for breeding horses is hereby corrected as follows:

for '0101 11 00' read '0101 10 10'.

Article 3

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

Article 2 shall apply from 1 January 2004.

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

Done at Brussels, 15 October 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Part 1

Cereals and cereal products intended for human consumption and animal feed; oilseeds, protein crops, dried fodder

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

Department	Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
				I	II	III
Guadeloupe	common wheat, barley, maize and malt	1001 90, 1003 00, 1005 90 and 1107 10	55 000	—	42	(*)
French Guiana	common wheat, barley, maize, products intended as animal feed and malt	1001 90, 1003 00, 1005 90, 2309 90 31, 2309 90 41, 2309 90 51, 2309 90 33, 2309 90 43, 2309 90 53 and 1107 10	6 445	—	52	(*)
Martinique	common wheat, barley, maize, groats and meal of durum wheat, oats and malt	1001 90, 1003 00, 1005 90, 1103 11, 1004 00 and 1107 10	52 000	—	42	(*)
Réunion	common wheat, barley, maize and malt	1001 90, 1003 00, 1005 90 and 1107 10	178 000	—	48	(*)

(*) The amount of the aid shall be equal to the refund for products falling within the same CN code granted under Article 7 of Commission Regulation (EC) No 1501/95 (OJ L 147, 30.6.1995, p. 7).'

Part 3

Products processed from fruit and vegetables

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

Description	CN code	Department	Quantity (tonnes)	Aid (EUR/tonne)		
				I	II	III
Fruit purée obtained by cooking whether or not containing added sugar or other sweetening matter, for processing	ex 2007	All	45	—	395	—

Description	CN code	Department	Quantity (tonnes)	Aid (EUR/tonne)		
				I	II	III
Fruit pulp otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, for processing	ex 2008	French Guiana	650	—	586	—
		Guadeloupe		—	408	—
		Martinique		—	408	—
		Réunion		—	456	—
Concentrated fruit juice (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing	ex 2009	French Guiana	350	—	727	(*)
		Martinique		—	311	
		Réunion		—	311	
		Guadeloupe		—	311	

(*) The amount of the aid shall be equal to the refund for products falling within the same CN code granted under Article 16 of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).'

ANNEX II

Part 3*Vegetable oil*

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

MADEIRA

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil):					
— vegetable oil	1507 to 1516 (*)	2 700	52	70	(**)
Olive oil:					
— virgin olive oil	1509 10 90	500	52	—	(**)
or					
— olive oil	1509 90 00				

(*) Except 1509 and 1510.

(**) The amount of the aid shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation No 136/66/EEC.

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Olive oil:					
— virgin olive oil	1509 10 90	400	68	87	(**)
or	or				
— olive oil	1509 90 00				

(**) The amount of the aid shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation No 136/66/EEC.

Part 4*Products processed from fruit and vegetables*

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

MADEIRA

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Jams, fruit jellies, marmalades, fruit purée and fruit pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter:					
— Preparations other than homogenised, containing fruit other than citrus fruit	2007 99	100	73	91	—
Fruit and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:		760	168	186	—
— pineapples	2008 20				
— pears	2008 40				
— cherries	2008 60				
— peaches	2008 70				
— Other, including mixtures, other than those of subheading 2008 19					
— Mixtures	2008 92				
— Other than palm hearts and mixtures	2008 99				
Concentrated fruit juice (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing	ex 2009	130		186	

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Concentrated fruit juice (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing	ex 2009	100		186'	

Part 6*Milk and milk products*

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

MADEIRA

Description	CN Code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III (*)
Milk and cream, not concentrated nor containing added sugar or other sweetening matter (**)	0401	12 000	48	66	(***)
Skimmed-milk powder (**)	ex 0402	500	48	66	(***)
Whole-milk powder (**)	ex 0402	530	48	66	(***)
Butter and other fats and oils derived from milk; dairy spreads (**)	ex 0405	1 000	84	102	(***)
Cheese (**)	0406	1 700	84	102	(***)

(*) In EUR/100 kg net weight, unless otherwise specified.

(**) The products concerned and the related footnotes are the same as those covered by the Commission Regulation fixing the export refunds under Article 31 of Council Regulation (EC) No 1255/1999 (OJ L 160, 26.6.1999, p. 48).

(***) The amount shall be equal to the refund for products falling within the same CN code granted under Article 31 of Regulation (EC) No 1255/1999. Where the refunds granted under Article 31 of that Regulation have more than one rate as defined in Article 2(1)(e) and 2(1)(f) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11), the amount shall be equal to the highest amount of the refund for products falling within the same CN code [Regulation (EC) No 3846/87, OJ L 366, 24.12.1987, p. 1]. However, for butter awarded under Commission Regulation (EC) No 2571/97 (OJ L 350, 20.12.1997, p. 3), the amount shall be as indicated in column II.

Part 8*Pigmeat sector*

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

MADEIRA

Description	Code (*)	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat of domestic swine, fresh, chilled or frozen:	ex 0203	2 800			—
— carcasses and half-carcasses	0203 11 10 90 00		95	113	(**)
— hams and cuts thereof	0203 12 11 91 00		143	161	(**)
— shoulders and cuts thereof	0203 12 19 91 00		95	113	(**)
— fore-ends and cuts thereof	0203 19 11 91 00		95	113	(**)
— loins and cuts thereof	0203 19 13 91 00		143	161	(**)
— bellies (streaky) and cuts thereof	0203 19 15 91 00		95	113	(**)
— other: boned	0203 19 55 91 10		176	194	(**)
— other: boned	0203 19 55 93 10		176	194	(**)
— carcasses and half-carcasses	0203 21 10 90 00		95	113	(**)
— hams and cuts thereof	0203 22 11 91 00		143	161	(**)
— shoulders and cuts thereof	0203 22 19 91 00		95	113	(**)
— fore-ends and cuts thereof	0203 29 11 91 00		95	113	(**)
— loins and cuts thereof	0203 29 13 91 00		143	161	(**)
— bellies (streaky) and cuts thereof	0203 29 15 91 00		95	113	(**)
— other: boned	0203 29 55 91 10		176	194	(**)

(*) The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

(**) The amount of the aid shall be equal to the refund for products falling within the same CN code, where applicable, granted under Article 13 of Regulation (EEC) No 2759/75 (OJ L 282, 1.11.1975, p. 1).'