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Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 948/2004**of 6 May 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 7 May 2004.

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

Done at Brussels, 6 May 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 6 May 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	109,6
	204	65,7
	212	110,8
	999	95,4
0707 00 05	052	105,2
	999	105,2
0709 90 70	052	91,0
	204	74,2
	999	82,6
0805 10 10, 0805 10 30, 0805 10 50	052	36,7
	204	41,9
	220	40,3
	400	42,3
	624	56,4
	999	43,5
0805 50 10	388	54,8
	999	54,8
0808 10 20, 0808 10 50, 0808 10 90	388	71,8
	400	120,6
	404	104,9
	508	65,8
	512	69,5
	524	72,1
	528	72,3
	720	85,8
	804	101,3
	999	84,9

⁽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 949/2004
of 6 May 2004
amending the import duties in the cereals sector

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 932/2004⁽³⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 932/2004,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 932/2004 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 7 May 2004.

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

Done at Brussels, 6 May 2004.

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

⁽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 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

⁽³⁾ OJ L 169, 1.5.2004, p. 5.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	16,28
1005 10 90	Maize seed other than hybrid	22,60
1005 90 00	Maize other than seed ⁽²⁾	22,60
1007 00 90	Grain sorghum other than hybrids for sowing	16,28

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 April 2004 to 5 May 2004)

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	142,81 (**)	101,90	165,04 (***)	155,04 (***)	135,04 (****)	105,23 (****)
Gulf premium (EUR/t)	—	9,40	—	—	—	—
Great Lakes premium (EUR/t)	10,69	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(****) Fob Duluth.

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico to Rotterdam: 33,22 EUR/t; Great Lakes to Rotterdam: 45,61 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 950/2004**of 6 May 2004****amending for the 33rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freezing of funds and other financial resources in respect of the Taliban of Afghanistan⁽¹⁾, as last amended by Regulation (EC) No 667/2004⁽²⁾, and in particular the first indent of Article 7(1), thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 3 May 2004, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore 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 I to Regulation (EC) No 881/2002 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, 6 May 2004.

For the Commission

Christopher PATTEN

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ OJ L 104, 8.4.2004, p. 110.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

1. The following entries shall be added under the heading 'Natural persons'.
 - (a) Hacene Allane (*alias* (a) Hassan the Old, (b) Al Sheikh Abdelhay, (c) Boulahia, (d) Abu al-Foutouh, (e) Cheib Ahcéne). Date of birth: 17 January 1941. Place of birth: El Ménée, Algeria. Nationality: probably Algerian.
 - (b) Kamel Djermane (*alias* (a) Bilal, (b) Adel, (c) Fodhil). Date of birth: 1965. Place of birth: Oum el Bouaghi, Algeria. Nationality: probably Algerian.
 - (c) Dhou El-Aich (*alias* Abdel Hak). Date of birth: 5 August 1964. Place of birth: Debila, Algeria. Nationality: probably Algerian.
 - (d) Ahmad Zerfaoui (*alias* (a) Abdullah, (b) Abdalla, (c) Smail, (d) Abu Khaoula, (e) Abu Cholder, (f) Nuhr). Date of birth: 15 July 1963. Place of birth: Chrea, Algeria. Nationality: probably Algerian.
 2. The entry 'Zulkifli Marzuki, Taman Puchong Perdana, Selangor, Malaysia, date of birth: 3 July 1968; place of birth: Selangor, Malaysia; nationality: Malaysian; passport No: A 5983063; national identification No: 680703-10-5821' under the heading 'Natural persons' shall be replaced by the following:

'Zulkepli Bin Marzuki, Taman Puchong Perdana, Selangor, Malaysia. Date of birth: 3 July 1968. Place of birth: Selangor, Malaysia. Nationality: Malaysian. Passport No: A 5983063. National identification No: 680703-10-5821.'
 3. The entry 'Yazid Sufaat (*alias* (a) Joe, (b) Abu Zufar), Taman Bukit Ampang, Selangor, Malaysia; date of birth: 20 January 1964; place of birth: Johor, Malaysia; nationality: Malaysian; passport No: A 10472263; national identification No: 640120-01-5529' under the heading 'Natural persons' shall be replaced by the following:

'Yazid Sufaat (*alias* (a) Joe, (b) Abu Zufar), Taman Bukit Ampang, Selangor, Malaysia. Date of birth: 20 January 1964. Place of birth: Johor, Malaysia. Nationality: Malaysian. Passport No: A 10472263. National identification No: 640120-01-5529.'
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COMMISSION REGULATION (EC) No 951/2004**of 6 May 2004****fixing the maximum export refund on oats in connection with the invitation to tender 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 or Sweden to all third countries except 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) Article 9 of Regulation (EC) No 1814/2003 provides that 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 fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 2004, pursuant to the invitation to tender issued in Regulation (EC) No 1814/2003, the maximum refund on exportation of oats shall be EUR 21,95/t.

Article 2

This Regulation shall enter into force on 7 May 2004.

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

Done at Brussels, 6 May 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).

⁽³⁾ OJ L 265, 16.10.2003, p. 25.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 729/2004 of 15 April 2004 concerning the classification of certain goods in the Combined Nomenclature*(Official Journal of the European Union L 113 of 20 April 2004)*

Regulation (EC) No 729/2004 should read as follows:

**'COMMISSION REGULATION (EC) No 729/2004
of 15 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 codes indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can,

for a period of three months, continue to be invoked by the holder, pursuant to 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 delivered an opinion within the time limit set by its chairman as regards products Nos 1, 2, 4, and 5 in the annexed table.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee as regards product No 3 in the annexed table.

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 codes indicated in column 2.

Article 2

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 three months pursuant to 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, 15 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 (1)	Classification (CN Code) (2)	Reasons (3)
<p>1. Egg-shaped finials made up of a mixture of 75 % crushed natural stone and 25 % polyester, with a metal ring at one end to enable a curtain rail to be inserted in it. They are encrusted over 18 % of their surface with round pieces of buffalo bone for decorative purposes.</p>	6810 99 00	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 6810 and 6810 99 00.</p> <p>The product is made up of different materials, of which the predominating proportion is that of the crushed stone.</p> <p>The product is excluded from heading 9601 as the nature of the decorative material, buffalo bone, does not give the article its essential character.</p>
<p>2. A hand-operated mill weighing less than 10 kg for grinding grains of salt for the seasoning of food.</p> <p>The spherical plastic container holds the grains of salt that are ground by a small ceramic grinding plate.</p>	6912 00 90	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 1(b) to Chapter 84, and by the wording of CN codes 6912 00 and 6912 00 90.</p> <p>The product is excluded from Chapter 82 by application of Note 1(a) to this Chapter.</p> <p>The essential character of the product is given by the ceramic grinding plate.</p>
<p>3. A hand operated mill weighing less than 10 kg for grinding peppercorns for the seasoning of food.</p> <p>The spherical plastic container holds the peppercorns that are ground by a small grinding plate of base metal.</p>	8210 00 00	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1(a) to Chapter 82, and by the wording of CN code 8210 00 00.</p> <p>The product is excluded from Section XVI by application of Note 1(k) to this section.</p>
<p>4. A set put up for retail sale consisting of a hand operated pepper mill and a hand operated salt mill for the seasoning of food.</p> <p>The spherical plastic containers hold the peppercorns and the grains of salt that are ground by small grinding plates.</p> <p>The grinding plate in the pepper mill is made of base metal and in the salt mill of ceramic material.</p>	8210 00 00	<p>Classification is determined by general rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature, Note 1(a) to Chapter 82, and by the wording of CN code 8210 00 00.</p> <p>The set consists of products that are used in the preparation of food.</p> <p>No component conferring essential character can be found for this set.</p>
<p>5. A walker-rollator consisting of a tubular aluminium frame on four wheels, with front swivel wheels, handles and brakes. It includes a seat/carrying tray and a wire basket. The product can be folded for transport.</p> <p>The product is designed to assist persons who have difficulty in walking. It enables a person to move forward by pushing the walker-rollator, thus providing support.</p> <p>(See photograph A) (*)</p>	8716 80 00	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 8716 and 8716 80 00.</p> <p>The product is not considered to be an orthopaedic appliance of heading 9021 since it does not meet the terms of Note 6 to Chapter 90.</p> <p>The product is not considered to be a carriage for disabled persons of heading 8713.</p>

(*) The photograph is purely for information.

(A)



NOTICE TO READERS

A special edition of the *Official Journal of the European Union* containing the texts of the Acts of the institutions and of the European Central Bank adopted before accession will be published in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovene languages. The volumes of this edition will be issued gradually between 1 May and the end of 2004.

Pending publication, the electronic version of the texts is available on EUR-Lex.

The EUR-Lex site is at: <http://europa.eu.int/eur-lex/en/accession.html>