

Official Journal

of the European Union

L 265

Volume 47

12 August 2004

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1436/2004 of 11 August 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 1437/2004 of 11 August 2004 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' ('Valençay', 'Scottish Farmed Salmon', 'Ternera de Extremadura' and 'Aceite de Mallorca' or 'Aceite mallorquín' or 'Oli de Mallorca' or 'Oli mallorquí')	3
★ 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	5
Commission Regulation (EC) No 1439/2004 of 11 August 2004 fixing the import duties in the rice sector	6

II Acts whose publication is not obligatory

Commission

2004/594/EC:

★ Commission Decision of 10 August 2004 concerning protection measures in relation to highly pathogenic avian influenza in the Republic of South Africa (notified under document number C(2004) 3144) ⁽¹⁾	9
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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1436/2004
of 11 August 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 12 August 2004.

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

Done at Brussels, 11 August 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 Commission Regulation of 11 August 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0709 90 70	052	79,9
	999	79,9
0805 50 10	388	59,0
	508	46,6
	524	69,7
	528	43,1
	999	54,6
0806 10 10	052	95,8
	204	87,5
	220	100,7
	400	172,0
	624	140,3
	628	137,6
	999	122,3
0808 10 20, 0808 10 50, 0808 10 90	388	84,8
	400	93,7
	404	117,3
	508	53,6
	512	93,6
	528	89,0
	720	46,0
	800	167,5
	804	81,3
999	91,9	
0808 20 50	052	143,4
	388	84,5
	528	87,0
	999	105,0
0809 30 10, 0809 30 90	052	147,5
	999	147,5
0809 40 05	052	101,8
	066	29,8
	093	41,6
	400	240,6
	624	136,2
	999	110,0

⁽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 1437/2004

of 11 August 2004

supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' ('Valençay', 'Scottish Farmed Salmon', 'Ternera de Extremadura' and 'Aceite de Mallorca' or 'Aceite mallorquí' or 'Oli de Mallorca' or 'Oli mallorquí')

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs⁽¹⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, France has sent the Commission an application for registration of the name 'Valençay' as a designation of origin, the United Kingdom has sent the Commission an application for registration of the name 'Scottish Farmed Salmon' as a geographical indication, and Spain has sent the Commission an application for registration of the name 'Ternera de Extremadura' as a geographical indication and an application for registration of the name 'Aceite de Mallorca' or 'Aceite mallorquí' or 'Oli de Mallorca' or 'Oli mallorquí' as a designation of origin.
- (2) In accordance with Article 6(1) of that Regulation, the applications have been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) No statement of objection, within the meaning of Article 7 of Regulation (EEC) No 2081/92, has been sent to the Commission following the publication in the *Official Journal of the European Union*⁽²⁾ of the names listed in the Annex to this Regulation.

(4) The names consequently qualify for inclusion in the 'Register of protected designations of origin and protected geographical indications' and to be protected at Community level as a protected designation of origin or protected geographical indication.

(5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The names listed in the Annex to this Regulation are hereby added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) or a protected geographical indication (PGI) in the 'Register of protected designations of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

This Regulation shall enter into force on the 20th 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 208, 24.7.1992, p. 1. Regulation as last amended by Regulation (EC) No 1215/2004 (OJ L 232, 1.7.2004, p. 21).

⁽²⁾ OJ C 236, 2.10.2003, p. 27 (Valençay).

OJ C 246, 14.10.2003, p. 4 (Scottish Farmed Salmon).

OJ C 246, 14.10.2003, p. 10 (Ternera de Extremadura).

OJ C 246, 14.10.2003, p. 15 (Aceite de Mallorca or Aceite mallorquí or Oli de Mallorca or Oli mallorquí).

⁽³⁾ OJ L 327, 18.12.1996, p. 11. Regulation as last amended by Regulation (EC) No 1258/2004 (OJ L 239, 9.7.2004, p. 5).

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE TREATY INTENDED FOR HUMAN CONSUMPTION**Cheese**

FRANCE

Valençay (PDO)

Fresh fish, molluscs and crustaceans and products derived therefrom

UNITED KINGDOM

Scottish Farmed Salmon (PGI)

Fresh meat (and offal)

SPAIN

Temera de Extremadura (PGI)

Fats (butter, margarine, oils, etc.)

SPAIN

Aceite de Mallorca or Aceite mallorquín or Oli de Mallorca or Oli mallorquí (PDO).

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).

COMMISSION REGULATION (EC) No 1439/2004
of 11 August 2004
fixing the import duties in the rice sector

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⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.
- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in an adjustment of the import duties as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 are fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 12 August 2004.

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

Done at Brussels, 11 August 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽²⁾ OJ L 189, 30.7.1996, p. 71. Regulation as last amended by Regulation (EC) No 2294/2003 (OJ L 340, 24.12.2003, p. 12).

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽⁵⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	193,43	63,36	92,38	0,00	145,07
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	193,43	63,36	92,38	0,00	145,07
1006 30 21	416,00	133,21	193,09		312,00
1006 30 23	416,00	133,21	193,09		312,00
1006 30 25	416,00	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	416,00	133,21	193,09		312,00
1006 30 44	416,00	133,21	193,09		312,00
1006 30 46	416,00	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	416,00	133,21	193,09		312,00
1006 30 63	416,00	133,21	193,09		312,00
1006 30 65	416,00	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	416,00	133,21	193,09		312,00
1006 30 94	416,00	133,21	193,09		312,00
1006 30 96	416,00	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 2286/2002 (OJ L 348, 21.12.2002, p. 5) and Commission Regulation (EC) No 638/2003 (OJ L 93, 10.4.2003, p. 3).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/t)	(¹)	193,43	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/t)	—	358,00	228,92	272,82	344,08	—
(b) fob price (EUR/t)	—	—	—	248,39	319,65	—
(c) Sea freight (EUR/t)	—	—	—	24,43	24,43	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 August 2004

concerning protection measures in relation to highly pathogenic avian influenza in the Republic of South Africa

(notified under document number C(2004) 3144)

(Text with EEA relevance)

(2004/594/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, and in particular Article 18(1) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽²⁾, and in particular Article 22(1) thereof,

Whereas:

- (1) Avian influenza is a highly contagious viral disease in poultry and birds, which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming.
- (2) There is a risk that the disease agent might be introduced via international trade in live poultry and poultry products.

(3) On 6 August 2004 the Republic of South Africa have confirmed an outbreak of highly pathogenic avian influenza in two ratite farms in the Eastern Cape Province.

(4) This detected avian influenza virus strain is of subtype H5N2 and therefore different from the strain currently causing the epidemic in Asia. Current knowledge suggests that the risk for public health in relation to this subtype is inferior to the risk of the strain circulating in Asia, which is an H5N1 virus subtype.

(5) At this moment for poultry and poultry products, the Republic of South Africa is only authorised to export to the Community live ratites and their hatching eggs and fresh meat from ratites and meat products containing ratite meat, as well as birds other than poultry.

(6) However the competent authorities of South Africa suspended certification of live ratites and their meat to the European Union on 6 August 2004 until the situation becomes clearer.

(7) In view of the animal health risk of disease introduction into the Community, it is therefore appropriate as an immediate measure to suspend imports of live ratites and hatching eggs of these species from the Republic of South Africa.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 31.1.1998, p. 9. Regulation as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1).

(8) In accordance with Commission Decision 2000/666/EC⁽¹⁾ importation of birds other than poultry is authorised from all member countries of the OIE (World Organisation for Animal Health) subject to animal health guarantees provided by the country of origin, and to strict post-import quarantine measures in the Member States.

(9) However, the importation of birds other than poultry, and also of pet birds accompanying their owners into the Community from the Republic of South Africa should be suspended as an additional measure in order to exclude any possible risk for disease occurrence in quarantine stations under the authority of the Member States.

(10) Furthermore the importation into the Community from the Republic of South Africa should be suspended for fresh meat of ratites and wild and farmed feathered game, meat preparations and meat products consisting of, or containing meat of those species, obtained from birds slaughtered after 16 July 2004.

(11) Commission Decision 97/222/EC⁽²⁾, lays down the list of third countries from which Member States may authorise the importation of meat products, and establishes treatment regimes in order to prevent the risk of disease transmission via such products. The treatment that must be applied to the product depends on the health status of the country of origin, in relation to the species the meat is obtained from; in order to avoid an unnecessary burden on trade, imports of poultry meat products originating in the Republic of South Africa treated to a temperature of at least 70° Celsius throughout the product should continue to be authorised.

(12) As soon as the Republic of South Africa has communicated further information on the disease situation and the control measures taken in this respect the measures taken on Community level in relation to this outbreak should be reviewed.

(13) The provisions of this Decision will be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall suspend the importation from the territory of the Republic of South Africa of:

- live ratites and hatching eggs of these species, and
- birds other than poultry including pet birds accompanying their owners.

Article 2

Member States shall suspend the importation from the territory of the Republic of South Africa of:

- fresh meat of ratites, and of
- meat preparations and meat products consisting of, or containing meat of those species.

Article 3

1. By derogation from Article 2, Member States shall authorise the importation of the products covered by this Article which have been obtained from birds slaughtered before 16 July 2004.

2. In the veterinary certificates accompanying consignments of the products mentioned in paragraph 1 the following words shall be included:

'Fresh ratite meat/meat product consisting of, or containing meat of ratites/meat preparation consisting of, or containing meat of ratites (*) obtained from birds slaughtered before 16 July 2004 in accordance with Article 3(1) of Decision 2004/594/EC.

(*) Delete as appropriate.'

3. By derogation from Article 2, Member States shall authorise the importation of meat products consisting of, or containing meat of ratites, when the meat of these species has undergone one of the specific treatments referred to under points B, C or D in part IV of the Annex to Commission Decision 97/222/EC.

⁽¹⁾ OJ L 278, 31.10.2000, p. 26. Decision as last amended by Decision 2002/279/EC (OJ L 99, 16.4.2002, p. 17).

⁽²⁾ OJ L 98, 4.4.1997, p. 39. Decision as last amended by Decision 2004/245/EC (OJ L 77, 13.3.2004, p. 62).

Article 4

The Member States shall amend the measures they apply to imports so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 5

This Decision shall be reviewed in the light of the disease evolution and information supplied by the veterinary authorities of the Republic of South Africa.

Article 6

This Decision shall apply until 1 January 2005.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 10 August 2004.

For the Commission

David BYRNE

Member of the Commission
