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EN

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC, EURATOM) No 1785/2004**of 5 October 2004****laying down the weightings applicable from 1 January 2004 to the remuneration of officials of the European Communities serving in third countries**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68⁽¹⁾, and in particular the first paragraph of Article 13 of Annex X thereto,

Having regard to the proposal from the Commission,

Whereas:

- (1) Account should be taken of changes in the cost of living in countries outside the Community and the weightings applicable from 1 January 2004 to remuneration paid in the currency of the country of employment to officials serving in third countries should be determined accordingly.
- (2) The weightings, in respect of which payment has been made on the basis of Regulation (EC, Euratom) No 64/2004 laying down the weightings applicable from 1 July 2003⁽²⁾, may lead to retrospective upward or downward adjustments to remuneration.
- (3) Provision should be made for back-payments in the event of an increase in remuneration as a result of the new weightings.

(4) Provision should be made for the recovery of sums overpaid in the event of a reduction in remuneration as a result of the new weightings for the period between 1 January 2004 and the date of entry into force of this Regulation.

(5) Provision should be made for any such recovery to be restricted to a period of no more than six months preceding the decision laying down the weightings and for its effects to be spread over a period of no more than 12 months following the date of that decision, as is the case with the weightings applicable within the European Community to remuneration and pensions of officials and other servants of the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 January 2004, the weightings applicable to the remuneration of officials of the European Communities serving in third countries payable in the currency of the country of employment shall be as shown in the Annex.

The exchange rates for the calculation of such remuneration shall be those used for implementation of the general budget of the European Union for the month preceding the date referred to in the first paragraph.

Article 2

1. The institutions shall make back-payments in the event of an increase in remuneration as a result of the weightings shown in the Annex.

⁽¹⁾ OJ L 56, 4.3.1968, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 723/2004 of 22 March 2004 (OJ L 24, 27.4.2004, p. 1).

⁽²⁾ OJ L 10, 16.1.2004, p. 1.

2. The institutions shall make retrospective downward adjustments to remuneration in the event of a reduction as a result of the weightings shown in the Annex for the period between 1 January 2004 and the date of entry into force of this Regulation.

Retrospective adjustments involving the recovery of sums overpaid shall be restricted to a period of no more than six

months preceding the date of entry into force of this Regulation. Recovery shall be spread over no more than 12 months from that date.

Article 3

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, 5 October 2004.

For the Council

The President

B. R. BOT

ANNEX

Place of employment	Weightings January 2004
Afghanistan (*)	0,0
Albania	80,6
Algeria	86,7
Angola	117,7
Argentina	61,0
Australia	100,1
Bangladesh	56,7
Barbados	104,7
Benin	87,7
Bolivia	49,9
Bosnia and Herzegovina	74,5
Botswana	74,8
Brazil	58,5
Bulgaria	72,9
Burkina Faso	82,6
Burundi (*)	0,0
Cambodia	64,3
Cameroon	99,1
Canada	79,5
Cape Verde	75,1
Central African Republic	112,5
Chad	114,6
Chile	73,4
China	75,9
Colombia	55,7
Congo	129,8
Costa Rica	72,1
Côte d'Ivoire	107,0
Croatia	93,9
Cuba	91,5
Cyprus	99,2
Czech Republic	80,1
Democratic Republic of the Congo	140,9
Djibouti	96,6
Dominican Republic	42,7
Ecuador	69,6
Egypt	45,4
Eritrea	42,6
Estonia	74,1

Place of employment	Weightings January 2004
Ethiopia	69,6
Fiji	72,9
Former Yugoslav Republic of Macedonia	74,8
Gabon	113,7
Georgia	81,7
Ghana	70,5
Guatemala	71,7
Guinea	75,4
Guinea-Bissau	140,8
Guyana	59,0
Haiti	85,7
Hong Kong	86,6
Hungary	69,5
India	48,5
Indonesia	84,5
Israel	91,4
Jamaica	82,5
Japan (Naka)	128,7
Japan (Tokyo)	137,3
Jordan	75,0
Kazakhstan	91,9
Kenya	76,7
Laos	71,2
Latvia	70,3
Lebanon	91,3
Lesotho	71,0
Liberia (°)	0,0
Lithuania	73,2
Madagascar	89,4
Malawi	69,5
Malaysia	72,7
Mali	90,4
Malta	96,3
Mauritania	63,0
Mauritius	73,7
Mexico	73,0
Morocco	84,1
Mozambique	73,7
Namibia	81,6
Nepal	67,3

Place of employment	Weightings January 2004
New Caledonia	120,9
Nicaragua	67,4
Niger	86,2
Nigeria	70,8
Norway	128,5
Pakistan	50,5
Papua New Guinea	74,0
Paraguay	61,5
Peru	79,8
Philippines	48,7
Poland	66,2
Romania	49,5
Russia	101,3
Rwanda	77,1
Saudi Arabia (*)	0,0
Senegal	79,1
Serbia and Montenegro	62,9
Sierra Leone	68,8
Singapore	94,7
Slovakia	80,3
Slovenia	83,4
Solomon Islands	81,4
Somalia (*)	0,0
South Africa	69,0
South Korea	88,1
Sri Lanka	59,1
Sudan	37,9
Suriname	52,8
Swaziland	68,7
Switzerland	116,1
Syria	56,8
Taiwan	87,0
Tanzania	60,0
Thailand	60,7
The Gambia	35,5
Togo	97,5
Trinidad and Tobago	69,7
Tunisia	75,8
Turkey	80,7
Uganda	66,9

Place of employment	Weightings January 2004
Ukraine	91,4
United States (New York)	103,6
United States (Washington DC)	100,1
Uruguay	58,5
Vanuatu	118,9
Venezuela	76,4
Vietnam	51,0
West Bank and Gaza Strip	87,8
Yemen (*)	0
Zambia	47,6
Zimbabwe	128,1

(*) Not available.

COUNCIL REGULATION (EC) No 1786/2004**of 14 October 2004****repealing Regulation (EC) No 3274/93 preventing the supply of certain goods and services to Libya**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2004/698/CFSP of 14 October 2004 concerning the lifting of restrictive measures against Libya ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 12 September 2003 the United Nations Security Council (UNSC), acting under Chapter VII of the Charter of the United Nations, decided in its Resolution 1506 (2003) that measures imposed by paragraphs 4, 5 and 6 of its Resolution 748 (1992), and paragraphs 3 to 7 of its Resolution 883 (1993) should be lifted from that date.
- (2) The measures imposed by paragraphs 4 and 5 of Resolution 748 (1992) and by paragraphs 3, 4, 5 and 6 of Resolution 883 (1993) were implemented in the Community by means of Council Regulation (EC) No 3274/93 of 29 November 1993 preventing the supply of certain goods and services to Libya ⁽²⁾. The application of that Regulation was suspended by Regulation (EC) No 836/99 ⁽³⁾.

- (3) Regulation (EC) No 3274/93 should therefore be repealed.

- (4) The measures provided in paragraph 8 of UNSC Resolution 883(1993), which were not lifted by Resolution 1506(2003), were implemented in the Community by means of Regulation (EC) No 3275/93 ⁽⁴⁾, which should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3274/93 is hereby repealed.

Article 2

Regulation (EC) No 3275/93 shall remain in force. The reference to the Common Position of 22 November 1993 in the preamble to that Regulation shall be read as a reference to Common Position 2004/698/CFSP.

*Article 3*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 Luxembourg, 14 October 2004.

*For the Council**The President*

P. VAN GEEL

⁽¹⁾ See page 40 of this Official Journal.⁽²⁾ OJ L 295, 30.11.1993, p. 1.⁽³⁾ OJ L 106, 23.4.1999, p. 1.⁽⁴⁾ OJ L 295, 30.11.1993, p. 4.

COMMISSION REGULATION (EC) No 1787/2004
of 15 October 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 16 October 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
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 15 October 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	75,0
	999	75,0
0707 00 05	052	101,8
	999	101,8
0709 90 70	052	90,3
	999	90,3
0805 50 10	052	63,0
	388	60,0
	524	26,3
	528	41,1
	999	47,6
0806 10 10	052	98,4
	400	172,7
	999	135,6
0808 10 20, 0808 10 50, 0808 10 90	388	80,7
	400	72,8
	404	82,6
	720	37,1
	800	144,9
	804	99,2
	999	86,2
0808 20 50	052	109,1
	388	83,6
	999	96,4

⁽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 1788/2004**of 15 October 2004****fixing the minimum selling prices for butter for the 150th 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 150th 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 16 October 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

⁽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 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 15 October 2004 fixing the minimum selling prices for butter for the 150th 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 \geq 82 %	Unaltered	211,1	215,1	—	—
		Concentrated	209,1	—	—	—
Processing security		Unaltered	129	129	—	—
		Concentrated	129	—	—	—

COMMISSION REGULATION (EC) No 1789/2004
of 15 October 2004

fixing the maximum aid for cream, butter and concentrated butter for the 150th 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 150th 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 16 October 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

⁽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 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 15 October 2004 fixing the maximum aid for cream, butter and concentrated butter for the 150th 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 \geq 82 %	59	55	—	55
	Butter < 82 %	57	53	—	—
	Concentrated butter	74	67	74	65
	Cream			26	23
Processing security	Butter	65	—	—	—
	Concentrated butter	81	—	81	—
	Cream	—	—	29	—

**COMMISSION REGULATION (EC) No 1790/2004
of 15 October 2004**

fixing the minimum selling price for skimmed-milk powder for the 69th 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 69th 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 12 October 2004, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | 186,24 EUR/100 kg, |
| — processing security: | 40,00 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 16 October 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

⁽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 1674/2004 (OJ L 300, 25.9.2004, p. 11).

COMMISSION REGULATION (EC) No 1791/2004**of 15 October 2004****fixing the maximum aid for concentrated butter for the 322st 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 322st tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 the maximum aid and the end-use security are fixed as follows:

- | | |
|---------------------|----------------|
| — maximum aid: | 74 EUR/100 kg, |
| — end-use security: | 82 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 16 October 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

⁽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 Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

COMMISSION REGULATION (EC) No 1792/2004
of 15 October 2004

**fixing the minimum selling price for butter for the 6th individual invitation to tender issued under
the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

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(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) 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, in accordance with Article 24a of Regulation (EC) No 2771/1999.

(3) In the light of the tenders received, a minimum selling price should be fixed.

(4) 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 6th individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 12 October 2004, the minimum selling price for butter is fixed at 270 EUR/100 kg.

Article 2

This Regulation shall enter into force on 16 October 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

⁽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 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1448/2004 (OJ L 267, 14.8.2004, p. 30).

COMMISSION REGULATION (EC) No 1793/2004**of 15 October 2004****fixing the minimum selling price for skimmed-milk powder for the 5th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001**

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(c) thereof,

Whereas:

(1) Pursuant to Article 21 of Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed milk⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) 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, in accordance with Article 24a of Regulation (EC) No 214/2001.

(3) In the light of the tenders received, a minimum selling price should be fixed.

(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 5th individual invitation to tender pursuant to Regulation (EC) No 214/2001, in respect of which the time limit for the submission of tenders expired on 12 October 2004, the minimum selling price for skimmed milk is fixed at 192,10 EUR/100 kg.

Article 2

This Regulation shall enter into force on 16 October 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

⁽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 37, 7.2.2001, p. 100. Regulation as last amended by Regulation (EC) No 1675/2004 (OJ L 300, 25.9.2004, p. 12).

COMMISSION REGULATION (EC) No 1794/2004

of 15 October 2004

reducing, for the 2004/05 marketing year, the amount of aid to producers of certain citrus fruits following an overrun of the processing threshold in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

aid for oranges indicated in Annex I to Regulation (EC) No 2202/96 for the 2004/05 marketing year should therefore be reduced by 0,64 % in Greece, 14,95 % in Italy and 0,29 % in Portugal.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruits⁽¹⁾, and in particular Article 6 thereof,

(4) The Member States have communicated the quantities of grapefruit and pomelos processed under the aid scheme in accordance with Article 39(1)(c) of Regulation (EC) No 2111/2003. Based on this information, it has been established that the Community processing threshold has been overrun by 380 tonnes. Within that overrun, Greece and Spain have overrun their thresholds. The amounts of aid for grapefruit and pomelos indicated in Annex I to Regulation (EC) No 2202/96 for the 2004/05 marketing year should therefore be reduced by 7,00 % in Greece and 16,45 % in Spain.

Whereas:

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

(1) Article 5(1) of Regulation (EC) No 2202/96 establishes a Community processing threshold for certain citrus fruits, distributed among the Member States in accordance with Annex II thereto.

HAS ADOPTED THIS REGULATION:

(2) Article 5(2) of Regulation (EC) No 2202/96 provides that when this threshold is overrun the amounts of aid indicated in Annex I thereto are to be reduced in each Member State in which the threshold has been overrun. The overrun of the processing threshold is assessed on the basis of the average quantities processed under the aid scheme during the three marketing years preceding the marketing year for which the aid is to be fixed, or during an equivalent period.

Article 1

Where Greece, Italy and Portugal are concerned, and for the 2004/05 marketing year, the amounts of aid to be granted under Regulation (EC) No 2202/96 for oranges delivered for processing shall be as indicated in Annex I to this Regulation.

Article 2

Where Greece and Spain are concerned, and for the 2004/05 marketing year, the amounts of aid to be granted under Regulation (EC) No 2202/96 for grapefruit and pomelos delivered for processing shall be as indicated in Annex II to this Regulation.

(3) The Member States have communicated the quantities of oranges processed under the aid scheme in accordance with Article 39(1)(c) of Commission Regulation (EC) No 2111/2003⁽²⁾, which lays down detailed rules for the application of Regulation (EC) No 2202/96. Based on this information, it has been established that the Community processing threshold has been overrun by 100 380 tonnes. Within that overrun, Greece, Italy and Portugal have overrun their threshold. The amounts of

Article 3

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 49. Regulation as last amended by the Act of Accession of 2003.

⁽²⁾ OJ L 317, 2.12.2003, p. 5.

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

(EUR/100 kg)

	Multiannual contracts	Contracts covering a single marketing year	Individual producers
Greece	11,20	9,74	8,76
Italy	9,59	8,33	7,50
Portugal	11,24	9,77	8,79

ANNEX II

(EUR/100 kg)

	Multiannual contracts	Contracts covering a single marketing year	Individual Producers
Greece	9,74	8,46	7,62
Spain	8,75	7,60	6,84

COMMISSION REGULATION (EC) No 1795/2004
of 15 October 2004

initiating a 'new exporter' review of Council Regulation (EC) No 1995/2000 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, *inter alia*, in Algeria, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96⁽¹⁾ of 22 December 1995 on protection against dumped imports from countries not members of the European Community (the basic Regulation), and in particular Article 11(4) thereof,

After consulting the Advisory Committee,

Whereas:

A. REQUEST FOR A REVIEW

The Commission has received an application for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation. The application was lodged by Fertial SPA (the applicant), an exporting producer in Algeria (the country concerned).

B. PRODUCT

The product under review is mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution originating in Algeria (the product concerned), currently classifiable within CN code 3102 80 00.

C. EXISTING MEASURES

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 1995/2000⁽²⁾ under which imports into the Community of the product concerned originating in Algeria, and produced by the applicant, are subject to a definitive anti-dumping duty of EUR 6,88 per tonne with the exception of imports from a company expressly mentioned from which an undertaking has been accepted.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 238, 22.9.2000, p. 15. Regulation as last amended by Council Regulation (EC) No 1675/2003 (OJ L 238, 25.9.2003, p. 4).

D. GROUNDS FOR THE REVIEW

The applicant alleges that it did not export the product concerned to the Community during the period of investigation on which the anti-dumping measures were based, i.e. the period from 1 June 1998 to 31 May 1999 (the original investigation period) and that it is not related to any of the exporting producers of the product concerned which are subject to the above mentioned anti-dumping measures.

The applicant further alleges that it has exported the product concerned to the Community since the end of the original investigation period.

E. PROCEDURE

Community producers known to be concerned have been informed of the above application and have been given an opportunity to comment. No comments have been received.

Having examined the evidence available, the Commission concludes that there is sufficient evidence to justify the initiation of a 'new exporter' review, pursuant to Article 11(4) of the basic Regulation, with a view to determining the applicant's individual margin of dumping and, should dumping be found, the level of the duty to which its imports of the product concerned into the Community should be subject.

(a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send a questionnaire to the applicant.

(b) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known in writing and to provide supporting evidence.

Furthermore, the Commission may hear interested parties, provided that they make a request in writing showing that there are particular reasons why they should be heard.

F. REPEAL OF THE DUTY IN FORCE AND REGISTRATION OF IMPORTS

Pursuant to Article 11(4) of the basic Regulation, the anti-dumping duty in force should be repealed with regard to imports of the product concerned which are produced and sold for export to the Community by the applicant. At the same time, such imports should be made subject to registration in accordance with Article 14(5) of the basic Regulation, in order to ensure that, should the review result in a finding of dumping in respect of the applicant, anti-dumping duties can be levied retroactively from the date of the initiation of this review. The amount of the applicant's possible future liabilities cannot be estimated at this stage of the proceedings.

G. TIME LIMITS

In the interest of sound administration, time limits should be stated within which:

— interested parties may make themselves known to the Commission, present their views in writing and submit the replies to the questionnaire mentioned in paragraph E(a) of this Regulation or provide any other information to be taken into account during the investigation,

— interested parties may make a written request to be heard by the Commission.

H. NON COOPERATION

In cases in which any interested party refuses access to or otherwise does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party

does not cooperate, or cooperates only partially, and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had co-operated.

HAS ADOPTED THIS REGULATION:

Article 1

A review of Council Regulation (EC) No 1995/2000 is hereby initiated pursuant to Article 11(4) of Council Regulation (EC) No 384/96 in order to determine if and to what extent the imports of mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution falling within CN code 3102 80 00 originating in Algeria, produced and sold for export to the Community by Fertial SPA (TARIC additional code: A573) should be subject to the anti-dumping duty imposed by Council Regulation (EC) No 1995/2000.

Article 2

The anti-dumping duty imposed by Council Regulation (EC) No 1995/2000 is hereby repealed with regard to the imports identified in Article 1 of the present Regulation.

Article 3

The customs authorities are hereby directed, pursuant to Article 14(5) of Council Regulation (EC) No 384/96, to take the appropriate steps to register the imports identified in Article 1 of this Regulation. Registration shall expire nine months following the date of entry into force of this Regulation.

Article 4

1. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known to the Commission, present their views in writing and submit the replies to the questionnaire mentioned in paragraph E(a) of this Regulation or any other information, unless otherwise specified, within 40 days of the entry into force of this Regulation. Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the aforementioned period.

Interested parties may also apply in writing to be heard by the Commission within the same 40-day time limit.

2. All submissions and requests made by interested parties must be made in writing (not in electronic format unless otherwise specified) and must indicate the name, address, e-mail address, telephone, and fax and/or telex numbers of the interested party. All written submissions, including the information requested in this notice, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as '*Limited Distribution*'⁽¹⁾ and, in accordance with Article 19(2) of the basic Regulation, shall be accompanied by a non-confidential version, which will be labelled 'FOR INSPECTION BY INTERESTED PARTIES'.

Any information relating to the matter and any request for a hearing should be sent to the following address:

European Commission
Directorate General for Trade
Directorate B
J-79 5/16
B-1049 Brussels
Fax (32 2) 295 65 05
Telex COMEU B 21877

Article 5

This Regulation shall enter into force on the 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, 15 October 2004.

For the Commission
Pascal LAMY
Member of the Commission

⁽¹⁾ This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Council Regulation (EC) No 384/96 (OJ L 56, 6.3.1996, p. 1) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

**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).'

COMMISSION REGULATION (EC) No 1797/2004
of 14 October 2004
prohibiting fishing for blue ling by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks⁽²⁾ lays down quotas for blue ling for 2004.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are hereby deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of blue ling in the waters of ICES sub-areas VI, VII (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the

United Kingdom have exhausted the quota for 2004. The United Kingdom has prohibited fishing for this stock from 9 August 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of blue ling in the waters of ICES sub-areas VI, VII (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have exhausted the quota allocated to the United Kingdom for 2004.

Fishing for blue ling in the waters of ICES sub-areas VI, VII (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is hereby prohibited, as is the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 9 August 2004.

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

Done at Brussels, 14 October 2004.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 356, 31.12.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 762/2004 (OJ L 120, 24.4.2004, p. 8).

COMMISSION REGULATION (EC) No 1798/2004**of 15 October 2004****on the issue of licences for the import of garlic in the quarter from 1 December 2004 to 28 February 2005**

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⁾,Having regard to Commission Regulation (EC) No 565/2002 of 2 April 2002 establishing the method for managing the tariff quotas and introducing a system of certificates of origin for garlic imported from third countries⁽²⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) The quantities for which licence applications have been lodged by traditional importers and by new importers on 11 and 12 October 2004, pursuant to Article 5(2) of Regulation (EC) No 565/2002 exceed the quantities available for products originating in China and Argentina and other third countries.
- (2) It is now necessary to establish the extent to which the licence applications sent to the Commission on 14 October 2004 can be met and to fix, for each category

of importer and product origin, the dates until which the issue of certificates must be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged pursuant to Article 3(1) of Regulation (EC) No 565/2002 on 11 and 12 October 2004 and sent to the Commission on 14 October 2004, shall be met at a percentage rate of the quantities applied for as set out in Annex I hereto.

Article 2

For each category of importer and the origin involved, applications for import licences pursuant to Article 3(1) of Regulation (EC) No 565/2002 relating to the quarter from 1 December 2004 to 28 February 2005 and lodged after 12 October 2004 but before the date in Annex II hereto, shall be rejected.

Article 3

This Regulation shall enter into force on 16 October 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

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽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 86, 3.4.2002, p. 11.

ANNEX I

Origin of the products	Percentage allocations		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	11,177 %	100,000 %	100,000 %
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	0,788 %	48,475 %	3,427 %

'X': No quota for this origin for the quarter in question.

'—': No application for a licence has been sent to the Commission.

ANNEX II

Origin of the products	Dates		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	28.2.2005	—	—
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	28.2.2005	3.1.2005	3.1.2005

COMMISSION REGULATION (EC) No 1799/2004**of 15 October 2004****fixing the import duties in the cereals sector applicable from 16 October 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 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) Article 10 of Regulation (EC) No 1784/2003 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 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those 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 16 October 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

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽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).

ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from
15 October 2004**

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	38,83
1005 10 90	Maize seed other than hybrid	52,50
1005 90 00	Maize other than seed ⁽²⁾	52,50
1007 00 90	Grain sorghum other than hybrids for sowing	38,83

⁽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/t, where the port of unloading is on the Mediterranean Sea, or
— EUR 2/t, 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/t, 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 1.10.2004-14.10.2004

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)	120,95 (***)	65,40	162,61 (****)	152,61 (****)	132,61 (****)	82,34 (****)
Gulf premium (EUR/t)	—	11,00	—			—
Great Lakes premium (EUR/t)	12,46	—	—			—

(*) 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–Rotterdam: 28,13 EUR/t; Great Lakes–Rotterdam: 35,86 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 1800/2004**of 15 October 2004****concerning the authorisation for 10 years of the additive Cycostat 66G in feedingstuffs, belonging to the group of coccidiostats and other medicinal substances****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, and in particular Article 9g(5)(b) thereof,

Whereas:

- (1) In accordance with Directive 70/524/EEC, coccidiostats included in Annex I to that Directive before 1 January 1988 were provisionally authorised as from 1 April 1998 and transferred to Chapter I of Annex B with a view to their re-evaluation as additives linked to a person responsible for putting them into circulation. The robenidine product, Cycostat 66G, is an additive belonging to the group 'Coccidiostats and other medicinal substances' listed in Chapter I of Annex B of Directive 70/524/EEC.
- (2) The person responsible for putting into circulation Cycostat 66G submitted an application for authorisation and a dossier, according to Article 9g(2) and (4) of that Directive.
- (3) Article 9g(6) of Directive 70/524/EEC allows the automatic extension of the period of authorisation of the additives concerned until the Commission takes a decision in case of, for reasons beyond the control of the authorisation holder, no decision may be taken on the application before the expiry date of the authorisation. This provision is applicable to the authorisation of Cycostat 66G. The Commission requested the Scientific Committee for Animal Nutrition on 26 April 2001 a full risk evaluation and this request was consequently transferred to the European Food Safety Authority. Several requests for additional information were made during the re-evaluation process making it impossible to complete the re-evaluation within the time limits required by Article 9g.
- (4) The Scientific Panel on Additives and Products or Substances used in Animal Feed attached to the European Food Safety Authority has delivered a favourable opinion with regard to the safety and to the efficacy of Cycostat 66G for chickens for fattening, rabbits for fattening and for turkeys.
- (5) The re-evaluation of Cycostat 66G carried out by the Commission showed that the relevant conditions laid down in Directive 70/524/EEC are satisfied. Cycostat 66G should therefore be authorised for ten years as an additive linked to the person responsible for putting it into circulation and included in Chapter I of the list referred to Article 9t(b) of that Directive.
- (6) As the authorisation for the additive is now linked to a person responsible for putting it into circulation, and replaces the previous authorisation which was not linked to any specific person, it is appropriate to delete the latter authorisation.
- (7) Since there are no safety reasons for withdrawing the product robenidine from the market immediately, it is appropriate to allow a transitional period of six months for the disposal of existing stocks of the additive.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

HAS ADOPTED THIS REGULATION:

Article 1

In chapter I of Annex B to Directive 70/524/EEC the additive robenidine, belonging to the group 'Coccidiostats and other medical substances', shall be deleted.

Article 2

The additive Cycostat 66G belonging to the group 'Coccidiostats and other medical substances' as set out in the Annex to the present Regulation is authorised for use in animal nutrition under the conditions laid down in that Annex.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 1464/2004 (OJ L 270, 18.8.2004, p. 8).

Article 3

A period of six months from the date of entry into force of this Regulation is permitted to use up the existing stocks of robenidone.

Article 4

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, 15 October 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Regis- tration number of additive	Name and registration number of person responsible for putting additive into circulation	Additive (trade name)	Composition, chemical formula, description	Species or category of animal	Maxim- um age	Minimum content		Maximum content	Other provisions	End of period of author- isation
						mg of active substance/kg of complete feedingstuff	mg of active substance/kg of complete feedingstuff			
Coccidiostats and other medicinal substances										
E 758	Alpharma (Belgium) BVBA	Robemidine hydro- chloride 66 g/kg (Cycostat 66 G)	Additive composition: Robemidine hydrochloride: 66 g/kg Lignosulfonate: 40 g/kg Calcium sulfate dihydrate: 894 g/kg Active substance: Robemidine hydrochloride, C ₁₅ H ₁₃ Cl ₂ N ₅ · HCl, 1,3-bis[(p-chlorobenzylidene) amino]- guanidine hydrochloride, CAS number: 25875-50-7, Related impurities: N,N,N'-Tris[(p-Cl-benzylidene)amino]gua- nidine: ≤ 0,5 % Bis-[4-Cl-benzylidene]hydrazine: ≤ 0,5 %	Chickens for fattening Turkey Rabbits for fattening	— —	30 30	30 30	36 36	Use prohibited at least five days before slaughter. Use prohibited at least five days before slaughter.	29 October 2014 29 October 2014 29 October 2014

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL COMMON POSITION 2004/698/CFSP
of 14 October 2004
concerning the lifting of restrictive measures against Libya

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 12 September 2003, the United Nations Security Council (UNSC) adopted Resolution 1506(2003) lifting the restrictive measures imposed by UNSCR 748(1992) and 883(1993), while leaving in place the measures set forth in paragraph 8 of the latter, in view of steps taken by the Libyan Government to comply with the above-mentioned resolutions, particularly concerning acceptance of responsibility for the actions of Libyan officials, payment of appropriate compensation and renunciation of terrorism.
- (2) The Libyan Government has also taken steps towards a satisfactory settlement of claims in connection with the terrorist attacks perpetrated on Pan Am flight 103 over Lockerbie, Scotland, Union de Transports Aériens flight 772 over Niger and the discotheque 'La Belle' in Berlin.
- (3) The restrictive measures imposed by Decision 93/614/CFSP⁽¹⁾, which were adopted to implement UNSCR 748(1992) and 883(1993), and the arms embargo decided upon by the Member States in 1986 and confirmed by Common Position 1999/261/CFSP⁽²⁾, should therefore be lifted.
- (4) The measures adopted pursuant to paragraph 8 of UNSCR 883(1993) should remain in force in accordance with UNSCR 1506(2003).

- (5) Action by the Community is needed in order to implement certain measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Decision 93/614/CFSP and Common Position 1999/261/CFSP are hereby repealed.

Article 2

The measures adopted to protect operators against claims in relation to contracts and transactions the performance of which was affected by the imposition of restrictive measures by UNSCR 883 (1993) and related resolutions, shall remain in force.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 14 October 2004.

For the Council

The President

P. VAN GEEL

⁽¹⁾ OJ L 295, 30.11.1993, p. 7.

⁽²⁾ OJ L 103, 20.4.1999, p. 1. Common Position as last amended by Common Position 1999/611/CFSP (OJ L 242, 14.9.1999, p. 31).