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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1967/2004 of 16 November 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 1968/2004 of 16 November 2004 laying down detailed rules for the application in 2005 of the tariff quotas for 'baby beef' products originating in Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro** 3

★ **Commission Regulation (EC) No 1969/2004 of 16 November 2004 amending Commission Regulation (EC) No 96/2004 adapting several regulations concerning the sugar market by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union** 14

★ **Commission Regulation (EC) No 1970/2004 of 16 November 2004 adapting Regulation (EEC) No 3515/92 laying down common detailed rules for the application of Council Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an intervention agency by reason of the accession to the European Union of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia** 17

★ **Commission Regulation (EC) No 1971/2004 of 16 November 2004 prohibiting fishing for redfish by vessels flying the flag of Portugal** 20

Commission Regulation (EC) No 1972/2004 of 16 November 2004 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95 21

1

(Continued overleaf)



Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II Acts whose publication is not obligatory

Council

2004/768/EC:

- ★ **Council Decision of 26 July 2004 appointing a German alternate member of the Committee of the Regions** 23

2004/769/EC:

- ★ **Council Decision of 26 July 2004 appointing a German member and a German alternate member of the Committee of the Regions** 24

2004/770/EC:

- ★ **Council Decision of 26 July 2004 appointing a Danish alternate member of the Committee of the Regions** 25

2004/771/EC:

- ★ **Council Decision of 4 October 2004 appointing an Estonian member and an Estonian alternate member of the Committee of the Regions** 26

Commission

2004/772/EC:

- ★ **Commission Decision of 29 October 2004 on a Community financial contribution for 2004 to cover expenditure incurred by Belgium and Portugal for the purpose of combating organisms harmful to plants or plant products (notified under document number C(2004) 4181)** 27

1 November 2004 — New version of EUR-Lex! (See inside back cover)



I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1967/2004
of 16 November 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 17 November 2004.

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

Done at Brussels, 16 November 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 16 November 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
0702 00 00	052	134,0
	070	56,3
	204	56,6
	999	82,3
0707 00 05	052	95,5
	204	32,5
	999	64,0
0709 90 70	052	86,7
	204	90,2
	999	88,5
0805 20 10	204	76,2
	999	76,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,1
	624	79,5
	999	73,3
0805 50 10	052	50,0
	388	31,5
	524	67,3
	528	20,8
	999	42,4
0806 10 10	052	113,9
	400	211,0
	508	251,8
	999	192,2
0808 10 20, 0808 10 50, 0808 10 90	388	112,0
	400	93,1
	404	99,7
	512	104,2
	720	55,8
	800	194,5
	804	106,7
	999	109,4
0808 20 50	052	67,3
	720	58,4
	999	62,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1968/2004

of 16 November 2004

laying down detailed rules for the application in 2005 of the tariff quotas for 'baby beef' products originating in Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁽¹⁾, and in particular the first subparagraph of Article 32(1) thereof,

Whereas:

- (1) Article 4(2) of Council Regulation (EC) No 2007/2000 of 18 September 2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process, amending Regulation (EC) No 2820/98, and repealing Regulations (EC) No 1763/1999 and (EC) No 6/2000⁽²⁾, provides for an annual preferential tariff quota of 11 475 tonnes of 'baby beef', distributed among Bosnia and Herzegovina and Serbia and Montenegro including Kosovo.
- (2) The Interim Agreement with Croatia, approved by Council Decision 2002/107/EC of 28 January 2002 on the conclusion of an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Croatia, of the other part⁽³⁾, and the Stabilisation and Association Agreement with the former Yugoslav Republic of Macedonia, approved by Council and Commission Decision 2004/239/EC, Euratom of 23 February 2004 concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part⁽⁴⁾, lay down annual preferential tariff quotas of 9 400 tonnes and 1 650 tonnes respectively.
- (3) Article 2 of Council Regulation (EC) No 2248/2001 of 19 November 2001 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part and for applying the Interim Agreement between the European Community and the Republic of Croatia⁽⁵⁾ and Article 2 of Council Regulation (EC) No 153/2002 of 21 January 2002 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and for applying the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia⁽⁶⁾ provide that detailed rules for the implementation of concessions on 'baby beef' should be laid down.
- (4) For control purposes, Regulation (EC) No 2007/2000 makes imports under the quotas of 'baby beef' for Bosnia and Herzegovina and Serbia and Montenegro, including Kosovo, subject to the presentation of a certificate of authenticity attesting that the goods originate from the issuing country and that they correspond exactly to the definition in Annex II to that Regulation. For the sake of harmonisation, imports under the quotas of 'baby beef' originating in Croatia and the former Yugoslav Republic of Macedonia should also be made subject to the presentation of a certificate of authenticity attesting that the goods originate from the issuing country and that they correspond exactly to the definition in Annex III to the Stabilisation and Association Agreement with the former Yugoslav Republic of Macedonia and the Interim Agreement with Croatia. A model should also be established for the certificates of authenticity and detailed rules laid down for their use.
- (5) Kosovo, as defined by United Nations Security Council Resolution 1244 of 10 June 1999, is subject to an international civil administration by the United Nations Mission in Kosovo (UNMIK), which has also set up a separate customs service. There should therefore also be a specific certificate of authenticity for goods originating in the Serbia Montenegro/Kosovo.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 240, 23.9.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 607/2003 (OJ L 86, 3.4.2003, p. 18).

⁽³⁾ OJ L 40, 12.2.2002, p. 9.

⁽⁴⁾ OJ L 84, 20.3.2004, p. 1.

⁽⁵⁾ OJ L 304, 21.11.2001, p. 1. Regulation as amended by Regulation (EC) No 2/2003 (OJ L 1, 4.1.2003, p. 26).

⁽⁶⁾ OJ L 25, 29.1.2002, p. 16. Regulation as amended by Regulation (EC) No 3/2003 (OJ L 1, 4.1.2003, p. 30).

- (6) The quotas concerned should be managed through the use of import licences. To this end, Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾, and Commission Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽²⁾, should be applicable subject to this Regulation.
- (7) In order to ensure proper management of imports of the products concerned, import licences should be issued subject to verification, in particular of entries on certificates of authenticity.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The following tariff quotas are hereby opened for the period from 1 January to 31 December 2005:

- (a) 9 400 tonnes of 'baby beef', expressed in carcass weight, originating in Croatia;
- (b) 1 500 tonnes of 'baby beef', expressed in carcass weight, originating in Bosnia and Herzegovina;
- (c) 1 650 tonnes of 'baby beef', expressed in carcass weight, originating in the former Yugoslav Republic of Macedonia;
- (d) 9 975 tonnes of 'baby beef', expressed in carcass weight, originating in Serbia and Montenegro including Kosovo.

The quotas referred to in the first subparagraph shall bear the order Nos 09.4503, 09.4504, 09.4505 and 09.4506 respectively.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 636/2004 (OJ L 100, 6.4.2004, p. 25).

⁽²⁾ OJ L 143, 27.6.1995, p. 35. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

For the purposes of attributing those quotas, 100 kilograms live weight shall be equivalent to 50 kilograms carcass weight.

2. The customs duty applicable under the quotas referred to in paragraph 1 shall be 20 % of the *ad valorem* duty and 20 % of the specific duty as laid down in the Common Customs Tariff.

3. Importation under the quotas referred to in paragraph 1 shall be reserved for certain live animals and certain meat falling within the following CN codes, referred to in Annex II to Regulation (EC) No 2007/2000 and in Annex III to the Interim Agreements concluded with Croatia and the Stabilisation and Association Agreement concluded with the former Yugoslav Republic of Macedonia:

— ex 0102 90 51, ex 0102 90 59, ex 0102 90 71 and ex 0102 90 79,

— ex 0201 10 00 and ex 0201 20 20,

— ex 0201 20 30,

— ex 0201 20 50.

Article 2

Save as otherwise provided in this Regulation, Regulations (EC) No 1291/2000 and (EC) No 1445/95 shall apply to importing operations under the quotas referred to in Article 1.

Article 3

1. Imports of the quantities set out in Article 1 shall be subject to presentation, on release for free circulation, of an import licence.

2. Section 8 of licence applications and licences shall show the country or customs territory of origin. Licences shall carry with them an obligation to import from the country or customs territory indicated.

Section 20 of licence applications and licences shall show one of the entries listed in Annex I.

3. The original of the certificate of authenticity drawn up in accordance with Article 4 plus a copy thereof shall be presented to the competent authority together with the application for the first import licence relating to the certificate of authenticity. The original of the certificate of authenticity shall be kept by the competent authority.

Certificates of authenticity may be used for the issue of more than one import licence for quantities not exceeding that shown on the certificate. Where more than one licence is issued in respect of a certificate, the competent authority shall endorse the certificate of authenticity to show the quantity attributed.

4. The competent authorities may issue import licences only after they are satisfied that all the information on the certificate of authenticity corresponds to that received each week from the Commission for the imports concerned. The licences shall be issued immediately thereafter.

Article 4

1. All applications for imports licences under the quotas referred to in Article 1 shall be accompanied by a certificate of authenticity issued by the authorities of the exporting country or customs territory listed in Annex VII attesting that the goods originate in that country or customs territory and that they correspond to the definition given, as the case may be, in Annex II to Regulation (EC) No 2007/2000 or Annex III to the Stabilisation and Association Agreement and the Interim Agreement referred to in Article 1(3).

2. Certificates of authenticity shall be made out in one original and two copies, to be printed and completed in one of the official languages of the Community, in accordance with the relevant model in Annexes II to VI for the exporting countries and the customs territory concerned. They may also be printed and completed in the official language or one of the official languages of the exporting country or customs territory.

The competent authorities of the Member State in which the import licence application is submitted may require a translation of the certificate to be provided.

3. The original and copies of the certificate of authenticity may be typed or hand-written. In the latter case, they shall be completed in black ink and in block capitals.

The certificate forms shall measure 210 x 297 mm. The paper used shall weigh not less than 40 g/m². The original shall be white, the first copy pink and the second copy yellow.

4. Each certificate shall have its own individual serial number followed by the name of the issuing country or customs territory.

The copies shall bear the same serial number and the same name as the original.

5. Certificates shall be valid only if they are duly endorsed by an issuing authority listed in Annex VII.

6. Certificates shall be deemed to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

Article 5

1. The issuing authorities listed in Annex VII shall:

- (a) be recognised as such by the exporting country or customs territory concerned;
- (b) undertake to verify entries on the certificates;
- (c) undertake to forward to the Commission at least once a week any information enabling the entries on the certificates of authenticity to be verified, in particular with regard to the number of the certificate, the exporter, the consignee, the country of destination, the product (live animals/meat), the net weight and the date of signature.

2. The list in Annex VII shall be revised by the Commission where the requirement referred to in paragraph 1(a) is no longer met, where an issuing authority fails to fulfil one or more of the obligations incumbent on it or where a new issuing authority is designated.

Article 6

Certificates of authenticity and import licences shall be valid for three months from their respective dates of issue. However, their term of validity shall expire on 31 December 2005.

Article 7

The exporting countries and the custom territory concerned shall communicate to the Commission specimens of the stamp imprints used by their issuing authorities and the names and signatures of the persons empowered to sign certificates of authenticity. The Commission shall communicate that information to the competent authorities of the Member States.

Article 8

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

It shall apply from 1 January 2005.

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

Done at Brussels, 16 November 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Entries referred to in Article 3(2)

- *in Spanish*: 'Baby beef' [Reglamento (CE) n° 1968/2004]
 - *in Czech*: 'Baby beef' (Nařízení (ES) č. 1968/2004)
 - *in Danish*: 'Baby beef' (forordning (EF) nr. 1968/2004)
 - *in German*: 'Baby beef' (Verordnung (EG) Nr. 1968/2004)
 - *in Estonian*: 'Baby beef' (Määrus (EÜ) nr 1968/2004)
 - *in Greek*: 'Baby beef' [Κανονισμός (ΕΚ) αριθ. 1968/2004]
 - *in English*: 'Baby beef' (Regulation (EC) No 1968/2004)
 - *in French*: 'Baby beef' [Règlement (CE) n° 1968/2004]
 - *in Italian*: 'Baby beef' [Regolamento (CE) n. 1968/2004]
 - *in Latvian*: 'Baby beef' (Regula (EK) Nr. 1968/2004)
 - *in Lithuanian*: 'Baby beef' (Reglamentas (EB) Nr. 1968/2004)
 - *in Hungarian*: 'Baby beef' (1968/2004/EK rendelet)
 - *in Maltese*: 'Baby beef' (Regolament (KE) Nru 1968/2004)
 - *in Dutch*: 'Baby beef' (Verordening (EG) nr. 1968/2004)
 - *in Polish*: 'Baby beef' (Rozporządzenie (WE) nr 1968/2004)
 - *in Portuguese*: 'Baby beef' [Regulamento (CE) n.º 1968/2004]
 - *in Slovak*: 'Baby beef' (Nariadenie (ES) č. 1968/2004)
 - *in Slovenian*: 'Baby beef' (Uredba (ES) št. 1968/2004)
 - *in Finnish*: 'Baby beef' (Asetus (EY) N:o 1968/2004)
 - *in Swedish*: 'Baby beef' (Förordning (EG) nr 1968/2004)
-

ANNEX II

1. Consignor (full name and address)	CERTIFICATE No 0000 Original CROATIA		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of bovine animals and meat of bovine animals (application of Regulation (EC) No 1968/2004)		
<p>NOTES</p> <p>A. This certificate shall be prepared in one original and two copies.</p> <p>B. The original and its two copies shall be typewritten or completed by hand. In the latter case, they must be completed in black ink and in block capitals.</p>			
3. Marks, numbers, numbers and nature of packages or head of cattle; description of goods	4. Combined Nomenclature code	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box 9) certify that the goods described above were subjected to health inspection at, in accordance with the attached veterinary certificate of, originate in and come from the Republic of Croatia and correspond exactly to the definition contained in Annex III to the Interim Agreement set out in Decision 2002/107/EC (OJ L 40, 12.2.2002, p. 9).			
9. Authorised issuing body	Place: _____ Date: _____		
	(Stamp of issuing body)	<p>.....</p> <p style="text-align: center;">(signature)</p>	

ANNEX III

1. Consignor (full name and address)	CERTIFICATE No 0000 Original BOSNIA AND HERZEGOVINA		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of bovine animals and meat of bovine animals (application of Regulation (EC) No 1968/2004)		
<p>NOTES</p> <p>A. This certificate shall be prepared in one original and two copies.</p> <p>B. The original and its two copies shall be typewritten or completed by hand. In the latter case, they must be completed in black ink and in block capitals.</p>			
3. Marks, numbers, numbers and nature of packages or head of cattle; description of goods	4. Combined Nomenclature code	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box 9) certify that the goods described above were subjected to health inspection at, in accordance with the attached veterinary certificate of, originate in and come from the Republic of Bosnia and Herzegovina and correspond exactly to the definition contained in Annex II to Council Regulation (EC) No 2007/2000 (OJ L 240, 23.9.2000, p. 1).			
9. Authorised issuing body	Place:		Date:
	(Stamp of issuing body)	<p>.....</p> <p style="text-align: center;">(signature)</p>	

ANNEX IV

1. Consignor (full name and address)	CERTIFICATE No 0000 Original THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of bovine animals and meat of bovine animals (application of Regulation (EC) No 1968/2004)		
NOTES A. This certificate shall be prepared in one original and two copies. B. The original and its two copies shall be typewritten or completed by hand. In the latter case, they must be completed in black ink and in block capitals.			
3. Marks, numbers, numbers and nature of packages or head of cattle; description of goods	4. Combined Nomenclature code	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box 9) certify that the goods described above were subjected to health inspection at, in accordance with the attached veterinary certificate of, originate in and come from the former Yugoslav Republic of Macedonia and correspond exactly to the definition contained in Annex III to the Stabilisation and Association Agreement set out in Decision 2004/239/EC, Euratom (OJ L 84, 20.3.2004, p. 1).			
9. Authorised issuing body	Place:		Date:
	(Stamp of issuing body) (signature)	

ANNEX V

1. Consignor (full name and address)	CERTIFICATE No 0000 Original SERBIA AND MONTENEGRO ⁽¹⁾		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of bovine animals and meat of bovine animals (application of Regulation (EC) No 1968/2004)		
<p>NOTES</p> <p>A. This certificate shall be prepared in one original and two copies.</p> <p>B. The original and its two copies shall be typewritten or completed by hand. In the latter case, they must be completed in black ink and in block capitals.</p>			
3. Marks, numbers, numbers and nature of packages or head of cattle; description of goods	4. Combined Nomenclature code	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box 9) certify that the goods described above were subjected to health inspection at, in accordance with the attached veterinary certificate of, originate in and come from Serbia and Montenegro and correspond exactly to the definition contained in Annex II to Council Regulation (EC) No 2007/2000 (OJ L 240, 23.9.2000, p. 1).			
9. Authorised issuing body	Place: _____ Date: _____		
	(Stamp of issuing body)	<p>.....</p> <p style="text-align: center;">(signature)</p>	
⁽¹⁾ Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.			

ANNEX VI

1. Consignor (full name and address)	CERTIFICATE No 0000 Original International civil administration of the United Nations Mission in Kosovo (UNMIK)		
2. Consignee (full name and address)	CERTIFICATE OF AUTHENTICITY for exports to the EC of bovine animals and meat of bovine animals (application of Regulation (EC) No 1968/2004)		
NOTES A. This certificate shall be prepared in one original and two copies. B. The original and its two copies shall be typewritten or completed by hand. In the latter case, they must be completed in black ink and in block capitals.			
3. Marks, numbers, numbers and nature of packages or head of cattle; description of goods	4. Combined Nomenclature code	5. Gross weight (kg)	6. Net weight (kg)
7. Net weight (kg) (in words)			
8. I, the undersigned, acting on behalf of the authorised issuing body (box 9) certify that the goods described above were subjected to health inspection at, in accordance with the attached veterinary certificate of, originate in and come from Serbia and Montenegro/Kosovo and correspond exactly to the definition contained in Annex II to Council Regulation (EC) No 2007/2000 (OJ L 240, 23.9.2000, p. 1).			
9. Authorised issuing body	Place:		Date:
	(Stamp of issuing body) (signature)	

ANNEX VII

Issuing authorities:

- Republic of Croatia: 'Euroinspekt', Zagreb, Croatia.
- Bosnia-Herzegovina:
- The former Yugoslav Republic of Macedonia:
- Serbia and Montenegro ⁽¹⁾: 'YU Institute for Meat Hygiene and Technology, Kacanskog 13, Belgrade, Yugoslavia'.
- Serbia and Montenegro/Kosovo:

⁽¹⁾ Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

**COMMISSION REGULATION (EC) No 1969/2004
of 16 November 2004**

amending Commission Regulation (EC) No 96/2004 adapting several regulations concerning the sugar market by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and in particular Article 57(2) thereof,

Whereas:

(1) As the result of an error, Commission Regulation (EC) No 96/2004⁽¹⁾ omitted to make the adjustments required, by reason of the enlargement of the Union, to Article 7 of Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector⁽²⁾.

(2) Regulation (EC) No 96/2004 should be amended accordingly by including the indications provided for in Article 7 of Regulation (EC) No 1464/95 in the languages of the new Member States,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 96/2004, the following point 2a is hereby inserted:

‘2a. In Article 7, paragraphs 2, 3 and 4 are hereby replaced by the following:

“2. In respect of sugar, sugar syrup, isoglucose and inulin syrup as referred to in Article 1(1)(a), (d), (f), (g) and (h) of Regulation (EC) No 1260/2001 to be imported into the Community in accordance with Regulation (EC) No 2007/2000, the licence application and the licence shall contain:

— in Section 20 at least one of the following indications:

— Reglamento (CE) n° 2007/2000

— nařízení (ES) č. 2007/2000

— forordning (EF) nr. 2007/2000

— Verordnung (EG) Nr. 2007/2000

— määrus (EÜ) nr 2007/2000

— κανονισμός (ΕΚ) αριθ. 2007/2000

— Regulation (EC) No 2007/2000

— règlement (CE) n° 2007/2000

— regolamento (CE) n. 2007/2000

— Regula (EK) Nr. 2007/2000

— Reģlamentas (EB) Nr. 2007/2000

— 2007/2000/EK rendelet

— Regolamento (KE) Nru 2007/2000

— Verordening (EG) nr. 2007/2000

— rozporządzenie (WE) nr 2007/2000

— Regulamento (CE) n.º 2007/2000

— nariadenie (ES) č. 2007/2000

— Uredba (ES) št. 2007/2000

— asetus (EY) N:o 2007/2000

— förordning (EG) nr 2007/2000,

⁽¹⁾ OJ L 15, 22.1.2004, p. 3.

⁽²⁾ OJ L 144, 28.6.1995, p. 14. Regulation as last amended by Regulation (EC) No 96/2004.

— in Section 8 the name of the country of origin of the product.

The issue of an import licence shall make it obligatory to import in accordance with Regulation (EC) No 2007/2000 from the country specified in the licence.

3. In respect of sugar, sugar syrup, isoglucose and inulin syrup as referred to in Article 1(1)(a), (d), (f), (g) and (h) of Regulation (EC) No 1260/2001 to be imported into the Community in accordance with Decision 2001/330/EC, the licence application and the licence shall contain:

— in Section 20 at least one of the following indications:

- Decisión 2001/330/CE del Consejo
- Rozhodnutím Rady 2001/330/ES
- Rådets afgørelse 2001/330/EF
- Beschluss 2001/330/EG des Rates
- Nõukogu otsusega 2001/330/EÜ
- Απόφαση 2001/330/EK του Συμβουλίου
- Council Decision 2001/330/EC
- décision 2001/330/CE du Conseil
- decisione 2001/330/CE del Consiglio
- Padomes Lēmumu 2001/330/EK
- Tarybos sprendime 2001/330/EB
- 2001/330/EK tanácsi határozat
- mid-Deciżjoni tal-Kunsill nru. 2001/330/EC
- Besluit 2001/330/EG van de Raad
- decyzja Rady 2001/330/WE
- Decisão 2001/330/CE do Conselho
- Rozhodnutím Rady 2001/330/ES
- Sklepom Sveta 2001/330/ES
- Neuvoston päätös 2001/330/EY

— Rådets Beslut 2001/330/EG,

— in Section 8 the name of the country of origin of the product.

The issue of an import licence shall make it obligatory to import in accordance with Decision 2001/330/EC from the country specified in the licence.

4. In respect of sugar, sugar syrup, isoglucose and inulin syrup as referred to in Article 1(1)(a), (d), (f), (g) and (h) of Regulation (EC) No 1260/2001 to be imported into the Community in accordance with Decision 2001/868/EC, the licence application and the licence shall contain:

— in Section 20 the name of the country of origin of the product:

- Decisión 2001/868/CE del Consejo
- Rozhodnutím Rady 2001/868/ES
- Rådets afgørelse 2001/868/EF
- Beschluss 2001/868/EG des Rates
- Nõukogu otsusega 2001/868/EÜ
- Απόφαση 2001/868/EK του Συμβουλίου
- Council Decision 2001/868/EC
- décision 2001/868/CE du Conseil
- decisione 2001/868/CE del Consiglio
- Padomes Lēmumu 2001/868/EK
- Tarybos sprendime 2001/868/EB
- 2001/868/EK tanácsi határozat
- mid-Deciżjoni tal-Kunsill nru. 2001/868/EC
- Besluit 2001/868/EG van de Raad
- decyzja Rady 2001/868/WE
- Decisão 2001/868/CE do Conselho
- Rozhodnutím Rady 2001/868/ES
- Sklepom Sveta 2001/868/ES

— Neuvoston päätös 2001/868/EY

The issue of an import licence shall make it obligatory to import in accordance with Decision 2001/868/EC from the country specified in the licence.”

— Rådets Beslut 2001/868/EG,

Article 2

— in Section 8 the name of the country of origin of the product.

This Regulation shall enter into force on the 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, 16 November 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1970/2004

of 16 November 2004

adapting Regulation (EEC) No 3515/92 laying down common detailed rules for the application of Council Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an intervention agency by reason of the accession to the European Union of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

ser almacenados en ... (país y dirección del lugar de almacenamiento previsto). Aplicación del primer guión del artículo 2 del Reglamento (CEE) nº 1055/77;

Having regard to the Treaty establishing the European Community,

— Intervenční produkty v držení ... (název a adresa intervenční agentury), určené ke skladování v/ve ... (dotčený stát a předpokládaná adresa a místo skladování). Použití první odrážky článku 2 nařízení (EHS) č. 1055/77;

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

— Produkter fra intervention, som ... (navn og adresse på interventionsorganet) ligger inde med, og som er bestemt til oplagring i ... (det pågældende land og adressen på det forventede oplagringssted). Anvendelse af artikel 2, første led, i forordning (EØF) nr. 1055/77;

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 57(2) thereof,

Whereas:

(1) In view of the accession to the Community of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter 'the new Member States'), Commission Regulation (EEC) No 3515/92⁽¹⁾ should be adapted and provision should be made for certain indications in the languages of the new Member States.

— Interventionserzeugnisse im Besitz von ... (Name und Anschrift der Interventionsstelle), zur Lagerung in ... (Land und Anschrift des vorgesehenen Lagerorts) bestimmt. Anwendung von Artikel 2 erster Gedankenstrich der Verordnung (EWG) Nr. 1055/77;

(2) Regulation (EEC) No 3515/92 should therefore be amended accordingly,

— (sekkumisasutuse nimetus ja aadress) valduses olevad sekkumistooted, mis on ette nähtud ladustamiseks (asjaomane riik ja ettenähtud ladustamiskoha aadress). Määruse (EMÜ) nr 1055/77 artikli 2 esimese taande kohaldamin;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3515/92 is hereby amended as follows:

— Προϊόντα παρέμβασης που ευρίσκονται στην κατοχή του ... (ονομασία και διεύθυνση του οργανισμού παρέμβασης) προς αποθήκευση εις ... (χώρα και διεύθυνση του προτεινόμενου χώρου αποθήκευσης). Εφαρμογή του άρθρου 2 πρώτη περίπτωση του κανονισμού (ΕΟΚ) αριθ. 1055/77;

1. the second subparagraph of Article 2 is replaced by the following:

— Intervention products held by ... (name and address of the intervention agency) for storage in ... (country concerned and address of the proposed place of storage). Application of the first indent of Article 2 of Regulation (EEC) No 1055/77;

'The export declaration and, should the occasion arise, the external Community transit document or the equivalent national document shall show one of the following endorsements:

— Productos de intervención en poder de ... (nombre y dirección del organismo de intervención) destinados a

— Produits d'intervention détenus par ... (nom et adresse de l'organisme d'intervention), destinés à être stockés en/au ... (pays concerné et adresse du lieu de stockage prévu). Application de l'article 2 premier tiret du règlement (CEE) nº 1055/77;

⁽¹⁾ OJ L 355, 5.12.1992, p. 15. Regulation as amended by Regulation (EC) No 306/95 (OJ L 36, 16.2.1995, p. 1).

- Prodotti d'intervento detenuti da ... (nome e indirizzo dell'organismo d'intervento) destinati ad essere immagazzinati in ... (paese interessato e indirizzo del luogo di immagazzinamento previsto). Applicazione dell'articolo 2, primo trattino, del regolamento (CEE) n. 1055/77;
 - Intervences produkti, kas pieder ... (intervences aģentūras nosaukums un adrese), glabāšanai ... (attiecīgā valsts un plānotā glabāšanas vieta). Regulas (EEK) Nr. 1055/77 2. panta pirmā ievilkuma piemērošana;
 - (Intervencinēs aģentūros pavadināmas ir adresas) ... intervenciniai produktai, skirti saugojimui ... (atitinkama šalis ir numatomos saugojimo vietos adresas). Reglamentas (EEB) Nr. 1055/77 2 straipsnio pirmos įtraukos taikymas;
 - Az ... (intervenció hivatalt neve és címe) tulajdonában lévő, ... -ban/-ben (a raktározási hely címe és országa) raktározásra szánt intervenció termékek. Az 1055/77/EGK rendelet 2. cikke első francia bekezdésének alkalmazása;
 - Prodotti ta' intervenzjoni miżmuma minn ... (isem u indirizz ta'l-organu ta'l-intervenzjoni), biex jinħażnu f'/għand ... (pajjiż ikkonċernat u indirizz ta' post il-ħażna). Applikazzjoni ta'l-artikolu 2 l-ewwel inċiż tar-regolament (KEE) nru 1055/77;
 - Interventieproducten in het bezit van ... (naam en adres van het interventiebureau) — bestemd voor opslag in ... (betrokken land en adres van de opslagplaats). Toepassing van artikel 2, eerste streepje, van Verordening (EEG) nr. 1055/77;
 - Produkty interwencyjne znajdujące się w posiadaniu ... (nazwa i adres agencji interwencyjnej), przeznaczone do magazynowania w ... (właściwy kraj i adres przewidzianego miejsca magazynowania). Zastosowanie art. 2 pierwsze tiret rozporządzenia (EWG) nr 1055/77;
 - Produtos de intervenção em poder de ... (nome e morada do organismo de intervenção) destinados a serem armazenados em/no ... (país em causa e morada do local de armazenagem previsto). Aplicação do primeiro travessão do artigo 2.º do Regulamento (CEE) n.º 1055/77;
 - Komodity, na ktoré sa vzťahujú intervencie, v držbe ... (názov a adresa intervenčnej inštitúcie), určené na skladovanie v ... (krajina, ktorej sa to týka a adresa stanoveného miesta skladovania). Uplatňuje sa prvá zarážka článku 2 nariadenia (EHS) č. 1055/77;
 - Intervencijski produkti, zadržani s strani ... (ime in naslov intervencijskega organa), ki naj bi bili skladiščeni v ... (zadevna država in naslov predvidenega kraja skladiščenja). Izvajanje prvega odstavka člena 2 Uredbe (EGS) št. 1055/77;
 - Interventiotuotteita, jotka ovat ... (interventioelimen nimi ja osoite) hallussa ja jotka on tarkoitettu varastoida ... (kyseessä olevan maan ja ehdotetun varastointipaikan osoite). Asetuksen (ETY) N:o 1055/77 2 artiklan ensimmäisen luetelmakohdan mukainen soveltaminen;
 - Interventionsprodukter som innehas av ... (interventionorganets namn och adress) för lagring i ... (berört land och adress till det tilltänkta lagringsstället). Tillämpning av artikel 2 första strecksatsen i förordning (EEG) nr 1055/77.;
2. the first subparagraph of Article 5 is replaced by the following:
- 'in cases coming within the second indent of Article 2 of Regulation (EEC) No 1055/77, where products are dispatched to another Member State as a transfer operation, the products shall be accompanied by a Control Copy T5 as referred to in Articles 912a to 912g of Commission Regulation (EEC) No 2454/93 (*). The Control Copy T5 shall be issued by the intervention agency which sends the products and shall show one of the following endorsements in box 104:
- Productos de intervención — operación de transferencia
 - Intervenční produkty — převod
 - Produkter fra intervention — overførsel
 - Interventionserzeugnisse — Transfer
 - Sekkumistooted – ülevõtmistoiming
 - Προϊόντα παρέμβασης — Πράξη μεταβίβασης
 - Intervention products — transfer operation
 - Produits d'intervention — opération de transfert
 - Prodotti d'intervento — operazione trasferimento
 - Intervences produkti – transfertoperācija

- Intervenciniai produktai – pervežimas
- Intervenció termékek – szállítási művelet
- Prodotti ta' intervenzjoni – operazzjoni ta' trasferiment
- Interventieprodukten — Overdracht
- Produkty interwencyjne – operacja przekazania.
- Produtos de intervenção — operação de transferência
- Komodity, na ktoré sa vzťahujú intervencie – presun
- Intervencijski produkti – postopek transferja

- Interventiotuotteita – siirtotoimi
- Interventionsprodukter – överföringsförfarande

(*) OJ L 253, 11.10.1993, p. 1.'

Article 2

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

It shall apply from 1 May 2004. However, it shall not affect the validity of the endorsements applied on the basis of the second subparagraph of Article 2 and the first subparagraph of Article 5 of Regulation (EEC) No 3515/92, between 1 May 2004 and the date of entry into force of this Regulation.

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

Done at Brussels, 16 November 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1971/2004
of 16 November 2004
prohibiting fishing for redfish by vessels flying the flag of Portugal

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 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required⁽²⁾ lays down quotas for redfish 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 redfish in the waters of NAFO division 3M by vessels flying the flag of Portugal or registered in Portugal have exhausted the quota allocated for 2004. Portugal has prohibited fishing for this stock from 13 October 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of redfish in the waters of NAFO division 3M by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2004.

Fishing for redfish in the waters of NAFO division 3M by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are 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 13 October 2004.

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

Done at Brussels, 16 November 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 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 1928/2004 (OJ L 332, 6.11.2004, p. 5).

COMMISSION REGULATION (EC) No 1972/2004**of 16 November 2004****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 17 November 2004.

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

Done at Brussels, 16 November 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 1814/2004 (OJ L 319, 20.10.2004, p. 7).

ANNEX

to the Commission Regulation of 16 November 2004 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as "65 % chickens", or otherwise presented, frozen	78,8	12	01
		89,1	9	03
0207 14 10	Boneless cuts of fowl of the species Gallus domesticus, frozen	137,9	61	01
		173,9	43	02
		161,5	49	03
		255,1	14	04
0207 14 50	Breasts of chicken, frozen	134,1	25	03
0207 27 10	Boneless cuts of turkey, frozen	212,8	25	01
		230,8	20	04
1602 32 11	Preparations of uncooked fowl of the species Gallus domesticus	151,1	49	01
		168,5	40	03

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Thailand
- 03 Argentina
- 04 Chile.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 July 2004

appointing a German alternate member of the Committee of the Regions

(2004/768/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Ole VON BEUST, notified to the Council on 7 July 2004,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Roger KUSCH, Justizsenator, is hereby appointed an alternate member of the Committee of the Regions in place of Mr Ole VON BEUST for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 26 July 2004.

For the Council

The President

B. R. BOT

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 26 July 2004
appointing a German member and a German alternate member of the Committee of the Regions
(2004/769/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) A seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Axel ENDLEIN, notified to the Council on 7 July 2004, and a seat as an alternate member of the Committee of the Regions has become vacant following the nomination of Mr Peter WINTER to be a full member,

HAS DECIDED AS FOLLOWS:

Sole Article

- (a) Mr Peter WINTER,
Landrat Kreis Saarlouis,
is hereby appointed a member in place of Mr Axel ENDLEIN;
- (b) Mr Helmut JAHN,
Landrat,
is hereby appointed an alternate member in place of Mr Peter WINTER,

for the remainder of their term of office, which runs until 25 January 2006.

Done at Brussels, 26 July 2004.

For the Council
The President
B. R. BOT

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 26 July 2004
appointing a Danish alternate member of the Committee of the Regions
(2004/770/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Danish Government,

Whereas:

- (1) On 22 January 2002 the Council adopted a Decision appointing the members and alternate members of the Committee of the Regions⁽¹⁾.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Hans TOFT, notified to the Council on 12 July 2004,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Eva NEJSTGAARD, Borgmester — Allerød Kommune, is hereby appointed an alternate member of the Committee of the Regions in place of Mr Hans TOFT for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 26 July 2004.

For the Council
The President
B. R. BOT

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION**of 4 October 2004****appointing an Estonian member and an Estonian alternate member of the Committee of the Regions**

(2004/771/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Estonian Government,

Whereas:

- (1) On 22 January 2002⁽¹⁾ the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions.
- (2) A seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Tõnis KÕIV, notified to the Council on 12 July 2004, and a seat as an alternate member of the Committee of the Regions has become vacant following the nomination of Mr Margus LEPIK to be a full member,

HAS DECIDED AS FOLLOWS:

Sole Article

- (a) Mr Margus LEPIK,
Mayor of Valga,
is hereby appointed a member in place of Mr Tõnis KÕIV;
- (b) Mr Väino HALLIKMÄGI,
Mayor of Pärnu,
is hereby appointed an alternate member in place of Mr Margus LEPIK,

for the remainder of their term of office, which runs until 25 January 2006.

Done at Brussels, 4 October 2004.

For the Council
The President
A. J. DE GEUS

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COMMISSION

COMMISSION DECISION

of 29 October 2004

on a Community financial contribution for 2004 to cover expenditure incurred by Belgium and Portugal for the purpose of combating organisms harmful to plants or plant products

(notified under document number C(2004) 4181)

(Only the French, Dutch and Portuguese texts are authentic)

(2004/772/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾ (hereinafter 'the Directive'), and in particular Article 23 thereof,

Whereas:

(1) Pursuant to the Directive, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them.

(2) Belgium and Portugal have each established a programme of actions to eradicate organisms harmful to plants introduced in their territories. These programmes specify the objectives to be achieved, the measures carried out, their duration and their cost. They have applied for the allocation of a Community financial contribution to these programmes within the time limit

set out in the Directive and in accordance with Commission Regulation (EC) No 1040/2002 of 14 June 2002 establishing detailed rules for the implementation of the provisions relating to the allocation of a financial contribution from the Community for plant-health control and repealing Regulation (EC) No 2051/97⁽²⁾ (hereinafter 'the Regulation').

(3) The expenditure which Belgium and Portugal have incurred, and which is taken into account in this Decision, relates directly to the matters specified in Article 23(2)(a) and (b) of the Directive.

(4) The technical information provided for by Belgium and Portugal has enabled the Commission to analyse the situation accurately and comprehensively; the information has also been considered by the Standing Committee on Plant Health. The Commission has concluded that the conditions for the granting of a financial contribution in Article 23 of the Directive have been met.

(5) Accordingly, it is appropriate to provide a Community financial contribution to cover the expenditure on these programmes.

(6) The Community financial contribution may cover up to 50 % of eligible expenditure. Excluding the programme for which degression has to be applied in accordance with the third subparagraph of Article 23(5) of the Directive, the Community financial contribution for the purposes of this Decision should be 50 %.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive 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).

⁽²⁾ OJ L 157, 15.6.2002, p. 38.

- (7) The programme notified by Portugal has already been the subject of Community contributions under Commission Decisions 2001/811/EC⁽¹⁾, 2002/889/EC⁽²⁾ and 2003/787/EC⁽³⁾. An extension of the period in which eradication measures have to take place, as foreseen in the third subparagraph of Article 23(5) of the Directive, has been granted to this existing programme, as the examination of the situation has led to the conclusion that the objective of these eradication measures is likely to be achieved within a reasonable period. The Community financial contribution for this programme, has been progressively reduced in accordance with the third subparagraph of Article 23(5).
- (8) The contribution referred to in Article 2 of this Decision is without prejudice to further actions taken or to be taken and necessary for the achievement of the objective of eradication or control of the relevant harmful organisms.
- (9) The present Decision is without prejudice to the outcome of the verification by the Commission under Article 24 of the Directive on whether the introduction of the relevant harmful organism has been caused by inadequate examinations or inspections and the consequences of such verification.
- (10) In accordance with Article 3(2) of Council Regulation (EC) No 1258/1999⁽⁴⁾, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee section of the European Agricultural Guidance and Guarantee Fund. Financial control of these measures comes under Articles 8 and 9 of the above Regulation, without prejudice to the provisions of Regulation (EC) No 1040/2002 and paragraphs 8 and 9 of Article 23 of the Directive.
- (11) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The allocation of a Community financial contribution for 2004 to cover expenditure incurred by Belgium and Portugal relating directly to necessary measures as specified in Article 23(2) of Directive 2000/29/EC and taken for the purpose of combating the organisms concerned by the eradication programmes listed in the Annex to this Decision, is hereby approved.

Article 2

1. The total amount of the financial contribution referred to in Article 1 is EUR 576 549.
2. The maximum amounts of the Community financial contribution for each eradication programme and for each year of implementation of the eradication programme shall be as indicated in the Annex to this Decision.
3. The resulting maximum Community financial contribution for the concerned Member States shall be as follows:
 - EUR 210 485 to Belgium
 - EUR 366 064 to Portugal.

Article 3

Subject to the verifications by the Commission under Article 24 of Directive 2000/29/EC, the Community financial contribution as set out in the Annex shall be paid only when:

- (a) evidence of the measures taken has been given to the Commission through appropriate documentation, in accordance with the provisions laid down in the Regulation, in particular Article 1(2) and Article 2 thereof;
- (b) a request for payment of the Community financial contribution has been submitted by the Member State concerned to the Commission, in accordance with the provisions laid down in Article 5 of Regulation (EC) No 1040/2002.

Article 4

This Decision is addressed to the Kingdom of Belgium and the Portuguese Republic.

Done at Brussels, 29 October 2004.

For the Commission
David BYRNE
Member of the Commission

⁽¹⁾ OJ L 306, 23.11.2001, p. 25.

⁽²⁾ OJ L 311, 14.11.2002, p. 16.

⁽³⁾ OJ L 293, 11.11.2003, p. 13.

⁽⁴⁾ OJ L 160, 26.6.1999, p. 103.

ANNEX

ERADICATION PROGRAMMES

SECTION I

Programmes whose Community financial contribution corresponds to 50 % of eligible expenditure

Member State	Harmful organisms combated	Affected plants	Year	Eligible expenditure (EUR)	Maximum Community contribution (EUR) per programme
Belgium	<i>Diabrotica virgifera</i>	Maize	2003 and 2004	420 970	210 485

SECTION II

Programmes whose Community financial contribution rates differ, in application of degressivity

Member State	Harmful organisms combated	Affected plants	Year	Year of implementation of the eradication programme	Eligible expenditure (EUR)	Rate (%)	Maximum Community contribution (EUR)
Portugal	<i>Bursaphelenchus xylophilus</i>	Pinus trees	2003	5	1 016 847	36	366 064
Total Community contribution (EUR)							576 549

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