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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 12/2004
of 6 January 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⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 January 2004.

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

Done at Brussels, 6 January 2004.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 6 January 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	94,9
	204	52,0
	999	73,5
0707 00 05	052	141,5
	999	141,5
0709 90 70	052	97,8
	204	50,9
	999	74,4
0805 10 10, 0805 10 30, 0805 10 50	052	72,3
	204	51,6
	388	30,9
	999	51,6
0805 20 10	052	83,4
	204	91,4
	999	87,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	91,0
	999	91,0
0805 50 10	052	80,1
	400	38,7
	600	71,9
	999	63,6
0808 10 20, 0808 10 50, 0808 10 90	060	39,4
	400	78,6
	404	94,6
	720	61,8
	999	68,6
0808 20 50	052	59,0
	060	56,8
	064	63,6
	400	79,5
	999	64,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 13/2004
of 8 December 2003**

**determining the composition of the list of waterways of a maritime character provided for in
Article 3(d) of Council Regulation (EEC) No 1108/70**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1108/70 of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 3(d),

Whereas:

- (1) Commission Regulation (EEC) No 281/71 of 9 February 1971 determining the composition of the list of waterways of a maritime character provided for in Article 3(e) of Council Regulation (EEC) No 1108/70 of 4 June 1970 ⁽²⁾ has been substantially amended several times ⁽³⁾. In the interests of clarity and rationality the said Regulation should be codified.
- (2) Regulation (EEC) No 1108/70 provides that infrastructure expenditure accounts are not required for various categories of infrastructure. This provision applies, *inter alia*, to certain waterways of a maritime character, a list of which is to be drawn up by the Commission.
- (3) In drawing up this list account must be taken of the proportion of the traffic on waterways of maritime character accounted for by inland waterway traffic, or of the

desirability of introducing an accounting system for infrastructure expenditure in respect of such waterways in the light of the institution of a system of charging for the use of infrastructure,

HAS ADOPTED THIS REGULATION:

Article 1

The list of waterways of a maritime character provided for in Article 3(d) of Regulation (EEC) No 1108/70 shall be as given in Annex I to this Regulation.

Article 2

Regulation (EEC) No 281/71 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 8 December 2003.

For the Commission

Loyola DE PALACIO

Vice-President

⁽¹⁾ OJ L 130, 15.6.1970, p. 4.

⁽²⁾ OJ L 33, 10.2.1971, p. 11.

⁽³⁾ See Annex II.

ANNEX I

List of waterways of a maritime character**Kingdom of Belgium**

- Lower Scheldt
- Ghent-Terneuzen Maritime Canal, downstream from the northern branch of the Ghent Circular Canal

Federal Republic of Germany

- Kiel Canal
- Lower Ems
- Lower Weser
- Lower Elbe

French Republic

- Seine, downstream from Jeanne-d'Arc bridge in Rouen
- Loire, downstream from Nantes (confluence with the Erdre)
- Garonne, downstream from Pierre bridge in Bordeaux, and Gironde

Kingdom of the Netherlands

- North Sea Canal
- Rotterdamse Waterweg and the Nieuwe Maas
- Westerschelde
- Ghent-Terneuzen Canal

Portuguese Republic

- Douro, a jusante da ponte D. Luís, da cidade do Porto
- Tejo, a jusante do Carregado
- Sado, a jusante do esteiro da Marateca
- Guadiana, a jusante do Pomarão

Republic of Finland

- Saimaan kanava/Saima kanal
- Saimaan vesistö/Saimens vattendrag

Kingdom of Sweden

- Trollhätte kanal and Göta älv
- Lake Vänern
- Södertälje kanal
- Lake Mälaren

United Kingdom of Great Britain and Northern Ireland

- Weaver Navigation (Northwich to the junction with the Manchester Ship Canal)
 - Gloucester and Sharpness Canal.
-

ANNEX II

Repealed Regulation and its successive amendments that have not been repealed

Regulation (EEC) No 281/71 (OJ L 33, 10.2.1971, p. 11)

- Act of Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 92)
- Act of Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 162)
- Act of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 165)

ANNEX III

CORRELATION TABLE

Regulation (EEC) No 281/71	This Regulation
Sole Article	Article 1
—	Article 2
—	Article 3
Annex	Annex I
—	Annex II
—	Annex III

**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

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), Article 6(5) and Article 7(2) 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) and Article 4(5) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽³⁾, and in particular Article 3(6) and Article 4(5) thereof,

Whereas:

- (1) Detailed rules for the application of Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards the specific arrangements for the supply to the French overseas departments, Madeira, the Azores and the Canary Islands (hereinafter called the outermost regions) of certain agricultural products have been laid down in Commission Regulation (EC) No 20/2002 ⁽⁴⁾.
- (2) For the purposes of applying Article 2 of Regulation (EC) No 1452/2001, Article 2 of Regulation (EC) No 1453/2001 and Article 2 of Regulation (EC) No 1454/2001, supply balances must be drawn up for the products covered by specific supply arrangements and the quantities of products covered by the specific supply arrangements must be laid down, together with the aid for supplies from the Community.
- (3) In accordance with Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001, and under Article 6 of Regulation (EC) No 20/2002, such aid is to

be fixed to take account of the additional cost of transport to the outermost regions and the prices applied to exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of living on an island or in some other remote location.

- (4) Consultations are being held in partnership between the Commission and the Member States to define and quantify the additional costs, which might result in adjustments to the amounts set out in the Annexes hereto.
- (5) It is therefore necessary to fix flat-rate amounts of aid for each product, differentiated according to destination. Moreover, to take account, in particular, of trade flows with the rest of the Community and of the economic aspect of the proposed aid, an amount of aid should be laid down with reference to the refunds granted for the export of similar products to third countries, to be applied when this amount is greater than the above flat-rate amounts.
- (6) To take account of the special features of the various products in each sector, detailed arrangements for granting aid and establishing quantities for the supply of Community products to the outermost regions, as provided for in Article 3 of Regulation (EC) No 1452/2001, Article 3 of Regulation (EC) No 1453/2001 and Article 3 of Regulation (EC) No 1454/2001 respectively, should be laid down as required.
- (7) Commission Regulation (EC) No 98/2003 of 20 January 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 ⁽⁵⁾ was adopted for application from 1 January to 31 December 2003. In the interests of legal certainty, that Regulation should be repealed and replaced by a new Regulation.

⁽¹⁾ OJ L 198, 21.7.2001, p. 11. Regulation as amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 198, 21.7.2001, p. 26. Regulation as last amended by Regulation (EC) No 1782/2003.

⁽³⁾ OJ L 198, 21.7.2001, p. 45. Regulation as last amended by Regulation (EC) No 1782/2003.

⁽⁴⁾ OJ L 8, 11.1.2002, p. 1. Regulation as last amended by Regulation (EC) No 1174/2003 (OJ L 164, 2.7.2002, p. 3).

⁽⁵⁾ OJ L 14, 21.1.2003, p. 32. Regulation as last amended by Regulation (EC) No 1987/2003 (OJ L 295, 13.11.2003, p. 47).

- (8) To ensure that operations are carried out in an ordered fashion in 2004, this Regulation should apply from 1 January 2004.
- (9) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,
- (b) the amounts in column II shall apply to the supply of Community agricultural inputs and Community products intended for processing in the outermost regions;
- (c) the amounts obtained by means of the references in column III, where present, shall apply to any object of supply in Community products, where these amounts are higher than those in columns I and II.

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities of the forecast supply balance under the specific supply arrangements for products which benefit from exemption from duties on imports from third countries or which benefit from Community aid, and the amounts of aid granted for the supply of Community products, shall be as set out for each product in:

- (a) Annex I for the French overseas departments;
- (b) Annex III for Madeira and the Azores;
- (c) Annex V for the Canary Islands.

2. For each product:

- (a) the amounts in column I shall apply to the supply of Community products other than agricultural inputs and products intended for processing;

Article 2

The number of animals and eggs intended to support livestock farming in the outermost regions and, where applicable, the aid for these supplies shall be as set out in:

- (a) Annex II for the French overseas departments;
- (b) Annex IV for Madeira and the Azores;
- (c) Annex VI for the Canary Islands.

Article 3

Regulation (EC) No 98/2003 is hereby repealed.

Article 4

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 January 2004.

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

Done at Brussels, 30 December 2003.

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	(¹)
Guyana	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	(¹)
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	(¹)
Réunion	common wheat, barley, maize and malt	1001 90, 1003 00, 1005 90 and 1107 10	166 000	—	48	(¹)

(¹) The amount 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 2

Vegetable oil

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
Vegetable oil (¹)	1507 to 1516 (²)	Martinique	300	—	71	(³)
		Réunion	11 000	—	91	(³)
		Total	11 300			

(¹) Intended for the processing industry.

(²) Except 1509 and 1510.

(³) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation 136/66/EEC.

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	0	—	395	—
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	450	—	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	300		727	
		Martinique		—	311	(¹)
		Réunion		—	311	
		Guadeloupe		—	311	

(¹) The amount shall be equal to the refund for products falling within the same CN code granted under Article 16 of Regulation (EC) No 2201/96.

Part 4*Seeds*

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
Seed potatoes	0701 10 00	Réunion	200		94	

ANNEX II

Part 1

Cattle farming

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Department	Quantity	Aid (EUR/animal)
Breeding horses	0101 11 00	All	3	1 100
Live bovine animals:				
— cattle for breeding ⁽¹⁾	0102 10			
— buffalo for breeding ⁽²⁾	ex 0102 10 90		400	1 100
— cattle for fattening ⁽³⁾ ⁽⁴⁾	0102 90		100	—

⁽¹⁾ Entry under this subheading is subject to the relevant Community provisions.

⁽²⁾ Only pure bred buffalo for breeding registered in recognised herd books shall qualify for aid.

⁽³⁾ Only those originating in third countries.

⁽⁴⁾ Eligibility for exemption from import duties shall be subject to:

- a written declaration by the importer at the time the bovine animals arrive in the French overseas departments, that they are intended for fattening there for a period of 60 days from the actual date of their arrival and will be consumed there afterwards,
- a written undertaking by the importer, made at the time the bovine animals arrive, to inform the competent authorities within one month of the date of their arrival of the holding or holdings where the animals are to be fattened,
- proof to be furnished by the importer that, except in cases of *force majeure*, each animal has been fattened on the holding or holdings indicated in accordance with the second indent, that it has not been slaughtered before the end of the period provided for in the first indent, or that it has been slaughtered for health reasons or died as a result of illness or accident.

Part 2

Poultry, rabbits

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Department	Quantity (number of animals or units)	Aid (EUR/animal or unit)
Chicks for multiplication and reproduction ⁽¹⁾	ex 0105 11	All	85 240	0,48
Eggs for hatching intended for the production of chicks for multiplication or reproduction ⁽²⁾	ex 0407 00 19		800 000	0,17
Breeding rabbits				
— Domestic breeding rabbits	ex 0106 19 10		670	33

⁽¹⁾ In accordance with the definition in Article 1 of Council Regulation (EEC) No 2782/75 (OJ L 282, 1.11.1975, p. 100).

⁽²⁾ Entry under this split subheading is subject to the relevant Community provisions.

Part 3*Pig farming*

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Department	Quantity	Aid (EUR/animal)
Breeding pigs		All		
— female animals	0103 10 00			
	ex 0103 91 10			
	ex 0103 92 19		300	405
— male animals	0103 10 00			
	ex 0103 91 10			
	ex 0103 92 19		63	505

Part 4*Sheep and goat farming*

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Department	Quantity (number of animals)	Aid (EUR/animal)
Pure-bred breeding sheep and goats:		All		
— male animals	ex 0104 10 and ex 0104 20		10	312
— female animals	ex 0104 10 and ex 0104 20		125	192

ANNEX III

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 for the marketing period from 1 January to 31 December

MADEIRA

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat of bread-making quality, durum wheat, barley, maize, maize meal, rye and malt, soya cake and dried alfalfa	1001 90 99, 1001 10 00, 1003 00 90, 1005 90 00, 1103 13, 1002, 1107 10, 2304, 1214	72 900		34	(¹)

(¹) The amount 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).

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat of bread-making quality, durum wheat, barley, maize, rye and malt, soya beans and sunflower seed	1001 90 99, 1001 10 00, 1003 00 90, 1005 90 00, 1002, 1107 10, 1201 00 90, 1206 00 99	195 300		37	(¹)

(¹) The amount 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 2

Rice

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
Milled rice	1006 30	4 000	55	76	(¹)

(¹) The amount shall be equal to the refund applicable to products in the rice sector supplied under Community and national food aid measures.

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Milled rice	1006 30	2 000	63	81	(¹)

(¹) The amount shall be equal to the refund applicable to products in the rice sector supplied under Community and national food aid measures.

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 ⁽¹⁾	2 500	52	70	⁽²⁾
Olive oil:					
— virgin olive oil	1509 10 90	300	52	—	⁽²⁾
or					
— olive oil	1509 90 00			—	

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Olive oil:					
— virgin olive oil	1509 10 90	400	68	87	⁽²⁾
or					
— olive oil	1509 90 00				

⁽¹⁾ Except 1509 and 1510.

⁽²⁾ The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation 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, nuts 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:					
— pineapples	2008 20	580	168	186	—

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
— 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	100		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 5

Sugar

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

MADEIRA

Description	CN code	Quantity (tonnes of white sugar)	Aid (EUR/100 kg)		
			I	II	III
Sugar	1701 and 1702 (except glucose and isoglucose)	7 000	7,4	9,2	(¹)

(¹) For white sugar the amount shall be equal to the maximum export refund fixed for white sugar under the standing invitations to tender for the export of white sugar. Where two standing invitations to tender are issued simultaneously, the maximum to take into consideration is that most recently fixed for the standing invitation to tender for export in the forthcoming marketing year. The amount for raw sugar shall be equal to 92 % of that applicable to white sugar. If the raw sugar dispatched produces a yield different from 92 %, the amount shall be adjusted by applying Annex I to Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1). For sucrose syrups the amount of aid is equal to one hundredth of the amount applicable to white sugar for each percentage point of sucrose content per 100 kilograms net of syrup. Article 7(3) of Regulation (EC) No 1260/2001 shall not apply.

AZORES

Description	CN code	Quantity (tonnes of white sugar)	Aid (EUR/100 kg)		
			I	II	III
Raw beet sugar	1701 12 10	6 500		6,4	(¹)

(¹) 92 % of the maximum export refund fixed for white sugar under the standing invitations to tender for the export of white sugar. Where two standing invitations to tender are issued simultaneously, the maximum to take into consideration is that most recently fixed for the standing invitation to tender for export in the forthcoming marketing year. If the raw sugar dispatched produces a yield different from 92 %, the amount shall be adjusted by applying Annex I to Regulation (EC) No 1260/2001.
Article 7(3) of Regulation (EC) No 1260/2001 shall not apply.

Part 6

Dairy 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 (¹)
Milk and cream, not concentrated nor containing added sugar or other sweetening matter (²)	0401	12 000	48	66	(³)
Skimmed-milk powder (²)	ex 0402	500	48	66	(³)
Whole-milk powder (²)	ex 0402	450	48	66	(³)
Butter and other fats and oils derived from milk dairy spreads (²)	ex 0405	1 000	84	102	(³)
Cheese (²)	0406	1 500	84	102	(³)

(¹) In EUR/100 kg net weight, unless otherwise specified.

(²) 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 Regulation (EC) No 1255/1999.

(³) 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 Regulation (EC) No 1255/1999 have differentiated amounts, 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).

Part 7

Beef and veal 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:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 (¹) 0201 10 00 9120 0201 10 00 9130 (¹) 0201 10 00 9140 0201 20 20 9110 (¹) 0201 20 20 9120	4 800	153	171	(*)

Description	Code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
	0201 20 30 9110 ⁽¹⁾ 0201 20 30 9120 0201 20 50 9110 ⁽¹⁾ 0201 20 50 9120 0201 20 50 9130 ⁽¹⁾ 0201 20 50 9140 0201 20 90 9700 0201 30 00 9100 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9120 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9060 ⁽⁶⁾		123	141	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100 0202 30 90 9200 ⁽⁶⁾	1 000	119 95	137 113	(*) (*)

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

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of aid shall be equal to the amount of the refund for products falling within the same code under the agricultural product nomenclature for export refunds for destination B03 in force at the time the aid application is submitted.

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	2 300			—
— carcasses and half-carcasses	0203 11 10 9000		95	113	(*)
— hams and cuts thereof	0203 12 11 9100		143	161	(*)
— shoulders and cuts thereof	0203 12 19 9100		95	113	(*)
— fore-ends and cuts thereof	0203 19 11 9100		95	113	(*)
— loins and cuts thereof	0203 19 13 9100		143	161	(*)
— bellies (streaky) and cuts thereof	0203 19 15 9100		95	113	(*)
— other: boned	0203 19 55 9110		176	194	(*)
— other: boned	0203 19 55 9310		176	194	(*)
— carcasses and half-carcasses	0203 21 10 9000		95	113	(*)

Description	Code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
— hams and cuts thereof	0203 22 11 9100		143	161	(*)
— shoulders and cuts thereof	0203 22 19 9100		95	113	(*)
— fore-ends and cuts thereof	0203 29 11 9100		95	113	(*)
— loins and cuts thereof	0203 29 13 9100		143	161	(*)
— bellies (streaky) and cuts thereof	0203 29 15 9100		95	113	(*)
— other: boned	0203 29 55 9110		176	194	(*)

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

(*) The amount 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).

Part 9

Seeds

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
Seed potatoes	0701 10 00	2 000	—	95	

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

AZORES

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Maize seed	1005 10	150	—	85	

ANNEX IV

Part 1

Cattle farming

Number of animals and aid for supplying animals from the Community per calendar year

MADEIRA

Description	CN code	Quantity	Aid (EUR/animal)
Live bovine animals :			
— breeding cattle	0102 10 10 to 0102 10 90	160	608
— cattle for fattening ⁽¹⁾	0102 90	1 000	128

⁽¹⁾ Eligibility for exemption from import duties and payment of the aid shall be subject to:

- a written declaration by the importer or applicant at the time the bovine animals arrive in Madeira, that they are intended for fattening there for a period of 60 days from the actual date of their arrival and will be consumed there afterwards,
- a written undertaking by the importer or applicant, made at the time the bovine animals arrive, to inform the competent authorities within one month of the date of their arrival of the holding or holdings where the animals are to be fattened,
- proof to be furnished by the importer or applicant that, except in cases of force majeure, each animal has been fattened on the holding or holdings indicated in accordance with the second indent, that it has not been slaughtered before the end of the period provided for in the first indent, or that it has been slaughtered for health reasons or died as a result of illness or accident.

Part 2

Poultry

Number of animals and aid for supplying animals from the Community per calendar year

MADEIRA

Description	CN code	Quantity (number of animals or units)	Aid (EUR/animal or unit)
Breeding stock:			
— Chicks for multiplication and reproduction ⁽¹⁾	ex 0105 11	0	0,12
— Eggs for hatching intended for the production of chicks for multiplication or reproduction ⁽¹⁾	ex 0407 00 19	0	0,06

AZORES

Description	CN code	Quantity (number of animals or units)	Aid (EUR/animal or unit)
Breeding stock:			
— chicks ⁽¹⁾	ex 0105 11	20 000	0,12
— eggs for hatching ⁽¹⁾	ex 0407 00 19	1 000 000	0,06

⁽¹⁾ In accordance with the definition in Article 1 of Council Regulation (EEC) No 2782/75 (OJ L 282, 1.11.1975, p. 100).

Part 3*Pig farming***MADEIRA**

Description	CN code	Quantity	Aid (EUR/animal)
Pure-bred breeding swine ⁽¹⁾	0103 10 00		
— male animals		10	460
— female animals		60	360

⁽¹⁾ Entry under this split subheading is subject to the relevant Community provisions.

AZORES

Description	CN code	Quantity	Aid (EUR/animal)
Pure-bred breeding swine ⁽¹⁾			
— male animals	0103 10 00	35	460
— female animals	0103 10 00	400	360

⁽¹⁾ Entry under this split subheading is subject to the relevant Community provisions.

Part 4*Sheep and goat farming*

Number of animals and aid for supplying animals from the Community per calendar year

MADEIRA

Description	CN code	Outermost region	Quantity (number of animals)	Aid (EUR/animal)
Breeding sheep and goats:				
— male animals ⁽¹⁾	0104 10 10 and 0104 20 10		5	230
— female animals ⁽²⁾	0104 10 10 and 0104 20 10		45	110

⁽¹⁾ The animals in this group are 100 % interchangeable.

⁽²⁾ The animals in this group are 100 % interchangeable.

Number of animals and aid for supplying animals from the Community per calendar year

AZORES

Description	CN code	Outermost region	Quantity (number of animals)	Aid (EUR/animal)
Breeding sheep and goats:				
— male animal ⁽¹⁾	0104 10 10 and 0104 20 10		40	230
— female animals ⁽²⁾	0104 10 10 and 0104 20 10		259	110

⁽¹⁾ The animals in this group are 100 % interchangeable.

⁽²⁾ The animals in this group are 100 % interchangeable.

ANNEX V

CANARY ISLANDS

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 for the marketing period from 1 January to 31 December

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Common wheat, barley, oats, maize, meal of durum wheat, maize meal, malt and glucose (?), lucerne (alfalfa) meal and pellets, oil-cake and other solid residues resulting from the extraction of soya, soya-bean oil, and other forms of lucerne	1001 90 99, 1003 00 90, 1004 00 00, 1005 90 00, 1103 11 10, 1103 13, 1107, 1702 30, 1702 40, 1214 10 00, 2304 00 and ex 1214 90 99	446 800	—	35	(¹)

(¹) The amount 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).

(²) Except products falling within CN codes 1702 30 10 and 1702 40 10.

Part 2

Rice

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Milled rice	1006 30	13 700	36	54	(¹)
Broken rice	1006 40	1 600	36	54	(¹)

(¹) The amount shall be equal to the refund applicable to products in the rice sector supplied under Community and national food aid measures.

Part 3

Vegetable oil

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Vegetable oils (except olive oil)					
— vegetable oils (processing and/or packaging sector)	1507 to 1516 (¹)	20 000	—	25	(¹)
— vegetable oils (direct consumption)	1507 to 1516 (¹)	9 000	6	—	(²)

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Olive oil					
— virgin olive oil	1509 10 90				
— olive oil	1509 90 00	17 500	45	63	(²)
— olive-pomace oil	1510 00 90				

(¹) Except 1509 and 1510.

(²) The amount shall be equal to the refund for products falling within the same CN code granted under Article 3(3) of Regulation 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

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	4 250 (¹)	125	143	—
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:		16 850 (²)	108	126	
— pineapples	2008 20				
— citrus fruit	2008 30				
— pears	2008 40				
— apricots	2008 50				
— peaches	2008 70				
— strawberries	2008 80				
— other, including mixtures, other than those of subheading 2008 19					
— Mixtures	2008 92				
— Other	2008 99				

(¹) Including 750 tonnes for the products intended for processing and/or packaging.

(²) Including 5 300 tonnes for the products intended for processing and/or packaging.

Part 5*Sugar*

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

Description	CN code	Quantity (tonnes of white sugar)	Aid (EUR/100 kg)		
			I	II	III
Sugar	1701 and 1702 (except glucose and isoglucose)	61 000	0	1,8	(¹)

(¹) For white sugar the amount shall be equal to the maximum export refund fixed for white sugar under the standing invitations to tender for the export of white sugar. Where two standing invitations to tender are issued simultaneously, the maximum to take into consideration is that most recently fixed for the standing invitation to tender for export in the forthcoming marketing year. The amount for raw sugar shall be equal to 92 % of that applicable to white sugar. If the raw sugar dispatched produces a yield different from 92 %, the amount shall be adjusted by applying Annex I to Council Regulation (EC) No 1260/2001. For sucrose syrups and sugar falling within CN codes 1701 91 00 and 1701 99 90, the amount of aid is equal to one hundredth of the amount applicable to white sugar for each percentage point of sucrose content per 100 kilograms net of the product concerned. Article 7(3) of Regulation (EC) No 1260/2001 shall not apply.

Part 6*Hops*

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Hops	1210	50	—	64	

Part 7*Seed potatoes*

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Seed potatoes	0701 10 00	9 000	—	73	

Part 8*Beef and veal sector*

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

Description	Code	Quantity	Aid (EUR/tonne)		
			I	II	III
Meat:					
— meat of bovines, fresh or chilled	0201 0201 10 00 9110 ⁽¹⁾ 0201 10 00 9120 0201 10 00 9130 ⁽¹⁾ 0201 10 00 9140 0201 20 20 9110 ⁽¹⁾ 0201 20 20 9120 0201 20 30 9110 ⁽¹⁾ 0201 20 30 9120 0201 20 50 9110 ⁽¹⁾ 0201 20 50 9120 0201 20 50 9130 ⁽¹⁾ 0201 20 50 9140 0201 20 90 9700	21 200	140	158	(*)
	0201 30 00 9100 0201 30 00 9120 0201 30 00 9060		112	130	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100 0202 30 90 9200 ⁽⁶⁾	14 500	106 85	124 103	(*) (*)

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

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of aid shall be equal to the amount of the refund for products falling within the same code under the agricultural product nomenclature for export refunds for destination B03 in force at the time the aid application is submitted.

Part 9*Pigmeat sector*

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

Description	Code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat of domestic swine, frozen:	ex 0203	17 000 ⁽¹⁾			
— carcasses and half-carcasses	0203 21 10 9000		85	103	(2)
— hams and cuts thereof	0203 22 11 9100		128	146	(2)
— shoulders and cuts thereof	0203 22 19 9100		85	103	(2)

Description	Code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
— fore-ends and cuts thereof	0203 29 11 9100		85	103	(²)
— loins and cuts thereof	0203 29 13 9100		128	146	(²)
— bellies (streaky) and cuts thereof	0203 29 15 9100		85	103	(²)
— other: boned	0203 29 55 9110		157	175	(²)

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

(¹) Including 4 800 tonnes for the processing and/or packaging sector.

(²) The amount shall be equal to the refund for products falling within the same CN code granted under Article 13 of Regulation (EEC) No 2759/75 (OJ L 282, 1.11.1975, p. 1).

Part 10

Poultrymeat and eggs sector

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat:					
— ex 0207; frozen meat and offal of fowl under CN code 0105, excluding products coming under subheading 0207 33	0207 12 10 9900 0207 12 90 9190 0207 12 90 9990 0207 14 20 9900 0207 14 60 9900 0207 14 70 9190 0207 14 70 9290	40 200 (¹)	85	103	(²)
Eggs:					
— ex 0408; birds' eggs, not in shell, and egg yolks, dried, whether or not containing added sugar or other sweetening matter, fit for human consumption	0408 11 80 9100 0408 91 80 9100	40	46	64	(³)

(¹) Including 200 tonnes for the processing and/or packaging sector.

(²) The amount shall be equal to the refund for products falling within the same CN code granted under Article 8 of Regulation (EC) No 2777/75. Where the refunds granted under Article 8 of Regulation (EC) No 2777/75 have differentiated amounts, the amount shall be equal to the highest amount of the refund for products falling within the same code of the export refund nomenclature (Commission Regulation (EC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds, OJ L 366, 24.12.1987, p. 1).

(³) The amount shall be equal to the refund for products falling within the same CN code granted under Article 8 of Regulation (EC) No 2771/75. Where the refunds granted under Article 8 of Regulation (EC) No 2771/75 have differentiated amounts, 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).

Part 11

Dairy products

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

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽²⁾	0401	114 800 ⁽³⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter ⁽²⁾	0402	28 000 ⁽⁵⁾	41	59	⁽⁴⁾
Milk and cream, concentrated or containing added sugar or other sweetening matter of a non-fat milk solid content of 15 % or more by weight and a fat content by weight exceeding 3 % ⁽⁶⁾	0402 91 19 9310		—	97	—
Butter and other fats and oils derived from milk dairy spreads ⁽²⁾	0405	4 000	72	90	⁽⁴⁾
Cheese ⁽²⁾	0406	15 000	72	90	⁽⁴⁾
	0406 30				
	0406 90 23				
	0406 90 25				
	0406 90 27				
	0406 90 76				
	0406 90 78				
	0406 90 79				
	0406 90 81				
	0406 90 86	1 900			
	0406 90 87				
	0406 90 88				

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III ⁽¹⁾
Fat-free milk preparations	1901 90 99	800	—	59	(7)
Milk preparations for children containing no milk fat etc.	2106 90 92	45			

⁽¹⁾ In EUR/100 kg net weight, unless otherwise specified.

⁽²⁾ 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 Regulation (EC) No 1255/1999.

⁽³⁾ Including 1 300 tonnes for the processing and/or packaging sector.

⁽⁴⁾ 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 Regulation (EC) No 1255/1999 have differentiated amounts, the amount of the aid shall be equal to the highest amount of the refund for products falling within the same CN code (Regulation (EC) No 3846/87).

⁽⁵⁾ To be broken down as follows:

— 7 250 tonnes falling within CN codes 0402 91 and/or 0402 99 for direct consumption,

— 4 750 tonnes falling within CN codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,

— 16 000 tonnes falling within CN codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.

⁽⁶⁾ Where the milk protein content (nitrogen content x 6,38) in the non-fatty milk solid of a product under this position is less than 34 %, no aid shall be granted. Where the water content by weight of the powdered products under this position is greater than 5 %, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose the minimum milk protein content in the non-fatty milk solid and the maximum water content for powdered products.

⁽⁷⁾ The amount of the aid shall be equal to the refund set in the Commission Regulation fixing the refund rates applicable to certain milk products exported in the form of goods not covered by Annex I, granted under Regulation (EC) No 1520/2000.

ANNEX VI

Part 1*Cattle farming*

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Quantity	Aid (EUR/animal)
Live bovine animals			
— pure-bred breeding bovines	0102 10 10 to 0102 10 90	3 200	621

Part 2*Pig farming*

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Quantity	Aid (EUR/animal)
Pure-bred breeding swine ⁽¹⁾			
— male animals	0103 10 00	200	470
— male animals	0103 10 00	5 500	370

⁽¹⁾ Entry under this split subheading is subject to the relevant Community provisions.**Part 3***Poultry and rabbits*

Number of animals and aid for supplying animals from the Community per calendar year

Description	CN code	Quantity (number of animals or units)	Aid (EUR/animal or unit)
Breeding stock:			
— chicks weighing not more than 185 g	ex 0105 11 91 ex 0105 11 99	935 000	0,25
Breeding rabbits			
— pure-bred (grandparents)	ex 0106 19 10	2 200	30
— parents		5 200	24

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 November 2003

establishing the Committee of European Banking Supervisors

(Text with EEA relevance)

(2004/5/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾ setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) In its Resolutions of 5 February and 21 November 2002, the European Parliament endorsed the four-level approach advocated in the Final Report of the Committee of Wise Men on the regulation of European securities markets and called for certain aspects of that approach to be extended to the banking and insurance sectors subject to a clear Council commitment to reform to guarantee a proper institutional balance.
- (3) On 3 December 2002, the Council invited the Commission to implement such arrangements in the fields of banking and insurance and occupational pensions and to establish as soon as possible new committees in an advisory capacity in relation to those fields.
- (4) An independent body for reflection, debate and advice for the Commission in the field of banking regulation and supervision should be established.
- (5) That body, to be called the Committee of European Banking Supervisors, hereinafter referred to as 'the Committee', should also contribute to the consistent and timely application of Community legislation in the Member States and to the convergence of supervisory practices throughout the Community.

- (6) The Committee should promote cooperation in the banking field, such as the exchange of information.
- (7) The establishment of the Committee should be without prejudice to the organisation of banking supervision at either national or Community level.
- (8) The composition of the Committee should reflect the organisation of banking supervision and should also take account of the role of central banks as regards the overall stability of the banking sector at national and Community level. The respective rights of the different categories of participants should be clearly identified. In particular, chairmanship and voting rights should be reserved to the competent supervisory authorities of each Member State; and participation in confidential discussions about individual supervised institutions should, where appropriate, be restricted to the competent supervisory authorities and to the central banks entrusted with specific operational responsibilities for supervision of the individual credit institutions concerned.
- (9) The Committee should organise its own operational arrangements and maintain close operational links with the Commission and the Committee established by Commission Decision 2004/10/EC of 5 November 2003 establishing a European Banking Committee ⁽³⁾.
- (10) The Committee should cooperate with the other committees in the financial sector, in particular with the Committee established by Decision 2004/10/EC, with the Banking Supervision Committee of the European System of Central Banks and with the *Groupe de Contact* of European banking supervisors. In particular, it should be possible for the Committee to invite observers from other committees in the banking and financial sector.

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ See page 36 of this Official Journal.

- (11) The Committee should, at an early stage, consult extensively and in an open and transparent manner with market participants, consumers and end-users.
- (12) Whenever the Committee provides advice on provisions applicable to both credit institutions and investment firms, it should consult those authorities competent for the supervision of investment firms which are not already represented on the Committee,

HAS DECIDED AS FOLLOWS:

Article 1

An independent advisory group on banking supervision in the Community, called 'the Committee of European Banking Supervisors' (hereinafter 'the Committee') is established.

Article 2

The role of the Committee shall be to advise the Commission either at the Commission's request, within a time limit which the Commission may lay down according to the urgency of the matter, or on the Committee's own initiative, in particular as regards the preparation of draft implementing measures in the field of banking activities.

The Committee shall contribute to the consistent application of Community directives and to the convergence of Member States' supervisory practices throughout the Community.

It shall enhance supervisory cooperation, including the exchange of information on individual supervised institutions.

Article 3

The Committee shall be composed of high level representatives from the following organisations:

- (a) the national public authorities competent for the supervision of credit institutions, hereinafter 'the competent supervisory authorities';
- (b) the national central banks entrusted with specific operational responsibilities for the supervision of individual credit institutions alongside a competent supervisory authority;
- (c) the central banks which are not directly involved in the supervision of individual credit institutions, including the European Central Bank.

Each Member State shall designate high level representatives to participate in the meetings of the Committee. The European Central Bank shall designate a high level representative to participate in the Committee.

The Commission shall be present at the meetings of the Committee and shall designate a high level representative to participate in its debates.

Whenever confidential information concerning an individual supervised institution is exchanged, participation in that discussion may be restricted to the competent supervisory authorities and the national central banks entrusted with specific operational responsibilities for the supervision of the individual credit institutions concerned.

The Committee shall elect a chairperson from among the representatives of the competent supervisory authorities.

The Committee may invite experts and observers to attend its meetings.

Article 4

The Committee shall maintain close operational links with the Commission and with the Committee established by Commission Decision 2004/10/EC.

It may set up working groups. The Commission shall be invited to participate in the working groups.

Article 5

Before transmitting its opinion to the Commission, the Committee shall, at an early stage, consult extensively and in an open and transparent manner with market participants, consumers and end-users.

When providing advice on provisions applicable to both credit institutions and investment firms, the Committee shall consult all authorities which are competent for the supervision of investment firms and are not already represented on the Committee.

Article 6

The Committee shall submit an annual report to the Commission.

Article 7

The Committee shall adopt its own rules of procedure and organise its own operational arrangements, including voting rights. Only representatives of the competent supervisory authorities shall receive voting rights.

Article 8

The Committee shall take up its duties on 1 January 2004.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION DECISION
of 5 November 2003
establishing the Committee of European Insurance and Occupational Pensions Supervisors

(Text with EEA relevance)

(2004/6/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾ setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) In its Resolutions of 5 February and 21 November 2002, the European Parliament endorsed the four-level regulatory framework advocated in the report of the Committee of Wise Men and called for certain aspects of that approach to be extended to the banking and insurance sectors subject to a clear Council commitment to reform to guarantee a proper institutional balance.
- (3) On 3 December 2002, the Council invited the Commission to implement such arrangements in the field of banking and insurance and occupational pensions, and to establish as soon as possible new committees in an advisory capacity in relation to those fields.
- (4) A Committee of European Insurance and Occupational Pensions Supervisors (hereinafter 'the Committee') should be established to serve as an independent body for reflection, debate and advice for the Commission in the insurance, reinsurance and occupational pensions fields. However, as regards the occupational pensions field, while the Committee should consider regulatory and supervisory aspects relating to such arrangements, it should not address labour and social law aspects, such as the organisation of occupational regimes, and in particular, issues relating to compulsory membership (affiliation) or the results of collective bargaining agreements.
- (5) The Committee should also contribute to the consistent and timely implementation of Community legislation in the Member States by securing more effective cooperation between national supervisory authorities, carrying out peer reviews and promoting best practices.
- (6) The Committee should organise its own operational arrangements, in particular take account of the specificities of the relevant competent authorities, and maintain close operational links with the Commission and with the Committee established by Commission Decision 2004/9/EC of 5 November 2003, establishing a European Insurance and Occupational Pensions Committee ⁽³⁾. It should elect its chairperson from among its members.
- (7) The Committee should at an early stage consult extensively and in an open and transparent manner with market participants, consumers and end-users.
- (8) The Committee should draw up its own rules of procedure and fully respect the prerogatives of the institutions and the institutional balance established by the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

An independent advisory group on insurance and occupational pensions in the Community, called the 'Committee of European Insurance and Occupational Pensions Supervisors', hereinafter 'the Committee', is established.

Article 2

The role of the Committee shall be to advise the Commission, either at the Commission's request, within a time limit which the Commission may lay down according to the urgency of the matter, or on the Committee's own initiative, in particular as regards the preparation of draft implementing measures in the fields of insurance, reinsurance and occupational pensions.

The Committee shall contribute to the consistent implementation of Community Directives and to the convergence of Member States' supervisory practices throughout the Community.

The Committee shall also constitute a forum for supervisory cooperation, including the exchange of information on supervised institutions.

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ See page 34 of this Official Journal.

Article 3

The Committee shall be composed of high level representatives from the national public authorities competent in the field of supervision of insurance, reinsurance and occupational pensions. Each Member State shall designate high level representatives from its competent authorities to participate in the meetings of the Committee.

The Commission shall be present at meetings of the Committee and shall designate a high level representative to participate in all its debates.

Whenever discussion of an item on the agenda entails the exchange of confidential information concerning a supervised institution, participation in such discussion may be restricted to the supervisory authorities directly involved.

The Committee shall elect a chairperson from among its members.

The Committee may invite experts and observers to attend its meetings.

The Committee shall not address labour and social law aspects such as the organisation of occupational regimes, in particular compulsory membership and the results of collective bargaining agreements.

Article 4

The Committee shall maintain close operational links with the Commission and with the Committee established by Decision 2004/9/EC.

It may set up working groups. The Commission shall be invited to participate in the working groups as observer.

Article 5

Before transmitting its opinion to the Commission, the Committee shall, at an early stage, consult extensively and in an open and transparent manner with market participants, consumers and end-users.

Article 6

The Committee shall submit an annual report to the Commission.

Article 7

The Committee shall adopt its own rules of procedure and organise its own operational arrangements.

Article 8

The Committee shall take up its duties on 24 November 2003.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION DECISION
of 5 November 2003
amending Decision 2001/527/EC establishing the Committee of European Securities Regulators

(Text with EEA relevance)

(2004/7/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾, setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) In its Resolutions of 5 February 2002 and 21 November 2002, the European Parliament endorsed the four-level regulatory framework advocated in the Final Report of the Committee of Wise Men on the regulation of European securities markets and called for certain aspects of that approach to be extended to the banking and insurance sectors, subject to a clear Council commitment to reform to guarantee a proper institutional balance.
- (3) Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investments in transferable securities (UCITS) ⁽³⁾, as last amended by Directive 2001/108/EC of the European Parliament and of the Council ⁽⁴⁾, set up the UCITS Contact Committee in order to facilitate the harmonised implementation of that Directive through regular consultations on any practical problems arising from its application and on which exchanges of views are deemed useful, to facilitate consultation between Member States and to advise the Commission, if necessary, on amendments to be made to that Directive.
- (4) On 3 December 2002, the Council invited the Commission to take steps in order to transfer those functions and powers to the structures already established in the securities field.
- (5) The Commission has proposed a Directive amending, *inter alia*, Directive 85/611/EEC to delete the functions of the UCITS Contact Committee provided for by Article 53 of this Directive, and to transfer those laid down under Article 53a of the same Directive to the European Securities Committee established by Decision 2001/528/EC.

- (6) Such an amendment will require a corresponding and simultaneous amendment of the competences of the Committee of European Securities Regulators, as defined in Article 2 of Decision 2001/527/EC,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2001/527/EC is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

The role of the Committee shall be to advise the Commission, either at the Commission's request, within a time limit which the Commission may lay down according to the urgency of the matter, or on the Committee's own initiative, in particular for the preparation of draft implementing measures in the field of securities, including those relating to undertakings for collective investment in transferable securities (UCITS).'

2. In Article 3, the first sentence of the first paragraph is replaced by the following:

'The Committee shall be composed of high-level representatives from the national public authorities competent in the field of securities, including UCITS.'

Article 2

This Decision shall enter into force on the same day as the entry into force of any directive amending the functions of the UCITS Contact Committee to transfer them to the European Securities Committee.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ OJ L 375, 31.12.1985, p. 3.

⁽⁴⁾ OJ L 41, 13.2.2002, p. 35.

COMMISSION DECISION
of 5 November 2003
amending Decision 2001/528/EC establishing the European Securities Committee

(Text with EEA relevance)

(2004/8/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾, setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) Decision 2001/528/EC established the European Securities Committee in its advisory capacity. Pursuant to Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation (market abuse) ⁽³⁾, the European Securities Committee may act as regulatory committee within the meaning of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾.
- (3) In its Resolutions of 5 February 2002 and 21 November 2002, the European Parliament endorsed the four-level regulatory framework advocated in the Final Report of the Committee of Wise Men on the regulation of European securities markets and called for certain aspects of that approach to be extended to the banking and insurance sectors, subject to a clear Council commitment to guarantee a proper institutional balance.
- (4) On 3 December 2002, the Council invited the Commission to take steps in order to transfer to the structures already established in the securities field the present functions and powers held by the UCITS (undertakings for collective investment in transferable securities) Contact Committee, set up by Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) ⁽⁵⁾, as last amended by Directive 2001/108/EC of the European Parliament and of the Council ⁽⁶⁾.

- (5) The Commission has proposed a directive of the Council and the European Parliament, amending, *inter alia*, Directive 85/611/EEC to delete the functions of the UCITS Contact Committee under Article 53 of that Directive and to transfer those laid down under Article 53a of the same Directive to the European Securities Committee.

- (6) Such an amendment will require a corresponding and simultaneous amendment of the competences of the European Securities Committee, as defined in Article 2 of Decision 2001/528/EC,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2001/528/EC is amended as follows:

Article 2 is replaced by the following:

'Article 2

The role of the Committee shall be to advise the Commission on policy issues as well as on draft proposals the Commission might adopt in the field of securities, including on undertakings for collective investment in transferable securities (UCITS).'

Article 2

This Decision shall enter into force on the same day as the entry into force of any directive amending the functions of the UCITS Contact Committee to transfer them to the European Securities Committee.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ OJ L 96, 12.4.2003, p. 16.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 375, 31.12.1985, p. 3.

⁽⁶⁾ OJ L 41, 13.2.2002, p. 35.

COMMISSION DECISION
of 5 November 2003
establishing the European Insurance and Occupational Pensions Committee

(Text with EEA relevance)

(2004/9/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾ setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) In its Resolutions of 5 February and 21 November 2002, the European Parliament endorsed the four-level approach advocated in the Final Report of the Committee of Wise Men on the regulation of European securities markets and called for certain aspects of that approach to be extended to the banking and insurance sectors subject to a clear Council commitment to reform to guarantee a proper institutional balance.
- (3) On 3 December 2002, the Council invited the Commission to implement such arrangements in the fields of banking and insurance and occupational pensions and to establish as soon as possible new committees in an advisory capacity in relation to those fields.
- (4) Council Directive 91/675/EEC of 19 December 1991 setting up an Insurance Committee ⁽³⁾ established a committee to advise the Commission in the development of legislation in the insurance field.
- (5) The Commission has proposed a Directive modifying, *inter alia*, Directive 91/675/EEC, First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance ⁽⁴⁾ as amended, Directive 2002/83/EC of the European Parliament and of the Council of 5 November 2002 concerning life assurance ⁽⁵⁾, and Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and the Council ⁽⁶⁾, to delete the advisory functions of the Insurance Committee.

- (6) Such an amendment requires the corresponding and simultaneous creation of a new advisory group to advise the Commission as regards the development of Community legislation in the insurance and occupational pensions fields, hereafter called the 'European Insurance and Occupational Pensions Committee'.

- (7) To ensure this, this Decision should only come into being at the same time as any Directive repealing the purely advisory functions of the Insurance Committee.

- (8) The European Insurance and Occupational Pensions Committee should be competent to examine any question relating to the application of Community provisions concerning the fields of insurance and occupational pensions, and, in particular, should advise the Commission on new proposals for new legislation in those fields which the Commission intends to present to the European Parliament and the Council; however in the occupational pensions field, the European Insurance and Occupational Pensions Committee should not address labour and social law aspects such as the organisation of occupational regimes, in particular compulsory membership and the results of collective bargaining agreements,

HAS DECIDED AS FOLLOWS:

Article 1

An advisory group on insurance and occupational pensions in the Community, called the 'European Insurance and Occupational Pensions Committee' (hereinafter 'the Committee') is hereby established.

Article 2

1. The Committee shall advise the Commission, at the Commission's request, on policy issues relating to insurance, reinsurance and occupational pensions as well as Commission proposals in these fields. The Committee shall examine any question relating to the application of Community provisions concerning the sectors of insurance, reinsurance and occupational pensions, and in particular Directives on insurance, reinsurance and occupational pensions.

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ OJ L 374, 31.12.1991, p. 22.

⁽⁴⁾ OJ L 228, 16.8.1973, p. 3.

⁽⁵⁾ OJ L 345, 19.12.2002, p. 1.

⁽⁶⁾ OJ L 35, 11.2.2003, p. 1.

2. The Committee shall not consider specific problems relating to individual insurance or reinsurance undertakings or to occupational pensions institutions.

3. The Committee shall not address labour and social law aspects such as the organisation of occupational regimes, in particular compulsory membership and the results of collective bargaining agreements.

Article 3

1. The Committee shall be composed of high level representatives of Member States. The Committee shall be chaired by a representative of the Commission.

2. The chairperson of the Committee of European Insurance and Occupational Pensions Supervisors established by Commission Decision 2004/6/EC ⁽¹⁾ shall participate at the meetings of the Committee as an observer.

3. The Commission may invite experts and observers to attend its meetings.

4. The secretariat of the Committee shall be provided by the Commission.

5. The Committee shall adopt its own rules of procedure.

Article 4

The Committee shall adopt its own rules of procedure. The Committee shall meet at regular intervals and whenever the situation demands. The Commission may convene an emergency meeting if it considers that the situation so requires.

Article 5

This Decision shall enter into force on the same day as the entry into force of any directive amending the purely advisory functions of the Insurance Committee.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ See page 30 of this Official Journal.

COMMISSION DECISION
of 5 November 2003
establishing the European Banking Committee
(Text with EEA relevance)

(2004/10/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) In June 2001, the Commission adopted Decisions 2001/527/EC ⁽¹⁾ and 2001/528/EC ⁽²⁾ setting up the Committee of European Securities Regulators and the European Securities Committee respectively.
- (2) In its Resolutions of 5 February and 21 November 2002, the European Parliament endorsed the four-level approach advocated in the Final Report of the Committee of Wise Men on the regulation of European securities markets and called for certain aspects of that approach to be extended to the banking and insurance sectors subject to a clear Council commitment to reform to guarantee a proper institutional balance.
- (3) On 3 December 2002, the Council invited the Commission to implement such arrangements in the fields of banking and insurance and occupational pensions and to establish as soon as possible new committees in an advisory capacity in relation to those fields.
- (4) Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions ⁽³⁾ established the Banking Advisory Committee to advise the Commission in the development of legislation and assist the Commission in the exercise of its implementing powers in the banking field.
- (5) The Commission has proposed a Directive modifying, *inter alia*, Directive 2000/12/EC, Council Directive 93/6/EEC of 15 March 1993 on the capital adequacy of investment firms and credit institutions ⁽⁴⁾, Directive 94/19/EC of the European Parliament and of the Council of 30 May 1994 on deposit-guarantee schemes ⁽⁵⁾, and Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and

Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council ⁽⁶⁾, to repeal the advisory functions of the Banking Advisory Committee.

- (6) Such an amendment requires the corresponding and simultaneous creation of a new advisory group to advise the Commission as regards the development of Community banking legislation, to be called the 'European Banking Committee'.
- (7) To avoid duplication, the Decision shall enter into force at the same time as any Directive repealing the purely advisory functions of the Banking Advisory Committee.
- (8) When the European Banking Committee provides advice on provisions applicable to both credit institutions and investment firms, its composition should be such as to ensure that the perspective of investment firms is taken into account.
- (9) The establishment of the European Banking Committee should not rule out other forms of cooperation between the different authorities involved in the regulation and supervision of credit institutions, in particular within the Committee of European Banking Supervisors established by Commission Decision 2004/5/EC ⁽⁷⁾,

HAS DECIDED AS FOLLOWS:

Article 1

An advisory group on banking activities in the Community, called the 'European Banking Committee', hereinafter referred to as 'the Committee', is hereby established.

Article 2

The Committee shall advise the Commission, at the Commission's request, on policy issues relating to banking activities as well as Commission proposals in that field.

Article 3

The Committee shall be composed of high level representatives of Member States. The Committee shall be chaired by a representative of the Commission.

⁽¹⁾ OJ L 191, 13.7.2001, p. 43.

⁽²⁾ OJ L 191, 13.7.2001, p. 45.

⁽³⁾ OJ L 126, 26.5.2000, p. 1.

⁽⁴⁾ OJ L 141, 11.6.1993, p. 1.

⁽⁵⁾ OJ L 135, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 35, 11.2.2003, p. 1.

⁽⁷⁾ See page 28 of this Official Journal.

The Chairperson of the Committee of European Banking Supervisors established by Commission Decision 2004/5/EC shall participate at the meetings of the Committee as an observer. The European Central Bank shall be represented as observer.

The Commission may invite experts and observers to attend meetings.

The secretariat shall be provided by the Commission.

Article 4

The Committee shall adopt its rules of procedure. The Committee shall meet at regular intervals and whenever the situation demands. The Commission may convene an emergency meeting if it considers that the situation so requires.

Article 5

This Decision shall enter into force on the same day as the entry into force of any directive repealing the purely advisory functions of the Banking Advisory Committee.

Done at Brussels, 5 November 2003.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION DECISION

of 18 December 2003

setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2004 and 2005

(notified under document number C(2003) 4836)

(Text with EEA relevance)

(2004/11/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, and in particular Article 20(3), (4) and (5) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽²⁾, and in particular Article 20(3), (4) and (5) thereof,

Having regard to Council Directive 68/193/EEC of 4 April 1968 on the marketing of material for the vegetative propagation of the vine ⁽³⁾, and in particular Article 16(3), (4) and (5) thereof,

Having regard to Council Directive 92/33/EEC of 28 April 1992 on the marketing of vegetable propagating and planting material, other than seed ⁽⁴⁾, and in particular Article 20(4), (5) and (6) thereof,

Having regard to Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed ⁽⁵⁾, and in particular Article 26(3), (4) and (5) thereof,

Having regard to Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed ⁽⁶⁾, and in particular Article 43(3), (4) and (5) thereof,

Having regard to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes ⁽⁷⁾, and in particular Article 20(3), (4) and (5) thereof,

Having regard to Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants ⁽⁸⁾, and in particular Article 23(3), (4) and (5) thereof,

Whereas:

⁽¹⁾ OJ L 125, 11.7.1966, p. 2298/66; Directive as last amended by Directive 2003/61/EC (OJ L 165, 3.7.2003, p. 23).

⁽²⁾ OJ L 125, 11.7.1966, p. 2309/66; Directive as last amended by Directive 2003/61/EC.

⁽³⁾ OJ L 93, 17.4.1968, p. 15; Directive as last amended by Directive 2003/61/EC.

⁽⁴⁾ OJ L 157, 10.6.1992, p. 1; Directive as last amended by Directive 2003/61/EC.

⁽⁵⁾ OJ L 193, 20.7.2002, p. 12; Directive as amended by Directive 2003/61/EC.

⁽⁶⁾ OJ L 193, 20.7.2002, p. 33; Directive as amended by Directive 2003/61/EC.

⁽⁷⁾ OJ L 193, 20.7.2002, p. 60; Directive as last amended by Directive 2003/61/EC.

⁽⁸⁾ OJ L 193, 20.7.2002, p. 74; Directive as last amended by Directive 2003/61/EC.

(1) Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC provide for the necessary arrangements to be made by the Commission for Community comparative trials and tests of seed and propagating material.

(2) A call for projects (2003/C 159/08) ⁽⁹⁾ was published for the carrying-out of the above trials and tests.

(3) The proposals have been assessed according to the selection and awarding criteria set out in the above call for projects. The projects, the bodies responsible for the carrying out of tests and the eligible costs as well as the maximum Community financial contribution corresponding to 80 % of the eligible costs should be established.

(4) Community comparative trials and tests should be carried out in the years 2004 and 2005 on seeds and propagating material harvested in 2003, and the details of such trials and tests, the eligible costs as well as the maximum Community financial contribution should also be set out yearly by an agreement signed by the authorising officer of the Commission and the body responsible for the carrying-out of trials.

(5) For Community comparative trials and tests lasting more than one year, the parts of the trials and tests following the first year should be authorised by the Commission without further reference to the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry, on condition that the necessary appropriations are available.

(6) Adequate representativity of the samples included in the trials and tests should be ensured, at least for certain selected plants.

⁽⁹⁾ OJ C 159, 8.7.2003, p. 19.

- (7) Member States should participate in the Community comparative trials and tests, in so far as seeds of the plants concerned are usually reproduced or marketed in their territories, in order to ensure that proper conclusions may be drawn therefrom.
- (8) The measures provided for in this decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Community comparative trials and tests shall be carried out in the years 2004 and 2005 on seeds and propagating material of the plants listed in the Annex.

The eligible costs as well as the maximum Community financial contribution for the trials and tests for 2004 shall be as set out in the Annex.

The details of the trials and tests are set out in the Annex.

Article 2

In so far as propagating and planting material of the plants listed in the Annex is usually reproduced or marketed in their territories, the Member States shall take samples of this material and make them available to the Commission.

Article 3

Subject to budgetary availability, the Commission may decide to continue the trials and tests set out in the Annex in 2005.

The maximum Community financial contribution corresponding to 80 % of the eligible costs of a trial or test continued on this basis shall not exceed the amount specified in the Annex.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 December 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Trials and tests to be carried out in 2004					
Species	Responsible body	Conditions to be assessed	Number of samples	Eligible costs (EUR)	Maximum Community financial contribution (equivalent to 80 % of the eligible costs) (EUR)
Beta (*)	ENSE Milano (I)	Varietal identity and purity (field) External seed quality (laboratory)	100	19 000	15 200
	ETSIA Madrid (E)	Varietal identity and purity (field) External seed quality (laboratory)	100 + 100	47 022	37 618
Gramineae (*)	NIAB Cambridge (UK)	Varietal identity and purity (field) External seed quality (laboratory)	230	22 564	18 051
Vicia	AGES Vienna (A)	Varietal identity and purity (field) External seed quality (laboratory)	60	17 673	14 138
Medicago sativa (*)	ENSE Milano (I)	Varietal identity and purity (field) External seed quality (laboratory)	50	4 500	3 600
Triticum aestivum (spring wheat)	NAK Emmeloord (NL)	Varietal identity and purity (field) External seed quality (laboratory)	100	19 248	15 399
Zea mays	ENSE Milano (I)	Varietal identity and purity (field) External seed quality (laboratory)	80	17 600	14 080
Solanum tuberosum	ENSE Milano (I)	Varietal identity and purity, plant health (field) Plant health (ringrot/brown rot/pstv) (laboratory)	250	62 500	50 000

Trials and tests to be carried out in 2004					
Species	Responsible body	Conditions to be assessed	Number of samples	Eligible costs (EUR)	Maximum Community financial contribution (equivalent to 80 % of the eligible costs) (EUR)
Cotton	MIN.AGR. Tessa-loniki (EL)	Varietal identity and purity (field) External seed quality fibre quality (laboratory)	60	26 242	20 993
<i>Linum usitatissimum</i>	NIAB Cambridge (UK)	Varietal identity and purity (field) External seed quality (laboratory)	80	22 072	17 658
<i>Papaver somniferum</i>	AGES Vienna (A)	Varietal identity and purity (field) External seed quality (laboratory)	30	13 399	10 720
<i>Allium Cepa</i> , <i>Allium porrum</i>	ENSE Milano (I)	Varietal identity and purity (field) External seed quality (laboratory)	50	11 250	9 000
<i>Brassica oleracea</i>	NAKT Roelof-arendsveen (NL)	Varietal identity and purity (field) External seed quality (laboratory)	70	48 986	39 189
<i>Allium ascalonicum</i> (shallot)	NAKT Roelof-arendsveen (NL)	Varietal identity and purity (field) Plant health (laboratory)	70	32 646	26 117
	GNIS-SOC Paris (F)	Varietal identity and purity (field) Plant health (laboratory)	70	33 320	26 656
<i>Vitis vinifera</i> (*)	ENTAV Le Grau du Roi (F)	Varietal identity and purity (field) Plant health (laboratory)	120	36 000	28 800
TOTAL COST			347 219		

Trials and tests to be carried out in 2005					
Species	Responsible body	Conditions to be assessed	Number of samples	Eligible costs (EUR)	Maximum Community financial contribution (equivalent to 80 % of the eligible costs) (EUR)
Beta (*)	ETSIA Madrid (E)	Varietal identity and purity (field) External seed quality (laboratory)	100	23 511	18 809
Gramineae (*)	NIAB Cambridge (UK)	Varietal identity and purity (field) External seed quality (laboratory)	230	22 098	17 678
Medicago sativa (*)	ENSE Milano (I)	Varietal identity and purity (field) External seed quality (laboratory)	50	6 500	5 200
TOTAL COST			41 687		

(*) Trial and tests lasting more than one year.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1832/2002 of 1 August 2002 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

(Official Journal of the European Communities L 290 of 28 October 2002)

On page 214, CN code 2834 21 00, in the third column:

for: '6',
read: '5,5'.

On page 218, CN code 2849 10 00, in the third column:

for: '7,2',
read: '6,4'.

On page 511:

CN code 7603 10 00, in the third column:

for: '5,1',
read: '5';

CN code 7603 20 00, in the third column:

for: '5,3',
read: '5'.

On page 513, CN code 7610 10 00, in the third column:

for: '6,2',
read: '6'.
