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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1654/2004
of 22 September 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 23 September 2004.

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

Done at Brussels, 22 September 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 22 September 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	62,6
	999	62,6
0707 00 05	052	97,2
	096	12,9
	999	55,1
0709 90 70	052	89,1
	999	89,1
0805 50 10	052	76,3
	388	53,0
	508	37,1
	524	56,1
	528	44,4
	999	53,4
0806 10 10	052	82,7
	220	121,0
	400	170,3
	624	148,4
	999	130,6
0808 10 20, 0808 10 50, 0808 10 90	388	71,2
	400	95,9
	508	68,9
	512	111,8
	528	86,4
	720	50,2
	804	84,3
0808 20 50	999	81,2
	052	105,0
	388	86,2
0809 30 10, 0809 30 90	999	95,6
	052	119,6
	999	119,6
0809 40 05	066	55,9
	094	29,3
	624	117,3
	999	67,5

⁽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 1655/2004

of 22 September 2004

laying down rules for the transition from the optional modulation system established by Article 4 of Council Regulation (EC) No 1259/1999 to the mandatory modulation system established by Council Regulation (EC) No 1782/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001⁽¹⁾, and in particular Article 155 thereof,

Whereas:

(1) Regulation (EC) No 1782/2003 has repealed and replaced Council Regulation (EC) No 1259/1999⁽²⁾ as from 1 May 2004. Member States may continue to apply the voluntary modulation provided for in Article 4 of Regulation (EC) No 1259/1999 until 31 December 2004. A system of compulsory modulation introduced under the new scheme starts to apply in 2005.

(2) The rate of compulsory modulation under Article 10 of Regulation (EC) No 1782/2003 will, at the initial stage, be lower than the rate of optional modulation under Article 4 of Regulation (EC) No 1259/1999 for certain Member States. This could create a deficit as regards the funding of accompanying measures under national or regional rural development programmes which are being financed by additional Community support as presently provided for in Article 5(2) of Regulation (EC) No 1259/1999.

(3) The Member States concerned should thus be allowed to continue to apply optional modulation after 31 December 2004, in so far as this is necessary to cover the financial needs arising from accompanying measures approved before 1 January 2006.

(4) Transitional rules are therefore required to facilitate the transition from optional to compulsory modulation.

(5) For the purpose of a harmonious transition between programming periods, the time limits for the availability of amounts resulting from optional modulation should be extended to the end of the fourth financial year following that during which the amounts are withheld. In this context it is appropriate, for reasons of legal clarity, to amend Article 1(1) of Commission Regulation (EC) No 963/2001 of 17 May 2001 on detailed rules for the application of Council Regulation (EC) No 1259/1999 as regards the additional Community support and the transmission of information to the Commission⁽³⁾.

(6) Taking into account the amendment to Article 1(1) of Regulation (EC) No 963/2001, it is also necessary to amend Article 6 of Commission Regulation (EC) No 296/96⁽⁴⁾ concerning data to be transmitted by the Member States and the monthly booking of expenditure financed under the Guarantee Section of the EAGGF, in order to ensure the full application of this Article to funds resulting from optional modulation.

(7) Regulations (EC) No 963/2001 and (EC) No 296/96 should therefore be amended accordingly.

(8) To ensure traceability, the financing source of each multi-annual action should remain the same until the action expires. However, where the funds resulting from optional modulation are exhausted, the Member State must be allowed to finance multiannual actions which are still running by other funds.

(9) In order to ensure that the funds resulting from optional modulation are properly managed and supervised, the Member States should keep a separate account for the amounts withheld and their use, in accordance with Regulation (EC) No 296/96.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

⁽¹⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Regulation (EC) No 864/2004 (OJ L 161, 30.4.2004, p. 48).

⁽²⁾ OJ L 160, 26.6.1999, p. 113. Regulation as last amended by Regulation (EC) No 41/2004 (OJ L 6, 10.1.2004, p. 19).

⁽³⁾ OJ L 136, 18.5.2001, p. 4.

⁽⁴⁾ OJ L 39, 17.2.1996, p. 5. Regulation as last amended by Regulation (EC) 2035/2003 (OJ L 302, 20.11.2003, p. 6).

HAS ADOPTED THIS REGULATION:

Article 1

1. The Member States which have applied reductions of direct payments as provided for in Article 4 of Regulation (EC) No 1259/1999 may, in addition to the reductions under Article 10 of Regulation (EC) No 1782/2003, apply an additional reduction up to the rate estimated each year to be required to cover the difference between the amount available as a result of the reductions under that Article 10 of Regulation (EC) No 1782/2003 and the amount necessary to finance the expenditure for accompanying measures under Council Regulation (EC) No 1257/1999⁽¹⁾, for which the allocation and use of additional Community support have been approved until 31 December 2005.

2. The overall reduction of support to a farmer in respect of a given calendar year, resulting from the application of paragraph 1, shall not exceed 20% of the total amount which would, but for that paragraph and Article 10 of Regulation (EC) No 1782/2003, be granted to the farmer in respect of the calendar year concerned.

3. The accompanying measures referred to in paragraph 1 shall be measures under Articles 10 to 12 (early retirement), Articles 13 to 21 (less-favoured areas and areas with environmental restrictions), Articles 21a to 21d (meeting standards), Articles 22 to 24 (agri-environment and animal welfare), Articles 24a to 24d (food quality) and Article 31 (afforestation) of Regulation (EC) No 1257/1999.

4. The additional reduction provided for in paragraph 1 may be applied at regional level.

5. The provisions set out in Article 48(2) of Commission Regulation (EC) No 817/2004⁽²⁾ shall apply, *mutatis mutandis*, for the approval of the allocation and use of amounts withheld in accordance with paragraph 1.

Article 2

Without prejudice to Article 77 of Commission Regulation (EC) No 796/2004⁽³⁾, the amount of the additional reduction provided for in Article 1 shall be calculated on the basis of the amounts of direct payments to which a farmer would be entitled before any reductions or exclusions are applied under Articles 6 and 24 of Regulation (EC) No 1782/2003 or, in the case of aid schemes listed in Annex I of that Regulation but not falling under titles III and IV of that Regulation, under the specific legislation applicable thereto.

Article 3

1. Amounts withheld in accordance with Article 1 of this Regulation and Article 4 of Regulation (EC) No 1259/1999 shall be used for the payment of additional Community

support at the latest by the end of the fourth financial year following that during which they are withheld.

2. The percentage of Community contribution to measures financed by amounts withheld in accordance with Article 1 shall be the same as that provided in the rural development programming document for the measure concerned.

3. A multiannual action shall not be alternately funded one year by the Community support referred to in Article 48(1)(a) of Regulation (EC) No 817/2004 and another year by funds resulting from the additional reduction under this Regulation.

However, where the funds resulting from reduction under this Regulation are exhausted, the Member State may finance the multiannual action until it expires under the EAGGF 'Guarantee' Section according to Regulation (EC) No 1257/1999.

Article 4

The provisions laid down in Articles 2 and 3(6a)(b) of Regulation (EC) No 296/96 shall apply, *mutatis mutandis*, to the accounting of amounts withheld and expenditure generated under this Regulation.

Article 5

Member States shall, by 30 September each year, submit to the Commission an update of the allocation of amounts withheld in accordance with Article 1 together with the statement of expenditure referred to in Article 55 of Regulation (EC) No 817/2004.

Article 6

Article 1(1) of Regulation (EC) No 963/2001 is replaced by the following

'1. Amounts withheld in accordance with Article 3(2) of Regulation (EC) No 1259/1999 shall be used for the payment of additional Community support provided for in Article 5(2) of that Regulation at the latest by the end of the third financial year following that during which they are withheld.'

Article 7

Article 6 of Regulation (EC) No 296/96 is replaced by the following:

'Article 6

Amounts withheld in accordance with Articles 3 and 4 of Regulation (EC) No 1259/1999 or Article 1 of Commission Regulation (EC) No 1655/2004^(*) and the possible interest thereon which have not been paid pursuant to Article 1 of Regulation (EC) No 963/2001 or Article 3(1) of Regulation (EC) No 1655/2004 shall be deducted from the advances related to the expenditure of October of the financial year concerned.

(*) OJ L 298, 23.9.2004, p. 3.'

⁽¹⁾ OJ L 160, 26.6.1999, p. 80. Regulation as last amended by Regulation (EC) No 583/2004 (OJ L 91, 30.3.2004, p. 1).

⁽²⁾ OJ L 153, 30.4.2004, p. 30.

⁽³⁾ OJ L 141, 30.4.2004, p. 18.

Article 8

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

It shall apply from 1 January 2005. However, Articles 3(1) and 6 shall apply from 15 October 2004.

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

Done at Brussels, 22 September 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1656/2004**of 21 September 2004****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92⁽²⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 2004.

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

Done at Brussels, 21 September 2004.

For the Commission

Olli REHN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽²⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.10	New potatoes 0701 90 50	— — —	— — —	— — —	— — —	— — —	— — —
1.30	Onions (other than seed) 0703 10 19	38,49 132,90 350,61	22,21 25,42 26,18	1 210,59 16,46	286,32 167,40	602,24 9 235,68	9 533,20 1 536,52
1.40	Garlic 0703 20 00	96,59 333,49 879,81	55,74 63,80 65,69	3 037,83 41,30	718,50 420,08	1 511,25 23 175,88	23 922,49 3 855,73
1.50	Leeks ex 0703 90 00	45,21 156,10 411,82	26,09 29,86 30,75	1 421,94 19,33	336,31 196,63	707,38 10 848,14	11 197,61 1 804,78
1.60	Cauliflowers 0704 10 00	—	—	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	32,61 112,60 297,05	18,82 21,54 22,18	1 025,65 13,94	242,58 141,83	510,24 7 824,77	8 076,84 1 301,79
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	61,43 212,11 559,57	35,45 40,57 41,78	1 932,10 26,27	456,97 267,18	961,17 14 740,13	15 214,98 2 452,29
1.100	Chinese cabbage ex 0704 90 90	75,36 260,20 686,46	43,49 49,78 51,25	2 370,22 32,22	560,60 327,76	1 179,13 18 082,63	18 665,16 3 008,37
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—	—	—
1.130	Carrots ex 0706 10 00	26,74 92,33 243,58	15,43 17,66 18,19	841,03 11,43	198,92 116,30	418,39 6 416,26	6 622,96 1 067,46
1.140	Radishes ex 0706 90 90	44,01 151,96 400,89	25,40 29,07 29,93	1 384,20 18,82	327,39 191,41	688,61 10 560,20	10 900,40 1 756,88
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	450,17 1 554,34 4 100,62	259,79 297,34 306,16	14 158,67 192,49	3 348,75 1 957,91	7 043,59 108 017,67	111 497,46 17 970,68

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.170	Beans:						
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	85,72 295,97 780,83	49,47 56,62 58,30	2 696,07 36,65	637,66 372,82	1 341,23 20 568,51	21 231,13 3 421,94
1.170.2	— Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	128,20 442,65 1 167,79	73,98 84,68 87,19	4 032,15 54,82	953,67 557,58	2 005,89 30 761,59	31 752,58 5 117,74
1.180	Broad beans ex 0708 90 00	—	—	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—	—	—
1.200	Asparagus:						
1.200.1	— green ex 0709 20 00	274,42 947,52 2 499,73	158,37 181,26 186,63	8 631,11 117,34	2 041,39 1 193,54	4 293,77 65 847,46	67 968,74 10 954,91
1.200.2	— other ex 0709 20 00	455,13 1 571,47 4 145,82	262,66 300,61 309,53	14 314,75 194,61	3 385,67 1 979,50	7 121,24 109 208,44	112 726,60 18 168,79
1.210	Aubergines (eggplants) 0709 30 00	85,28 294,46 776,84	49,22 56,33 58,00	2 682,28 36,47	634,40 370,92	1 334,37 20 463,34	21 122,57 3 404,45
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	83,53 288,41 760,88	48,21 55,17 56,81	2 627,19 35,72	621,37 363,30	1 306,96 20 043,02	20 688,71 3 334,52
1.230	Chantarelles 0709 59 10	553,21 1 910,12 5 039,25	319,26 365,40 376,24	17 399,56 236,55	4 115,27 2 406,08	8 655,86 132 742,74	137 019,05 22 084,14
1.240	Sweet peppers 0709 60 10	85,99 296,92 783,33	49,63 56,80 58,48	2 704,68 36,77	639,70 374,01	1 345,51 20 634,26	21 298,99 3 432,88
1.250	Fennel 0709 90 50	—	—	—	—	—	—
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	82,79 285,86 754,15	47,78 54,68 56,31	2 603,93 35,40	615,87 360,08	1 295,39 19 865,60	20 505,58 3 305,00
2.10	Chestnuts (<i>Castanea</i> spp.) fresh ex 0802 40 00	—	—	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	110,17 380,39 1 003,54	63,58 72,77 74,93	3 465,03 47,11	819,53 479,16	1 723,77 26 435,00	27 286,61 4 397,94

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.40	Avocados, fresh ex 0804 40 00	209,21 722,36 1 905,73	120,74 138,18 142,28	6 580,11 89,46	1 556,30 909,92	3 273,45 50 200,25	51 817,45 8 351,72
2.50	Guavas and mangoes, fresh ex 0804 50	—	—	—	—	—	—
2.60	Sweet oranges, fresh:						
2.60.1	— Sanguines and semi-sanguines 0805 10 10	52,21 180,27 475,59	30,13 34,48 35,51	1 642,11 22,32	388,38 227,08	816,91 12 527,79	12 931,37 2 084,22
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	59,12 204,13 538,54	34,12 39,05 40,21	1 859,48 25,28	439,80 257,14	925,04 14 186,11	14 643,11 2 360,11
2.60.3	— Others 0805 10 50	61,01 210,66 555,75	35,21 40,30 41,49	1 918,89 26,09	453,85 265,35	954,60 14 639,35	15 110,96 2 435,52
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkins and similar citrus hybrids, fresh:						
2.70.1	— Clementines ex 0805 20 10	76,23 263,22 694,41	43,99 50,35 51,85	2 397,67 32,60	567,09 331,56	1 192,78 18 292,06	18 881,34 3 043,21
2.70.2	— Monreales and satsumas ex 0805 20 30	71,72 247,63 653,30	41,39 47,37 48,78	2 255,74 30,67	533,52 311,93	1 122,17 17 209,21	17 763,61 2 863,06
2.70.3	— Mandarines and wilkins ex 0805 20 50	78,06 269,51 711,02	45,05 51,56 53,09	2 455,00 33,38	580,65 339,49	1 221,30 18 729,42	19 332,79 3 115,98
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	67,64 233,54 616,11	39,03 44,67 46,00	2 127,33 28,92	503,15 294,17	1 058,29 16 229,55	16 752,38 2 700,08
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	176,82 610,53 1 610,69	102,04 116,79 120,26	5 561,40 75,61	1 315,36 769,05	2 766,66 42 428,39	43 795,22 7 058,73
2.90	Grapefruit, fresh:						
2.90.1	— white ex 0805 40 00	34,21 118,12 311,62	19,74 22,60 23,27	1 075,95 14,63	254,48 148,79	535,26 8 208,50	8 472,93 1 365,63
2.90.2	— pink ex 0805 40 00	73,00 252,06 664,99	42,13 48,22 49,65	2 296,07 31,22	543,06 317,51	1 142,24 17 516,93	18 081,23 2 914,26

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.100	Table grapes 0806 10 10	— — —	— — —	— — —	— — —	— — —	— — —
2.110	Water melons 0807 11 00	40,45 139,67 368,46	23,34 26,72 27,51	1 272,23 17,30	300,90 175,93	632,90 9 705,98	10 018,66 1 614,76
2.120	Melons (other than water melons):						
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onte- niente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	58,53 202,08 533,12	33,78 38,66 39,80	1 840,77 25,03	435,37 254,55	915,74 14 043,36	14 495,77 2 336,37
2.120.2	— Other ex 0807 19 00	96,47 333,10 878,77	55,67 63,72 65,61	3 034,24 41,25	717,65 419,59	1 509,46 23 148,48	23 894,21 3 851,17
2.140	Pears						
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	— Other ex 0808 20 50	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	130,80 451,64 1 191,51	75,49 86,40 88,96	4 114,06 55,93	973,04 568,91	2 046,64 31 386,52	32 397,63 5 221,71
2.160	Cherries 0809 20 95 0809 20 05	502,98 1 736,69 4 581,70	290,27 332,22 342,08	15 819,73 215,07	3 741,62 2 187,61	7 869,93 120 690,05	124 578,09 20 078,96
2.170	Peaches 0809 30 90	111,40 384,64 1 014,75	64,29 73,58 75,76	3 503,75 47,63	828,69 484,51	1 743,03 26 730,43	27 591,55 4 447,09
2.180	Nectarines ex 0809 30 10	111,40 384,64 1 014,75	64,29 73,58 75,76	3 503,75 47,63	828,69 484,51	1 743,03 26 730,43	27 591,55 4 447,09
2.190	Plums 0809 40 05	70,70 244,11 644,01	40,80 46,70 48,08	2 223,66 30,23	525,93 307,50	1 106,21 16 964,47	17 510,98 2 822,34
2.200	Strawberries 0810 10 00	112,40 388,09 1 023,86	64,87 74,24 76,44	3 535,20 48,06	836,13 488,86	1 758,68 26 970,38	27 839,23 4 487,01

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.205	Raspberries 0810 20 10	304,95	175,99	9 591,29	2 268,49	4 771,43	75 530,02
		1 052,93	201,42	130,40	1 326,32	73 172,75	12 173,60
		2 777,82	207,40				
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 605,61	926,60	50 499,65	11 943,97	25 122,34	397 677,48
		5 543,85	1 060,51	686,56	6 983,28	385 266,12	64 095,95
		14 625,66	1 091,98				
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	139,53	80,52	4 388,38	1 037,92	2 183,11	34 557,85
		481,76	92,16	59,66	606,84	33 479,31	5 569,89
		1 270,96	94,89				
2.230	Pomegranates ex 0810 90 95	209,23	120,75	6 580,65	1 556,43	3 273,71	51 821,64
		722,42	138,20	89,47	910,00	50 204,31	8 352,39
		1 905,88	142,30				
2.240	Khakis (including sharon fruit) ex 0810 90 95	322,87	186,33	10 154,91	2 401,80	5 051,82	79 968,44
		1 114,81	213,26	138,06	1 404,26	77 472,66	12 888,97
		2 941,06	219,58				
2.250	Lychees ex 0810 90	—	—	—	—	—	—

COMMISSION REGULATION (EC) No 1657/2004**of 22 September 2004****on granting of import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽²⁾,

Having regard to Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96⁽³⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Article 9 of Regulation (EC) No 1159/2003 stipulates how the delivery obligations at zero duty of products of CN code 1701, expressed in white sugar equivalent, are to be determined for imports originating in signatory countries to the ACP Protocol and the Agreement with India.
- (2) Article 16 of Regulation (EC) No 1159/2003 stipulates how the zero duty tariff quotas for products of CN code 1701 11 10, expressed in white sugar equivalent, are to be determined for imports originating in signatory

countries to the ACP Protocol and the Agreement with India.

- (3) Article 22 of Regulation (EC) No 1159/2003 opens tariff quotas at a duty of EUR 98 per tonne for products of CN code 1701 11 10 for imports originating in Brazil, Cuba and other third countries.
- (4) In the week of 13 to 17 September 2004 applications were presented to the competent authorities in line with Article 5(1) of Regulation (EC) No 1159/2003 for import licences for a total quantity exceeding a country's delivery obligation quantity of ACP-India preferential sugar determined pursuant to Article 9 of that Regulation.
- (5) In these circumstances the Commission must set reduction coefficients to be used so that licences are issued for quantities scaled down in proportion to the total available and must indicate that the limit in question has been reached,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of import licence applications presented from 13 to 17 September 2004 in line with Article 5(1) of Regulation (EC) No 1159/2003 licences shall be issued for the quantities indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 September 2004.

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

Done at Brussels, 22 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 2).

⁽²⁾ OJ L 146, 20.6.1996, p. 1.

⁽³⁾ OJ L 162, 1.7.2003, p. 25. Regulation as amended by Regulation (EC) No 1409/2004 (OJ L 256, 3.8.2004, p. 11).

ANNEX

ACP—INDIA preferential sugar**Title II of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 13.-17.9.2004: percentage of requested quantity to be granted	Limit
Barbados	100	reached
Belize	100	
Congo	100	
Fiji	100	
Guyana	100	
India	98,9710	
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	100	
Mauritius	100	
Saint Kitts and Nevis	100	
Swaziland	100	
Tanzania	100	
Trinidad and Tobago	100	
Zambia	100	
Zimbabwe	0	reached

Special preferential sugar**Title III of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 13.-17.9.2004: percentage of requested quantity to be granted	Limit
India	100	
ACP	100	

CXL concessions sugar**Title IV of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 13.-17.9.2004: percentage of requested quantity to be granted	Limit
Brazil	0	reached
Cuba	100	reached
Other third countries	0	

COMMISSION REGULATION (EC) No 1658/2004**of 22 September 2004****determining the extent to which applications lodged in September 2004 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Bulgaria and Romania can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

comply with all veterinary rules currently in force in the Community,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Commission Regulation (EC) No 1898/97 of 29 September 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by the Agreements concluded by the Community with the Republic of Bulgaria, the Czech Republic, Slovakia, Romania, the Republic of Poland and the Republic of Hungary⁽¹⁾, and in particular Article 4(5) thereof,

Article 1

1. Applications for import licences for the period 1 October to 31 December 2004 submitted pursuant to Regulation (EC) No 1898/97 shall be met as referred to in Annex I.

Whereas:

2. For the period 1 January to 31 March 2005, applications may be lodged pursuant to Regulation (EC) No 1898/97 for import licences for a total quantity as referred to in Annex II.

(1) The applications for import licences lodged for the fourth quarter of 2004 are for quantities less than or equal to the quantities available and can therefore be met in full.

(2) The surplus to be added to the quantity available for the following period should be determined.

3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

(3) It is appropriate to draw the attention of operators to the fact that licences may only be used for products which

Article 2

This Regulation shall enter into force on 1 October 2004.

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

Done at Brussels, 22 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 267, 30.9.1997, p. 58. Regulation as last amended by Regulation (EC) No 333/2004 (OJ L 60, 27.2.2004, p. 12).

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2004
B1	100,0
15	100,0
16	100,0
17	100,0

ANNEX II

		(t)
Group	Total quantity available for the period 1 January to 31 March 2005	
B1	2 625,0	
15	823,8	
16	1 593,8	
17	11 718,8	

COMMISSION REGULATION (EC) No 1659/2004

of 22 September 2004

determining the extent to which applications lodged in September 2004 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) The applications for import licences lodged for the fourth quarter of 2004 are for quantities less than the quantities available and can therefore be met in full.

- (2) It is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 2004 submitted pursuant to Regulation (EC) No 1432/94 shall be met as referred to in the Annex.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 1 October 2004.

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

Done at Brussels, 22 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 156, 23.6.1994, p. 14. Regulation as last amended by Regulation (EC) No 332/2004 (OJ L 60, 27.2.2004, p. 10).

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2004
1	100,00

COMMISSION REGULATION (EC) No 1660/2004**of 22 September 2004****determining the extent to which applications lodged in September 2004 for import licences under the regime provided for by tariff quotas for certain products in the pigmeat sector for the period 1 October 2004 to 31 December 2004 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Commission Regulation (EC) No 1458/2003 of 18 August 2003 opening and providing for the administration of tariff quotas for certain products in the pigmeat sector⁽¹⁾, and in particular Article 5(6) thereof,

1. Applications for import licences for the period 1 October to 31 December 2004 submitted pursuant to Regulation (EC) No 1458/2003 shall be met as referred to in Annex I.

Whereas:

2. For the period 1 January to 31 March 2005, applications may be lodged pursuant to Regulation (EC) No 1458/2003 for import licences for a total quantity as referred to in Annex II.

(1) The applications for import licences lodged for the fourth quarter of 2004 are for quantities less than the quantities available and can therefore be met in full.

Article 2

(2) The surplus to be added to the quantity available for the following period should be determined,

This Regulation shall enter into force on 1 October 2004.

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

Done at Brussels, 22 September 2004.

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

⁽¹⁾ OJ L 208, 19.8.2003, p. 3.

ANNEX I

Group	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2004
G2	100
G3	100
G4	100
G5	100
G6	100
G7	100

ANNEX II

(t)	
Group No	Total quantity available for the period 1 January to 31 March 2005
G2	23 013,0
G3	3 737,5
G4	2 250,0
G5	4 575,0
G6	11 250,0
G7	4 102,3

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 May 2004

appointing two United Kingdom members and five United Kingdom alternate members of the Committee of the Regions

(2004/649/EC)

THE COUNCIL OF THE EUROPEAN UNION,

two alternate member's seats have become vacant following the nomination of Mr Jack McCONNELL and Mr Corrie McCHORD as full members,

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

HAS DECIDED AS FOLLOWS:

Sole Article

Having regard to the proposal from the United Kingdom Government,

(a) 1. Mr Jack McCONNELL

First Minister, Scottish Parliament

Whereas:

is hereby appointed a member of the Committee of the Regions in place of Mrs Irene OLDFATHER

(1) On 22 January 2002 the Council adopted a Decision appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.

2. Mr Corrie McCHORD

Leader of Stirling Council

(2) The seat of a member of the Committee of the Regions has become vacant following the expiry of the mandate of Mrs Christine MAY, of which the Council was notified on 24 July 2003, the seats of three alternate members of the Committee of the Regions have become vacant following expiry of the mandates of Mrs Diane BUNYAN, Mr Hugh HALCRO-JOHNSTON and Mrs Irene McGUGAN, of which the Council was notified on 24 July 2003; a member's seat has become vacant following the resignation of Mrs Irene OLDFATHER, of which the Council was notified on 5 May 2004 and

is hereby appointed a member of the Committee of the Regions in place of Mrs Christine MAY

(b) 1. Mrs Helen HOLLAND

Bristol City Council

is hereby appointed an alternate member of the Committee of the Regions in place of Mrs Diane BUNYAN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

2. Ms Nicola STURGEON

Scottish Parliament

is hereby appointed an alternate member of the Committee of the Regions in place of Mrs Irene McGUGAN

3. Mr Jim McCABE

North Lanarkshire Council

is hereby appointed an alternate member of the Committee of the Regions in place of Mr Corrie McCHORD

4. Mr Andrew CAMPBELL

Leader of Dumfries and Galloway Council

is hereby appointed an alternate member of the Committee of the Regions in place of Mr Hugh HALCRO-JOHNSTON

5. Mrs Irene OLDFATHER

Scottish Parliament

is hereby appointed an alternate member of the Committee of the Regions in place of Mr Jack McCONNELL

for the remainder of their terms of office, which end on 25 January 2006.

Done at Brussels, 24 May 2004.

For the Council

The President

D. AHERN

COUNCIL DECISION

of 13 September 2004

amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta

(Text with EEA relevance)

(2004/650/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the 2003 Act of Accession⁽¹⁾, and in particular, Article 57 thereof,

Whereas:

- (1) For certain acts adopted by the European Union, which remain valid beyond 1 May 2004, and require adaptation by reason of accession, the necessary adaptations were not provided for in the 2003 Act of Accession, in particular in Annex II thereto.
- (2) Regulation (EC) No 998/2003 of the European Parliament and of the Council⁽²⁾ establishes veterinary conditions applying in particular to non-commercial movements of pet dogs, cats and ferrets, and is one of these acts that must be adapted.
- (3) Malta, which formerly applied a system of six months quarantine for imports for the species concerned, has abandoned this regime in order to transpose and implement Regulation (EC) No 998/2003 as from 3 July 2004.
- (4) In the course of the negotiations for enlargement it was accepted that Malta, being an island with a similar health status for freedom from rabies to that of Ireland, the United Kingdom and Sweden, should be treated in the same category as these three Member States.
- (5) Regulation (EC) No 998/2003 divides Member States into two categories according to the history of their controls against rabies, and grants Sweden, Ireland and the United Kingdom a transitional period of five years for controls on dogs, cats and ferrets entering their territory.

(6) Malta should therefore be added to the list of Member States which have been granted a transitional period under Regulation (EC) No 998/2003.

(7) Regulation (EC) No 998/2003 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EC) No 998/2003 is hereby amended as follows:

1. Article 6(1):

- in the first subparagraph, introductory wording, 'Malta' shall be inserted after 'Ireland',
- in the third subparagraph, 'these three Member States' shall be replaced by 'these four Member States'.

2. In Annex II, 'Lists of countries and territories', Part A, 'Malta' shall be inserted after 'Ireland'.

Article 2

This Decision shall apply from the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 September 2004.

For the Council
The President
B. R. BOT

⁽¹⁾ OJ L 236, 23.9.2003, p. 33.

⁽²⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 592/2004 (OJ L 94, 31.3.2004, p. 7).

COUNCIL DECISION

of 13 September 2004

amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditor of the Banca d'Italia

(2004/651/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, annexed to the Treaty establishing the European Community, and in particular to Article 27.1 thereof,

Having regard to Recommendation ECB/2004/17 of the European Central Bank of 30 July 2004 to the Council of the European Union on the external auditor of the Banca d'Italia⁽¹⁾,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Eurosystem are to be audited by independent external auditors recommended by the Governing Council of the ECB and approved by the Council of the European Union.
- (2) The mandate of the current external auditors of the Banca d'Italia has expired and will not be renewed. It is therefore necessary to appoint external auditors from the financial year 2004.
- (3) The Governing Council of the ECB recommended the Council to approve the appointment, starting from the financial year 2004, for a renewable period of three years, of new external auditors of the Banca d'Italia, which were selected by it in accordance with its public procurement rules.

- (4) It is appropriate to follow the recommendation of the Governing Council of the ECB and to amend Decision 1999/70/EC⁽²⁾ accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1(6) of Decision 1999/70/EC shall be replaced by the following:

'6. PricewaterhouseCoopers SpA is hereby approved as the external auditor of the Banca d'Italia as from the financial year 2004, for a renewable period of three years.'

Article 2

This Decision shall be notified to the European Central Bank.

Article 3

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

Done at Brussels, 13 September 2004.

For the Council
The President
B. R. BOT

⁽¹⁾ OJ C 202, 10.8.2004, p. 1.

⁽²⁾ OJ L 22, 29.1.1999, p. 69. Decision as last amended by Decision 2003/799/EC (OJ L 299, 18.11.2003, p. 23).

COUNCIL DECISION
of 13 September 2004
appointing a new member of the Commission of the European Communities
(2004/652/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the second paragraph of Article 215 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 128 thereof,

Whereas:

In a letter dated 30 August 2004, followed by a letter dated 7 September 2004, Mr Philippe BUSQUIN resigned from his post as a member of the Commission, with effect from midnight on 12 September 2004. He should be replaced for the remainder of his term of office,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Louis MICHEL is hereby appointed a member of the Commission for the period from 13 September 2004 to 31 October 2004.

Article 2

This Decision shall take effect on 13 September 2004.

Article 3

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

Done at Brussels, 13 September 2004.

For the Council
The President
B. R. BOT

COMMISSION

COMMISSION DECISION

of 16 September 2004

amending Commission Decision 2001/376/EC as regards the dispatch of meat-and-bone meal of mammalian origin and related products from Portugal

(notified under document number C(2004) 3463)

(Text with EEA relevance)

(2004/653/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Commission Decision 2001/376/EC of 18 April 2001 concerning measures made necessary by the occurrence of bovine spongiform encephalopathy in Portugal and implementing a date-based export scheme⁽³⁾ contains certain provisions adopted to protect against bovine spongiform encephalopathy (BSE) due to the outbreak of that disease in Portugal.
- (2) That Decision lays down specific rules made necessary due to the occurrence of BSE in Portugal including a prohibition on the dispatch of meat meal, bone meal and meat-and-bone meal of mammalian origin and animal feed and fertilisers containing such products

(‘the meat-and-bone meal and related products’) from that Member State to other Member States or third countries.

- (3) However, Decision 2001/376/EC provides that Portugal may under certain conditions authorise the dispatch of the meat-and-bone meal and related products to other Member States which have given their authorisation.
- (4) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption⁽⁴⁾ lays down the conditions for the categorisation, collection, transportation, disposal, processing, use and intermediate storage of animal by-products. Under that Regulation the meat-and-bone meal and related products containing material from animals suspected or confirmed of having contracted BSE, or from animals killed under a BSE eradication measure are to be disposed of as waste by incineration or co-incineration in an approved incineration or co-incineration plant.
- (5) Portugal has insufficient capacity to incinerate or co-incinerate the meat-and-bone meal and related products originating from animals suspected or confirmed of having contracted BSE, or from animals killed under a BSE eradication measure. The accumulation of stocks of that material could pose a risk for public and animal health.
- (6) It is necessary to amend the conditions provided for in Decision 2001/376/EC for the dispatch of the meat-and-bone meal and related products from Portugal. That Decision should therefore be amended accordingly.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33; Corrigenda: OJ L195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 132, 15.5.2001, p. 17.

⁽⁴⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 668/2004 (OJ L 112, 19.4.2004, p. 1).

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Article 2

This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Done at Brussels, 16 September 2004.

Article 1

Annex II to Decision 2001/376/EC is amended in accordance with the Annex to this Decision.

For the Commission

David BYRNE
Member of the Commission

ANNEX

Part B of Annex II is replaced by the following:

B. OFFICIAL CERTIFICATE

for meat meal, bone meal and meat-and-bone meal of mammalian origin as well as animal feed and fertilisers containing such material, intended for incineration or co-incineration.

Member State of destination:

Reference No of the official certificate:

Member State of origin:

Responsible ministry:

Certifying department:

I. IDENTIFICATION OF THE CONSIGNMENT

Nature of packaging:

Number of packages ⁽¹⁾:

Net weight:

II. ORIGIN OF THE CONSIGNMENT

Address of the establishment:

III. DESTINATION OF THE CONSIGNMENT

The mammalian animal waste will be sent

from:
(place of loading)

to:
(country and place of destination)

by the following means of transport:

Type:

Number plate or name of the vessel:

No of the seal:

Name and address of consignor:

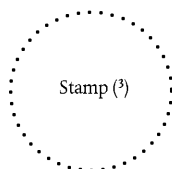
Name and address of consignee:

⁽¹⁾ Only applicable if not in bulk.

ATTESTATION

The undersigned official veterinarian certifies that the product described above contains meat meal, bone meal or meat- and bone meal of mammalian origin or animal feed or fertilisers containing such material, which cannot be used for purposes other than incineration or co-incineration ⁽²⁾.

Done at , on
(place) (date)



.....
(signature of the official veterinarian) ⁽³⁾

.....
(name in capital letters, qualifications and title)

⁽²⁾ As specified in Article 4(2)(b) of Regulation (EC) 1774/2002.

⁽³⁾ The signature and stamp must be in colour different to that of the printing.'
