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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 248/2004
of 13 February 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 14 February 2004.

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

Done at Brussels, 13 February 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 the Commission Regulation of 13 February 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	106,4
	204	44,2
	212	122,4
	624	74,2
	999	86,8
0707 00 05	052	175,4
	204	29,7
	999	102,6
0709 10 00	220	80,1
	999	80,1
0709 90 70	052	111,0
	204	50,5
	999	80,8
0805 10 10, 0805 10 30, 0805 10 50	052	67,8
	204	50,6
	212	53,6
	220	38,1
	624	54,7
	999	53,0
0805 20 10	204	100,7
	999	100,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	81,6
	204	102,3
	220	73,6
	400	58,9
	464	75,6
	600	73,2
	624	71,8
	999	76,7
0805 50 10	052	66,2
	600	51,6
	999	58,9
0808 10 20, 0808 10 50, 0808 10 90	060	47,9
	400	103,5
	404	89,5
	512	89,9
	528	92,7
	720	83,8
	999	84,6
0808 20 50	060	65,7
	388	92,8
	400	89,2
	528	93,6
	720	54,5
	800	77,5
	999	78,9

⁽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 249/2004**of 13 February 2004****fixing the minimum selling prices for butter for the 135th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽²⁾, to sell by invitation to tender certain quantities of butter from intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the

intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices of butter from intervention stocks and processing securities applying for the 135th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

ANNEX

to the Commission Regulation of 13 February 2004 fixing the minimum selling prices for butter for the 135th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	215	—	215
		Concentrated	—	—	—	—
Processing security		Unaltered	—	129	—	129
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 250/2004**of 13 February 2004****fixing the maximum aid for cream, butter and concentrated butter for the 135th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽²⁾, to sell by invitation to tender certain quantities of butter of intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the

intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 135th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 186/2004.

ANNEX

to the Commission Regulation of 13 February 2004 fixing the maximum aid for cream, butter and concentrated butter for the 135th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter $\geq$ 82 %	79	75	79	71
	Butter < 82 %	77	72	—	72
	Concentrated butter	98	91	97	89
	Cream	—	—	34	31
Processing security	Butter	87	—	87	—
	Concentrated butter	108	—	107	—
	Cream	—	—	37	—

COMMISSION REGULATION (EC) No 251/2004**of 13 February 2004****fixing the maximum purchasing price for butter for the 88th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 88th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 10 February 2004, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 359/2003 (OJ L 53, 28.2.2003, p. 17).

COMMISSION REGULATION (EC) No 252/2004**of 13 February 2004****fixing the maximum aid for concentrated butter for the 307th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽²⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 307th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 97/100 kg, |
| — end-use security: | EUR 107/100 kg. |

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 45, 21.2.1990, p. 8. Regulation as last amended by Regulation (EC) No 124/1999 (OJ L 16, 21.1.1999, p. 19).

COMMISSION REGULATION (EC) No 253/2004**of 13 February 2004****fixing the ceilings on financing for measures to improve the quality of the olive oil production in the 2004/05 production cycle and derogating from Article 3(3) of Regulation (EC) No 528/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾,Having regard to Commission Regulation (EC) No 528/1999 of 10 March 1999 laying down measures to improve the quality of olive oil production ⁽²⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) Regulation (EC) No 528/1999 lays down, for each Member State and for each 12 month production cycle beginning on 1 May, the financial arrangements for measures to improve the quality of olive oil production and its environmental impact.
- (2) Commission Regulation (EC) No 1794/2003 ⁽³⁾ fixes for the 2002/03 marketing year the estimated production of olive oil, including the estimated production of table olives expressed as olive oil equivalent, at 2 148 486 tonnes. This corresponds to 458 202 tonnes for Greece, 972 130 tonnes for Spain, 3 357 tonnes for France, 686 338 tonnes for Italy and 28 459 tonnes for Portugal. The amount withheld from production aid for this olive oil marketing year serves as the basis for financing measures to improve the quality of oil during the production cycle commencing on 1 May 2004.
- (3) The financial ceilings for the measures that are eligible for reimbursement from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund should be fixed.

(4) As the measures have relatively fixed minimum costs, the ceilings on total financing laid down in Article 3(3) of Regulation (EC) No 528/1999 for some Member States may therefore prove to be too low. Appropriate limits should therefore be established in those cases.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the production cycle from 1 May 2004 to 30 April 2005, the ceilings on financing for the measures laid down in the first subparagraph of Article 3(2) of Regulation (EC) No 528/1999 shall be:

Greece	EUR 8 100 185
Spain	EUR 11 175 009
France	EUR 62 137
Italy	EUR 51 111
Portugal	EUR 523 316

Article 2

Notwithstanding Article 3(3) of Regulation (EC) No 528/1999, the additional national financial contribution from Member States whose ceiling on financing laid down in Article 1 is EUR 100 000 or less shall be no more than EUR 250 000.

Article 3

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

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1513/2001 (OJ L 201, 16.7.2001, p. 4).

⁽²⁾ OJ L 62, 11.3.1999, p. 8. Regulation as last amended by Regulation (EC) No 629/2003 (OJ L 92, 9.4.2003, p. 3).

⁽³⁾ OJ L 262, 14.10.2003, p. 11.

COMMISSION REGULATION (EC) No 254/2004**of 13 February 2004****fixing the maximum export refund on wholly milled and parboiled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1877/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1877/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled and parboiled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1877/2003 is hereby fixed on the basis of the tenders submitted from 9 to 12 February 2004 at 274,00 EUR/t.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 20.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 255/2004**of 13 February 2004****fixing the maximum subsidy on exports of husked long grain rice B to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 1878/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 10(1) thereof,Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾ as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1878/2003 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

- (3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

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

HAS ADOPTED THIS REGULATION:

Article 1

A maximum subsidy on exports to Réunion of husked long grain rice B falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 9 to 12 February 2004 at 285,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 1878/2003.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 275, 25.10.2003, p. 23.

COMMISSION REGULATION (EC) No 256/2004**of 13 February 2004****fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1875/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1875/2003 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1875/2003 is hereby fixed on the basis of the tenders submitted from 9 to 12 February 2004 at 124,00 EUR/t.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 14.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 257/2004**of 13 February 2004****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1876/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1876/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1876/2003 is hereby fixed on the basis of the tenders submitted from 9 to 12 February 2004 at 124,00 EUR/t.

Article 2

This Regulation shall enter into force on 14 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 275, 25.10.2003, p. 17.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 258/2004
of 13 February 2004
amending the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 1365/2000 ⁽²⁾, and in particular the third sentence of Article 13(3) thereof,

Whereas:

- (1) The export refunds on pigmeat were fixed by Commission Regulation (EC) No 129/2004 ⁽³⁾.
- (2) In the light of the market situation it follows from applying the detailed rules contained in Regulation (EC) No 129/2004 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

Article 1

The export refunds on the products listed in Article 1(1) of Regulation (EEC) No 2759/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 129/2004 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 16 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 19, 27.1.2004, p. 12.

ANNEX

to the Commission Regulation of 13 February 2004 altering the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0203 11 10 9000	P07	EUR/100 kg	40,00
0203 21 10 9000	P07	EUR/100 kg	40,00
0203 12 11 9100	P07	EUR/100 kg	40,00
0203 12 19 9100	P07	EUR/100 kg	40,00
0203 19 11 9100	P07	EUR/100 kg	40,00
0203 19 13 9100	P07	EUR/100 kg	40,00
0203 19 55 9110	P07	EUR/100 kg	40,00
0203 22 11 9100	P07	EUR/100 kg	40,00
0203 22 19 9100	P07	EUR/100 kg	40,00
0203 29 11 9100	P07	EUR/100 kg	40,00
0203 29 13 9100	P07	EUR/100 kg	40,00
0203 29 55 9110	P07	EUR/100 kg	40,00
0203 19 15 9100	P07	EUR/100 kg	25,00
0203 19 55 9310	P07	EUR/100 kg	25,00
0203 29 15 9100	P07	EUR/100 kg	25,00
0210 11 31 9110	P06	EUR/100 kg	56,50
0210 11 31 9910	P06	EUR/100 kg	56,50
0210 19 81 9100	P06	EUR/100 kg	56,50
0210 19 81 9300	P06	EUR/100 kg	56,50
1601 00 91 9120	P06	EUR/100 kg	20,50
1601 00 99 9110	P06	EUR/100 kg	15,50
1602 41 10 9110	P06	EUR/100 kg	30,50
1602 41 10 9130	P06	EUR/100 kg	18,00
1602 42 10 9110	P06	EUR/100 kg	24,00
1602 42 10 9130	P06	EUR/100 kg	18,00
1602 49 19 9130	P06	EUR/100 kg	18,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 27.3.2002, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

P06 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Bulgaria, Latvia, Estonia, Lithuania, Cyprus, Malta, Slovenia.

P07 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Bulgaria, Latvia, Estonia, Lithuania, Cyprus, Malta, Slovenia and Japan.

COMMISSION REGULATION (EC) No 259/2004
of 13 February 2004
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 February 2004.

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

Done at Brussels, 13 February 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	29,24
1005 10 90	Maize seed other than hybrid	34,11
1005 90 00	Maize other than seed ⁽²⁾	34,11
1007 00 90	Grain sorghum other than hybrids for sowing	29,24

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 January 2004 to 12 February 2004)

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	135,49 (***)	86,68	165,60	155,60	135,60	102,47
Gulf premium (EUR/t)	26,82	10,91	—	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 31,09 EUR/t; Great Lakes–Rotterdam: 0,00 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

DIRECTIVE 2004/11/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 11 February 2004
amending Council Directive 92/24/EEC relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽¹⁾,

Whereas:

- (1) Measures should be adopted for the purpose of ensuring the smooth functioning of the internal market.
- (2) Council Directive 92/24/EEC ⁽²⁾ is one of the separate directives under the Community approval procedure introduced by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽³⁾. The provisions and definitions laid down in Directive 70/156/EEC concerning vehicles, vehicle systems, components and separate technical units will thus apply to this Directive.
- (3) Speed limitation devices for vehicles used for the carriage of passengers and for the carriage of goods having a maximum mass exceeding 10 tonnes have shown a positive influence on road safety and reduced the severity of injuries in cases of accidents, while also reducing air pollution and fuel consumption.
- (4) Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community ⁽⁴⁾ has been extended to lighter motor vehicles of categories M₂ and N₂. It is therefore necessary to amend the scope of Directive 92/24/EEC relating to the construction requirements for speed limiters accordingly to cover the same categories of motor vehicles.
- (5) Directive 92/24/EEC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 92/24/EEC is hereby amended as follows:

1. Article 1 shall be replaced by the following:

'Article 1

For the purpose of this Directive:

— "vehicle" shall mean any motor vehicle of categories M₂, M₃, N₂ or N₃, as defined in Annex II to Directive 70/156/EEC, intended for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h,

— "speed limitation device" shall mean a speed-limiting appliance intended for use on a vehicle within the scope of this Directive for which type-approval of a separate technical unit within the meaning of Directive 70/156/EEC may be granted. Built-in maximum vehicle speed limitation systems, incorporated into the design of vehicles from the outset, shall meet the same requirements as speed limitation devices.;

2. the first sentence of the third subparagraph of item 1.1. of Annex I shall be replaced by the following:

'The purpose of this Directive is to limit to a specified value the maximum road speed of goods vehicles of categories N₂ and N₃ and of passenger-carrying vehicles of categories M₂ and M₃.'

Article 2

1. With effect from 17 November 2004, Member States may not, on grounds relating to speed limitation devices or similar systems:

- refuse to grant EC type-approval or national-type approval of a vehicle, a speed limitation device or a speed limitation on-board system,
- prohibit the registration, sale or entry into service of a vehicle or refuse the sale or entry into service of a speed limitation device or a speed limitation on-board system,

if the vehicles, speed limitation devices or speed limitation on-board systems comply with the provisions of Directive 92/24/EEC.

2. With effect from 1 January 2005, Member States shall, on grounds relating to speed limitation devices or speed limitation on-board systems, prohibit the sale, the registration or the entry into service of vehicles, speed limitation devices or speed limitation on-board systems which do not comply with the provisions of Directive 92/24/EEC.

⁽¹⁾ Opinion of the European Parliament of 9 October 2003 (not yet published in the Official Journal) and Council Decision of 20 January 2004.

⁽²⁾ OJ L 129, 14.5.1992, p. 154.

⁽³⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽⁴⁾ OJ L 57, 2.3.1992, p. 27. Directive as last amended by Directive 2002/85/EC of the European Parliament and of the Council (OJ L 327, 4.12.2002, p. 8).

Article 3

1. Member States shall adopt and publish, before 17 November 2004, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof. They shall apply these measures from 18 November 2004.

2. When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Strasbourg, 11 February 2004.

For the European Parliament

The President

P. COX

For the Council

The President

M. McDOWELL
