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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 321/2004
of 25 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 26 February 2004.

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

Done at Brussels, 25 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 25 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	83,3
	204	37,2
	212	115,9
	999	78,8
0707 00 05	052	147,8
	068	88,3
	204	35,4
	999	90,5
0709 10 00	220	68,9
	999	68,9
0709 90 70	052	106,9
	204	63,1
	999	85,0
0805 10 10, 0805 10 30, 0805 10 50	052	75,4
	204	44,2
	212	52,7
	220	43,5
	600	41,8
	624	60,9
	999	53,1
0805 20 10	204	98,1
	999	98,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	69,6
	204	102,5
	220	88,5
	464	71,6
	600	97,2
	624	75,6
	999	84,2
0805 50 10	052	59,4
	999	59,4
0808 10 20, 0808 10 50, 0808 10 90	060	40,2
	388	119,1
	400	97,5
	404	92,2
	508	87,9
	512	103,3
	528	81,7
	720	77,1
	999	87,4
0808 20 50	060	65,7
	388	74,1
	512	77,4
	528	69,7
	720	152,2
	999	87,8

⁽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 322/2004
of 23 February 2004**

**amending Regulation (EC) No 1291/2000 laying down common detailed rules for the application
of the system of import and export licences and advance-fixing certificates for agricultural
products**

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⁾, and in particular Articles 9(2), 12(4) and 13(11) thereof, and the corresponding articles of the other regulations on the common organisation of markets in agricultural products,

Whereas:

(1) Article 1 of Commission Regulation (EC) No 1291/2000 ⁽²⁾ establishes its scope by listing the regulations providing for certificates or licences to which it will apply. Council Regulation (EC) No 670/2003 of 8 April 2003 laying down specific measures concerning the market in ethyl alcohol of agricultural origin ⁽³⁾ provides for import and export licences for ethyl alcohol of agricultural origin. It should therefore be clarified that Regulation (EC) No 1291/2000 also applies to the licences introduced by Regulation (EC) No 670/2003.

(2) The current version of Article 1 of Regulation (EC) No 1291/2000 contains references to regulations repealed and replaced by other ones. For the sake of clarity, Article 1 of Regulation (EC) No 1291/2000 should therefore be updated.

(3) The *de minimis* amounts laid down in Article 15(3) and the fourth subparagraph of Article 35(2) of Regulation (EC) No 1291/2000 for lodging and confiscating the licence security have been set at EUR 60. In view of the administrative costs involved in lodging or confiscating a security, these amounts should be increased.

(4) Article 45 of Regulation (EC) No 1291/2000 stipulates that where the re-importation of products under the returned-goods system is followed by the export of equivalent products falling within the same subheading of the combined nomenclature, the security on the licence or certificate used to export the products is released at the request of the parties concerned if certain conditions are met. One of these conditions is the requirement of the operator to export the equivalent products from a customs office in the Member State of re-importation and designated by that Member State. That creates additional costs for operators where the equivalent products to be exported are in a Member State other than the Member State of re-importation. This requirement should therefore be abolished.

(5) Annex III to Regulation (EC) No 1291/2000, which fixes the maximum quantities of agricultural products for which no import or export licence or advance-fixing certificate need be submitted pursuant to the fourth indent of Article 5(1) of that Regulation, should be updated.

(6) Commission Regulation (EC) No 2336/2003 of 30 December 2003 introducing certain detailed rules for applying Council Regulation (EC) No 670/2003 laying down specific measures concerning the market in ethyl alcohol ⁽⁴⁾ of agricultural origin requires an import licence to be presented from 27 January 2004 for the import of ethyl alcohol products of agricultural origin. Provision must therefore be made to fix from that date the maximum quantities of the products concerned for which no licence is required in accordance with the fourth indent of Article 5(1) of Regulation (EC) No 1291/2000.

(7) Regulation (EC) No 1291/2000 should be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinions of all Management Committees concerned,

⁽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); Regulation (EEC) No 1766/92 is repealed by Regulation (EC) No 1784/2003 (OJ L 270, 21.10.2003, p. 78) with effect from that Regulation's date of application (1 July 2004).

⁽²⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 325/2003 (OJ L 47, 20.2.2003, p. 21).

⁽³⁾ OJ L 97, 15.4.2003, p. 6.

⁽⁴⁾ OJ L 346, 31.12.2003, p. 19.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1291/2000 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

Subject to certain exceptions laid down in Community rules specific to certain products, this Regulation lays down common rules for implementing the system of import and export licences and advance-fixing certificates (hereinafter referred to as "licences" and "certificates") established by or provided for in:

- Article 2 of Council Regulation No 136/66/EEC ⁽¹⁾ (oils and fats),
- Article 8 of Council Regulation (EEC) No 234/68 ⁽²⁾ (live plants and cut flowers),
- Article 4 of Council Regulation (EEC) No 2358/71 ⁽³⁾ (seeds),
- Article 8 of Council Regulation (EEC) No 2759/75 ⁽⁴⁾ (pigmeat),
- Article 3 of Council Regulation (EEC) No 2771/75 ⁽⁵⁾ (eggs),
- Article 3 of Council Regulation (EEC) No 2777/75 ⁽⁶⁾ (poultrymeat),
- Article 2 of Council Regulation (EEC) No 2783/75 ⁽⁷⁾ (ovalbumin and lactalbumin),
- Article 9 of Regulation (EEC) No 1766/92 (cereals),
- Article 17 of Council Regulation (EEC) No 404/93 ⁽⁸⁾ (bananas),
- Article 9 of Council Regulation (EC) No 3072/95 ⁽⁹⁾ (rice),
- Article 31 of Council Regulation (EC) No 2200/96 ⁽¹⁰⁾ (fruit and vegetables),
- Article 11 of Council Regulation (EC) No 2201/96 ⁽¹¹⁾ (processed fruit and vegetable products),
- Article 29 of Council Regulation (EC) No 1254/1999 ⁽¹²⁾ (beef and veal),
- Article 26 of Council Regulation (EC) No 1255/1999 ⁽¹³⁾ (milk and milk products),

- Article 59 of Council Regulation (EC) No 1493/1999 ⁽¹⁴⁾ (wine),
- Article 6 of Commission Regulation (EC) No 1520/2000 ⁽¹⁵⁾ (agricultural products exported in the form of goods not covered by Annex I to the Treaty),
- Article 22 of Council Regulation (EC) No 1260/2001 ⁽¹⁶⁾ (sugar, isoglucose and inulin syrup),
- Article 13 of Council Regulation (EC) No 2529/2001 ⁽¹⁷⁾ (sheepmeat and goatmeat),
- Article 4 of Council Regulation (EC) No 670/2003 ⁽¹⁸⁾ (alcohol),

2. In Article 15(3), 'EUR 60' is replaced by 'EUR 100'.

3. In Article 35(2), second subparagraph, the term 'EUR 60' is replaced by 'EUR 100'.

4. The second indent in Article 45(2)(a) is deleted.

5. The following subparagraph is added to the second indent of Article 45(2)(b): 'The exporter must provide to the satisfaction of the customs office of export all necessary information on the product's characteristics and destination.'

6. Annex III is replaced by the text in the Annex to this Regulation.

Article 2

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

Article 1(3) shall apply to licences or certificates whose term of validity has not expired on the date of entry into force of this Regulation.

Article 1(4) and (5) shall apply to exports of equivalent products the customs formalities for which have been accepted from the date of entry into force of this Regulation.

As regards point N of Annex III (Alcohol), Article 1(6) shall apply from 27 January 2004.

⁽¹⁾ OJ L 172, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 55, 2.3.1968, p. 1.

⁽³⁾ OJ L 246, 5.11.1971, p. 1.

⁽⁴⁾ OJ L 282, 1.11.1975, p. 1.

⁽⁵⁾ OJ L 282, 1.11.1975, p. 49.

⁽⁶⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁷⁾ OJ L 282, 1.11.1975, p. 104.

⁽⁸⁾ OJ L 47, 25.2.1993, p. 1.

⁽⁹⁾ OJ L 329, 30.12.1995, p. 18.

⁽¹⁰⁾ OJ L 297, 21.11.1996, p. 1.

⁽¹¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽¹²⁾ OJ L 160, 26.6.1999, p. 21.

⁽¹³⁾ OJ L 160, 26.6.1999, p. 48.

⁽¹⁴⁾ OJ L 179, 14.7.1999, p. 1.

⁽¹⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽¹⁶⁾ OJ L 178, 30.6.2001, p. 1.

⁽¹⁷⁾ OJ L 341, 22.12.2001, p. 3.

⁽¹⁸⁾ OJ L 97, 15.4.2003, p. 3.

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

Done at Brussels, 23 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

‘ANNEX III

Maximum quantities ⁽¹⁾ of products for which import or export licences or advance-fixing certificates need not be presented pursuant to the fourth indent of Article 5(1) (provided import or export does not take place under preferential arrangements subject to a licence ⁽²⁾)

	Product (Combined Nomenclature codes)	Net quantity
A	CEREALS AND RICE (Commission Regulation (EC) No 1342/2003) <i>Import licence:</i>	
	0709 90 60 0712 90 19 0714 1001 10 00 1001 90 91 1001 90 99 1002 00 00 1003 00 1004 00 00 1005 10 90 1005 90 00 1007 00 90 With the exception of subheading 0714 20 10	5 000 kg
	1006 10 1006 20 1006 30 1006 40 00 1008 1101 00 1102 1103 1104 1106 20 1107 1108 1109 00 00 1702 30 51 1702 30 59 1702 30 91 1702 30 99 1702 40 90 1702 90 50 1702 90 75 1702 90 79 2106 90 55 With the exception of subheading 1006 10 10 With the exception of subheading 1108 20 00	1 000 kg

[illegible]

Product (Combined Nomenclature codes)			Net quantity
	2302 2303 10 2303 30 00 2306 70 00 2308 00 40 ex 2309	With the exception of subheading 2302 50 Containing starch, glucose, glucose syrup, malto-dextrine, malto-dextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 and milk products ⁽³⁾ , with the exception of preparations or foodstuffs containing not less than 50 % weight of milk products	
B	OILS AND FATS <i>Import licence (Commission Regulation (EC) No 1476/95):</i>		
	0709 90 39 0711 20 90 1509 1510 00 1522 00 31 1522 00 39 2306 90 19		100 kg
	<i>Export licence with or without advance fixing of the refund (Commission Regulation (EC) No 2543/95):</i>		
	1509 1510 00		100 kg
C	SUGAR (Commission Regulation (EC) No 1464/95) <i>Import licence:</i>		
	1212 91 20 1212 91 80 1212 99 20 1701 11 1701 12 1701 91 00 1701 99 1702 20 1702 30 10 1702 40 10 1702 60 1702 90 30 1702 90 60 1702 90 71 1702 90 80		2 000 kg
	1702 90 99 1703 10 00 1703 90 00 2106 90 30 2106 90 59		

Product (Combined Nomenclature codes)			Net quantity
	<i>Export licence with or without advance fixing of the refund:</i>		
	1212 91 20 1212 91 80 1212 99 20 1701 11 1701 12 1701 91 00 1701 99 1702 20 1702 30 10 1702 40 10 1702 60 1702 90 30 1702 90 60 1702 90 71 1702 90 80		2 000 kg
	1702 90 99 1703 2106 90 30 2106 90 59		
D	MILK AND MILK PRODUCTS <i>Import licence (Commission Regulation (EC) No 2535/2001):</i>		
	0401 0402 0403 10 11 to 0403 10 39 0403 90 11 to 0403 90 69 0404 0405 10 0405 20 90 0405 90 0406 1702 11 00 1702 19 00 2106 90 51 2309 10 15 2309 10 19 2309 10 39 2309 10 59 2309 10 70 2309 90 35 2309 90 39 2309 90 49 2309 90 59 2309 90 70	Preparations of a kind used in animal feed; preparations and foodstuffs containing products to which Council Regulation (EC) No 1255/1999 ⁽⁴⁾ is applicable, directly or pursuant to Regulation (EEC) No 2730/75 ⁽⁵⁾ , with the exception of preparations and foodstuffs to which Regulation (EEC) No 1766/92 ⁽⁶⁾ applies	150 kg

Product (Combined Nomenclature codes)			Net quantity
	<i>Export licence with advance fixing of the refund (Commission Regulation (EC) No 174/1999):</i>		
	0401 0402 0403 10 11 to 0403 10 39 0403 90 11 to 0403 90 69 0404 0405 10 0405 20 90 0405 90 0406 2309 10 15 2309 10 19 2309 10 70 2309 90 35 2309 90 39 2309 90 70	Preparations of a kind used in animal feed; preparations and foodstuffs containing products to which Council Regulation (EC) No 1255/1999 ⁽⁴⁾ is applicable, directly or pursuant to Regulation (EEC) No 2730/75 ⁽⁵⁾ , with the exception of preparations and foodstuffs to which Regulation (EEC) No 1766/92 ⁽⁶⁾ applies	150 kg
E	BEEF AND VEAL (Commission Regulation (EC) No 1445/95) <i>Import licence:</i>		
	0102 90 05 to 0102 90 79		One animal
	0201 0202 0206 10 95 0206 29 91 0210 20 0210 99 51 0210 99 90 1602 50 1602 90 61 1602 90 69		200 kg
	<i>Export licence with advance fixing of the refund:</i>		
	0102 10 0102 90 05 to 0102 90 79		One animal
	0201 0202 0206 10 95 0206 29 91 0210 20 0210 99 51 0210 99 90 1602 50 1602 90 61 1602 90 69		200 kg

Product (Combined Nomenclature codes)			Net quantity
	<i>Import licence without refund (Article 7 of Commission Regulation (EC) No 1445/95):</i>		
	0102 10 0102 90 05 to 0102 90 79		Nine animals
	0201 0202 0206 10 95 0206 29 91 0210 20 0210 99 51 0210 99 90 1602 50 1602 90 61 1602 90 69		2 000 kg
F	SHEEPMET AND GOATMEAT <i>Import licence (Commission Regulation (EC) No 1439/95):</i>		
	0204 0210 99 21 0210 99 29 1602 90 72 1602 90 74 1602 90 76 1602 90 78		100 kg
	0104 10 30 0104 10 80 0104 20 90		Five animals
G	PIGMEAT <i>Export licence with advance fixing of the refund (Commission Regulation (EC) No 1370/95):</i>		
	0203 1601 1602		250 kg
	0210		150 kg
H	POULTRYMEAT <i>Export licence with advance fixing of the refund and ex post export licence (Commission Regulation (EC) No 1372/95):</i>		
	0105 11 11 9000 0105 11 19 9000 0105 11 91 9000 0105 11 99 9000		4 000 chicks
	0105 12 00 9000 0105 19 20 9000		2 000 chicks
	0207		250 kg

Product (Combined Nomenclature codes)		Net quantity
I	EGGS <i>Export licence with advance fixing of the refund and export licence (Commission Regulation (EC) No 1371/95):</i>	
	0407 00 11 9000	2 000 eggs
	0407 00 19 9000	4 000 eggs
	0407 00 30 9000	400 kg
	0408 11 80 9100 0408 91 80 9100	100 kg
	0408 19 81 9100 0408 19 89 9100 0408 99 80 9100	250 kg
J	SEEDS <i>Import licence (Commission Regulation (EEC) No 1119/79):</i>	
	1005 10 11 to 1005 10 19 1007 00 10	100 kg
K	WINE (Commission Regulation (EC) No 883/2001) <i>Import licence:</i>	
	2009 61 2009 69	3 000 kg
	2204 10 2204 21 2204 29 2204 30	30 hl
	<i>Export licence with advance fixing of the refund:</i>	
	2009 61 2009 69	10 hl
	2204 21 2204 29 2204 30	10 hl
L	FRUIT AND VEGETABLES <i>Export licence with advance fixing of the refund (Commission Regulation (EC) No 1961/2001):</i>	
	0702 00 0802 0805 0806 10 10 0808 0809	300 kg

Product (Combined Nomenclature codes)		Net quantity
M	PRODUCTS PROCESSED FROM FRUIT AND VEGETABLES <i>Export licence with advance fixing of the refund (Commission Regulation (EC) No 1429/95):</i>	
	0806 20 0812 2002 2006 00 2008 2009	300 kg
N	ALCOHOL <i>Import licence (Commission Regulation (EC) No 2336/2003):</i>	
	2207 10 00 2207 20 00	100 hl
	2208 90 91 2208 90 99	100 hl

(¹) The maximum quantities of agricultural products that can be imported or exported without a licence or certificate correspond to an eight-digit subheading of the Combined Nomenclature and, if export refunds are involved, to a 12-digit subheading of the nomenclature for agricultural product refunds.

(²) In the case of an import, for example, the quantities indicated in this document do not cover imports under quantitative quotas or preferential arrangements, for which licences are always required for all quantities. The quantities indicated here refer to imports under normal arrangements, i.e. with payment of full duties and with no limits on quantities.

(³) For the purposes of this subheading, "milk products" means products falling within headings 0401 to 0406 and subheadings 1702 10 and 2106 90 51

(⁴) OJ L 160, 26.6.1999, p. 48.

(⁵) OJ L 281, 1.11.1975, p. 20.

(⁶) OJ L 181, 1.7.1992, p. 21.'

**COMMISSION REGULATION (EC) No 323/2004
of 25 February 2004**

adapting Regulation (EEC) No 1686/72 on account of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Article 2(3) thereof,

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

Whereas:

- (1) Article 3(4a) of Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organisation of the market in seeds ⁽¹⁾ provides for a mechanism to stabilise production of rice seed and seed other than rice seed involving fixing a maximum quantity eligible for production aid, to be allocated among the Member States.
- (2) Commission Regulation (EEC) No 1686/72 of 2 August 1972 on certain detailed rules for aid for seed ⁽²⁾ fixes the said maximum quantities of rice seed and seed other than rice seed for the Community and by Member State.
- (3) In view of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the Community on 1 May 2004, the maximum quantity of rice seed and seed other than rice seed eligible for production aid in the enlarged Community and the quantities allocated to each Member State should be fixed. The quantities taken into account for calculating the maximum quantities are those communicated by the Member States to the Commission.
- (4) The rice seed harvested in a given marketing year is normally used to sow areas for the production of paddy rice and rice seed during the next marketing year. The quantity of seed used in the Community to sow one hectare is 0,2 tonnes. Accordingly, to sow the total base area of (433 123 ha + 3 222 ha =) 436 345 ha, 87 269 tonnes of seed are needed.
- (5) Regulation (EEC) No 1686/72 should be amended accordingly,

Regulation (EEC) No 1686/72 is hereby amended as follows:

1. The first subparagraph of Article 3(1) is replaced with the following:

'From 1 July 2004, the annual maximum quantity of seed other than rice seed eligible for Community production aid shall be 332 841 tonnes, allocated to the producer Member States as follows:

Belgium	10 077 tonnes,
Czech Republic	9 124 tonnes,
Denmark	93 697 tonnes,
Germany	31 654 tonnes,
Estonia	379 tonnes,
Greece	3 846 tonnes,
Spain	23 976 tonnes,
France	52 981 tonnes,
Ireland	1 016 tonnes,
Italy	18 822 tonnes,
Cyprus	305 tonnes,
Latvia	1 086 tonnes,
Lithuania	1 090 tonnes,
Luxembourg	865 tonnes,
Hungary	7 772 tonnes,
Malta	300 tonnes,
Netherlands	35 856 tonnes,
Austria	769 tonnes,
Poland	5 800 tonnes,
Portugal	300 tonnes,
Slovenia	369 tonnes,
Slovakia	862 tonnes,
Finland	5 853 tonnes,
Sweden	8 132 tonnes,
United Kingdom	17 910 tonnes.'

⁽¹⁾ OJ L 246, 5.11.1971, p. 1. Regulation as last amended by Regulation (EC) No 154/2002 (OJ L 25, 29.1.2002, p. 18).

⁽²⁾ OJ L 177, 4.8.1972, p. 26. Regulation as last amended by Regulation (EC) No 800/2002 (OJ L 131, 16.5.2002, p. 3).

2. The first subparagraph of Article 3a(1) is replaced with the following:

'From 1 July 2004, the annual maximum quantity of rice seed eligible for Community production aid shall be 87 269 tonnes, allocated to the producer Member States as follows:

Spain	29 625,613 tonnes,
France	3 031,861 tonnes,
Greece	1 472,618 tonnes,
Hungary	644,400 tonnes,

Italy	50 242,268 tonnes,
Portugal	2 252,240 tonnes.'

Article 2

This Regulation shall enter into force on 1 May 2004, subject to the entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

It shall apply until the end of the 2004/2005 marketing year.

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

Done at Brussels, 25 February 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 324/2004**of 25 February 2004****amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin****(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 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 2145/2003 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

(1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.

(2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.

(3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).

(4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

(5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.

(6) Kanamycin and diclofenac should be inserted into Annex I to Regulation (EEC) No 2377/90.

(7) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC ⁽³⁾ of the European Parliament and of the Council to take account of the provisions of this Regulation.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 322, 9.12.2003, p. 5.

⁽³⁾ OJ L 311, 28.11.2001, p. 1.

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

Done at Brussels, 25 February 2004.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

The following substances are inserted in Annex I to Regulation (EEC) No 2377/90

1. Anti-infectious agents

1.2. Antibiotics

1.2.10. Aminoglycosides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
'Kanamycin	Kanamycin A	All food producing species except fish ⁽¹⁾	100 µg/kg 100 µg/kg 600 µg/kg 2 500 µg/kg 150 µg/kg	Muscle Fat ⁽²⁾ Liver Kidney Milk

⁽¹⁾ Not for use in animals from which eggs are produced for human consumption.

⁽²⁾ For porcine and poultry species this MRL relates to "skin and fat in natural proportions".

4. Anti-inflammatory agents

4.1. Non-steroidal anti-inflammatory agents

4.1.6. Phenyl acetic acid derivatives

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
'diclofenac	diclofenac	Bovine ⁽¹⁾	5 µg/kg 1 µg/kg 5 µg/kg 10 µg/kg	Muscle Fat Liver Kidney
		Porcine	5 µg/kg 1 µg/kg 5 µg/kg 10 µg/kg	Muscle Skin + fat Liver Kidney

⁽¹⁾ Not for use in animals from which milk is produced for human consumption.

COMMISSION REGULATION (EC) No 325/2004**of 25 February 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 16 to 20 February 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 under 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 16 to 20 February 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 26 February 2004.

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

Done at Brussels, 25 February 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.

ANNEX

ACP-India Preferential Sugar**Title II of Regulation (EC) No 1159/2003****2003/04 marketing year**

Country	Week of 16 to 20 February 2004: percentage of requested quantity to be granted	Limit
Barbados	100	
Belize	96,4764	reached
Congo	0	reached
Fiji	100	
Guyana	100	
India	0	reached
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	100	
Mauritius	100	
Saint Kitts and Nevis	100	
Swaziland	100	
Tanzania	0	reached
Trinidad and Tobago	100	
Zambia	100	
Zimbabwe	0	reached

Special Preferential Sugar**Title III of Regulation (EC) No 1159/2003****2003/04 marketing year**

Country	Week of 16 to 20 February 2004: percentage of requested quantity to be granted	Limit
India	100	
Other countries	100	

CXL concessions sugar**Title IV of Regulation (EC) No 1159/2003****2003/04 marketing year**

Country	Week of 16 to 20 February 2004: percentage of requested quantity to be granted	Limit
Brazil	100	
Cuba	100	
Other third countries	100	

COMMISSION REGULATION (EC) No 326/2004
of 24 February 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 Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽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 27 February 2004.

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

Done at Brussels, 24 February 2004.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council (OJ L 311, 12.12.2000, p. 17).

⁽²⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by 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	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	38,71	288,44	355,63	26,07
1.30	Onions (other than seed) 0703 10 19	34,78	259,12	319,49	23,42
1.40	Garlic 0703 20 00	150,20	1 119,14	1 379,85	101,15
1.50	Leeks ex 0703 90 00	71,09	529,68	653,08	47,87
1.80	White cabbages and red cabbages 0704 90 10	99,86	744,01	917,33	67,24
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	457,71	564,33	41,37
1.100	Chinese cabbage ex 0704 90 90	66,40	494,74	609,99	44,71
1.130	Carrots ex 0706 10 00	48,82	363,75	448,49	32,88
1.140	Radishes ex 0706 90 90	62,30	464,22	572,37	41,96
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	295,40	2 200,98	2 713,71	198,92
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	153,41	1 143,02	1 409,29	103,30
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	170,68	1 271,72	1 567,97	114,94
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	282,60	2 105,62	2 596,13	190,30
1.200.2	— other 0709 20 00	452,65	3 372,65	4 158,32	304,81
1.210	Aubergines (eggplants) 0709 30 00	176,81	1 317,39	1 624,28	119,06
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	54,86	408,72	503,93	36,94
1.230	Chantarelles 0709 59 10	994,91	7 412,97	9 139,84	669,97
1.240	Sweet peppers 0709 60 10	191,93	1 430,09	1 763,23	129,25
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	74,57	555,62	685,06	50,22
2.30	Pineapples, fresh ex 0804 30 00	87,84	654,52	807,00	59,15

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.40	Avocados, fresh ex 0804 40 00	145,51	1 084,20	1 336,77	97,99
2.50	Guavas and mangoes, fresh ex 0804 50 00	—	—	—	—
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	—	—	—	—
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	—	—	—	—
2.60.3	— Others 0805 10 50	—	—	—	—
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	82,06	611,46	753,89	55,26
2.70.2	— Monreales and satsumas ex 0805 20 30	74,80	557,33	687,16	50,37
2.70.3	— Mandarines and wilkings ex 0805 20 50	62,38	464,82	573,11	42,01
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	74,80	557,33	687,16	50,37
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	90,82	676,69	834,32	61,16
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	49,55	369,17	455,16	33,36
2.90.2	— pink ex 0805 40 00	55,75	415,37	512,13	37,54
2.100	Table grapes 0806 10 10	161,85	1 205,93	1 486,85	108,99
2.110	Water melons 0807 11 00	59,39	442,51	545,59	39,99
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	47,57	354,41	436,97	32,03
2.120.2	— Other ex 0807 19 00	109,10	812,88	1 002,24	73,47
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	440,66	3 283,29	4 048,14	296,74
2.160	Cherries 0809 20 95 0809 20 05	794,80	5 921,94	7 301,47	535,22

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.170	Peaches 0809 30 90	127,60	950,77	1 172,25	85,93
2.180	Nectarines ex 0809 30 10	121,22	903,24	1 113,65	81,63
2.190	Plums 0809 40 05	119,49	890,30	1 097,70	80,46
2.200	Strawberries 0810 10 00	174,65	1 301,28	1 604,42	117,61
2.205	Raspberries 0810 20 10	304,95	2 272,15	2 801,45	205,35
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 180,61	8 796,61	10 845,79	795,02
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	145,75	1 085,97	1 338,95	98,15
2.230	Pomegranates ex 0810 90 95	169,69	1 264,34	1 558,87	114,27
2.240	Khakis (including sharon fruit) ex 0810 90 95	198,13	1 476,27	1 820,17	133,42
2.250	Lychees ex 0810 90 30	—	—	—	—

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

STANDING COMMITTEE OF THE EFTA STATES

DECISION OF THE STANDING COMMITTEE OF THE EFTA STATES

No 4/2003/SC

of 4 December 2003

establishing an EEA Financial Mechanism Interim Committee

THE STANDING COMMITTEE OF THE EFTA STATES,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as the EEA Agreement,

Having regard to the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area, hereinafter referred to as the EEA Enlargement Agreement,

Having regard to Protocol 38a on the EEA Financial Mechanism inserted into the EEA Agreement by the EEA Enlargement Agreement,

Having regard to the Agreement between the Kingdom of Norway and the European Community on a Norwegian Financial Mechanism for the period 2004 to 2009,

HAS DECIDED AS FOLLOWS:

Article 1

1. An EEA Financial Mechanism Interim Committee, hereinafter referred to as the Interim Committee, which should be operative as soon as possible, is hereby established.
2. The Interim Committee shall assist the EFTA States in preparing for the implementation of the EEA Financial Mechanism for 2004 to 2009.
3. The Interim Committee shall report to the Standing Committee.
4. The Interim Committee may be assisted by the Missions of the EEA and EFTA States to the EU.
5. The Interim Committee shall, on the day of entering into force of the EEA Enlargement Agreement, be replaced by an EEA Financial Mechanism Committee.
6. The Interim Committee shall also discuss and assess coordination and integration between the EEA Financial Mechanism and the Norwegian Financial Mechanism.
7. The Interim Committee shall agree upon a President who shall be confirmed by the Standing Committee.

Article 2

This Decision shall take immediate effect.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 4 December 2003.

For the Standing Committee

The President

H.S.H. Prinz Nikolaus von LIECHTENSTEIN

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

COUNCIL DECISION 2004/188/CFSP
of 23 February 2004
concerning the appointment of the Head of Mission/Police Commissioner of the European Union
Police Mission (EUPM)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Article 23(2) thereof,

Having regard to Council Joint Action 2002/210/CFSP of 11 March 2002 on the European Union Police Mission ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Article 4 of Joint Action 2002/210/CFSP provides that the Council, upon a proposal by the Secretary-General/High Representative, shall appoint a Head of Mission/Police Commissioner.
- (2) The Secretary-General/High Representative has proposed the appointment of assistant Commissioner Bartholomew Kevin Carty,

Article 1

Mr Bartholomew Kevin Carty is hereby appointed Head of Mission/Police Commissioner of the EUPM as of 1 March 2004.

Article 2

This Decision shall take effect on the day of its adoption.
It shall apply until 1 March 2005.

Article 3

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

Done at Brussels, 23 February 2004.

For the Council
The President
B. COWEN

⁽¹⁾ OJ L 70, 13.3.2002, p. 1.

CORRIGENDA**Corrigendum to Commission Directive 2003/80/EC of 5 September 2003 establishing a symbol indicating the durability of cosmetic products in Annex VIIIa to Council Directive 76/768/EEC**

(Official Journal of the European Union L 224 of 6 September 2003)

On page 27, in recital 2:

for: 'For cosmetic products with a shelf life of 30 months or more, there should be an indication of the period of time after opening for which the product can be used without any harm to the consumer.'

read: 'For cosmetic products with a shelf life of more than 30 months, there should be an indication of the period of time after opening for which the product can be used without any harm to the consumer.'

Corrigendum to Commission Directive 2003/83/EC of 24 September 2003 adapting to technical progress Annexes II, III and VI to Council Directive 76/768/EEC on the approximation of the laws of Member States relating to cosmetic products

(Official Journal of the European Union L 238 of 25 September 2003)

On page 25, point 1(a):

for: '178. 4-Benzoyloxyphenol and 4-ethoxyphenol',

read: '178. 4-Benzyloxyphenol and 4-ethoxyphenol'.
