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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 736/2004
of 21 April 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 22 April 2004.

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

Done at Brussels, 21 April 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 21 April 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	85,7
	204	39,5
	212	120,5
	999	81,9
0707 00 05	052	131,4
	068	128,2
	096	93,3
	999	117,6
0709 90 70	052	63,8
	204	69,2
	999	66,5
0805 10 10, 0805 10 30, 0805 10 50	052	61,5
	204	40,7
	212	87,1
	220	43,0
	400	42,5
	600	46,7
	624	63,4
	999	55,0
0805 50 10	052	41,0
	400	48,2
	999	44,6
0808 10 20, 0808 10 50, 0808 10 90	060	34,7
	388	85,2
	400	111,9
	404	72,2
	508	61,4
	512	67,4
	524	60,9
	528	74,0
	720	83,8
	804	109,3
	999	76,1
0808 20 50	388	69,0
	512	68,1
	524	80,8
	528	66,3
	720	67,0
	999	70,2

⁽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 737/2004
of 21 April 2004
amending the delivery obligations for cane sugar to be imported under the ACP Protocol and the
India Agreement for the 2003/2004 delivery period

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 Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/2004, 2004/2005 and 2005/2006 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 ⁽²⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 443/2004 ⁽³⁾ set the delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2003/2004 delivery period.
- (2) The United Kingdom has submitted an application to transfer delivery obligations between the 2003/2004 and 2004/2005 delivery periods for Zimbabwe in order to correct an administrative error made when the import licence applications for that country were encoded. That error resulted in licences being actually issued for 6 858,11 tonnes more than the delivery obligation fixed for Zimbabwe for the 2003/2004 delivery period.

- (3) Since transferring 6 858,11 tonnes from Zimbabwe's delivery obligation for 2004/2005 to its obligation for 2003/2004 will not disturb the supply arrangement referred to in Article 39 of Regulation (EC) No 1260/2001, the delivery obligation set for Zimbabwe for the 2003/2004 delivery period should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

The delivery obligations for imports of products falling within CN code 1701, expressed as white sugar equivalent, originating in countries which are parties to the ACP Protocol and the India Agreement for the 2003/2004 delivery period for each exporting country as set out in the Annex to Regulation (EC) No 443/2004 are hereby amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 21 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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 162, 1.7.2003, p. 25.

⁽³⁾ OJ L 72, 11.3.2004, p. 52.

ANNEX

Delivery obligations for imports of preferential sugar, expressed as white sugar equivalent, originating in countries which are parties to the ACP Protocol and the India Agreement for the 2003/2004 delivery period

ACP Protocol/India Agreement signatory country	Delivery obligations 2003/2004
Barbados	50 641,21
Belize	38 977,79
Congo	10 186,10
Côte d'Ivoire	10 186,10
Fiji	161 123,25
Guyana	153 799,11
India	10 000,00
Jamaica	118 695,13
Kenya	0,00
Madagascar	18 815,50
Malawi	20 564,84
Mauritius	484 278,72
Uganda	0,00
Saint-Kitts-and-Nevis	8 804,51
Suriname	0,00
Swaziland	111 298,16
Tanzania	10 189,35
Trinidad-and-Tobago	42 054,47
Zambia	0,00
Zimbabwe	36 658,00
Total	1 286 272,24

**COMMISSION REGULATION (EC) No 738/2004
of 21 April 2004**

**supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the
Register of protected designations of origin and protected geographical indications (Peras de
Rincón de Soto and Brioche vendéenne)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, Spain has sent the Commission an application for the registration of the name 'Peras de Rincón de Soto' as a designation of origin and France has sent the Commission an application for the registration of the name 'Brioche vendéenne' as a geographical indication.
- (2) In accordance with Article 6(1) of that Regulation, the applications have been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) No statement of objection, within the meaning of Article 7 of Regulation (EEC) No 2081/92, has been sent to the Commission following the publication in the *Official Journal of the European Union* ⁽²⁾ of the names listed in the Annex to this Regulation.

(4) The names consequently qualify for inclusion in the 'Register of protected designations of origin and protected geographical indications' and to be protected at Community level as a protected designation of origin and a protected geographical indication.

(5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The names listed in the Annex to this Regulation are hereby added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) and a protected geographical indication (PGI) in the 'Register of protected designations of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

This Regulation shall enter into force on the twentieth day following 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, 21 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p.1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ C 186, 6.8.2003, p. 9 (Peras de Rincón de Soto).
OJ C 187, 7.8.2003, p. 2 (Brioche vendéenne).

⁽³⁾ OJ L 327, 18.12.1996, p. 11. Regulation as last amended by Regulation (EC) No 465/2004 (OJ L 77, 13.3.2004, p. 27).

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE TREATY INTENDED FOR HUMAN CONSUMPTION**Fruit, vegetables and cereals**

SPAIN

Peras de Rincón de Soto (PDO)

FOODSTUFFS REFERRED TO IN ANNEX I TO REGULATION (EEC) No 2081/92**Bread, pastry, cakes, confectionery and other baker's wares**

FRANCE

Brioche vendéenne (PGI)

COMMISSION REGULATION (EC) No 739/2004**of 21 April 2004****adjusting the total quantities referred to in Article 3 of Council Regulation (EEC) No 3950/92
establishing an additional levy in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽¹⁾, and in particular Articles 3(2) and 4(2) thereof,

Whereas:

- (1) Article 3(2) of Regulation (EEC) No 3950/92 provides that the guaranteed total quantities for Finland may be increased to compensate 'SLOM' producers, up to a maximum of 200 000 tonnes. In accordance with Article 6 of Commission Regulation (EC) No 671/95 of 29 March 1995 on the assignment of specific reference quantities to certain producers of milk and milk products in Austria and Finland ⁽²⁾, Finland has notified the quantities concerned for the 2003/2004 marketing year.
- (2) Article 4(2) of Regulation (EEC) No 3950/92 provides that the individual reference quantities are increased or established at the duly justified request of producers to take account of changes affecting their deliveries and/or direct sales and that the increase or establishment of such a reference quantity is subject to a corresponding reduction or cancellation of the other reference quantity the producer owns.
- (3) These adjustments may not lead to an increase, for the Member State concerned, in the sum of the deliveries and direct sales referred to in Article 3 of Regulation (EEC) No 3950/92. Where the individual reference quantities undergo a definitive change, the quantities referred to in Article 3 are adjusted accordingly.

- (4) In accordance with Article 15(1)(c) of Commission Regulation (EC) No 1392/2001 of 9 July 2001 laying down detailed rules for applying Council Regulation (EEC) No 3950/92 establishing an additional levy on milk and milk products ⁽³⁾, Belgium, Denmark, Germany, Spain, France, Ireland, Italy, the Netherlands, Austria, Portugal, Finland and the United Kingdom have notified quantities which have undergone a definitive change in accordance with the second subparagraph of Article 4(2) of Regulation (EEC) No 3950/92.
- (5) The total quantities applicable for the period from 1 April 2003 to 31 March 2004 laid down in point (c) of the Annex to Regulation (EEC) No 3950/92 should therefore be adjusted.
- (6) Regulation (EEC) No 3950/92 should be amended accordingly.
- (7) 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 Annex to Regulation (EEC) No 3950/92 is hereby amended in accordance with 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*.

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

Done at Brussels, 21 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 405, 31.12.1992, p. 1. Regulation last amended by Commission Regulation (EC) No 572/2003 (OJ L 82, 29.3.2003, p. 20).

⁽²⁾ OJ L 70, 30.3.1995, p. 2. Regulation amended by Regulation (EC) No 1390/95 (OJ L 135, 21.6.1995, p. 4).

⁽³⁾ OJ L 187, 10.7.2001, p. 19.

ANNEX

In point (c) of the Annex to Regulation (EEC) No 3950/92, the information concerning the reference quantities for Belgium, Denmark, Germany, Spain, France, Ireland, Italy, the Netherlands, Austria, Portugal, Finland and the United Kingdom is replaced by the following:

(tonnes)		
Member States	Deliveries	Direct sales
Belgium	3 223 362,202	87 068,798
Denmark	4 454 786,123	561,877
Germany	27 769 157,124	95 658,876
Spain	6 045 799,525	71 150,475
France	23 862 955,457	372 842,543
Ireland	5 388 946,743	6 817,257
Italy	10 300 000,000	230 060,000
Netherlands	10 997 492,000	77 200,000
Austria	2 624 105,009	125 295,991
Portugal ⁽¹⁾	1 860 590,000	9 871,000
Finland	2 399 220,152	8 400,917
United Kingdom	14 457 010,123	152 736,877

⁽¹⁾ Except Madeira.

COMMISSION REGULATION (EC) No 740/2004

of 21 April 2004

amending Regulation (EC) No 141/2004 laying down rules for applying Council Regulation (EC) No 1257/1999 as regards the transitional rural development measures applicable to the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, 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 the first paragraph of Article 41 thereof,

Whereas:

- (1) Article 33j of Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations⁽¹⁾ provides for specific temporary support to be granted to full-time farmers in Malta. On the basis of the information provided by the Maltese authorities, ceilings must be fixed, within the context of Commission Regulation (EC) No 141/2004⁽²⁾, for the three types of payment provided for.
- (2) Article 33l(2a) and (2b) of Regulation (EC) No 1257/1999 lays down derogations to certain provisions of the measure relating to compliance with the standards laid down Articles 21a, 21b and 21c of that Regulation. Detailed rules should be laid down for the application of these derogations.
- (3) The list of rural development measures in Annex II to Regulation (EC) No 141/2004 should moreover be aligned with the list laid down in point 8 of Annex II to the draft Commission Regulation laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF).
- (4) The financial table in Annex II to Regulation (EC) No 141/2004 also provides for an indication of expenditure on 'Other actions'. The types of action covered by this heading must be specified.

(5) Under Article 33l(4) of Regulation (EC) No 1257/1999 the classification of areas at risk of forest fires must be submitted as part of the rural development plan. Annex III to Regulation (EC) No 141/2004 must therefore be supplemented accordingly.

(6) Regulation (EC) No 141/2004 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 141/2004 is hereby amended as follows:

1. in Chapter III, the following Article 5a is added:

'Article 5a

Full-time farmers in Malta

The amount of the payments provided for in the second subparagraph of Article 33j of Regulation (EC) No 1257/1999 shall not exceed the annual ceiling per holding and per annual work unit laid down in Annex I, point A.'

2. Chapter IV is replaced by the following:

'CHAPTER IV

DEROGATIONS APPLICABLE TO THE NEW MEMBER STATES

Article 5b

Implementing demanding standards

1. The costs related to investments required to enable a standard to be met, as referred to in Article 33l(2b) of Regulation (EC) No 1257/1999, shall be fixed by the competent public authority in the form of standard costs. These standard costs shall be calculated on the basis of objective criteria permitting determination of the cost of individual activities, taking account of specific local conditions and avoiding any overcompensation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 80. Regulation as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 29.1.2004, p. 25.

2. A farmer in receipt of support under Article 33l(2b) of Regulation (EC) No 1257/1999 to meet a norm which is already binding shall remain eligible for the compensatory allowances and agri-environment support referred to in Chapters V and VI respectively of Title II to that Regulation during the investment period, subject to compliance with the other conditions for granting that support and provided that the farmer meets the relevant standard at the end of the investment period.

Article 6

Agri-environment

The annual maximum amount per hectare for the maintenance and preservation of rubble walls in Malta provided for in the second subparagraph of Article 33m(2) of Regulation (EC) No 1257/1999 is indicated in Annex I, point B.

Article 7

Producer groups in Malta

1. Only those producer groups comprising a minimum percentage of the producers in the sector and representing a minimum percentage of the production in the sector shall be eligible for the minimum support provided for in the third subparagraph of Article 33d(3) of Regulation (EC) No 1257/1999.

2. The minimum amount of the support, calculated as a function of the minimum cost necessary to form a small producer group, is indicated in Annex I, point C.'

3. The following point 9a is inserted in Chapter V:

'Article 9a

Applications and checks for the measure implementing of demanding standards

As regards the support under Article 33l(2b) of Regulation (EC) No 1257/1999, checks on applications to join the scheme, as provided for in Article 59 of Regulation (EC) No 445/2002 (or Article 67 of the new Regulation) must permit verification that the investment is necessary to meet the standard in question. Where the application to join the scheme relates to an annual aid amount in excess of EUR 10 000, checks on this application must include an on-the-spot visit.

The checks on applications for payment provided for in Article 59 of Regulation (EC) No 445/2002 (or 67 of the new Regulation), for the support referred to in the first subparagraph of this Article, must permit verification that the investment has been carried out. Where the application for payment relates to an annual aid amount in excess of EUR 10 000, checks on this application must include an on-the-spot visit.'

4. Annex I is replaced by Annex I to this Regulation.

5. Annex II is replaced by Annex II to this Regulation.

6. Annex III is amended in accordance with Annex III to this Regulation.

Article 2

Entry into force

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

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

Done at Brussels, 21 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX I

Table of amounts for the measures specific to Malta

A. Ceiling referred to in Article 5a

Subject	EUR	
Aid to full-time farmers		
For irrigated land	766	Per hectare
For non-irrigated land	213	Per hectare
For livestock farms	67	Per livestock unit
Maximum payment per holding	14 500	Per annual work unit

B. Maximum amount referred to in Article 6

Subject	EUR	
Maximum payment for maintenance and preservation of rubble walls	2 000	Per hectare

C. Amount referred to in Article 7(2)

Subject	EUR	
Support for establishment of a producer group	63 000	First year
	63 000	Second year
	63 000	Third year
	60 000	Fourth year
	50 000	Fifth year'

ANNEX II

‘ANNEX II

Annual programming (EU contribution in EUR million)

	2004	2005	2006
Total plan			

Indicative overall financial table: rural development programmes

(EUR million)

	Programming period 2004—2006		
	Public expenditure (⁽¹⁾)	EU contribution (⁽²⁾)	Private contribution (⁽³⁾)
Priority A			
Measure A1 (e.g. agri-environment) and animal welfare			
Measure A1: projects approved under Regulation (EC) No 1268/1999 (⁽⁴⁾)			
Measure A2...			
...Measure An			
Total A			
Priority B...			
Measure B1 (e.g. early retirement)			
Measure B2...			
...Measure Bn			
Total B			
Priority C			
Measure C1 (e.g. producer groups)			
Measure C1: projects approved under Regulation (EC) No 1268/1999 (⁽⁴⁾)			
Measure C2			
...Measure Cn			
Total C			
Priority N			
Measure N1 (e.g. afforestation)			
Measure N1: projects approved under Regulation (EC) No 1268/1999			
Measure N2...			
...Measure Nn			
Total N			
Other actions (⁽⁵⁾)			
Technical assistance			
Evaluation			
Total other measures			
Total plan — (P) (⁽⁶⁾)			

(⁽¹⁾) Column reserved for planned expenditure (in terms of public expenditure), presented for indicative purposes

(⁽²⁾) Column reserved for the Community contribution planned for each measure. The Community contribution pertaining to the expenditure to be paid shall be calculated using the rates and rules laid down in the programme for each measure. The Community contribution may be calculated as a function of the eligible public expenditure (column 2/column 1) or as a function of the total eligible cost (column 2/(column 1 + column 3)).

(⁽³⁾) Column reserved for planned expenditure (in terms of private contributions), presented for indicative purposes, where such a contribution is planned for the measure.

(⁴) Expenditure programmed under Article 33(5) of the 2003 Act of Accession.

(⁵) Expenditure programmed under Article 33(5) of the 2003 Act of Accession for measures for which there is no corresponding measure in the context of Regulation (EC) No 1257/1999.

(⁶) The basis for the calculation is the financial programming table annexed to the Commission decision approving the programming document, as last amended.

If the same measure is listed under more than one priority the Member State shall provide, for financial management purposes, an additional table consolidating all expenditure linked to that measure. That additional table shall have the same structure as the above table and the same order as the list below.

The various measures are defined as follows:

- (a) investment in farms
- (b) start-up assistance for young farmers
- (c) training
- (d) early retirement
- (e) less-favoured areas and areas with environmental restrictions
- (f) agri-environment and animal welfare
- (g) improving processing and marketing of agricultural products
- (h) afforestation of agricultural land
- (i) other forestry measures
- (j) land improvement
- (k) reparation
- (l) setting up farm relief and farm management services, setting up and providing farm advisory and information services
- (m) marketing of quality agricultural products, including the setting-up of quality schemes
- (n) basic services for the rural economy and populations
- (o) renovation and development of villages and protection and conservation of the rural heritage
- (p) diversifying agricultural activities and activities close to agriculture to provide multiple activities or alternative sources of income
- (q) managing agricultural water resources
- (r) development and improvement of infrastructure connected with the development of agriculture
- (s) encouragement for tourist and craft activities
- (t) protecting the environment in connection with agriculture, forestry and landscape management and improving animal welfare;
- (u) restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention instruments;
- (v) financial engineering
- (x) implementing demanding standards
- (y) use of farm advisory services
- (z) participating in food quality schemes
- (aa) promotion of high-quality products
- (ab) semi-subsistence farms undergoing restructuring
- (ac) producer groups
- (ad) technical assistance
- (ae) complements to direct payments
- (af) complements to State aid in Malta
- (ag) full-time farmers in Malta.

Measures (j) to (v) may be defined as a single measure: (j) encouraging the adjustment and development of rural areas.

ANNEX III

Annex III to Regulation (EC) No 141/2004 is hereby amended as follows:

1. The following point II is added to part I:

'II. Full-time farmers in Malta

A. Main features:

— none.

B. Other elements:

— definition of full-time farmer.'

2. Section 3 is replaced by the following:

'3. Derogations applicable to all new Member States

I. Implementation of binding standards

A. Main features:

— list of standards for which the investment costs shall be taken into account and description of the investments required.

B. Other information:

— standard costs of investment for each eligible standard including details of the calculations justifying that standard cost,

— duration of the period(s) of investment for each eligible standard and justification of the choice,

— provisions allowing verification that the investments supported in the context of the measure "Implementation of binding standards" are not eligible for support under Chapter I of Title II of Regulation (EC) No 1257/1999,

— In addition to point 12(2) of Annex II to Regulation (EC) No 445/2002 (or of the new Regulation), indication of implementation of Article 9a of this Regulation.

II. Improving the processing and marketing of agricultural products

A. Main features:

— none.

B. Other elements:

— list of undertakings benefiting from a period of transition as referred to in Article 33l(3) of Regulation (EC) No 1257/1999.

III. Forestry

A. Main features:

— none.

B. Other elements:

— classification of territory by degree of forest fire risk.'

COMMISSION REGULATION (EC) No 741/2004**of 21 April 2004****establishing the quantities to be allocated to importers from the Community quantitative quotas on certain products originating in the People's Republic of China redistributed by Regulation (EC) No 308/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 427/2003 ⁽¹⁾ of 3 March 2003 on a transitional product-specific safeguard mechanism for imports originating in the People's Republic of China and amending Regulation (EC) No 519/94 on common rules for imports from certain third countries,

Having regard to Council Regulation (EC) No 520/94 ⁽²⁾ of 7 March 1994 establishing a Community procedure for administering quantitative quotas and in particular Articles 9 and 13 thereof,

Having regard to Commission Regulation (EC) No 308/2004 ⁽³⁾ of 20 February 2004 redistributing the unused portions of the 2003 quantitative quotas for certain products originating in the People's Republic of China, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 308/2004 established the portion of each of the quotas concerned reserved for traditional and non-traditional importers and the conditions and methods for participating in the allocation of the quantities available. Importers have lodged applications for import licences with the competent national authorities between 21 February 2004 and 15.00, Brussels time, on 10 March 2004, in accordance with Article 3 of Regulation (EC) No 308/2004.
- (2) The Commission has received from the Member States, pursuant to Article 5 of Regulation (EC) No 308/2004, particulars of the numbers and aggregate volume of import licence applications submitted and the total volume imported by traditional importers in 1998 or 1999, the reference years.
- (3) The Commission is now able, on the basis of that information, to establish uniform quantitative criteria by which the competent national authorities may satisfy licence applications submitted by importers in the Member States for the quantitative quotas redistributed by Regulation (EC) No 308/2004.

- (4) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by traditional importers for the products listed in Annex I to this Regulation exceeds the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex I to the imports, expressed in volume terms, of each importer over the reference period.
- (5) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by non-traditional importers for the products listed in Annex II to this Regulation exceeds or is lower than the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex II to the amounts requested by each importer, as limited by Regulation (EC) No 308/2004.
- (6) Quantities not taken up by non-traditional importers were transferred to traditional importers,

HAS ADOPTED THIS REGULATION:

Article 1

In response to licence applications in respect of the products originating in the People's Republic of China listed in Annex I duly submitted by traditional importers, the competent national authorities shall allocate each importer a quantity equal to his imports for 1998 or 1999, adjusted by the rate of reduction specified in the said Annex for each quota.

Where the use of this quantitative criterion would entail allocating an amount greater than that applied for, the quantity allocated shall be limited to that specified in the application.

Article 2

In response to licence applications in respect of the products originating in the People's Republic of China listed in Annex II duly submitted by non-traditional importers, the competent national authorities shall allocate each importer a quantity equal to the amount requested within the limits set by Regulation (EC) No 308/2004, adjusted by the rate of reduction specified in the said Annex for each quota.

⁽¹⁾ OJ L 65, 8.3.2003, p. 1, as amended by Regulation (EC) No 1985/2003 (OJ L 295, 13.11.2003, p. 43).

⁽²⁾ OJ L 66, 10.3.1994, p. 1, as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, 1).

⁽³⁾ OJ L 52, 21.2.2004, p. 37.

Article 3

This Regulation shall enter into force on the day 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, 21 April 2004.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Rate of reduction applicable to imports in 1998 or 1999
(traditional importers)

Product description	HS/CN code	Rate of reduction (%)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	– 79,91
	6403 51 6403 59	– 4,83
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	– 88,09
	ex 6404 11 ⁽²⁾	– 81,29
	6404 19 10	– 52,71
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	– 81,32
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	– 60,59

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

Rate of reduction applicable to the volume requested within the limits of the maximum amounts fixed by Regulation (EC) No 308/2004**(non-traditional importers)**

Product description	HS/CN code	Rate of reduction (%)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	– 65,75
	6403 51 6403 59	0
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	– 95,28
	ex 6404 11 ⁽²⁾	– 79,15
	6404 19 10	0
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	– 64,79
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	– 48,84

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

COMMISSION REGULATION (EC) No 742/2004
of 20 April 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 23 April 2004.

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

Done at Brussels, 20 April 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	47,73	355,34	439,49	31,90
1.30	Onions (other than seed) 0703 10 19	38,39	285,79	353,47	25,66
1.40	Garlic 0703 20 00	127,76	951,10	1 176,35	85,40
1.50	Leeks ex 0703 90 00	59,39	442,14	546,85	39,70
1.80	White cabbages and red cabbages 0704 90 10	91,81	683,48	845,35	61,37
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	457,30	565,60	41,06
1.100	Chinese cabbage ex 0704 90 90	63,84	475,24	587,79	42,67
1.130	Carrots ex 0706 10 00	32,80	244,17	302,00	21,92
1.140	Radishes ex 0706 90 90	65,10	484,62	599,39	43,51
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	402,34	2 995,12	3 704,45	268,93
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	135,31	1 007,29	1 245,85	90,44
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	188,22	1 401,14	1 732,97	125,81
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	259,74	1 933,55	2 391,47	173,61
1.200.2	— other 0709 20 00	567,67	4 225,85	5 226,65	379,43
1.210	Aubergines (eggplants) 0709 30 00	149,80	1 115,16	1 379,27	100,13
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	72,74	541,46	669,69	48,62
1.230	Chantarelles 0709 59 10	994,91	7 406,31	9 160,34	665,00
1.240	Sweet peppers 0709 60 10	225,20	1 676,45	2 073,48	150,53
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	124,01	923,16	1 141,79	82,89
2.30	Pineapples, fresh ex 0804 30 00	98,20	730,99	904,11	65,63

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	142,79	1 062,94	1 314,67	95,44
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	102,77	765,02	946,19	68,69
2.70.2	— Monreales and satsumas ex 0805 20 30	104,72	779,54	964,16	69,99
2.70.3	— Mandarines and wilkings ex 0805 20 50	55,95	416,54	515,18	37,40
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	61,57	458,33	566,87	41,15
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	129,04	960,63	1 188,14	86,25
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	47,84	356,16	440,51	31,98
2.90.2	— pink ex 0805 40 00	57,45	427,65	528,93	38,40
2.100	Table grapes 0806 10 10	127,15	946,52	1 170,68	84,99
2.110	Water melons 0807 11 00	57,74	429,83	531,62	38,59
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	75,01	558,38	690,62	50,14
2.120.2	— Other ex 0807 19 00	121,12	901,61	1 115,14	80,95
2.140	Pears				
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	78,84	586,90	725,90	52,70
2.140.2	— Other ex 0808 20 50	82,54	614,47	760,00	55,17
2.150	Apricots 0809 10 00	608,11	4 526,89	5 598,99	406,46
2.160	Cherries 0809 20 95 0809 20 05	338,62	2 520,76	3 117,74	226,33

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.170	Peaches 0809 30 90	230,06	1 712,64	2 118,24	153,77
2.180	Nectarines ex 0809 30 10	111,92	833,13	1 030,44	74,81
2.190	Plums 0809 40 05	92,21	686,45	849,02	61,64
2.200	Strawberries 0810 10 00	112,40	836,74	1 034,90	75,13
2.205	Raspberries 0810 20 10	304,95	2 270,11	2 807,74	203,83
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 607,88	11 969,38	14 804,07	1 074,71
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	140,77	1 047,92	1 296,10	94,09
2.230	Pomegranates ex 0810 90 95	320,68	2 387,21	2 952,56	214,34
2.240	Khakis (including sharon fruit) ex 0810 90 95	262,76	1 956,04	2 419,28	175,63
2.250	Lychees ex 0810 90 30	—	—	—	—

COMMISSION REGULATION (EC) No 743/2004
of 21 April 2004
amending the import duties in the rice sector

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 Regulation (EC) No 411/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2294/2003 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Import duties in the rice sector have been fixed by Commission Regulation (EC) No 690/2004 ⁽⁵⁾.

- (2) Article 4(1) of Regulation (EC) No 1503/96 provides that if during the period of application, the average import duty calculated differs by EUR 10 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 690/2004,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 690/2004 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 22 April 2004.

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

Done at Brussels, 21 April 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 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 340, 24.12.2003, p. 12.

⁽⁵⁾ OJ L 106, 15.4.2004, p. 19.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽⁵⁾				
	Third countries (except ACP and Bangla- desh) ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	233,45	77,37	112,39		175,09
1006 20 13	233,45	77,37	112,39		175,09
1006 20 15	233,45	77,37	112,39		175,09
1006 20 17	215,03	70,92	103,17	0,00	161,27
1006 20 92	233,45	77,37	112,39		175,09
1006 20 94	233,45	77,37	112,39		175,09
1006 20 96	233,45	77,37	112,39		175,09
1006 20 98	215,03	70,92	103,17	0,00	161,27
1006 30 21	386,87	123,01	178,53		290,15
1006 30 23	386,87	123,01	178,53		290,15
1006 30 25	386,87	123,01	178,53		290,15
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	386,87	123,01	178,53		290,15
1006 30 44	386,87	123,01	178,53		290,15
1006 30 46	386,87	123,01	178,53		290,15
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	386,87	123,01	178,53		290,15
1006 30 63	386,87	123,01	178,53		290,15
1006 30 65	386,87	123,01	178,53		290,15
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	386,87	123,01	178,53		290,15
1006 30 94	386,87	123,01	178,53		290,15
1006 30 96	386,87	123,01	178,53		290,15
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 2286/2002 (OJ L 348, 21.12.2002, p. 5) and amended Commission Regulation (EC) No 638/2003 (OJ L 93, 10.4.2003, p. 3).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	215,03	416,00	233,45	386,87	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	325,60	238,66	331,21	415,06	—
(b) fob price (EUR/tonne)	—	—	—	306,05	389,90	—
(c) Sea freight (EUR/tonne)	—	—	—	25,16	25,16	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 744/2004
of 21 April 2004
fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending
Regulation (EC) No 1484/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Regulation (EC) No 806/2003, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁴⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁵⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁶⁾ fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 April 2004.

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

Done at Brussels, 21 April 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁴⁾ OJ L 282, 1.11.1975, p. 104.

⁽⁵⁾ OJ L 305, 19.12.1995, p. 49.

⁽⁶⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 267/2004 (OJ L 17, 24.1.2004, p. 16).

ANNEX

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

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	82,7	11	01
		73,4	14	03
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	198,8	31	01
		205,6	28	02
		203,4	29	03
		210,7	27	04
0207 14 50	Breasts of chicken, frozen	120,0	32	01
		161,5	15	02
0207 27 10	Boneless cuts of turkey, frozen	235,1	19	01
0207 36 15	Boneless cuts of duck and guinea fowl, frozen	205,1	36	02
		273,8	14	05
1602 32 11	Preparations of uncooked fowl of the species <i>Gallus domesticus</i>	233,5	16	01
		236,0	15	02
		176,6	36	03

⁽¹⁾ Origin of imports:

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

COMMISSION REGULATION (EC) No 745/2004
of 21 April 2004
determining the extent to which applications lodged in April 2004 for import rights in respect of
frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1146/2003 of 27 June 2003 opening and administering an import tariff quota for frozen beef intended for processing (1 July 2003 to 30 June 2004) ⁽²⁾, and in particular Article 5(4) thereof,

Whereas:

- (1) Article 9(1) of Regulation (EC) No 1146/2003 provides, where applicable, for a further allocation of quantities not covered by licence applications submitted by 20 February 2004.
- (2) Article 2 of Commission Regulation (EC) No 607/2004 of 31 March 2004 providing for reallocation of import rights under Regulation (EC) No 1146/2003 opening and providing for the administration of an import tariff quota for frozen beef intended for processing ⁽³⁾, establishes the quantities of frozen beef for processing which may be imported under special conditions until 30 June 2004.

- (3) Article 5(4) of Regulation (EC) No 1146/2003 lays down that the quantities applied for may be reduced. The applications lodged relate to total quantities which exceed the quantities available. Under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for import rights lodged in accordance with Article 9 of Regulation (EC) No 1146/2003 shall be granted to the following extent, expressed as bone-in beef:

- 11,1985 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2(1) of Regulation (EC) No 1146/2003,
- 76,9230 % of the quantity requested for beef imports intended for the manufacture of products as defined by Article 2(2) of Regulation (EC) No 1146/2003.

Article 2

This Regulation shall enter into force on 22 April 2004.

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

Done at Brussels, 21 April 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

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

⁽²⁾ OJ L 160, 28.6.2003, p. 59.

⁽³⁾ OJ L 97, 1.4.2004, p. 42.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/2004 OF THE EU-MEXICO JOINT COUNCIL
of 29 March 2004**

**accelerating the elimination of customs duties of certain products listed in Annex II of Decision
No 2/2000 of the EU-Mexico Joint Council**

(2004/369/EC)

THE JOINT COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part ⁽¹⁾, signed in Brussels on 8 December 1997,

Having regard to Decision No 2/2000 of the EU-Mexico Joint Council of 23 March 2000 ⁽²⁾ and in particular Article 3(5) thereof,

Whereas:

(1) Article 3(5) of Decision No 2/2000 empowers the Joint Council to take decisions in order to accelerate the reduction of customs duties more rapidly than is provided for in Articles 4 to 10 thereof, or otherwise improve the conditions of access under such Articles.

(2) Such decisions supersede the terms established in Articles 4 to 10 of Decision No 2/2000 for the product concerned,

Article 1

Mexico shall accelerate the elimination of customs duties applicable to certain products contained in Annex II to Decision No 2/2000 originating in the Community, as provided for in the Annex to this Decision.

Article 2

This Decision shall supersede the terms established in Articles 4 to 10 of Decision No 2/2000 with respect to imports into Mexico of the products concerned.

Article 3

This Decision shall take effect 60 days after the date of its adoption.

Done at Brussels, 29 March 2004.

For the Joint Council

The President

L. E. DERBEZ

⁽¹⁾ OJ L 276, 28.10.2000, p. 45.

⁽²⁾ OJ L 157, 30.6.2000, p. 10.

ANNEX

Products for which Mexico eliminates customs duties on goods originating in the Community on the date of entry into force of this Decision ⁽¹⁾

Fracción mexicana	Descripción
2833.29.01	Sulfato de cobalto.
2833.29.02	Sulfato ferroso anhidro, grado farmacéutico.
2909.19.02	Éter butílico.
2909.19.99	Los demás.
2909.49.02	3-(2-Metilfenoxi)-1,2-propanodiol (mefenesina).
2909.49.05	Alcohol 3-fenoxibencílico.
2909.49.07	Tetraetilenglicol.
2915.60.01	Ácido butanoico (Ácido butírico).
2915.60.02	Butanoato de etilo (Butirato de etilo).
2915.60.03	Diisobutanoato de 2,2,4-trimetilpentanodiol.
2918.14.01	Ácido cítrico.
2918.15.01	Citrato de sodio.
2918.15.99	Los demás.
2918.22.01	Ácido O-acetilsalicílico.
2918.22.99	Los demás.
2918.23.01	Salicilato de metilo.
2929.10.03	Difenilmetan-4,4'-diisocianato.
2929.10.99	Los demás.
3006.80.01	Desechos farmacéuticos.
3503.00.01	Gelatina, excepto lo comprendido en las fracciones 3503.00.03 y 04.
3503.00.02	Colas de huesos o de pieles.
3503.00.03	Gelatina grado fotográfico.
3503.00.04	Gelatina grado farmacéutico.
3503.00.99	Los demás.
3809.92.01	Preparaciones de polietileno con cera, con el 40 % o más de sólidos, con una viscosidad de 200 a 250 centipoises a 25 °C, y con un pH de 7.0 a 8.5.
3809.92.02	Preparación constituida por fibrilas de polipropileno y pasta de celulosa, en placas.
3811.21.02	Derivados de ácido y/o anhídrido poliisobutenil succínico, incluyendo amida, imida o ésteres.
3811.21.06	Sales de O,O-dihexil ditiofosfato de alquilaminas primarias con radicales alquilo de C10 a C14.
3811.29.02	Derivados de ácido y/o anhídrido poliisobutenil succínico, incluyendo amida, imida o ésteres.
3811.29.06	Sales de O,O-dihexil ditiofosfato de alquilaminas primarias con radicales alquilo de C10 a C14.
3823.70.99	Los demás.
3824.90.01	Preparaciones borra tinta.
3824.90.03	Desincrustantes para calderas, a base de materias minerales, aún cuando contengan productos orgánicos.
3824.90.06	Soluciones anticoagulantes para sangre humana en envases iguales o menores a 500 cm ³ .
3824.90.07	Preparaciones para impedir que resbalen las poleas.
3824.90.08	Aceites minerales sulfonados, insolubles en agua.
3824.90.09	Indicadores de temperatura por fusión.
3824.90.10	Conservadores de forrajes a base de formiato de calcio y nitrato de sodio.
3824.90.13	Composiciones a base de materias minerales para el sellado y limpieza de radiadores.

⁽¹⁾ The word 'Únicamente' indicates that the description refers only to the modality of the good being accelerated within the tariff item. It is equivalent to an 'ex-out' in WTO terminology.

3824.90.15	Composiciones a base de materias vegetales para sellado y limpieza de radiadores.
3824.90.34	Preparación antiincrustante o desincrustante del concreto.
3824.90.35	Preparación a base de carbón activado y óxido de cobre.
3824.90.38	Preparación a base de alúmina, silicatos y carbonatos alcalinos y carbono.
3824.90.45	Mezcla a base de politetrafluoroetileno y sílica gel.
3824.90.51	Ésteres metílicos de ácidos grasos de 16 a 18 átomos de carbono; ésteres acéticos y tartáricos de monoglicéridos de ácidos grasos; mezclas de ésteres dimetílicos de los ácidos adípico, glutárico y succínico.
3824.90.59	Mezclas orgánicas, extractantes a base de dodecilsalicilaloxima, con alcohol tridecílico y keroseno.
3824.90.61	Ácidos bencensulfónicos mono o polisustituidos por radicales alquilo de C10 a C28.
3824.90.62	Mezcla de alcoholes conteniendo, en promedio, isobutanol 61 %, n-pentanol 24 %, metil-2-butanol 12 % y metil-3-butanol 1-3%.
3824.90.72	Preparación selladora de ponchaduras de neumáticos automotrices, a base de etilenglicol.
3824.90.99	Los demás. Únicamente: Mezclas de aditivos para proceso. Preparaciones antiestáticas. Modificantes de superficie.
3825.30.01	Desechos clínicos.
3825.41.01	Halogenados.
3825.61.03	Que contengan principalmente caucho sintético, o materias plásticas.
3825.61.99	Los demás.
3825.69.99	Los demás.

COMMISSION

COMMISSION DECISION

of 15 April 2004

authorising methods for grading pig carcasses in the United Kingdom

(notified under document number C(2004) 1340)

(Only the English text is authentic)

(2004/370/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

(1) Article 2(3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; the authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; this tolerance was defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽²⁾.

(2) By Decision 88/234/EEC ⁽³⁾, the Commission authorised the use of five methods for grading pig carcasses in Great Britain and three methods in Northern Ireland.

(3) The United Kingdom has requested the Commission to authorise the use of new formulae for the apparatus used for grading pig carcasses in Great Britain and has submitted the details required in Article 3 of Regulation (EEC) No 2967/85. An examination of this request has revealed that the conditions for using the new formulae are fulfilled.

(4) Article 2 of Regulation (EEC) No 3220/84 lays down that Member States may be authorised to provide for a presentation of pig carcasses different from the standard presentation defined in the same Article where commercial practice or technical requirements warrant such a derogation.

(5) In the United Kingdom commercial practice does not require that the tongue is removed from the pig carcass; this should be taken into account in adjusting the weight for standard presentation.

(6) In accordance with Article 2(3) of Regulation (EEC) No 2967/85 and by way of derogation from Article 2(1) and (2) thereof, the weight of the cold carcass may be calculated by reference to pre-determined scales of absolute weight reductions if the reductions for individual weight classes correspond, as far as possible, to the reductions calculated in percentage terms; the United Kingdom has notified the determination of such a scale to the Commission.

(7) No modification of the apparatus or grading methods may be authorised except by means of a new Commission Decision adopted in the light of experience gained; for this reason, the present authorisation may be revoked.

(8) For the sake of clarity, a new Decision should be adopted and Decision 88/234/EEC should therefore be repealed.

⁽¹⁾ OJ L 301, 20.11.1984, p. 1. Regulation last amended by Regulation (EC) No 3513/93 (OJ L 320, 22.12.1993, p. 5).

⁽²⁾ OJ L 285, 25.10.1985, p. 39. Regulation amended by Regulation (EC) No 3127/94 (OJ L 330, 21.12.1994, p. 43).

⁽³⁾ OJ L 105, 26.4.1988, p. 15. Decision last amended by Decision 2003/750/EC (OJ L 271, 22.10.2003, p. 24).

(9) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in the United Kingdom, excluding Northern Ireland:

- the apparatus termed 'Intrascopes (Optical Probe)' and assessment methods related thereto, details of which are given in Part 1 of Annex I,
- the apparatus termed 'Fat-O-Meater (FOM)' and assessment methods related thereto, details of which are given in Part 2 of Annex I,
- the apparatus termed 'Hennessy Grading Probe (HGP 4)' and assessment methods related thereto, details of which are given in Part 3 of Annex I,
- the apparatus termed 'CSB Ultra-Meater' and the assessment method related thereto, details of which are given in Part 4 of Annex I,
- the apparatus termed 'Fully automatic ultrasonic carcass grading' (Autofom) and assessment methods related thereto, details of which are given in Part 5 of Annex I.

As regards the apparatus 'CSB Ultra-Meater' it is laid down that after the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement x_1 and x_2 on the site provided for in Annex I, Part 4, point 3. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

Article 2

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Northern Ireland:

- the apparatus termed 'Intrascopes (Optical Probe)' and assessment methods related thereto, details of which are given in Part 1 of Annex II,
- the apparatus termed 'Mark II Ulster Probe' and assessment methods related thereto, details of which are given in Part 2 of Annex II,
- the apparatus termed 'Fat-O-Meater (FOM)' and assessment methods related thereto, details of which are given in Part 3 of Annex II.

Article 3

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, pig carcasses may be presented in the United Kingdom of Great Britain and Northern Ireland, with the tongue attached before being weighed and graded. In order to establish quotations for pig carcasses on a comparable basis, the recorded hot weight shall be reduced by 0,3 kg.

Article 4

Notwithstanding the standard presentation referred to in Article 2(1) of Regulation (EEC) No 3220/84, the flare fat, the kidneys and the diaphragm need not be removed from pig carcasses before being weighed and graded. In order to establish quotations for pig carcasses on a comparable basis, the recorded hot weight shall be reduced:

- for pig carcasses up to 56 kg, by 0,7 kg
- for pig carcasses from 56,5 to 74,5 kg, by 1,1 kg
- for pig carcasses of 75 kg and over, by 1,6 kg.

Article 5

Notwithstanding Article 2(1) and (2) of Regulation (EEC) No 2967/85 the weight of the cold carcass shall be calculated in the United Kingdom of Great Britain and Northern Ireland, by reference to the scale of absolute reductions of the warm weight shown in Annex III.

Article 6

Modifications of the apparatus or of the assessment methods shall not be authorised.

Article 7

Decision 88/234/EEC is hereby repealed.

Article 8

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 15 April 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

METHODS FOR GRADING PIG CARCASSES IN THE UNITED KINGDOM (EXCLUDING NORTHERN IRELAND)

PART I

Intrascopes (Optical Probe)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Intrascopes (Optical Probe)'.
2. The apparatus shall be equipped with a hexagonal-shaped probe of a maximum width of 12 millimetres (and of 19 millimetres at the blade at the top of the probe) containing a viewing window and a light source, a sliding barrel calibrated in millimetres, and having an operating distance of between 3 and 45 millimetres.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 66,5 - 0,95x_1 + 0,068x_2$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcase,

x_1 = the thickness of back-fat (including rind) in millimetres, measured at 6 centimetres off the midline of the carcase at the last rib (measurement known as 'P₂'),

or

the average thickness of back-fat (including rind) in millimetres measured at 4 and 7,5 centimetres respectively off the midline of the carcase at the last rib (measurement known as ' $\frac{1}{2}(P_1 + P_3)$ '),

x_2 = the weight of the cold carcase in kilograms.

The formula shall be valid for carcasses weighing between 30 and 120 kilograms.

PART 2

Fat-O-Meater (FOM)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater (FOM)'.
2. The apparatus shall be equipped with a probe of 6 millimetres diameter containing a photodiode of the Siemens SFH 950/960 type and having an operating distance of between 3 and 103 millimetres. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 63,4 - 0,51x_1 - 0,45x_3 + 0,18x_4$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcase,

x_1 = the thickness of back-fat (including rind) in millimetres, measured at 6 centimetres off the midline of the carcase at the last rib (measurement known as 'P₂'),

x_3 = the thickness of back-fat (including rind) in millimetres, measured at 6 centimetres off the midline of the carcase between the third and fourth last ribs (measurement known as 'rib-fat'),

x_4 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_3 (measurement known as 'rib-muscle').

The formula shall be valid for carcasses weighing between 30 and 120 kilograms.

PART 3

Hennessy Grading Probe (HGP 4)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe (HGP 4)'.

2. The apparatus shall be equipped with a probe of 5,95 millimetres diameter (and of 6,3 millimetres at the blade of the top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO and photodetector of the type 58 MR) and having an operating distance of between 0 and 120 millimetres. The results of the measurements shall be converted into estimated lean meat content by means of the HGP 4 itself or a computer linked to it.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 62,8 - 0,51x_1 - 0,44x_3 + 0,19x_4$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back-fat (including rind) in millimetres, measured at 6 centimetres off the midline of the carcass at the last rib (measurement known as 'P₂'),

x_3 = the thickness of back-fat (including rind) in millimetres, measured at 6 centimetres off the midline of the carcass between the third and fourth last ribs (measurement known as 'rib-fat'),

x_4 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_3 (measurement known as 'rib-muscle').

The formula shall be valid for carcasses weighing between 30 and 120 kilograms.

PART 4

CSB Ultra-Meater

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'CSB Ultra-Meater'.
2. The apparatus shall be equipped with ultrasound head, ultrasound equipment, image generating board, computer, video recorder and printer.

The apparatus shall be equipped with a Pie Medical Netherlands 3,5 MHz scanner.

The distance from the marking point to the centre of the ultrasonic head shall be 12 cm.

The results of the measurements shall be converted into estimated lean meat content by means of the CSB Ultra-Meater apparatus itself.

3. The lean meat content of the carcass should be calculated according to the following formula:

$$\hat{y} = 65,1 - 1,158x_1 + 0,176x_2$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back-fat (including rind) in millimetres, measured at 6 cm off the dorsal midline of the carcass, between the third and fourth last ribs,

x_2 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_1 .

The formula shall be valid for carcasses weighing between 30 and 120 kilograms.

PART 5

Fully automatic ultrasonic carcass grading (Autofom)

1. Pig carcass grading shall be carried out using the apparatus termed Autofom (Fully automatic ultrasonic carcass grading).
2. The apparatus shall be equipped with 16 16,2 MHz ultrasonic transducers (Krautkrämer, SFK 2 NP), with an operating distance between transducers of 25 mm.

The ultrasonic data shall comprise measurements of back-fat thickness and muscle thickness.

The results of the measurements are converted into estimated lean meat content using a computer.

3. The carcase's lean meat content shall be calculated on the basis of 108 measurement points using the following formula:

$$\begin{aligned} \hat{y} = & 64,56076 - 0,011867x_1 - 0,037750x_2 - 0,013357x_3 - 0,011163x_4 - 0,021255x_5 - 0,006461x_6 - 0,016539x_7 \\ & - 0,026134x_8 - 0,011734x_9 - 0,010533x_{10} - 0,021250x_{11} - 0,011591x_{12} - 0,023174x_{13} - 0,035567x_{14} - \\ & 0,012220x_{15} - 0,010566x_{16} - 0,024556x_{17} - 0,015644x_{18} - 0,012601x_{19} - 0,024600x_{20} - 0,011233x_{21} - \\ & 0,010434x_{22} - 0,022287x_{23} - 0,015566x_{24} + 0,003953x_{25} + 0,004604x_{26} + 0,004438x_{27} + 0,004865x_{28} - \\ & 0,035444x_{29} - 0,022043x_{30} - 0,035690x_{31} - 0,043143x_{32} - 0,035588x_{33} - 0,034093x_{34} - 0,037165x_{35} - \\ & 0,027871x_{36} - 0,029070x_{37} - 0,028929x_{38} - 0,028884x_{39} - 0,028174x_{40} - 0,023148x_{41} - 0,025299x_{42} - \\ & 0,035816x_{43} - 0,044413x_{44} - 0,044408x_{45} - 0,034309x_{46} - 0,029252x_{47} - 0,018420x_{48} - 0,008756x_{49} - \\ & 0,012405x_{50} - 0,016834x_{51} - 0,019488x_{52} - 0,021442x_{53} - 0,023237x_{54} - 0,022466x_{55} - 0,033462x_{56} - \\ & 0,031548x_{57} - 0,031020x_{58} - 0,030049x_{59} - 0,029518x_{60} - 0,030063x_{61} - 0,049797x_{62} - 0,050145x_{63} - \\ & 0,049625x_{64} - 0,049249x_{65} - 0,047528x_{66} - 0,045669x_{67} - 0,026058x_{68} - 0,025250x_{69} - 0,023297x_{70} - \\ & 0,022976x_{71} - 0,022032x_{72} - 0,022040x_{73} - 0,015719x_{74} - 0,028318x_{75} - 0,017586x_{76} + 0,007988x_{77} + \\ & 0,008649x_{78} + 0,009642x_{79} + 0,009355x_{80} + 0,008768x_{81} + 0,006580x_{82} + 0,005336x_{83} + 0,008744x_{84} + \\ & 0,008690x_{85} + 0,008155x_{86} + 0,008398x_{87} + 0,008496x_{88} + 0,009162x_{89} + 0,009559x_{90} + 0,009805x_{91} + \\ & 0,009867x_{92} + 0,009476x_{93} + 0,008720x_{94} + 0,008490x_{95} + 0,008367x_{96} + 0,008861x_{97} + 0,007226x_{98} + \\ & 0,007774x_{99} + 0,008204x_{100} + 0,008142x_{101} + 0,007890x_{102} + 0,007522x_{103} + 0,008219x_{104} + 0,007665x_{105} + \\ & 0,005622x_{106} + 0,008785x_{107} + 0,008284x_{108} \end{aligned}$$

where:

$\hat{y}$ = the estimated lean meat content of the carcase,

$x_1, x_2 \dots x_{108}$ are the variables measured by Autofom.

4. Descriptions of the measurement points and the statistical method can be found in Part II of the United Kingdom protocol forwarded to the Commission in accordance with Article 3(3) of Regulation (EEC) No 2967/85.

The formula shall be valid for carcases weighing between 30 and 120 kilograms.

ANNEX II

METHODS FOR GRADING PIG CARCASSES IN NORTHERN IRELAND

PART 1

Intrascopes (Optical Probe)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Intrascopes (Optical Probe)'.
2. The apparatus shall be equipped with a hexagonal shaped probe of a maximum width of 12 millimetres (and of 19 millimetres at the blade at the top of the probe) containing a viewing window and a light source, a sliding barrel calibrated in millimetres and having an operating distance of between 3 and 45 millimetres.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 77,6 - 0,95x_1 - 0,99x_2 + 0,03x_3$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back-fat (including rind) in millimetres, measured six centimetres off the midline of the carcass at the last rib (measurement known as 'P₂'),

x_2 = the thickness of back-fat (including rind) in millimetres, measured at six centimetres off the midline of the carcass, between the third and fourth last ribs (measurement known as 'rib-fat'),

x_3 = x_2 squared.

The formula shall be valid for carcasses weighing between 60 and 86 kilograms.

PART 2

Mark II Ulster Probe

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Mark II Ulster Probe'.
2. The apparatus shall be equipped with an oval-shaped probe of a maximum width of 11 millimetres containing an infra-red light-emitting photodiode (TFK type TS-US 5402) with a peak wave-length frequency of 950 nm and a matching infra-red photodetector (TRW Opton type OP 500) and having an operating distance of between 0 and 50 millimetres. The results of the measurements shall be converted into estimated lean meat content by means of a computer.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 81,4 - 0,75x_1 - 1,79x_2 + 0,05x_3$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back-fat (including rind) in millimetres, measured six centimetres off the midline of the carcass at the last rib (measurement known as 'P₂'),

x_2 = the thickness of back-fat (including rind) in millimetres, measured at six centimetres off the midline of the carcass, between the third and fourth last ribs (measurement known as 'rib-fat'),

x_3 = x_2 squared.

The formula shall be valid for carcasses weighing between 60 and 86 kilograms.

PART 3

Fat-O-Meater (FOM)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater (FOM)'.
2. The apparatus shall be equipped with a probe of six millimetres diameter containing a photodiode of the Siemens SFH 950/960 type and having an operating distance of between 3 and 103 millimetres. The results of the measurements are converted into estimated lean meat content by means of a computer.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 76,6 - 1,91x_1 - 0,39x_2 + 0,04x_3 + 0,06x_4$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back-fat (including rind) in millimetres, measured six centimetres off the midline of the carcass at the last rib (measurement known as 'P₂'),

x_2 = the thickness of back-fat (including rind) in millimetres, measured at six centimetres off the midline of the carcass, between the third and fourth last ribs (measurement known as 'rib-fat'),

x_3 = x_1 squared,

x_4 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 (measurement known as 'rib-muscle').

The formula shall be valid for carcasses weighing between 60 and 86 kilograms.

ANNEX III

SCALE OF REDUCTIONS APPLICABLE TO THE WEIGHT OF HOT PIG CARCASSES IN THE UNITED KINGDOM

(in kilograms)

Carcass weight range (hot)	Deduction to be applied according to the interval between the sticking of the pig and the weighing of the carcass			
	0 to 45 minutes	46 to 180 minutes	181 to 330 minutes	> 330 minutes
up to 56 kg	1,0	0,5	0,5	0
56,5 to 74,5 kg	1,5	1,0	0,5	0
75 kg and over	2,0	1,5	0,5	0

COMMISSION DECISION
of 20 April 2004
on conditions for the placing on the market of seed mixtures intended for use as fodder plants

(notified under document number C(2004) 1429)

(Text with EEA relevance)

(2004/371/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, and in particular the third subparagraph of Article 13(1) thereof,

Whereas:

- (1) Pursuant to Directive 66/401/EEC, seed in mixtures intended for use as fodder plants may be placed on the market if, in addition to the provisions on sealing and marking of the packages, the various components of the mixture comply before mixing with the Community marketing regulations applicable to them.
- (2) In order to ensure the free movement of seed mixtures intended for use as fodder plants, conditions concerning the production, the inspection of the production and the labelling of such mixtures should be determined.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

This Decision provides for conditions for the production, the inspection of the production and labelling of seed mixtures intended for use as fodder plants, in addition to the conditions set out in Directive 66/401/EEC.

Article 2

The Member States shall require that firms producing seed mixtures:

- (a) have installed mixing equipment which will ensure the finished mixture is uniform;
- (b) have appropriate procedures for all mixing operations;
- (c) have a person in charge who has direct responsibility for the mixing operation;

- (d) maintain a register of seed mixtures intended for use as fodder plants.

Article 3

Firms intending to produce seed mixtures shall declare to the Authority referred to in point (A)(I)(c)(2) of Annex IV to Directive 66/401/EEC:

- (a) the percentage composition by weight of the various components shown by species and, where appropriate, by variety;
- (b) the name of the mixture, where it is given for marking the packages.

Article 4

1. The inspection of the production of the seed mixtures shall be carried out by the Authority referred to in Article 3.
2. The inspection shall be carried out through:
 - (a) controls of the identity and total weight of each component, at least by random checks of the official labels identifying the packages of seed; and
 - (b) a random check of the mixing operation including the finished mixtures.

Article 5

The detailed information concerning the use for fodder purposes shall be indicated on the official label and/or on a suppliers label.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 20 April 2004.

For the Commission

David BYRNE

Member of the Commission

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

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 1/2004

of 6 February 2004

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 104/2001 of 28 September 2001 ⁽¹⁾.
- (2) Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2003/37/EC repeals, with effect from 1 July 2005, Council Directive 74/150/EEC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (4) Commission Directives 98/38/EC ⁽⁴⁾, 98/39/EC ⁽⁵⁾, 2000/2/EC ⁽⁶⁾ and 2001/3/EC ⁽⁷⁾, which have been incorporated as acts amending Directive 74/150/EEC, should be moved to separate points under Chapter II of Annex II to the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter II of Annex II to the Agreement shall be amended as follows:

1. The text of point 1 (Directive 74/150/EEC) is deleted with effect from 1 July 2005.

⁽¹⁾ OJ L 322, 6.12.2001, p. 10.

⁽²⁾ OJ L 171, 9.7.2003, p. 1.

⁽³⁾ OJ L 84, 28.3.1974, p. 10.

⁽⁴⁾ OJ L 170, 16.6.1998, p. 13.

⁽⁵⁾ OJ L 170, 16.6.1998, p. 15.

⁽⁶⁾ OJ L 21, 26.1.2000, p. 23.

⁽⁷⁾ OJ L 28, 30.1.2001, p. 1.

2. The following points are inserted after point 23 (Council Directive 89/173/EEC):
- '24. 398 L 0038: Commission Directive 98/38/EC of 3 June 1998 adapting to technical progress Council Directive 74/151/EEC on certain components and characteristics of wheeled agricultural or forestry tractors (OJ L 170, 16.6.1998, p. 13).
 - 25. 398 L 0039: Commission Directive 98/39/EC of 5 June 1998 adapting to technical progress Council Directive 75/321/EEC relating to the steering equipment of wheeled agricultural or forestry tractors (OJ L 170, 16.6.1998, p. 15).
 - 26. 32000 L 0002: Commission Directive 2000/2/EC of 14 January 2000 adapting to technical progress Council Directive 75/322/EEC relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors and Council Directive 74/150/EEC relating to the type-approval of wheeled agricultural or forestry tractors (OJ L 21, 26.1.2000, p. 23).
 - 27. 32001 L 0003: Commission Directive 2001/3/EC of 8 January 2001 adapting to technical progress Council Directive 74/150/EEC relating to the type-approval of wheeled agricultural or forestry tractors and Council Directive 75/322/EEC relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors (OJ L 28, 30.1.2001, p. 1).
 - 28. 32003 L 0037: Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC (OJ L 171, 9.7.2003, p. 1).
- The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:
- (a) In Annex III, Part I, Chapters A, B and C, the following shall be added to paragraph 16:
 - "— Iceland: ..."
 - "— Liechtenstein: ..."
 - "— Norway: ..."
 - (b) In Annex III, Part II, Chapters A and B, the following shall be added to paragraph 16:
 - "— Iceland: ..."
 - "— Liechtenstein: ..."
 - "— Norway: ..."

Article 2

The texts of Directive 2003/37/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 2/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification) and Annex XIII (Transport) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 106/2003 of 26 September 2003 ⁽¹⁾.
- (2) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 179/2003 of 5 December 2003 ⁽²⁾.
- (3) Commission Decision 2003/525/EC of 18 July 2003 deferring the date of implementation of Council Directive 1999/36/EC for certain transportable pressure equipment ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex II to the EEA Agreement shall be amended as follows:

The following point is inserted after point 6b (Council Directive 1999/36/EC) of Chapter VIII:

'6c. 32003 D 0525: Commission Decision 2003/525/EC of 18 July 2003 deferring the date of implementation of Council Directive 1999/36/EC for certain transportable pressure equipment (OJ L 183, 22.7.2003, p. 45).'

Article 2

Annex XIII to the EEA Agreement shall be amended as follows:

1. Point 17g (Directive 2000/30/EC of the European Parliament and of the Council) is renumbered as point 17h.
2. The following point is inserted after point 17f (Council Directive 1999/36/EC):

'17g. 32003 D 0525: Commission Decision 2003/525/EC of 18 July 2003 deferring the date of implementation of Council Directive 1999/36/EC for certain transportable pressure equipment (OJ L 183, 22.7.2003, p. 45).'
3. The following point is inserted after point 42c (Council Directive 1999/36/EC):

'42d. 32003 D 0525: Commission Decision 2003/525/EC of 18 July 2003 deferring the date of implementation of Council Directive 1999/36/EC for certain transportable pressure equipment (OJ L 183, 22.7.2003, p. 45).'

⁽¹⁾ OJ L 331, 18.12.2003, p. 16.

⁽²⁾ OJ L 88, 25.3.2004, p. 59.

⁽³⁾ OJ L 183, 22.7.2003, p. 45.

Article 3

The texts of Decision 2003/525/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 3/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 172/2003 of 5 December 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1084/2003 of 3 June 2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products granted by a competent authority of a Member State ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1085/2003 of 3 June 2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products falling within the scope of Council Regulation (EEC) No 2309/93 ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2003/63/EC of 25 June 2003 amending Directive 2001/83/EC of the European Parliament and of the Council on the Community code relating to medicinal products for human use ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Regulation (EC) No 1084/2003 repeals Commission Regulation (EC) No 541/95 ⁽⁵⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (6) Regulation (EC) No 1085/2003 repeals Commission Regulation (EC) No 542/95 ⁽⁶⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

Chapter XIII of Annex II to the Agreement shall be amended as follows:

1. The text of points 15j (Commission Regulation (EC) No 541/95) and 15k (Commission Regulation (EC) No 542/95) are deleted.
2. The following is inserted in point 15q (Directive 2001/83/EC of the European Parliament and of the Council):
'as amended by:
— 32003 L 0063: Commission Directive 2003/63/EC of 25 June 2003 (OJ L 159, 27.6.2003, p. 46).'

⁽¹⁾ OJ L 88, 25.3.2004, p. 45.

⁽²⁾ OJ L 159, 27.6.2003, p. 1.

⁽³⁾ OJ L 159, 27.6.2003, p. 24.

⁽⁴⁾ OJ L 159, 27.6.2003, p. 46.

⁽⁵⁾ OJ L 55, 11.3.1995, p. 7.

⁽⁶⁾ OJ L 55, 11.3.1995, p. 15.

3. The following points are inserted after point 15q (Directive 2001/83/EC of the European Parliament and of the Council):
- '15r. 32003 R 1084: Commission Regulation (EC) No 1084/2003 of 3 June 2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products granted by a competent authority of a Member State (OJ L 159, 27.6.2003, p. 1).
 - 15s. 32003 R 1085: Commission Regulation (EC) No 1085/2003 of 3 June 2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products falling within the scope of Council Regulation (EEC) No 2309/93 (OJ L 159, 27.6.2003, p. 24).'

Article 2

The texts of Regulations (EC) No 1084/2003 and (EC) No 1085/2003 and Directive 2003/63/EC, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 4/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 174/2003 of 5 December 2003 ⁽¹⁾.
- (2) Commission Directive 2003/70/EC of 17 July 2003 amending Council Directive 91/414/EEC to include mecoprop, mecoprop-P and propiconazole as active substances ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2003/565/EC of 25 July 2003 extending the time period provided for in Article 8(2) of Council Directive 91/414/EEC ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2003/79/EC of 13 August 2003 amending Council Directive 91/414/EEC to include *Coniothyrium minitans* as active substance ⁽⁴⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 12a (Council Directive 91/414/EEC) of Chapter XV of Annex II to the Agreement:

- 32003 L 0070: Commission Directive 2003/70/EC of 17 July 2003 (OJ L 184, 23.7.2003, p. 9),
- 32003 D 0565: Commission Decision 2003/565/EC of 25 July 2003 (OJ L 192, 31.7.2003, p. 40),
- 32003 L 0079: Commission Directive 2003/79/EC of 13 August 2003 (OJ L 205, 14.8.2003, p. 16).'

Article 2

The texts of Directives 2003/70/EC and 2003/79/EC and Decision 2003/565/EC, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 88, 25.3.2004, p. 49.

⁽²⁾ OJ L 184, 23.7.2003, p. 9.

⁽³⁾ OJ L 192, 31.7.2003, p. 40.

⁽⁴⁾ OJ L 205, 14.8.2003, p. 16.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 5/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 174/2003 of 5 December 2003 ⁽¹⁾.
- (2) Commission Directive 2003/81/EC of 5 September 2003 amending Council Directive 91/414/EEC to include molinate, thiram and ziram as active substances ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2003/84/EC of 25 September 2003 amending Council Directive 91/414/EEC to include flurtamone, flufenacet, iodosulfuron, dimethenamid-p, picoxystrobin, fosthiazate and silthiofam as active substances ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 12a (Council Directive 91/414/EEC) of Chapter XV of Annex II to the Agreement:

- 32003 L 0081: Commission Directive 2003/81/EC of 5 September 2003 (OJ L 224, 6.9.2003, p. 29),
- 32003 L 0084: Commission Directive 2003/84/EC of 25 September 2003 (OJ L 247, 30.9.2003, p. 20).'

Article 2

The texts of Directives 2003/81/EC and 2003/84/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 88, 25.3.2004, p. 49.

⁽²⁾ OJ L 224, 6.9.2003, p. 29.

⁽³⁾ OJ L 247, 30.9.2003, p. 20.

(*) No constitutional requirements indicated.

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

DECISION OF THE EEA JOINT COMMITTEE**No 6/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 149/2003 of 7 November 2003 ⁽¹⁾.
- (2) 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 ⁽²⁾ is to be incorporated into the Agreement.
- (3) 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 the Member States relating to cosmetic products ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 11 (Commission Directive 2000/41/EC) in Chapter XVI of Annex II to the Agreement:

- '12. 32003 L 0080: 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 (OJ L 224, 6.9.2003, p. 27).
13. 32003 L 0083: 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 the Member States relating to cosmetic products (OJ L 238, 25.9.2003, p. 23).'

Article 2

The texts of Directives 2003/80/EC and 2003/83/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 41, 12.2.2004, p. 37.

⁽²⁾ OJ L 224, 6.9.2003, p. 27.

⁽³⁾ OJ L 238, 25.9.2003, p. 23.

(*) No constitutional requirements indicated.

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

DECISION OF THE EEA JOINT COMMITTEE
No 7/2004
of 6 February 2004
amending Annex V (Free movement of workers) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex V to the Agreement was amended by Decision of the EEA Joint Committee No 191/1999 of 17 December 1999 ⁽¹⁾.
- (2) Decision No 191/1999 introduced new sectoral adaptations to Annex V (Free movement of workers) and Annex VIII (Right of establishment) concerning Liechtenstein, which are to be amended in accordance with 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, signed in Luxembourg on 14 October 2003.
- (3) Commission Decision 2003/8/EC of 23 December 2002 implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 7 (Commission Decision 93/569/EC) of Annex V to the Agreement shall be replaced with the following:

'32003 D 0008: Commission Decision 2003/8/EC of 23 December 2002 implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment (OJ L 5, 10.1.2003, p. 16).'

Article 2

The texts of Decision 2003/8/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 74, 15.3.2001, p. 29.

⁽²⁾ OJ L 5, 10.1.2003, p. 16.

(*) No constitutional requirements indicated.

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

DECISION OF THE EEA JOINT COMMITTEE
No 8/2004
of 6 February 2004
amending Annex IX (Financial services) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex IX to the Agreement was amended by Decision of the EEA Joint Committee No 176/2003 of 5 December 2003 ⁽¹⁾.
- (2) Commission Decision 2003/564/EC of 28 July 2003 on the application of Council Directive 72/166/EEC relating to checks on insurance against civil liability in respect of the use of motor vehicles ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex IX to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 8 (Council Directive 72/166/EEC):
'8a 32003 D 0564: Commission Decision 2003/564/EC of 28 July 2003 on the application of Council Directive 72/166/EEC relating to checks on insurance against civil liability in respect of the use of motor vehicles (OJ L 192, 31.7.2003, p. 23).'
2. The text of indents 4 (Commission Decision 91/323/EEC), 5 (Commission Decision 93/43/EEC), 6 (Commission Decision 97/828/EC) and 7 (Commission Decision 1999/103/EC) in point 8 (Council Directive 72/166/EEC) are deleted.

Article 2

The texts of Decision 2003/564/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 88, 25.3.2004, p. 53.

⁽²⁾ OJ L 192, 31.7.2003, p. 23.

(*) No constitutional requirements indicated.

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

DECISION OF THE EEA JOINT COMMITTEE
No 9/2004
of 6 February 2004
amending Annex XI (Telecommunication services) and Protocol 37 to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 98 and 101 thereof,

Whereas:

- (1) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No 153/2003 of 7 November 2003 ⁽¹⁾.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 32/2003 of 14 March 2003 ⁽²⁾.
- (3) Commission Decision 2002/622/EC of 26 July 2002 establishing a Radio Spectrum Policy Group ⁽³⁾ is to be incorporated into the Agreement.
- (4) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the Radio Spectrum Policy Group set up by Decision 2002/622/EC, and Annex XI is to be amended in order to specify the procedures for association with this Group,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following point shall be inserted after point 5cg (Commission Directive 2002/77/EC) of Annex XI to the Agreement:

'5ch. 32002 D 0622: Commission Decision 2002/622/EC of 26 July 2002 establishing a Radio Spectrum Policy Group (OJ L 198, 27.7.2002, p. 49).

Procedures for the association of Liechtenstein, Iceland and Norway in accordance with Article 101 of the Agreement:

Each EFTA State may, in accordance with Article 3 of Commission Decision 2002/622/EC, appoint persons to participate as observers in the meetings of the Radio Spectrum Policy Group.

The European Commission shall, in due time, inform the participants of the dates of the meetings of the Group and transmit to them the relevant documentation.'

2. The following point is inserted in Protocol 37 (containing the list provided for in Article 101) to the Agreement:

'16. The Radio Spectrum Policy Group (Commission Decision 2002/622/EC).'

Article 2

The texts of Decision 2002/622/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 41, 12.2.2004, p. 45.

⁽²⁾ OJ L 137, 5.6.2003, p. 32.

⁽³⁾ OJ L 198, 27.7.2002, p. 49.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 10/2004
of 6 February 2004
amending Annex XI (Telecommunication services) and Protocol 37 to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 98 and 101 thereof,

Whereas:

- (1) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No 153/2003 of 7 November 2003 ⁽¹⁾.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 32/2003 of 14 March 2003 ⁽²⁾.
- (3) Commission Decision 2002/627/EC of 29 July 2002 establishing the European Regulators Group for Electronic Communications Networks and Services ⁽³⁾ is to be incorporated into the Agreement.
- (4) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the European Regulators Group for Electronic Communications Networks and Services set up by Decision 2002/627/EC, and Annex XI is to be amended in order to specify the procedures for association with this Group,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following point shall be inserted after point 5ch (Commission Decision 2002/622/EC) of Annex XI to the Agreement:

'5ci. 32002 D 0627: Commission Decision 2002/627/EC of 29 July 2002 establishing the European Regulators Group for Electronic Communications Networks and Services (OJ L 200, 30.7.2002, p. 38).

Procedures for the association of Liechtenstein, Iceland and Norway in accordance with Article 101 of the Agreement:

Each EFTA State may, in accordance with Article 4(1) of Commission Decision 2002/627/EC, appoint persons to participate as observers in the meetings of the European Regulators Group for Electronic Communications Networks and Services.

The European Commission shall, in due time, inform the participants of the dates of the meetings of the Group and transmit to them the relevant documentation.'

2. The following point shall be inserted in Protocol 37 (containing the list provided for in Article 101) to the Agreement:

'17. The European Regulators Group for Electronic Communications Networks and Services (Commission Decision 2002/627/EC).'

⁽¹⁾ OJ L 41, 12.2.2004, p. 45.

⁽²⁾ OJ L 137, 5.6.2003, p. 32.

⁽³⁾ OJ L 200, 30.7.2002, p. 38.

Article 2

The texts of Decision 2002/627/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 11/2004****of 6 February 2004****amending Annex II (Technical regulations, standards, testing and certification), Annex X (Audiovisual services) and Annex XI (Telecommunication services) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 127/2002 of 27 September 2002 ⁽¹⁾.
- (2) Annex X to the Agreement was amended by Decision of the EEA Joint Committee No 17/2001 of 28 February 2001 ⁽²⁾.
- (3) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No 153/2003 of 7 November 2003 ⁽³⁾.
- (4) Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Due account is to be taken of the specific situation of Liechtenstein and its very small telecommunications network which require specific adaptations to the Access Directive and the Universal Service Directive.
- (9) Directive 2002/21/EC of the European Parliament and of the Council repeals Council Directives 90/387/EEC ⁽⁸⁾, and 92/44/EEC ⁽⁹⁾, Council Decision 92/264/EEC ⁽¹⁰⁾ and Directives of the European Parliament and of the Council 95/47/EC ⁽¹¹⁾, 97/13/EC ⁽¹²⁾, 97/33/EC ⁽¹³⁾ and 98/10/EC ⁽¹⁴⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement,

⁽¹⁾ OJ L 336, 12.12.2002, p. 27.

⁽²⁾ OJ L 117, 26.4.2001, p. 21.

⁽³⁾ OJ L 41, 12.2.2004, p. 45.

⁽⁴⁾ OJ L 108, 24.4.2002, p. 7.

⁽⁵⁾ OJ L 108, 24.4.2002, p. 21.

⁽⁶⁾ OJ L 108, 24.4.2002, p. 33.

⁽⁷⁾ OJ L 108, 24.4.2002, p. 51.

⁽⁸⁾ OJ L 192, 24.7.1990, p. 1.

⁽⁹⁾ OJ L 165, 19.6.1992, p. 27.

⁽¹⁰⁾ OJ L 137, 20.5.1992, p. 21.

⁽¹¹⁾ OJ L 281, 23.11.1995, p. 51.

⁽¹²⁾ OJ L 117, 7.5.1997, p. 15.

⁽¹³⁾ OJ L 199, 26.7.1997, p. 32.

⁽¹⁴⁾ OJ L 101, 1.4.1998, p. 24.

HAS DECIDED AS FOLLOWS:

Article 1

Annex XI to the Agreement shall be amended as follows:

1. The following points are inserted after point 5ci (Commission Decision 2002/627/EC):

- ‘5cj. 32002 L 0019: Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) (OJ L 108, 24.4.2002, p. 7).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Whereas Liechtenstein and its national regulatory authority shall make all reasonable endeavours to apply the provisions of this Directive, the assessment of their compliance shall take due account of the specific situation of Liechtenstein and the particular circumstances of its very small telecommunications network, its market structure, its limited number of customers, its market potential and the possibility of market failure.

- 5ck. 32002 L 0020: Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) (OJ L 108, 24.4.2002, p. 21).

- 5cl. 32002 L 0021: Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ L 108, 24.4.2002, p. 33).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 5(2), the word “Treaty” shall read “Agreement”;
- (b) in Article 5(3), the word “Commission” shall read “Commission, Standing Committee, EFTA Surveillance Authority”;
- (c) the following subparagraph shall be added to Article 7(3):
“the exchange of information between the national regulatory authorities of the EFTA States on the one hand and the national regulatory authorities of the Community Member States on the other hand shall pass through the EFTA Surveillance Authority and the Commission.”
- (d) the following subparagraphs shall be added to Article 15(4):
“After consultation with national regulatory authorities the EFTA Surveillance Authority may adopt a decision identifying transnational markets between two or more EFTA States.

If either the EFTA Surveillance Authority or the Commission intends to identify a transnational market, which affects both an EFTA State and a Community Member State, they shall cooperate with a view to agreeing on identical decisions identifying a transnational market, which affects both an EFTA State and a Community. Article 109 shall apply *mutatis mutandis*.”

- 5cm. 32002 L 0022: Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) (OJ L 108, 24.4.2002, p. 51).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

Whereas Liechtenstein and its national regulatory authority shall make all reasonable endeavours to apply the provisions of this Directive, the assessment of their compliance shall take due account of the specific situation of Liechtenstein and the particular circumstances of its very small telecommunications network, its market structure, its limited number of customers, its market potential and the possibility of market failure.

Liechtenstein shall notify to the EFTA Surveillance Authority any factors that may need to be taken into account in applying the parameters, definitions and measurement methods set out in Annex III.

After the notification, the designated undertakings may refer to such factors in the publications required by Article 11(1).'

2. The texts of points 2 (Council Directive 90/387/EEC), 5a (Council Decision 92/264/EEC), 5b (Council Directive 92/44/EEC), 5c (Directive 98/10/EC of the European Parliament and of the Council), 5cb (Directive 97/33/EC of the European Parliament and of the Council) and 5cc (Directive 97/13/EC of the European Parliament and of the Council) are deleted with effect from the date of entry into force of this Decision or 25 July 2003, whichever occurs later.

Article 2

The text of point 4i (Directive 95/47/EC of the European Parliament and of the Council) in Chapter XVIII of Annex II to the Agreement shall be deleted with effect from the date of entry into force of this Decision or 25 July 2003, whichever occurs later.

Article 3

The text of point 1a (Directive 95/47/EC of the European Parliament and of the Council) of Annex X to the Agreement shall be deleted with effect from the date of entry into force of this Decision or 25 July 2003, whichever occurs later.

Article 4

The texts of Directives 2002/19/EC, 2002/20/EC, 2002/21/EC and 2002/22/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 5

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 6

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, 6 February 2004.

For the EEA Joint Committee

P. WESTERLUND

The President

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 12/2004
of 6 February 2004
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 161/2003 of 7 November 2003 ⁽¹⁾.
- (2) Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Iceland,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 7 (Council Directive 80/1177/EEC) of Annex XXI to the Agreement shall be replaced with the following:

'32003 R 0091: Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics (OJ L 14, 21.1.2003, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) this Regulation shall not apply to Iceland;
- (b) Annexes A, C, E, F, J and K are not relevant for Liechtenstein.'

Article 2

The text of Regulation (EC) No 91/2003 in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 41, 12.2.2004, p. 60.

⁽²⁾ OJ L 14, 21.1.2003, p. 1.

(*) Constitutional requirements indicated.

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

DECISION OF THE EEA JOINT COMMITTEE
No 13/2004
of 6 February 2004
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 161/2003 of 7 November 2003 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1192/2003 of 3 July 2003 amending Regulation (EC) No 91/2003 of the European Parliament and of the Council on rail transport statistics ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Iceland,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 7 (Regulation (EC) No 91/2003 of the European Parliament and of the Council) of Annex XXI to the Agreement:

‘, as amended by:

- 32003 R 1192: Commission Regulation (EC) No 1192/2003 of 3 July 2003 (OJ L 167, 4.7.2003, p. 13).’

Article 2

The text of Regulation (EC) No 1192/2003 in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee
The President
P. WESTERLUND

⁽¹⁾ OJ L 41, 12.2.2004, p. 60.

⁽²⁾ OJ L 167, 4.7.2003, p. 13.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 14/2004
of 6 February 2004
amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 161/2003 of 7 November 2003 ⁽¹⁾.
- (2) Commission Decision 2000/115/EC of 24 November 1999 relating to the definitions of the characteristics, the list of agricultural products, the exceptions to the definitions and the regions and districts regarding the surveys on the structure of agricultural holdings ⁽²⁾, is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1444/2002 of 24 July 2002 amending Commission Decision 2000/115/EC relating to the definitions of the characteristics, the exceptions to the definitions and the regions and districts regarding the surveys on the structure of agricultural holdings ⁽³⁾, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 23 (Council Regulation (EEC) No 571/88) of Annex XXI to the Agreement:

- '23a. 32000 D 0115: Commission Decision 2000/115/EC of 24 November 1999 relating to the definitions of the characteristics, the list of agricultural products, the exceptions to the definitions and the regions and districts regarding the surveys on the structure of agricultural holdings (OJ L 38, 12.2.2000, p. 1), as amended by:
- 32002 R 1444: Commission Regulation (EC) No 1444/2002 of 24 July 2002 (OJ L 216, 12.8.2002, p. 1).

The provisions of the decision shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) point G/05 I (d) of Annex I shall not apply to Norway;
- (b) the following subparagraph shall be added in point H/03 II of Annex I:
"4. Non-productive woodland and areas covered with forest shrubs."
- (c) the following subparagraph shall be added in point H/02 II of Annex I:
"In addition, the following shall be excluded for Norway:
— Non-productive woodland and areas covered with forest shrubs."
- (d) the last sentence of Point J/15 II of Annex I shall not apply to Norway;
- (e) the following shall be added to the list in II (3) under "Farm labour force of the holding" in point L (Farm labour force) in Annex I:
"Iceland: 16 years
Liechtenstein: 16 years
Norway: 16 years"

⁽¹⁾ OJ L 41, 12.2.2004, p. 60.

⁽²⁾ OJ L 38, 12.2.2000, p. 1.

⁽³⁾ OJ L 216, 12.8.2002, p. 1.

Article 2

The texts of Decision 2000/115/EC and Regulation (EC) No 1444/2002 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 15/2004
of 6 February 2004
amending Annex XXII (Company Law) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXII to the Agreement was amended by Decision of the EEA Joint Committee No 176/2003 of 5 December 2003 ⁽¹⁾.
- (2) Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE) ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 10b (Regulation (EC) No 1606/2002 of the European Parliament and of the Council) of Annex XXII to the Agreement:

'10c. 32003 R 1435: Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE) (OJ L 207, 18.8.2003, p. 1).'

Article 2

The texts of Regulation (EC) No 1435/2003 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 7 February 2004, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 6 February 2004.

For the EEA Joint Committee
The President
P. WESTERLUND

⁽¹⁾ OJ L 88, 25.3.2004, p. 53.

⁽²⁾ OJ L 207, 18.8.2003, p. 1.

(*) Constitutional requirements indicated.