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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1016/2004
of 25 May 2004
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May 2004.

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

Done at Brussels, 25 May 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to the Commission Regulation of 25 May 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	92,3
	204	152,4
	999	122,4
0707 00 05	052	106,9
	096	64,5
	999	85,7
0709 90 70	052	92,6
	999	92,6
0805 10 10, 0805 10 30, 0805 10 50	052	44,5
	204	47,8
	220	37,1
	388	69,2
	400	43,3
	624	57,7
	999	49,9
0805 50 10	388	59,4
	528	67,7
	999	63,6
0808 10 20, 0808 10 50, 0808 10 90	388	87,4
	400	117,4
	404	105,4
	508	59,5
	512	63,1
	524	56,5
	528	68,2
	720	81,9
	804	102,3
0809 20 95	999	82,4
	400	331,9
	999	331,9

⁽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 1017/2004**of 25 May 2004****fixing certain indicative quantities and individual ceilings for the issue of licences for the import of bananas into the Community in the third quarter of 2004 under tariff quotas A/B and C**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas⁽¹⁾, and in particular Article 20 thereof,

Whereas:

(1) Article 14(1) of Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community⁽²⁾ provides that an indicative quantity expressed as the same percentage of available quantities from each of the tariff quotas A, B and C provided for in Article 18(1) of Regulation (EEC) No 404/93 may be fixed for the purposes of issuing import licences for each of the first three quarters of the year.

(2) The data concerning, firstly, the quantities of bananas marketed in the Community in 2003, and in particular the actual imports, especially during the third quarter, and secondly, the supply and consumption prospects on the Community market during the same third quarter for 2004, result in indicative quantities being fixed for tariff quotas A and B and C so as to ensure adequate supplies for the whole of the Community, and the continuation of trade flows between the production and marketing sectors.

(3) On the basis of the same data, in accordance with Article 14(2) of Regulation (EC) No 896/2001, the maximum quantity for which each operator may submit licence applications for the third quarter of 2004 should be fixed.

(4) In view of the fact that this Regulation must apply before the start of the period for the submission of licence applications for the third quarter of 2004, provision should be made for this Regulation to enter into force immediately.

(5) This Regulation must apply to operators established in the Community as constituted on 30 April 2004 since Commission Regulation (EC) No 838/2004 adopted transitional measures for imports of bananas into the Community by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

HAS ADOPTED THIS REGULATION:

Article 1

The indicative quantity referred to in Article 14(1) of Regulation (EC) No 896/2001 for the issue of import licences for bananas under the tariff quotas provided for in Article 18(1) of Regulation (EEC) No 404/93 is hereby fixed, for the third quarter of 2004, at:

— 23 % of the quantities available for traditional operators and non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B,

— 28 % of the quantities available for traditional operators and non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C.

Article 2

For the third quarter of 2004, the maximum authorised quantity referred to in Article 14(2) of Regulation (EC) No 896/2001, for licence applications for the import of bananas under the tariff quotas provided for in Article 18(1) of Regulation (EEC) No 404/93 is hereby fixed at:

a) 23 % of the reference quantity established in accordance with Articles 4 and 5 of Regulation (EC) No 896/2001 for the traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B;

b) 23 % of the quantity established and notified, in accordance with Article 9(3) of Regulation (EC) No 896/2001 for the non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B;

⁽¹⁾ OJ L 47, 25.2.1993, p. 1. Regulation as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 126, 8.5.2001, p. 6. Regulation as last amended by Regulation (EC) No 838/2004 (OJ L 127, 29.4.2004, p. 52).

c) 28 % of the reference quantity established in accordance with Articles 4 and 5 of Regulation (EC) No 896/2001 for the traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C;

d) 28 % of the quantity established and notified, in accordance with Article 9(3) of Regulation (EC) No 896/2001 for the

non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C.

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, 25 May 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1018/2004**of 25 May 2004****fixing the quantities of raw tobacco which may be transferred to another group of varieties in Germany, Spain, France, Greece, Italy and Portugal under the guarantee threshold for the 2004 harvest**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco⁽¹⁾, and in particular Article 9(4) thereof,

Whereas:

- (1) Article 9 of Regulation (EEC) No 2075/92 introduces production quotas for the different groups of varieties of tobacco. The individual quotas are divided among producers on the basis of the guarantee thresholds for the 2004 harvest laid down in Annex II to Council Regulation (EC) No 546/2002 of 25 March 2002 fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 2002, 2003 and 2004 harvests and amending Regulation (EEC) No 2075/92⁽²⁾. Pursuant to Article 9(4) of Regulation (EEC) No 2075/92, the Commission may authorise Member States to transfer parts of their guarantee threshold quantities between groups of varieties provided that such transfers do not give rise to additional costs for the EAGGF and do not involve any increase in

the Member State's overall guarantee threshold allocations.

- (2) Since these conditions have been met, transfers should be authorised in the Member States which have made application to do so.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Tobacco,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2004 harvest, before the deadline for the conclusion of cultivation contracts laid down in Article 10(1) of Commission Regulation (EC) No 2848/98⁽³⁾, Member States are hereby authorised to transfer quantities from one group of varieties to another in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 25 May 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 215, 30.7.1992, p. 70. Regulation as last amended by Regulation (EC) No 2319/2003 (OJ L 345, 31.12.2003, p. 17).

⁽²⁾ OJ L 84, 28.3.2002, p. 4.

⁽³⁾ OJ L 358, 31.12.1998, p. 17.

ANNEX

Guarantee threshold quantities which each Member State is authorised to transfer from one group of varieties to another

Member state	Group of varieties from which transfer is made	Group of varieties to which transfer is made
GERMANY	744,8 t dark air-cured (group III)	489,4 t flue cured (group I)
		147,1 t light air cured (group II)
SPAIN	2 458,5 t dark air-cured (group III)	1 187,4 t flue cured (group I)
		974,1 t light air-cured (group II)
FRANCE	2 593,5 t dark air-cured (group III)	1 364,7 t flue cured (group I)
		763,7 t light air cured (group II)
GREECE	1 662 t light air cured (group II)	10 111 t flue cured (group I)
	4 361 t sun cured (group V)	
	6 718 t Kabak Koulak (group VIII)	
	1 204 t Katerini (group VII)	1 941 t Basmal (group VI)
	1 518 t Kabak Koulak (group VIII)	
ITALY	200,0 t sun cured (group V)	71,9 t flue cured (group I)
		90,0 t light air cured (group II)
	100,0 t fire cured (group IV)	87,9 t flue cured (group I)
PORTUGAL	50,0 t light air-cured (group II)	39,9 t flue cured (group I)

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 7 May 2004

appointing members of the Court of Auditors

(2004/499/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 247(1), (2) and (3) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 160b(3) thereof,

Having regard to the Act concerning the conditions of accession 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, and to the adjustments to the Treaties on which the European Union is founded, and in particular Article 47 thereof,

Having regard to the opinions of the European Parliament⁽¹⁾,

Whereas:

In accordance with Article 47 of the abovementioned Act of Accession, the Court of Auditors should be enlarged by the appointment of 10 additional members for a term of office of six years; however, in the absence of a proposal, the appointment of one of those additional members cannot take place until a later date,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed members of the Court of Auditors for a period of six years with effect from the date of adoption of this Decision:

Mr Jan KINŠT

Ms Kersti KALJULAID

Mr Igors LUDBORŽS

Ms Irena PETRUŠKEVIČIENĖ

Mr Gejza HALÁSZ

Mr Josef BONNICI

Mr Jacek UCZKIEWICZ

Mr Vojko Anton ANTONČIČ

Mr Július MOLNÁR.

Article 2

This Decision shall take effect on the day of its adoption.

Article 3

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

Done at Brussels, on 7 May 2004.

For the Council

The President

C. MCCREEVY

⁽¹⁾ Opinions delivered on 5 May 2004 (not yet published in the Official Journal).

CORRIGENDA

Corrigendum to Commission Decision 94/438/EC of 7 June 1994 laying down the criteria for classifying third countries and parts thereof with regard to avian influenza and Newcastle disease in relation to imports of fresh poultrymeat and amending Decision 93/342/EEC

(Official Journal of the European Union L 181 of 15 July 1994)

On page 36, Annex E is replaced by the following:

‘ANNEX E

additional guarantees to be included in the animal health certificate for import of live poultry or hatching eggs into the community from third countries where article 4(4) of decision 93/342/EEC applies

Although the use of vaccines against Newcastle disease which do not fulfil the specific criteria of Annex B, heading 2 of Decision 93/342/EEC is not prohibited in ...⁽¹⁾, it is certified that in relation to the:

- live poultry⁽²⁾,
- breeding poultry from which the hatching eggs⁽²⁾/day-old chicks⁽²⁾ are derived,

the following guarantees apply:

- (a) they have not been vaccinated for at least 12 months with such vaccines;
- (b) they originate from a flock which has undergone, no earlier than 14 days preceding consignment or collecting of hatching eggs, on the basis of a random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease, carried out in an official laboratory, in which no avian paramyxoviruses with an Intracerebral Pathogenicity Index (ICPI) of more than 0,4 have been found;
- (c) they have not been in contact during the last 60 days before consignment or collecting of hatching eggs, with poultry which do not fulfil the guarantees mentioned respectively under (a) and (b); and
- (d) they have been isolated under official surveillance on the holding of origin during the 14-day period mentioned in (b); and
- (e) when it concerns export of day-old chicks, the hatching eggs from which they hatched have not been in contact in the hatchery or during transport with eggs or poultry which do not fulfil the guarantees under (a) to (d).

⁽¹⁾ Name of the country of origin.

⁽²⁾ Delete where not applicable.’