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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1255/2004**of 8 July 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 9 July 2004.

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

Done at Brussels, 8 July 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 8 July 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	52,9
	999	52,9
0707 00 05	052	94,6
	999	94,6
0709 90 70	052	80,3
	999	80,3
0805 50 10	388	61,8
	508	48,1
	524	57,5
	528	55,3
	999	55,7
0808 10 20, 0808 10 50, 0808 10 90	388	79,0
	400	107,3
	404	116,8
	508	70,5
	512	76,2
	528	76,7
	720	82,6
	804	91,1
	999	87,5
0808 20 50	388	106,2
	512	90,1
	528	52,6
	999	83,0
0809 10 00	052	224,7
	624	203,1
	999	213,9
0809 20 95	052	299,1
	068	222,3
	400	333,1
	999	284,8
0809 30 10, 0809 30 90	052	148,9
	624	75,4
	999	112,2
0809 40 05	512	91,6
	624	193,5
	999	142,6

⁽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 1256/2004**of 5 May 2004****prohibiting fishing for common haddock by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993, establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003, fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required⁽²⁾, lays down quotas for haddock for 2004.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of haddock in the waters of ICES sub-areas I and II (Norwegian zone) by vessels flying the

flag of Germany or registered in Germany have exhausted the quota allocated for 2004. Germany has prohibited fishing for this stock from 9 April 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of haddock in the waters of ICES sub-areas I and II (Norwegian zone) by vessels flying the flag of Germany or registered in Germany are hereby deemed to have exhausted the quota allocated to Germany for 2004.

Fishing for haddock in the waters of ICES sub-areas I and II (Norwegian zone) by vessels flying the flag of Germany or registered in Germany is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 9 April 2004.

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

Done at Brussels, 5 May 2004.

For the Commission

Franz FISCHLER

Member of Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1.

COMMISSION REGULATION (EC) No 1257/2004**of 7 July 2004****prohibiting fishing for blue whiting by vessels flying the flag of a Member State**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 1954/2003 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required lays down quotas for blue whiting for 2004 ⁽³⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of blue whiting in the waters of

ICES division Vb (Faroese waters) by vessels flying the flag of a Member State or registered in a Member State have exhausted the quota allocated for 2004. The Community has prohibited fishing for this stock from 29 April 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of blue whiting in the waters of ICES division Vb (Faroese waters) by vessels flying the flag of a Member State or registered in a Member State are hereby deemed to have exhausted the quota allocated to the Community for 2004.

Fishing for blue whiting in the waters of ICES division Vb (Faroese waters) by vessels flying the flag of a Member State or registered in a Member State is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 29 April 2004.

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

Done at Brussels, 7 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 289, 7.11.2003, p. 1.

⁽³⁾ OJ L 344, 31.12.2003, p. 1.

COMMISSION REGULATION (EC) No 1258/2004

of 8 July 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 (Paia de Toucinho de Estremoz e Borba, Chouriço de Carne de Estremoz e Borba, Paia de Lombo de Estremoz e Borba, Morcela de Estremoz e Borba, Chouriço grosso de Estremoz e Borba, Paia de Estremoz e Borba)

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 food-stuffs⁽¹⁾, and in particular Article 6(4) and Article 7(5)(b) thereof,

Whereas:

(1) Pursuant to Article 5 of Regulation (EEC) No 2081/92, Portugal has sent the Commission six applications for registration of the names 'Paia de Toucinho de Estremoz e Borba', 'Chouriço de Carne de Estremoz e Borba', 'Paia de Lombo de Estremoz e Borba', 'Morcela de Estremoz e Borba', 'Chouriço grosso de Estremoz e Borba' and 'Paia de Estremoz e Borba' as protected geographical indications.

(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) The main elements of the specifications relating to the applications to register the names were published in the *Official Journal of the European Communities* on 27 April 2002⁽²⁾.

(4) Italy has sent the Commission statements of objection to the registration of the names within the meaning of Article 7 of Regulation (EEC) No 2081/92.

(5) The statements of objection related to non-compliance with the conditions referred to in Article 2 of the Regulation and were admissible within the meaning of Article 7(4) of the Regulation. The Commission asked the two Member States to find a mutual agreement in accordance with their internal procedures.

(6) No agreement was reached between Portugal and Italy within the three-month deadline so the Commission has to adopt a decision using the procedure provided for in Article 15.

(7) Firstly, Italy states that the geographical production area of the raw material is not precisely defined so that proof of origin cannot be certified. Moreover, with regard to the breed used, because there is no mention of the possibility of using cross-breeds proof of origin is insufficient even if a herd-book existed for the breed in question.

(8) For each of the six names for which a PGI is claimed, the conditions referred to in Article 2 of Regulation (EEC) No 2081/92 are met because the processing area is precisely defined and the link is justified by the reputation and particular organoleptic characteristics. Italy's argument is not relevant because in this case proof of origin must relate to proof of processing in the defined geographical area and not to proof of origin of the raw material. Nevertheless, the specifications may contain objective criteria concerning choice of raw material.

(9) Secondly, Italy states that the claim of tradition of production in 'duly licensed' plants is not valid if the parameters to be observed and the legal person to whom the licence is granted are not mentioned. In addition, the registration applications do not describe the phases and parameters to be observed during the production process such as smoking time and temperature and maturing possibilities and methods using traditional techniques.

(10) The files supporting the registration applications show that the licensed plants are listed and subject to controls capable of verifying that the parameters listed in the specifications are observed. The phases and parameters to be observed during the production process are precisely detailed in the specifications deposited with the Commission.

(11) Thirdly, Italy states that the purpose of the registration applications is more to differentiate the products in commercial terms from other very similar products than to establish the existence of a diversity in agricultural production as encouraged in the second recital to Regulation (EEC) No 2081/92.

⁽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 102, 27.4.2002, p. 2.

(12) According to the specifications deposited with the Commission and the additional information provided by the Portuguese delegation, the products demonstrate noteworthy differences in the meat pieces used, the seasoning, the type and duration of curing, the type of casing used, the size of the meat and fat pieces, or the dimension, shape and taste of the finished products. In addition, the products are given different names.

(13) Formal examination of the specifications for the names 'Paia de Toucinho de Estremoz e Borba', 'Chouriço de Carne de Estremoz e Borba', 'Paia de Lombo de Estremoz e Borba', 'Morcela de Estremoz e Borba', 'Chouriço grosso de Estremoz e Borba' and 'Paia de Estremoz e Borba' revealed no obvious error of assessment.

(14) Accordingly, the names qualify for entry in the Register of protected designations of origin and protected geographical indications and should therefore be protected throughout the Community as geographical indications.

(15) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽¹⁾.

(16) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Protected Designations of Origin and Protected Geographical Indications,

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 in the Register of protected designations of origin and protected geographical indications as provided for in Article 6(3) of Regulation (EEC) No 2081/92 as protected geographical indications (PGI).

Article 2

This Regulation shall enter into force on the 20th 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, 8 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 327, 18.12.1996, p. 11. Regulation as last amended by Regulation (EC) No 1165/2004 (OJ L 224, 25.6.2004, p. 16).

ANNEX

FOODSTUFFS REFERRED TO IN ANNEX I TO REGULATION (EEC) No 2081/92

Meat-based products

PORTUGAL

Paia de Toucinho de Estremoz e Borba (PGI)

Chouriço de Carne de Estremoz e Borba (PGI)

Paia de Lombo de Estremoz e Borba (PGI)

Morcela de Estremoz e Borba (PGI)

Chouriço grosso de Estremoz e Borba (PGI)

Paia de Estremoz e Borba (PGI)

COMMISSION REGULATION (EC) No 1259/2004

of 8 July 2004

concerning the permanent authorisation of certain additives already authorised in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by Regulation (EC) No 1756/2002⁽²⁾, and in particular Articles 3 and 9d(1) thereof,

Whereas:

- (1) Directive 70/524/EEC provides that no additive may be put into circulation unless a Community authorisation has been granted.
- (2) In the case of additives referred to in part II of Annex C to Directive 70/524/EEC, which includes micro-organisms and enzymes, authorisation without a time limit of an additive already authorised may be given if the conditions laid down in Article 3(a) are satisfied.
- (3) The use of the micro-organism preparation of *Enterococcus faecium* (DSM 10663/NCIMB 10415) was provisionally authorised, for the first time, for chickens for fattening by Commission Regulation (EC) No 1636/1999⁽³⁾.
- (4) New data were submitted in support of the application for authorisation without a time limit of this micro-organism.
- (5) The assessment of the application for authorisation submitted in respect of this micro-organism, shows that the conditions provided for in Directive 70/524/EEC for authorisation without a time limit are satisfied.
- (6) The use of this micro-organism for chickens for fattening, specified in Annex I, should therefore be authorised without a time limit.
- (7) The use of the enzyme preparation of endo-1,4-beta-glucanase, endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by *Trichoderma longibrachiatum* (ATCC 74 252) was provisionally authorised, for the first time, for chickens for fattening in liquid form by Commission Regulation (EC) No 1436/1998⁽⁴⁾, and in granular form by Commission Regulation (EC) No 937/2001⁽⁵⁾.

- (8) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase produced by *Aspergillus aculeatus* (CBS 589.94) was provisionally authorised, for the first time, for chickens for fattening by Commission Regulation (EC) No 654/2000⁽⁶⁾.
- (9) The use of the enzyme preparation endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by *Penicillium funiculosum* (IMI SD 101) was provisionally authorised, for the first time, for chickens for fattening by Commission Regulation (EC) No 866/1999⁽⁷⁾.
- (10) The use of the enzyme preparation endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 520.94) was provisionally authorised, for the first time, for chickens for fattening by Commission Regulation (EC) No 1436/1998⁽⁸⁾.
- (11) The use of the enzyme preparation endo-1,4-beta-xylanase produced by *Bacillus subtilis* (LMG-S 15136) was provisionally authorised, for the first time, for chickens for fattening in solid form by Commission Regulation (EC) No 1353/2000⁽⁹⁾ and in liquid form by Commission Regulation (EC) No 2188/2002⁽¹⁰⁾.
- (12) New data were submitted in support of the applications for authorisation without a time limit of each of these enzyme preparations.
- (13) The assessment of the applications for authorisation submitted in respect of each of these enzyme preparations, shows that the conditions provided for in Directive 70/524/EEC for authorisation without time limit are satisfied.
- (14) The use of these enzyme preparations for chickens for fattening under the conditions set out in Annexes II, III, IV, V and VI should therefore be authorised without a time limit.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 265, 3.10.2002, p. 1.

⁽³⁾ OJ L 194, 27.7.1999, p. 17.

⁽⁴⁾ OJ L 191, 7.7.1998, p. 15.

⁽⁵⁾ OJ L 130, 12.5.2001, p. 25.

⁽⁶⁾ OJ L 79, 30.3.2000, p. 26.

⁽⁷⁾ OJ L 108, 27.4.1999, p. 21.

⁽⁸⁾ OJ L 191, 7.7.1998, p. 15.

⁽⁹⁾ OJ L 155, 28.6.2000, p. 15.

⁽¹⁰⁾ OJ L 333, 10.12.2002, p. 5.

- (15) The assessment of these applications shows that certain procedures should be required to protect workers from exposure to the additives set out in the Annexes. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾, as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council⁽²⁾.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

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

Done at Brussels, 8 July 2004.

For the Commission

David BYRNE

Member of the Commission

Article 1

The preparation belonging to the group 'micro-organisms' as set out in Annex I is authorised for use as additive in animal nutrition under the conditions laid down in that Annex.

Article 2

The preparations belonging to the group 'enzymes' as set out in Annexes II, III, IV, V and VI are authorised for use as additive in animal nutrition under the conditions laid down in those Annexes.

Article 3

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

⁽¹⁾ OJ L 183, 29.6.1989, p. 1.

⁽²⁾ OJ L 284, 31.10.2003, p. 1.

ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedingstuff				
Micro-organisms									
E 1707	<i>Enterococcus faecium</i> DSM 10663/NCIMB 10415	Preparation of <i>Enterococcus faecium</i> containing a minimum of: powder and granulated form: 3,5 × 10 ¹⁰ CFU/g additive coated form: 2,0 × 10 ¹⁰ CFU/g additive liquid form: 1 × 10 ¹⁰ CFU/ml additive	Chickens for fattening	—	1 × 10 ⁹		1 × 10 ⁹	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting May be used in compound feed containing the permitted coccidiostats: diclazuril, halofuginone, lasalocid sodium, maduramicin ammonium, monensin sodium, robenidine	Without a time limit

ANNEX III

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedstuff				
Enzymes									
E 1603	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Aspergillus aculeatus</i> (CBS 589,94) having a minimum activity of: coated form: 50 FBG ⁽¹⁾ /g liquid form: 120 FBG/ml	Chickens for fattening	—	10 FBG	—		1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kg of complete feedstuff: 15-20 FBG 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 60 % vegetable ingredients (maize, lupin, wheat, barley, soya, rice, oilseed rape or peas)	Without a time limit

⁽¹⁾ 1 FBG is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5.0 and 30 °C.

ANNEX IV

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff				
Enzymes									
E 1604	Endo-1,3(4)-beta-glucanase EC 3.2.1.6 Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by <i>Penicillium funiculosum</i> (IMI SD 101) having a minimum activity of: powder form: endo-1,3(4)-beta-glucanase: 2 000 U ⁽¹⁾ /g endo-1,4-beta-xylanase: 1 400 U ⁽²⁾ /g liquid form: endo-1,3(4)-beta-glucanase: 500 U/ml endo-1,4-beta-xylanase 350 U/ml	Chickens for fattening	—	endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kg of complete feedingsstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly beta-glucan and arabinoxylans), e.g. containing more than 50 % barley or 60 % wheat	Without time limit	

(1) 1 U is the amount of enzyme which liberates 5,55 micromoles of reducing sugars (maltose equivalents) from barley beta-glucan per minute at pH 5.0 and 50 °C.

(2) 1 U is the amount of enzyme which liberates 4,00 micromoles of reducing sugars (maltose equivalents) from birchwood xylan per minute at pH 5,5 and 50 °C.

COMMISSION REGULATION (EC) No 1260/2004**of 8 July 2004****amending Regulation (EC) No 838/2004 on 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**

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,

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 subparagraph of Article 41 thereof,

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

Whereas:

- (1) Commission Regulation (EC) No 896/2001 ⁽²⁾ laid down detailed rules for applying Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community.
- (2) Commission Regulation (EC) No 838/2004 ⁽³⁾ adopted the transitional measures needed to facilitate the transition from the arrangements in force in the new Member States prior to accession to the import arrangements in force under the common organisation of the markets in the banana sector. In order to ensure market supply, in particular in the new Member States, that Regulation fixed an additional quantity on a transitional basis over and above the quotas opened for imports of products originating in all third countries by Article 18(1) of Regulation (EEC) No 404/93 on the same terms as regards tariffs, for the period from 1 May to 31 December 2004.
- (3) On a transitional basis, to allow the issue of import licences for a first instalment at the beginning of May 2004, Regulation (EC) No 838/2004 adopted the rules for the fixing of a provisional reference quantity for traditional operators and a provisional allocation for non-traditional operators. The purpose of this fixing

was to allow the competent national authorities to make checks and verify the supporting documents submitted by operators, to correct declarations made under Articles 4 and 5 of Regulation (EC) No 414/2004 ⁽⁴⁾ or national provisions with the same objective adopted by the new Member States and to rectify, where necessary, the notifications referred to in Article 7(3) of that Regulation or provided for in national provisions to that end adopted by the new Member States in good time before the next instalment of the additional quantity was opened.

- (4) Once these controls have been carried out by the Member States in cooperation with the Commission, and on the basis of consolidated data notifications, provision should be made for the competent national authorities to fix, for the period from 1 May to 31 December 2004, the specific reference quantity for traditional operators or the specific allocation for non-traditional operators, as the case may be. In view of the difficulties encountered by traditional operators in obtaining copies of the required proof of release for free circulation in the country of destination, provision should be made for this specific reference quantity to be established on the basis of the supporting documents and documents provided for in Article 6(2) and (4) of Regulation (EC) No 414/2004, as amended by Regulation (EC) No 689/2004.
- (5) With a view to managing the additional quantity fixed in Article 3 of Regulation (EC) No 838/2004, the coefficients to be applied to the overall quantities notified by the Member States should be fixed, on the one hand, and provision should be made, on the other, for the adjustment coefficient to be applied by the competent authorities to the individual quantity for each operator to be fixed for the period from 1 May to 31 December 2004.
- (6) The quantity available for the issue of licences with a view to importing bananas into the new Member States in a second instalment from July 2004 should be fixed, and the rules for the submission of applications and for the issue of licences should be adopted.
- (7) The procedures for the management of the additional quantity for the last quarter of 2004 must be laid down.

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

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

⁽³⁾ OJ L 127, 29.4.2004, p. 52.

⁽⁴⁾ OJ L 68, 6.3.2004, p. 6. Regulation amended by Regulation (EC) No 689/2004 (OJ L 106, 15.4.2004, p. 17).

- (8) Regulation (EC) No 838/2004 should therefore be amended accordingly. This Regulation must enter into force on the day of its publication in order to allow import licences to be issued in July 2004.
- (9) 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

Regulation (EC) No 838/2004 is hereby amended as follows:

1. Articles 5, 6, 7 and 8 shall be replaced by the following:

'Article 5

Quantity available for the second period for the issue of licences in July 2004

A quantity of 105 000 tonnes shall be available for the second period for the issue of licences in July 2004 with a view to the importation of bananas into the new Member States. 87 150 tonnes of that quantity shall be available to traditional operators and 17 850 tonnes to non-traditional operators.

Article 6

Specific reference quantity for traditional operators for the period from 1 May to 31 December 2004

1. The competent authority of the Member State of registration shall give each traditional operator who carried out the minimum quantity of primary imports of bananas with a view to their sale in one or more of the new Member States during one of the years in the reference period 2000, 2001 or 2002 a specific reference quantity for the period from 1 May to 31 December 2004 based on the average of primary imports which that operator carried out during the above three-year period. This reference quantity shall be established on the basis of the supporting documents referred to in Article 6(2) and the first subparagraph of Article 6(4) of Regulation (EC) No 414/2004.

This specific reference quantity shall be obtained by multiplying the annual average of primary imports referred to in the previous subparagraph by a coefficient of 0.667.

2. In the light of the Member States' notifications and the quantity fixed in Article 3, the Commission shall, if necessary, set an adjustment coefficient to be applied to the specific reference quantity of each traditional operator.

3. The competent authorities shall inform each operator of its specific reference quantity, as adjusted where necessary by the adjustment coefficient referred to in paragraph 2, no later than the second working day following publication of the regulation fixing that coefficient.

Article 7

Specific allocation to non-traditional operators for the period from 1 May to 31 December 2004

1. The competent authorities shall establish a specific allocation for each non-traditional operator registered with them, for the period from 1 May to 31 December 2004.

In the light of the Member States' notifications and the quantity fixed in Article 3, the Commission shall, if necessary, set an adjustment coefficient to be applied to the application for a specific allocation made by each non-traditional operator.

2. The competent authorities shall inform each non-traditional operator of its allocation no later than the second working day following publication of the regulation fixing that coefficient.

Article 8

Submission of licence applications and issue of licences

1. Operators shall submit their import licence applications to the competent authorities of the Member State in which they are registered.

2. Import licences, hereinafter referred to as "accession licences", shall be issued only for the release for free circulation in a new Member State.

3. Licence applications shall bear the words: "accession licence", "traditional operator" or "non-traditional operator", as the case may be, and "Regulation (EC) No 838/2004. Licence only valid in a new Member State".

These entries shall be entered in Box 20 of the licence.'

2. The following Articles are inserted:

'Article 8a

Submission of licence applications and issue of licences in July 2004 for the second period

1. For the second period, licence applications shall be submitted no later than the sixth working day following publication of this Regulation.

To be accepted, the licence applications submitted by a single operator may not total a quantity greater than:

- (a) 35 % of the specific reference quantity notified in accordance with Article 6(3), in the case of traditional operators;
- (b) 35 % of the specific allocation notified in accordance with Article 7(2), in the case of non-traditional operators.

The competent national authorities shall issue import licences immediately.

2. Import licences issued under this Article shall be valid from the day of issue and shall expire on 7 October 2004.

Article 8b

Submission of licence applications and issue of licences in September 2004 for the third period

1. For the third period for the issue of licences in September 2004, applications for licences shall be submitted in accordance with Article 15 of Regulation (EC) No 896/2001.

2. To be accepted, import licence applications for the additional quantity,

- (a) submitted by a traditional operator may not relate to a quantity exceeding the difference between the reference quantity established pursuant to Article 6(3) and the sum of the quantities covered by import licences issued for the first two periods respectively in May and July;
- (b) submitted by a non-traditional operator may not relate to a quantity exceeding the difference between the allocation notified pursuant to Article 7(2) and the sum of the quantities covered by import licences issued for the first two periods respectively in May and July.

3. The licences referred to in this Article shall be issued in accordance with Article 18 of Regulation (EC) No 896/2001.'

Article 2

Entry into force

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, 8 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1261/2004

of 8 July 2004

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 to the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EC) No 1784/2003 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex B to Regulation (EC) No 3072/95 respectively, are fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 July 2004.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 543/2004 (OJ L 87, 25.3.2004, p. 8).

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 216/2004 (OJ L 36, 7.2.2004, p. 13).

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

Done at Brussels, 8 July 2004.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

Rates of the refunds applicable from 9 July 2004 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	3,747	3,747
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,752	1,752
	– – in other cases	3,747	3,747
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	2,810	2,810
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,314	1,314
	– – in other cases	2,810	2,810
	– where goods falling within subheading 2208 ⁽³⁾ are exported	1,752	1,752
	– other (including unprocessed)	3,747	3,747
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	3,747	3,747
	– where goods falling within subheading 2208 ⁽³⁾ are exported	1,752	1,752
	– in other cases	3,747	3,747

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall in under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1262/2004**of 8 July 2004****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year**

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 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2004/2005 marketing year are fixed by Commission Regulation (EC) No 1210/2004⁽³⁾. These prices and duties have been amended by Commission Regulation (EC) No 1253/2004⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 July 2004.

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

Done at Brussels, 8 July 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 232, 1.7.2004, p. 11.

⁽⁴⁾ OJ L 237, 8.7.2004, p. 16.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 9 July 2004

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	18,69	6,96
1701 11 90 ⁽¹⁾	18,69	12,86
1701 12 10 ⁽¹⁾	18,69	6,77
1701 12 90 ⁽¹⁾	18,69	12,35
1701 91 00 ⁽²⁾	20,89	15,78
1701 99 10 ⁽²⁾	20,89	10,34
1701 99 90 ⁽²⁾	20,89	10,34
1702 90 99 ⁽³⁾	0,21	0,43

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 1263/2004**of 8 July 2004****altering the export refunds on white sugar and raw sugar exported in the natural state fixed by
Regulation (EC) No 1226/2004**

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⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The export refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1226/2004⁽²⁾.

- (2) Since the data currently available to the Commission are different to the data at the time Regulation (EC) No 1226/2004 was adopted, those refunds should be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1226/2004 are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 July 2004.

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

Done at Brussels, 8 July 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. 16).

⁽²⁾ OJ L 233, 2.7.2004, p. 9.

ANNEX

AMENDED AMOUNTS OF REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING APPLICABLE FROM 9 JULY 2004

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 91 00	S00	EUR/100 kg	41,68 ⁽¹⁾
1701 11 90 99 10	S00	EUR/100 kg	40,10 ⁽¹⁾
1701 12 90 91 00	S00	EUR/100 kg	41,68 ⁽¹⁾
1701 12 90 99 10	S00	EUR/100 kg	40,10 ⁽¹⁾
1701 91 00 90 00	S00	EUR/1 % of sucrose × 100 kg product net	0,4532
1701 99 10 91 00	S00	EUR/100 kg	45,32
1701 99 10 99 10	S00	EUR/100 kg	43,59
1701 99 10 99 50	S00	EUR/100 kg	43,59
1701 99 90 91 00	S00	EUR/1 % of sucrose × 100 kg of net product	0,4532

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

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

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 1264/2004**of 8 July 2004****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95⁽³⁾ on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EC) No 1784/2003 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 July 2004.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

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

Done at Brussels, 8 July 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to Commission Regulation of 8 July 2004 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	52,46	1104 23 10 9300	C10	EUR/t	43,09
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	44,96	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	44,96	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	9,37
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	67,45	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	52,46	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	44,96	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	44,96	1108 12 00 9200	C10	EUR/t	59,95
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	59,95
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	59,95
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	59,95
1103 20 20 9000	C11	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	58,73
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	44,96
1104 19 50 9110	C10	EUR/t	59,95	1702 30 91 9000	C10	EUR/t	58,73
1104 19 50 9130	C10	EUR/t	48,71	1702 30 99 9000	C10	EUR/t	44,96
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	44,96
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	58,73
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	44,96
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	61,54
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	42,72
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	44,96
1104 23 10 9100	C10	EUR/t	56,21				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

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

The other destinations are as follows:

C10: All destinations

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania

COMMISSION REGULATION (EC) No 1265/2004
of 8 July 2004
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003, on the common organisation of the market in cereals⁽¹⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽²⁾, and in particular Article 8(e) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively⁽³⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.

- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR 10,94/tonne for starch from maize, wheat, barley, oats, rice or broken rice;
- (b) EUR 9,62/tonne for potato starch.

Article 2

This Regulation shall enter into force on 9 July 2004.

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

Done at Brussels, 8 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 216/2004 (OJ L 36, 7.2.2004, p. 13).

COMMISSION REGULATION (EC) No 1266/2004

of 8 July 2004

limiting the term of validity of export licences for certain products processed from cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 9 thereof,

Having regard to Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽²⁾, and in particular Article 7(1) thereof,

Whereas:

- (1) Article 7(1) of Regulation (EC) No 1342/2003 fixes the term of validity of export licences, in particular for products processed from maize. That term of validity extends to the end of the fourth month following that of issue of the licence. The term of validity is fixed in accordance with market requirements and the need for sound management.
- (2) The current situation on the maize market makes it desirable to limit the issuing of licences in order to avoid committing quantities from the new marketing year. Licences to be issued in forthcoming months must be reserved for exports before September 2004. To that end, the term of validity of export licences to be issued for execution up to 3 September 2004 must be limited. A temporary derogation should accordingly be introduced to Article 7(1) of Regulation (EC) No 1342/2003.
- (3) In order to ensure sound management of the market and to prevent speculation, provision should be made for customs export formalities for export licences for products processed from maize to be completed by 3 September 2004 at the latest either as direct exports or exports under the arrangements laid down in Articles 4 and 5 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽³⁾. Such limiting of the term of validity of export licences entails a derogation from Articles 28(6) and 29(5) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the appli-

cation of the system of export refunds on agricultural products⁽⁴⁾.

- (4) The application of the measures provided for in this Regulation must coincide with its entry into force in order to avoid potential market disturbance.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding Article 7(1) of Regulation (EC) No 1342/2003, export licences for products referred to in the Annex applied for from the date of entry into force of this Regulation to 27 August 2004 shall be valid until 3 September 2004 only.

2. Customs export formalities for the above licences must be completed by 3 September 2004 at the latest.

That deadline shall also apply to the formalities referred to in Article 32 of Regulation (EC) No 800/1999 in respect of products placed under the arrangements referred to in Regulation (EEC) No 565/80 under cover of such licences.

One of the following shall be entered in Section 22 of the licences:

— Limitación establecida en el apartado 2 del artículo 1 del Reglamento (CE) nº 1266/2004

— Omezení stanovené na základě čl. 1 ods. 2 nařízení (ES) č. 1266/2004

— Begrænsning, jf. artikel 1, stk. 2, i forordning (EF) nr. 1266/2004

— Kürzung der Gültigkeitsdauer gemäß Artikel 1 Absatz 2 der Verordnung (EG) Nr. 1266/2004

— Piirang on ette nähtud määruse (EÜ) nr 1266/2004 artikli 1 lõike 2 alusel.

— Περιορισμός που προβλέπεται στο άρθρο 1 παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 1266/2004

— Limitation provided for in Article 1(2) of Regulation (EC) No 1266/2004

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 1092/2004 (OJ L 209, 11.6.2004, p. 9).

⁽³⁾ OJ L 62, 7.3.1980, p. 5. Regulation as last amended by Regulation (EC) No 444/2003 (OJ L 67, 12.3.2003, p. 3).

⁽⁴⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

- Limitation prévue à l'article 1^{er}, paragraphe 2, du règlement (CE) n° 1266/2004
- Limitazione prevista all'articolo 1, paragrafo 2 del regolamento (CE) n. 1266/2004
- Ierobežojums paredzēts Regulas (EK) Nr. 1266/2004 1. panta 2. punktā
- Apribojimas numatytas Reglamento (EB) Nr. 1266/2004 1 straipsnio 2 dalyje
- Korlátozott érvényességi időtartam az 1266/2004/EK rendelet 1. cikk (2) bekezdésének megfelelően
- Limitazzjoni ipprovduta fl-Artikolu 1 (2) tar-Regolament (KE) Nru 1266/2004
- Beperking als bepaald in artikel 1, lid 2, van Verordening (EG) nr. 1266/2004
- Ograniczenie przewidziane w art. 1 ust. 2 rozporządzenia (WE) nr 1266/2004
- Limitação estabelecida no n.º 2 do artigo 1.º do Regulamento (CE) n.º 1266/2004
- Obmedzenie stanovené článkom 1 ods. 2 nariadenia (ES) č. 1266/2004
- Omejitev določena v členu 1(2) Uredbe (ES) št. 1266/2004
- Asetuksen (EY) N:o 1266/2004 1 artiklan 2 kohdassa säädetty rajoitus
- Begränsning enligt artikel 1.2 i förordning (EG) nr 1266/2004.

Article 2

This Regulation shall enter into force on 9 July 2004.

It shall apply to licences applied for from the date of its entry into force.

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

Done at Brussels, 8 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to Commission Regulation of 8 July 2004 limiting the term of validity of export licences for certain products processed from cereals

CN code	Description
	Products derived from maize, consisting of the following subheadings:
1102 20	Maize flour
1103 13	Maize groats
1103 29 40	Maize pellets
1104 19 50	Rolled or flaked maize
1104 23	Hulled maize
1108 12 00	Maize starch
1108 13 00	Potato starch

COMMISSION REGULATION (EC) No 1267/2004

of 8 July 2004

fixing the adjustment coefficients to be applied to the specific reference quantities of traditional operators and to the specific allocations of non-traditional operators for the purposes of the additional quantity in respect of banana imports to the new Member States in the period 1 May to 31 December 2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

specific reference quantities of traditional operators and the specific allocations for non-traditional operators in the period 1 May to 31 December 2004 should be fixed.

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 838/2004 of 28 April 2004 on 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⁽¹⁾, and in particular Articles 6(2) and 7(1) thereof,

Whereas:

- (4) In the light of the national authorities' notifications, the sum total of the specific reference quantities of traditional operators amounts to 574 641,499 tonnes; the total of the applications for a specific allocation made by non-traditional operators amounts to 203 401,506 tonnes.
- (5) The adjustment coefficients mentioned above must therefore be fixed in the light of the additional quantities and the Member States' notifications. So that the operators can submit licence applications for a second tranche within time in July 2004, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

- (1) Regulation (EC) No 838/2004 fixes at 300 000 tonnes the additional quantity available for imports of bananas into the new Member States in the period from 1 May to 31 December 2004, at a rate of 249 000 tonnes for traditional operators and 51 000 tonnes for non-traditional operators.
- (2) Pending the outcome of the controls and verifications of the documents and supporting documents submitted by the operators under Article 6 of Regulation (EC) No 414/2004⁽²⁾ or national provisions adopted to this end by the new Member States before accession, Articles 5, 6 and 7 of Regulation (EC) No 838/2004 provide for the fixing for each operator, as appropriate, of a provisional reference quantity or allocation, so allowing import licences to be issued at the beginning for May for an initial tranche of the additional quantity. To this end, Regulation (EC) No 839/2004⁽³⁾ fixes the adjustment coefficients necessary for determining the operators' individual provisional quantities.
- (3) At the end of these control operations, in accordance with Articles 6 and 7 of Regulation (EC) No 838/2004, as amended, the adjustment coefficients needed for the competent national authorities to determine the

For the purposes of the available additional quantity for imports of bananas into the new Member States in the period from 1 May to 31 December 2004 as fixed in Article 3 of Regulation (EC) No 838/2004,

- (a) the adjustment coefficient to be applied to the specific reference quantity of each traditional operator as referred to in Article 6(2) of the abovementioned Regulation shall be 0.64964.
- (b) the adjustment coefficient to be applied to the application for a specific allocation made by each non-traditional operator as referred to in Article 7(1) shall be 0.25073.

Article 2

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

⁽¹⁾ OJ L 127, 29.4.2004, p. 52. Regulation as amended by Regulation (EC) No 1260/2004 (See page 16 of this Official Journal).

⁽²⁾ OJ L 68, 6.3.2004, p. 6. Regulation as amended by Regulation (EC) No 689/2004 (OJ L 106, 15.4.2004, p. 17).

⁽³⁾ OJ L 127, 29.4.2004, p. 57.

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

Done at Brussels, 8 July 2004.

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

II

(Acts whose publication is not obligatory)

COUNCIL

POLITICAL AND SECURITY COMMITTEE DECISION THEMIS/1/2004

of 30 June 2004

concerning the appointment of the Head of Mission of the EU Rule of Law Mission in Georgia, in the context of ESDP, EUJUST THEMIS

(2004/540/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union and in particular Article 25(3) thereof,

Article 1

Ms Sylvie PANTZ is hereby appointed Head of Mission of the EU Rule of Law Mission in Georgia, in the context of ESDP, EUJUST THEMIS.

Having regard to Council Joint Action 2004/523/CFSP of 28 June 2004 on the European Union Rule of Law Mission in Georgia, EUJUST THEMIS⁽¹⁾, and in particular Article 9(1) thereof,

Article 2

Whereas:

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

- (1) Article 9(1) of Joint Action 2004/523/CFSP provides that the Council authorises the Political and Security Committee to take the relevant decisions in accordance with Article 25 of the TEU, including the powers to appoint, upon a proposal by the Secretary-General/High Representative, a Head of Mission.

It shall apply until 14 July 2005.

- (2) The Secretary-General/High Representative has proposed the appointment of Ms Sylvie PANTZ,

Done at Brussels, 30 June 2004.

For the Political and Security Committee

The President

D. KELLEHER

⁽¹⁾ OJ L 228, 29.6.2004, p. 21.

CORRIGENDA**Corrigendum to Council Directive 93/32/EEC of 14 June 1993 on passenger hand-holds on two-wheel motor vehicles**

(Official Journal of the European Communities L 188 of 29 July 1993)

On page 28, in Article 4(1), first subparagraph:

for: '... to comply with this Directive not later than 14 December 1993,'

read: '... to comply with this Directive no later than 14 December 1994'.

Corrigendum to Council Directive 93/31/EEC of 14 June 1993 on stands for two-wheel motor vehicles

(Official Journal of the European Communities L 188 of 29 July 1993)

On page 21, in the Annex, point 3.1.1.3.2:

for: '3.1.1.3.2. when the vehicle moves forward as a result of deliberate action by the driver following the first contact of the prop stand with the ground,'

read: '3.1.1.3.2. when the vehicle moves forward as a result of deliberate action by the driver,'.

Corrigendum to Council Directive 73/23/EEC of 19 February 1973 on the harmonisation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits

(Official Journal of the European Communities L 77 of 26 March 1973)

On page 30, in Article 3:

for: '... subject to the conditions laid down in Articles 5, 6, 7 and 8',

read: '... subject to the conditions laid down in Article 5, 6, 7 or 8'.
