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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1346/2004
of 23 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 24 July 2004.

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

Done at Brussels, 23 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 Commission Regulation of 23 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	096	42,5
	999	42,5
0707 00 05	052	73,0
	999	73,0
0709 90 70	052	74,2
	999	74,2
0805 50 10	052	65,1
	382	58,2
	388	57,0
	508	39,2
	524	54,5
	528	49,4
	999	53,9
0806 10 10	052	156,6
	220	117,9
	616	105,2
	624	130,4
	800	116,7
	999	125,4
0808 10 20, 0808 10 50, 0808 10 90	388	82,8
	400	110,3
	404	127,3
	508	79,1
	512	89,7
	524	56,0
	528	80,1
	720	80,8
	804	88,7
	999	88,3
0808 20 50	052	136,3
	388	98,0
	512	88,2
	999	107,5
0809 10 00	052	183,0
	092	189,7
	094	69,5
	999	147,4
0809 20 95	052	257,8
	400	294,4
	616	183,0
	999	245,1
0809 30 10, 0809 30 90	052	152,0
	999	152,0
0809 40 05	512	91,6
	624	149,8
	999	120,7

⁽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 1347/2004**of 23 July 2004****determining the extent to which the applications for import licences submitted in July 2004 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 2535/2001 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas ⁽²⁾, and in particular Article 16(2) thereof,

Whereas:

Applications lodged from 1 to 10 July 2004 for certain quotas referred to in Annex I to Regulation (EC) No 2535/2001

concern quantities greater than those available; therefore, the allocation factors should be fixed for the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

The allocation coefficients set out in the Annex to this Regulation shall be applied to the quantities for which import licences have been sought for the period from 1 to 10 July 2004 in respect of products falling within the quotas referred to in parts I.A, I.B, points 5 and 6, and parts I.C, I.D, I.E, I.F, I.G and I.H, of Annex I to Regulation (EC) No 2535/2001.

Article 2

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

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

⁽²⁾ OJ L 341, 22.12.2001, p. 29. Regulation as last amended by Regulation (EC) No 748/2004 (OJ L 118, 23.4.2004, p. 3).

ANNEX I. A

Quota number	Allocation coefficient
09.4590	1,0000
09.4599	1,0000
09.4591	—
09.4592	1,0000
09.4593	—
09.4594	1,0000
09.4595	0,0077
09.4596	1,0000

ANNEX I. B

5. Products originating in Roumania

Quota number	Allocation coefficient
09.4758	0,3598

6. Products originating in Bulgaria

Quota number	Allocation coefficient
09.4660	1,0000
09.4675	—

ANNEX I. C

Products originating in ACP countries

Quota number	Allocation coefficient
09.4026	—
09.4027	—

ANNEX I. D

Products originating in Turkey

Quota number	Allocation coefficient
09.4101	—

ANNEX I. E

Products originating from South Africa

Quota number	Allocation coefficient
09.4151	1,0000

ANNEX I. F

Products originating from Switzerland

Quota number	Allocation coefficient
09.4155	1,0000
09.4156	1,0000

ANNEX I.G

Products originating in Jordan

Quota number	Allocation coefficient
09.4159	—

ANNEX I.H

Products originating in Norway

Quota number	Allocation coefficient
09.4781	1,0000
09.4782	0,9517

COMMISSION REGULATION (EC) No 1348/2004
of 23 July 2004
suspending the buying-in of butter in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 1317/2004⁽³⁾ establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Italy pursuant to Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1317/2004 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Denmark, Germany, Greece, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden and the United Kingdom.

Article 2

Regulation (EC) No 1317/2004 is hereby repealed.

Article 3

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1236/2004 (OJ L 235, 6.7.2004, p. 4).

⁽³⁾ OJ L 245, 17.7.2004, p. 9.

COMMISSION REGULATION (EC) No 1349/2004**of 23 July 2004****determining the percentage of quantities which may be allowed in respect of import licence applications lodged in July 2004 under tariff quotas for beef and veal provided for in Regulation (EC) No 1279/98 for Bulgaria and Romania**

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 1279/98 of 19 June 1998, laying down rules for the application of the tariff quotas for beef and veal provided for in Council Decisions 2003/286/EC and 2003/18/EC for Bulgaria and Romania ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

Article 1 of Regulation (EC) No 1279/98 fixes the quantities of certain beef and veal products originating in Romania and Bulgaria, which may be imported on special terms in respect of the period 1 July 2004 to 30 June 2005. The quantities of

certain beef and veal products originating in Romania covered by import licence applications submitted are such that applications may be accepted in full. However, quantities covered by applications in respect of certain beef and veal products originating in Bulgaria must be reduced proportionately in accordance with Article 4(4) of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following percentages of quantities covered by import licence applications submitted in respect of the period 1 July to 31 December 2004 under the quotas referred to in Regulation (EC) No 1279/98 are accepted in full may be allowed:

- (a) 8,3333 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Bulgaria;
- (b) 100 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50, 0206 10 95, 0206 29 91, 0210 20 and 0210 99 51 originating in Romania.

Article 2

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 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 176, 20.6.1998, p. 12. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

COMMISSION REGULATION (EC) No 1350/2004**of 23 July 2004****determining to what extent applications for the right to import for cows and heifers of certain mountain breeds lodged under Regulation (EC) No 1143/98 can be met**

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 1143/98 of 2 June 1998 laying down detailed rules for a tariff quota for cows and heifers of specified mountain breeds originating in various third countries, other than for slaughter and amending Regulation (EC) No 1012/98 ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Article 2(2) of Regulation (EC) No 1143/98 provides for the quantities reserved to traditional importers to be assigned in proportion to their imports during the period 1 July 2001 to 30 June 2004.
- (2) Allocation of the quantities available to operators covered by Article 2(3) of the abovementioned Regulation is to

be made in proportion to the quantities applied for. Since the quantities applied for exceed those available, a fixed percentage reduction should be set, pursuant to Article 5(2) of Regulation (EC) No 1143/98,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for the right to import lodged in accordance with Regulation (EC) No 1143/98 shall be granted to the following extent:

- (a) for importers covered by Article 2(1)(a) of Regulation (EC) No 1143/98, 100 % of the quantities imported during the period 1 July 2001 to 30 June 2004;
- (b) for importers covered by Article 2(1)(b) of Regulation (EC) No 1143/98, 23,7020 % of the quantities applied for.

Article 2

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 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 159, 3.6.1998, p. 14. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

COMMISSION REGULATION (EC) No 1351/2004**of 23 July 2004****on the issue of import licences for rice against applications submitted during the first 10 working days of July 2004 pursuant to Regulation (EC) No 327/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of concessions set out in Schedule CXL drawn up in the wake of the conclusion of GATT XXIV.6 negotiations ⁽¹⁾,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII ⁽²⁾,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽³⁾, as last amended by Regulation (EC) No 2458/2001, and in particular Article 5(2) thereof,

Whereas:

Examination of the quantities for which applications have been submitted under the July 2004 tranche shows that licences

should be issued for the quantities applied for, reduced, where appropriate, by the percentages not covered and fixing the quantities carried over to the subsequent tranche,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for rice against applications submitted during the first 10 working days of July 2004 pursuant to Regulation (EC) No 327/98 and notified to the Commission shall be issued for the quantities applied for, reduced by the percentages set out in the Annex to this Regulation.

2. The available quantities carried over to the subsequent tranche are set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 122, 22.5.1996, p. 15.

⁽³⁾ OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Regulation (EC) No 2296/2003 (OJ L 340, 24.12.2003, p. 35).

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for July 2004 and quantities carried over to the following tranche:

(a) semi-milled and wholly milled rice falling within CN code 1006 30

Origin	Reduction percentage for the July 2004 tranche	Quantity carried over to the tranche for September 2004 (tonnes)
United States of America	0 ⁽¹⁾	4 550,994
Thailand	0 ⁽¹⁾	2 917,934
Australia	0 ⁽¹⁾	252
Other origins	—	—

(b) husked rice falling within CN code 1006 20

Origin	Reduction percentage for the July 2004 tranche	Quantity carried over to the tranche for September 2004 (tonnes)
United States of America	0 ⁽¹⁾	390
Thailand	0 ⁽¹⁾	5,023
Australia	0 ⁽¹⁾	10 083
Other origins	—	—

⁽¹⁾ Issue for the quantity applied for.

COMMISSION REGULATION (EC) No 1352/2004**of 23 July 2004****fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽²⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate,

to take account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 July 2004.

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

Done at Brussels, 23 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1513/2001 (OJ L 201, 26.7.2001, p. 4).

⁽²⁾ OJ L 78, 31.3.1972, p. 1. Regulation as last amended by Regulation (EEC) No 2962/77 (OJ L 348, 30.12.1977, p. 53).

ANNEX

to the Commission Regulation of 23 July 2004 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

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 Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 June 2004

listing the areas of Cyprus eligible under Objective 2 of the Structural Funds for the period 2004 to 2006

(notified under document number C(2004) 2123)

(Only the Greek text is authentic)

(2004/560/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds⁽¹⁾, and in particular Article 4(4) thereof,

After consulting the Committee on the Development and Conversion of Regions, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture,

Whereas:

- (1) Objective 2 of the Structural Funds is to support the economic and social conversion of areas facing structural difficulties.
- (2) The Commission and the Member States seek to ensure that assistance is genuinely concentrated on the areas most seriously affected and at the most appropriate geographical level.
- (3) The ceiling for eligible population is 213 000 inhabitants, in accordance with Article 4(2) of Regulation (EC) No 1260/1999 laying down the ceiling for Cyprus at 31 % of the population of the NUTS II regions not covered by Objective 1.

- (4) The Commission, on the basis of proposals from the Member States and in close concertation with the Member State concerned, draws up the list of the areas eligible under Objective 2 with due regard to national priorities,

HAS ADOPTED THIS DECISION:

Article 1

The areas in Cyprus eligible under Objective 2 of the Structural Funds from 1 May 2004 to 31 December 2006 are listed in the Annex hereto.

Article 2

This Decision is addressed to the Republic of Cyprus.

Done at Brussels, 18 June 2004.

For the Commission
Jacques BARROT
Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1. Regulation as last amended by the Act of Accession.

ANNEX

List of areas eligible for Objective 2 in Cyprus

Period 2004 to 2006

NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	

Areas satisfying the provisions of Article 4(7) of Regulation (EC) No 1260/1999

Cyprus		Municipalities (national code): Lefkosia (1000) (only the quarters: Ayios Andreas (100001), Tripiotis (100002), Nebethane (100003), Tabakhane (100004), Faneromeni (100005), Ayios Savvas (100006), Omeriye (100007), Ayios Antonios (100008), Ayios Ioannis (100009), Tahtelkale (100010), Chrysaliniotissa (100011), Ayios Kassianos (100012), Kaimakli (100013), Panayia (100014), Arap Ahmet (100017), Yeni Cami (100018), Omorfita (100019)) Ayios Dometios (1010)	47 731
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Areas satisfying the provisions of Article 4(9)(b) of Regulation (EC) No 1260/1999

Cyprus		Municipalities (national code): Alambra (1102) Nisou (1105) Pera Chorio (1106) Dali (1107) Lympia (1108) Louroukina (1110) Potamia (1120) Ayios Sozomenos (1121) Pyrogi (1122) Margo (1123) Deryneia (3102) Sotira (3103) Liopetri (3104) Frenaros (3105) Avgorou (3110) Achna (3111) (excluding the part within the limits of the sovereign bases area) Acheritou (3114) (excluding the part within the limits of the sovereign bases area) Kellia (4100) Troulloi (4101) Avdellero (4103) Pyla (4104) Xylotymvou (4105) (excluding the part within the limits of the sovereign bases area) Ormideia (4106) (excluding the part within the limits of the sovereign bases area) Xylofagou (4107) (excluding the part within the limits of the sovereign bases area) Pergamos (4108) Petrofani (4201) Athienou (4202) Ayia Anna (4211)	56 446
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NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Mosfiloti (4212) Psevdas (4213) Kochi (4217)	

Areas satisfying the provisions of Article 4(9)(c) of Regulation (EC) No 1260/1999

Cyprus		Municipalities (national code): Sia (1100) Mathiatis (1101) Agia Varvara (1103) Kotsiatis (1104) Lythrodontas (1109) Kampi (1200) Farmakas (1201) Apliki (1202) Lazanias (1203) Gourri (1204) Fikardou (1205) Agios Epifanios (1206) Kalo Chorio (1207) Malounta (1208) Klirou (1209) Arediou (1210) Agios Ioannis (1211) Agrokipia (1212) Mitsero (1213) Kapedes (1220) Kataliontas (1221) Analiontas (1222) Kampia (1223) Margi (1224) Tseri (1225) Politiko (1226) Pera (1227) Episkopeio (1228) Psimolofou (1229) Ergates (1230) Anageia (1231) Deneia (1242) Mammari (1244) Palaichori Morfou (1300) Askas (1301) Alona (1302) Fterikoudi (1303) Polystypos (1304) Lagoudera (1305) Saranti (1306) Livadia (1307) Alithinou (1308) Platanistasa (1309) Palaichori Oreinis (1310) Xyliatos (1320) Agios Georgios Kafkallou (1321) Nikitari (1322) Vyzakia (1323) Agia Marina (1324) Agioi Iliofotoi (1325) Kato Moni (1326) Orounta (1327) Pano Koutrafas (1328) Kato Koutrafas (1329) Potami (1330) Pano Zodia (1350) Akaki (1360) Peristerona (1361) Astromeritis (1362)	108 150
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NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Avlona (1363) Katokopia (1364) Meniko (1368) Spilia (1400) Agia Eirini (1402) Kannavia (1403) Kakopetria (1404) Agios Theodoros (1405) Galata (1406) Sinaoros (1407) Kaliana (1408) Temvria (1409) Korakou (1410) Evrychou (1411) Flasou (1412) Agios Epifanios (1414) Linou (1415) Katydata (1416) Skouriotissa (1417) Pedoulas (1420) Mylikouri (1421) Moutoullas (1422) Oikos (1423) Kalopanagiotis (1424) Gerakies (1425) Tsakistra (1426) Kampos (1427) Ayios Nikolaos Lefkas (1430) Agios Georgios (1431) Petra (1432) Lefka (1435) Ampelikou (1436) Angolemi (1443) Variseia (1450) Galini (1451) Xerovounos (1452) Ayios Ioannis Salamani (1454) Ammadies (1455) Pano Pyrgos (1456) Kato Pyrgos (1457) Selladi tou Appi (1458) Alevga (1459) Pigenia (1460) Pachyammos (1461) Agios Theodoros (1462) Kokkina (1464) Frodisia (1465) Alaminos (4121) Anafotida (4122) Alethriko (4125) Klavdia (4126) Anglisides (4127) Menogeia (4128) Pyrga (4214) Kornos (4215) Delikipos (4216) Zygi (4300) Mari (4301) Kalavasos (4302) Tochni (4303) Choirokoitia (4304) Psematismenos (4305) Maroni (4306) Agios Theodoros (4307) Skarinou (4308) Kofinou (4309) Kato Lefkara (4310) Pano Lefkara (4311)	

NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Kato Drys (4312) Vavla (4313) Lageia (4314) Ora (4315) Melini (4316) Odou (4317) Agioi Vavatsinias (4318) Vavatsinia (4319) Palodeia (5100) Paramythia (5101) Spitali (5102) Fasoula (5103) Mathikoloni (5104) Gerasa (5105) Apsiou (5106) Apesia (5107) Korfi (5108) Limnatis (5109) Kapileio (5110) Armenochori (5121) Foinikaria (5122) Akrounta (5123) Pentakomo (5126) Asgata (5130) Vasa (5131) Sanida (5132) Prastio (5133) Klonari (5134) Vikla (5135) Kellaki (5136) Akapnou (5137) Eptagoneia (5138) Dierona (5140) Arakapas (5141) Agios Pavlos (5142) Agios Konstantinos (5143) Sykopetra (5144) Louvaras (5145) Kalo Chorio (5146) Zoopigi (5147) Kolossi (5210) (excluding the part within the limits of the sovereign bases area) Erimi (5211) (excluding the part within the limits of the sovereign bases area) Episkopi (5212) Kantou (5213) Sotira (5214) Prastio (5220) Paramali (5221) (excluding the part within the limits of the sovereign bases area) Avdimou (5222) (excluding the part within the limits of the sovereign bases area) Platanisteia (5223) Agios Thomas (5224) Alektora (5225) Anogyra (5226) Pissouri (5227) Souni-Zanakia (5300) Alassa (5302) Kato Kivides (5303) Pano Kivides (5304) Agios Amvrosios (5305) Agios Therapon (5306) Lofou (5307) Pachna (5308) Agios Georgios (5310) Doros (5311) Laneia (5312)	

NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Silikou (5313) Monagri (5314) Trimiklini (5315) Agios Mamas (5316) Kouka (5317) Moniatis (5318) Dora (5320) Gerovasa (5321) Arsos (5322) Kissousa (5323) Malia (5324) Vasa (5325) Vouni (5326) Pera Pedi (5327) Mandria (5328) Potamiou (5329) Omodos (5330) Koilani (5331) Agios Dimitrios (5340) Palaiomylos (5341) Prodromos (5342) Kaminaria (5343) Treis Elies (5344) Lemithou (5345) Kato Platres (5350) Pano Platres (5351) Foinikaria (5352) Pano Amiantos (5353) Kato Amiantos (5354) Agios Theodoros (5360) Agios Ioannis (5361) Kato Mylos (5362) Potamitissa (5363) Dymes (5364) Pelendri (5365) Agros (5366) Agridia (5367) Chandria (5368) Kyperounta (5369) Kouklia (6100) Mandria (6101) Nikokleia (6102) Souskiou (6103) Anarita (6107) Foinikas (6108) Armou (6111) Episkopi (6112) Nata (6113) Choletria (6114) Axylou (6115) Eledio (6116) Tsada (6120) Stroumpi (6122) Polemi (6123) Kallepeia (6124) Letymvou (6125) Pitargou (6126) Kourdaka (6127) Lemona (6128) Choulou (6129) Akoursos (6130) Kathikas (6132) Pegeia (6133) Pano Archimandrita (6200) Fasoula (6201) Mousere (6202) Maronas (6203) Mamonia (6204)	

NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Agios Georgios (6205) Stavrokonou (6206) Prastio (6207) Trachypedoula (6208) Kelokedara (6210) Salamiou (6211) Kidasi (6212) Kedares (6213) Mesana (6214) Praitori (6215) Filousa (6216) Arminou (6217) Agios Nikolaos (6218) Agios Ioannis (6219) Amargeti (6220) Agia Marina (6221) Pentalia (6222) Faleia (6223) Galataria (6224) Koilineia (6225) Vretsia (6226) Statos-Agios Fotios (6227) Lapithiou (6228) Mamountali (6229) Pano Panagia (6230) Asprogia (6231) Psathi (6300) Agios Dimitrianos (6301) Kannaviou (6302) Thrinia (6303) Milia (6304) Krittou Marottou (6305) Fyti (6306) Lasa (6307) Drymou (6308) Simou (6310) Anadiou (6311) Sarama (6312) Evretou (6313) Trimithousa (6314) Filousa (Chrysochous) (6315) Kios (Istinjo) (6316) Zacharia (6317) Meladeia (6318) Melandra (6319) Lysos (6320) Peristerona (6321) Theletra (6330) Giolou (6331) Pano Akourdaleia (6332) Miliou (6333) Kato Akourdaleia (6334) Tera (6335) Krittou Marottou (6336) Skoulli (6337) Choli (6338) Loukrounou (6339) Karamoullides (6340) Chrysochou (6341) Polis Chrysochou (6343) Neo Chorio (6344) Goudi (6345) Kato Arodes (6350) Pano Arodes (6351) Ineia (6352) Drouseia (6353) Fasli (6354) Androlikou (6355)	

NUTS III region	Eligible area		Population of the NUTS III level region in eligible areas (in inhabitants)
	All of the NUTS III level region except	Only the following areas of the NUTS III level region	
		Pelathousa (6360) Kynousa (6361) Makounta (6362) Argaka (6363) Gialia (6364) Agia Marina (6365) Nea Dimmata (6366) Pomos (6367) Steni (6368) Agios Isidoros (6369) Livadi (6370)	

COMMISSION DECISION

of 16 July 2004

excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

(notified under document number C(2004) 2762)

(Only the Spanish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish texts are authentic)

(2004/561/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁴⁾.

Having regard to the Treaty establishing the European Community,

- (2) The Member States have had an opportunity to request that a conciliation procedure be initiated. That opportunity has been used in some cases and the report issued on the outcome has been examined by the Commission.

Having regard to Council Regulation (EEC) No 729/70 of the Council of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 5(2)(c) thereof,

- (3) Under Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999, only refunds on exports to third countries and intervention to stabilise agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organisation of the agricultural markets, may be financed.

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 7(4) thereof,

Having consulted the Fund Committee,

- (4) In the light of the checks carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil these requirements and cannot, therefore, be financed under the EAGGF Guarantee Section.

Whereas:

- (1) Article 5 of Regulation (EEC) No 729/70, Article 7 of Regulation (EC) No 1258/1999, and Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽³⁾, provide that the Commission is to make the necessary verifications, inform the Member States of its findings, take account of the Member States' comments, initiate bilateral discussions and then formally communicate its conclusions to the Member States, referring to Commission Decision 94/442/EC of 1 July 1994

- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section should be indicated. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the checks to the Member States.
- (6) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States in a summary report on the subject.

⁽¹⁾ OJ L 94, 28.4.1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ L 125, 8.6.1995, p. 1).

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

⁽³⁾ OJ L 158, 8.7.1995, p. 6. Regulation as last amended by Regulation (EC) No 2025/2001 (OJ L 274, 17.10.2001, p. 3).

⁽⁴⁾ OJ L 182, 16.7.1994, p. 45. Decision as last amended by Decision 2001/535/EC (OJ L 193, 17.7.2001, p. 25).

- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 2 April 2004 and relating to its content,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section shall be excluded from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 16 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

TOTAL CORRECTIONS

Sector	Member State	Budget item	Reason	National Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of the decision	Financial year
Financial audit	BE	1800	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	-12 546,82	-12 546,82	0,00	2002
	Total BE				-12 546,82	-12 546,82	0,00	
Financial audit	DE	2124, 2125, 2128	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	-2 201 556,70	-2 201 556,70	0,00	2002
	Total DE				-2 201 556,70	-2 201 556,70	0,00	
Fruit and vegetable	GR	1512	Correction — refusal of the expenditure — non-compliance with Regulation (EC) No 2201/96 and (EC) No 504/97 — non-respect of the minimum price and flat-rate correction of 2 % — insufficient reimbursement of transport costs: processing of the peaches	EUR	-13 666 570,48	0,00	-13 666 570,48	2000-2001
Fruit and vegetable	GR	1511	Ad hoc correction — direct payments for producers and flat-rate correction of 10 % shortcomings in key controls: processing of tomatoes	EUR	-11 327 825,25	0,00	-11 327 825,25	1999-2002
Fruit and vegetable	GR	1511	Flat-rate correction of 5 % — shortcomings in key controls: processing tomatoes delivered by PO G	EUR	-366 752,30	0,00	-366 752,30	2002-2003
Animal Premiums	GR	2120, 2122, 2125, 2124, 2128	Flat-rate correction of 25 % on the amounts net of the 2,2 % — absence of a key control: non-operational status of the I&R database and deficiency in on-the-spot checks	EUR	-15 616 929,93	0,00	-15 616 929,93	2000-2001
Animal Premiums	GR	2220, 2222	Financial impact of the correction imposed for the financial years 1999-2000 (Commission Decision No 2003/536/EC) on the expenditure declared in financial year 2002	EUR	-43 594,40	0,00	-43 594,40	2002
Animal Premiums	GR	2540, 2320	Correction: over-declaration of expenditure to the EAGGF, ineligible inclusion of VAT — production and marketing of honey	EUR	-83 730,89	0,00	-83 730,89	1999-2002
	Total GR				-41 105 403,25	0,00	-41 105 403,25	
Animal Premiums	ES	2220, 2221	Flat-rate correction of 5 % — shortcomings in key and ancillary controls — ovine premium	EUR	-893 597,52	0,00	-893 597,52	2000-2002
Financial audit	ES	1049, 1055, 1210, 1400, 1402, 1515, 1610, 1800, 2124, 2125, 2320	Correction — application of Regulation (EC) No 1258/99 — non-respect of payment deadlines	EUR	-11 491 292,34	-11 835 994,73	344 702,39	2002
	Total ES				-12 384 889,86	-11 835 994,73	-548 895,13	

Sector	Member State	Budget item	Reason	National Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of the decision	Financial year
Financial audit	FI	2124, 2125	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	- 58 459,31	- 58 459,31	0,00	2002
	Total FI				- 58 459,31	- 58 459,31	0,00	
Animal Premiums	FR	2120, 2122, 2125, 2124, 2128	Correction of total expenditure — Haute-Corse — bovine premium	EUR	- 22 639 501,84	0,00	- 22 639 501,84	2001-2003
Animal Premiums	FR	2120, 2122, 2125, 2124, 2128	Flat-rate correction of 2 % — shortcomings in on-the-spot checks in the view of not fully operational database: bovine premium	EUR	- 28 134 491,21	0,00	- 28 134 491,21	2003
Animal Premiums	FR	2220, 2222	Flat-rate correction of 2 % — shortcomings in on-the-spot checks	EUR	- 1 934 036,76	0,00	- 1 934 036,76	2001-2003
Animal Premiums	FR	2220, 2222	Flat-rate correction of 10 % — shortcomings in key controls — Haute-Corse — ovine premium	EUR	- 386 031,63	0,00	- 386 031,63	2000-2002
Financial audit	FR	1210, 1611, 1612, 2124, 2125, 2128	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	- 10 297 687,75	- 10 297 687,75	0,00	2002
	Total FR				- 63 391 749,19	- 10 297 687,75	- 53 094 061,44	
Financial audit	IE	1049, 2125	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	- 53 301,01	- 75 116,75	21 815,74	2002
Animal Premium	Total IE				- 53 301,01	- 75 116,75	21 815,74	
	IT	2120, 2122, 2125, 2124, 2128	Flat-rate correction of 10 % — ineffective key controls, not fully operational I&R database, flat-rate correction of 5 % and 2 % lack or deficiency in control and administration of the scheme and on-the-spot checks	EUR	- 21 098 010,70	0,00	- 21 098 010,70	1999-2001
Rural development	IT	4051, 4072	Correction — corrigendum ad hoc Decision No 15 — flat-rate correction of 2 % and 5 % for failings in the management and control system	EUR	- 40 000,00	0,00	- 40 000,00	2001-2002
	Total IT				- 21 138 010,70	0,00	- 21 138 010,70	
Financial audit	LU	1051, 2124	Correction — application of Regulation (EC) No 258/1999 — non-respect of payment deadlines	EUR	- 132 220,46	- 132 220,46	0,00	2002
	Total LU				- 132 220,46	- 132 220,46	0,00	

Sector	Member State	Budget item	Reason	National Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of the decision	Financial year
Export refunds	NL	2100-013 to 016	Flat-rate correction of 10 % and 5 % — Failure to implement and shortcomings in key controls — non-respect of Directive 91/628/EEC and Regulation (EC) No 615/98 provisions — export refunds for live cattle	EUR	-1 064 627,33	0,00	-1 064 627,33	1999-2001
Financial audit	NL	2120, 2124, 2125	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	-470 165,16	-470 165,16	0,00	2002
	Total NL				-1 534 792,49	-470 165,16	-1 064 627,33	
Financial audit	PT	1050, 1610, 1800	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	EUR	-44 704,67	-44 704,67	0,00	2002
	Total PT				-44 704,67	-44 704,67	0,00	
Financial audit	UK	1054, 1060, 2125	Correction — application of Regulation (EC) No 1258/1999 — non-respect of payment deadlines	GBP	-1 118 369,01	-1 118 369,01	0,00	2002
	Total UK				-1 118 369,01	-1 118 369,01	0,00	