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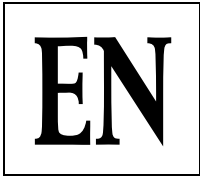
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1359/2004
of 28 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 29 July 2004.

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

Done at Brussels, 28 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 28 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	62,9
	999	62,9
0707 00 05	052	83,4
	092	101,8
	999	92,6
0709 90 70	052	69,6
	999	69,6
0805 50 10	382	52,7
	388	52,7
	508	39,2
	512	41,3
	524	63,5
	528	54,5
	999	50,7
0806 10 10	052	146,3
	204	123,0
	220	117,9
	616	105,2
	624	122,3
	800	99,3
	999	119,0
0808 10 20, 0808 10 50, 0808 10 90	388	91,4
	400	111,0
	404	128,5
	508	76,3
	512	82,1
	524	56,0
	528	78,5
	720	68,6
	804	91,0
0808 20 50	999	87,0
	052	78,2
	388	98,0
	512	88,2
0809 10 00	999	88,1
	052	158,6
	094	61,8
0809 20 95	999	110,2
	052	317,5
	400	415,9
	404	322,5
	616	183,0
0809 30 10, 0809 30 90	999	309,7
	052	149,1
	999	149,1
0809 40 05	093	53,9
	512	91,6
	624	182,4
	999	109,3

⁽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 1360/2004**of 27 July 2004****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92⁽²⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 2004.

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

Done at Brussels, 27 July 2004.

For the Commission

Olli REHN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽²⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.10	New potatoes 0701 90 50	—	—	—	—	—	—
		—	—	—	—	—	—
		—	—	—	—	—	—
1.30	Onions (other than seed) 0703 10 19	30,69	17,86	963,61	228,19	480,16	7 641,03
		105,96	20,17	13,05	135,86	7 364,84	1 223,17
		282,04	20,35	—	—	—	—
1.40	Garlic 0703 20 00	104,33	60,72	3 275,95	775,79	1 632,41	25 977,05
		360,23	68,59	44,38	461,89	25 038,08	4 158,37
		958,85	69,19	—	—	—	—
1.50	Leeks ex 0703 90 00	45,21	26,31	1 419,59	336,18	707,38	11 256,84
		156,10	29,72	19,23	200,15	10 849,95	1 801,98
		415,51	29,98	—	—	—	—
1.60	Cauliflowers 0704 10 00	—	—	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	32,61	18,98	1 023,95	242,48	510,24	8 119,56
		112,60	21,44	13,87	144,37	7 826,07	1 299,77
		299,71	21,63	—	—	—	—
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	61,43	35,75	1 928,90	456,79	961,17	15 295,46
		212,11	40,38	26,13	271,96	14 742,59	2 448,48
		564,58	40,74	—	—	—	—
1.100	Chinese cabbage ex 0704 90 90	75,36	43,86	2 366,30	560,37	1 179,13	18 763,89
		260,20	49,54	32,06	333,63	18 085,65	3 003,70
		692,60	49,98	—	—	—	—
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—	—	—
1.130	Carrots ex 0706 10 00	26,74	15,56	839,64	198,84	418,39	6 657,99
		92,33	17,58	11,38	118,38	6 417,33	1 065,80
		245,76	17,73	—	—	—	—
1.140	Radishes ex 0706 90 90	44,01	25,61	1 381,91	327,25	688,61	10 958,05
		151,96	28,93	18,72	194,84	10 561,96	1 754,15
		404,48	29,19	—	—	—	—
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	314,92	183,28	9 888,37	2 341,69	4 927,37	78 411,03
		1 087,34	207,03	133,97	1 394,20	75 576,79	12 551,94
		2 894,27	208,85	—	—	—	—

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.170	Beans:						
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	112,88 389,74 1 037,39	65,69 74,20 74,86	3 544,28 48,02	839,33 499,72	1 766,11 27 088,94	28 104,82 4 498,98
1.170.2	— Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Sav.) ex 0708 20 00	128,20 442,65 1 178,23	74,61 84,28 85,02	4 025,48 54,54	953,28 567,57	2 005,89 30 766,72	31 920,52 5 109,80
1.180	Broad beans ex 0708 90 00	—	—	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—	—	—
1.200	Asparagus:						
1.200.1	— green ex 0709 20 00	291,73 1 007,30 2 681,21	169,79 191,79 193,48	9 160,44 124,10	2 169,30 1 291,56	4 564,64 70 013,22	72 638,82 11 627,93
1.200.2	— other ex 0709 20 00	455,13 1 571,48 4 182,93	264,89 299,20 301,84	14 291,14 193,61	3 384,31 2 014,96	7 121,27 109 227,08	113 323,27 18 140,64
1.210	Aubergines (eggplants) 0709 30 00	81,22 280,45 746,51	47,27 53,40 53,87	2 550,46 34,55	603,98 359,60	1 270,89 19 493,16	20 224,19 3 237,46
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	83,53 288,41 767,69	48,61 54,91 55,40	2 622,84 35,53	621,12 369,80	1 306,96 20 046,36	20 798,13 3 329,34
1.230	Chantarelles 0709 59 10	553,21 1 910,12 5 084,33	321,97 363,68 366,89	17 370,79 235,34	4 113,61 2 449,17	8 655,86 132 764,87	137 743,76 22 049,84
1.240	Sweet peppers 0709 60 10	138,15 476,99 1 269,64	80,40 90,82 91,62	4 337,76 58,77	1 027,23 611,60	2 161,50 33 153,47	34 396,77 5 506,19
1.250	Fennel 0709 90 50	—	—	—	—	—	—
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	95,49 329,72 877,63	55,58 62,78 63,33	2 998,46 40,62	710,07 422,76	1 494,13 22 917,17	23 776,60 3 806,13
2.10	Chestnuts (<i>Castanea</i> spp.) fresh ex 0802 40 00	—	—	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	70,05 241,88 643,82	40,77 46,05 46,46	2 199,64 29,80	520,90 310,14	1 096,08 16 811,83	17 442,30 2 792,14

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.40	Avocados, fresh ex 0804 40 00	102,60 354,24 942,92	59,71 67,45 68,04	3 221,51 43,64	762,89 454,21	1 605,28 24 621,97	25 545,33 4 089,26
2.50	Guavas and mangoes, fresh ex 0804 50	—	—	—	—	—	—
2.60	Sweet oranges, fresh:						
2.60.1	— Sanguines and semi-sanguines 0805 10 10	48,60 167,81 446,66	28,29 31,95 32,23	1 526,04 20,67	361,38 215,16	760,42 11 663,51	12 100,91 1 937,10
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	65,89 227,49 605,54	38,35 43,31 43,70	2 068,84 28,03	489,93 291,69	1 030,90 15 812,15	16 405,13 2 626,11
2.60.3	— Others 0805 10 50	63,74 220,08 585,81	37,10 41,90 42,27	2 001,44 27,11	473,96 282,19	997,31 15 296,96	15 870,62 2 540,55
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkins and similar citrus hybrids, fresh:						
2.70.1	— Clementines ex 0805 20 10	73,12 252,46 672,00	42,55 48,07 48,49	2 295,91 31,10	543,70 323,71	1 144,05 17 547,64	18 205,70 2 914,35
2.70.2	— Monreales and satsumas ex 0805 20 30	69,96 241,55 642,94	40,71 45,99 46,40	2 196,63 29,76	520,19 309,71	1 094,58 16 788,84	17 418,44 2 788,32
2.70.3	— Mandarines and wilkins ex 0805 20 50	62,56 216,01 574,97	36,41 41,13 41,49	1 964,39 26,61	465,19 276,97	978,86 15 013,85	15 576,89 2 493,53
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	73,33 253,19 673,95	42,68 48,21 48,63	2 302,56 31,19	545,27 324,65	1 147,37 17 598,47	18 258,44 2 922,79
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	86,96 300,27 799,25	50,61 57,17 57,67	2 730,66 36,99	646,65 385,01	1 360,68 20 870,39	21 653,07 3 466,20
2.90	Grapefruit, fresh:						
2.90.1	— white ex 0805 40 00	49,39 160,18 426,37	27,00 30,50 30,77	1 456,70 19,73	344,96 205,38	725,87 11 133,52	11 551,04 1 849,08
2.90.2	— pink ex 0805 40 00	65,36 225,66 600,67	38,04 42,97 43,34	2 052,20 27,80	485,99 289,35	1 022,61 15 684,95	16 273,16 2 604,99

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.100	Table grapes 0806 10 10	— — —	— — —	— — —	— — —	— — —	— — —
2.110	Water melons 0807 11 00	28,05 96,85 257,80	16,33 18,44 18,60	880,77 11,93	208,58 124,18	438,89 6 731,72	6 984,17 1 118,02
2.120	Melons (other than water melons):						
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onte- niente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	57,28 197,78 526,44	33,34 37,66 37,99	1 798,59 24,37	425,93 253,59	896,24 13 746,63	14 262,15 2 283,07
2.120.2	— Other ex 0807 19 00	62,33 215,21 572,85	36,28 40,98 41,34	1 957,16 26,52	463,48 275,95	975,25 14 958,58	15 519,55 2 484,35
2.140	Pears						
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	— Other ex 0808 20 50	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	147,40 508,94 1 354,69	85,79 96,90 97,76	4 628,36 62,70	1 096,05 652,57	2 306,31 35 374,53	36 701,13 5 875,07
2.160	Cherries 0809 20 95 0809 20 05	245,10 846,28 2 252,62	142,65 161,13 162,55	7 696,14 104,27	1 822,54 1 085,11	3 834,98 58 821,55	61 027,45 9 769,20
2.170	Peaches 0809 30 90	— — —	— — —	— — —	— — —	— — —	— — —
2.180	Nectarines ex 0809 30 10	— — —	— — —	— — —	— — —	— — —	— — —
2.190	Plums 0809 40 05	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 00	112,40 388,09 1 033,02	65,42 73,89 74,54	3 529,36 47,81	835,80 497,62	1 758,68 26 974,88	27 986,48 4 480,04

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.205	Raspberries 0810 20 10	304,95	177,48	9 575,43	2 267,58	4 771,43	75 929,50
		1 052,93	200,47	129,73	1 350,07	73 184,95	12 154,70
		2 802,67	202,24				
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 605,61	934,47	50 416,15	11 939,16	25 122,34	399 780,83
		5 543,85	1 055,53	683,03	7 108,36	385 330,34	63 996,40
		14 756,52	1 064,84				
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	110,92	64,56	3 482,92	824,80	1 735,54	27 618,22
		382,99	72,92	47,19	491,07	26 619,93	4 421,09
		1 019,43	73,56				
2.230	Pomegranates ex 0810 90 95	253,43	147,50	7 957,70	1 884,48	3 965,32	63 101,54
		875,04	166,60	107,81	1 121,99	60 820,67	10 101,21
		2 329,17	168,07				
2.240	Khakis (including sharon fruit) ex 0810 90 95	244,69	142,41	7 683,37	1 819,52	3 828,62	60 926,21
		844,88	160,86	104,09	1 083,31	58 723,97	9 752,99
		2 248,88	162,28				
2.250	Lychees ex 0810 90	—	—	—	—	—	—

COMMISSION REGULATION (EC) No 1361/2004**of 28 July 2004****amending Regulation (EC) No 1518/2003 laying down detailed rules for implementing the system of export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

1. Paragraph 4 is replaced by the following:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, and in particular Articles 8(2) and 13(12) thereof,

Whereas:

(1) The economic conditions on the pigmeat export markets vary widely and, therefore, require further distinctions to be drawn in the conditions in which export refunds for products in this sector are granted. In order to attain more effectively the objectives of adjustment of the method for the allocation of the quantities which may be exported with a refund and efficient use of the resources available, as referred to in Article 13(2) of Regulation (EEC) No 2759/75, it would be advisable to extend the circumstances, provided for in Article 3(4) of Commission Regulation (EC) No 1518/2003⁽²⁾, in which the Commission may take steps to restrict the issue of export licences or the lodging of applications for such licences during the reflection period for which provision is made following the lodging of applications. It would also be advisable to provide for these measures to be taken by destination.

(2) Regulation (EC) No 1518/2003 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EC) No 1518/2003 is hereby amended as follows:

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation last amended by Regulation (EC) No 1365/2000 (OJ L 156, 29.6.2000, p. 5).

⁽²⁾ OJ L 217, 29.8.2003, p. 35. Regulation amended by Regulation (EC) No 130/2004 (OJ L 19, 27.1.2004, p. 14).

‘4. Where the issue of export licences would or might result in the available budgetary amounts being exceeded or in the maximum quantities which may be exported with a refund being exhausted during the period concerned, in view of the limits referred to in Article 13(11) of Regulation (EEC) No 2759/75, or would not allow exports to continue during the remainder of the period, the Commission may:

- (a) set an acceptance percentage for the quantities applied for;
- (b) reject applications for which licences have not yet been granted;
- (c) suspend lodging of licence applications for a maximum period of five working days, extendable by the procedure specified in Article 24(2) of Regulation (EEC) No 2759/75.

In the circumstances referred to in point (c) of the first subparagraph, licence applications made during the suspension period shall be invalid.

The measures provided for in the first subparagraph may be implemented or modulated by category of product and by destination.’

2. The following paragraph 4a is inserted:

‘4a The measures provided for in paragraph 4 may also be adopted where export licence applications relate to quantities which exceed or might exceed the normal disposable quantities for one destination and issuing the licences requested would entail a risk of speculation, distortion of competition between operators, or disturbance of the trade concerned or the Community market.’

Article 2

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

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

Done at Brussels, 28 July 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1362/2004**of 28 July 2004****on the issuing of system A3 export licences in the fruit and vegetables sector (table grapes and peaches)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1205/2004 ⁽²⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences, which may be issued, other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.

(3) In the case of table grapes and peaches, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is more than one-and-a-half times the indicative refund rate. The rate must therefore be set in accordance with Article 4(4) of Commission Regulation (EC) No 1961/2001 of 8 October 2001 laying down detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽³⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

In the case of table grapes and peaches, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 1205/2004 shall be fixed in the Annex.

Article 2

This Regulation shall enter into force on 29 July 2004.

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

Done at Brussels, 28 July 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 230, 30.6.2004, p. 39.

⁽³⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 1176/2002 (OJ L 170, 29.6.2002, p. 69).

ANNEX

Issuing of system A3 export licences in the fruit and vegetable sector (table grapes and peaches)

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Table grapes	35	100 %
Peaches	25	100 %

COMMISSION REGULATION (EC) No 1363/2004
of 28 July 2004
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.
- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in an adjustment of the import duties as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 are fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 29 July 2004.

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

Done at Brussels, 28 July 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽²⁾ OJ L 189, 30.7.1996, p. 71. Regulation as last amended by Regulation (EC) No 2294/2003 (OJ L 340, 24.12.2003, p. 12).

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽⁵⁾				
	Third countries (except ACP and Bangladesh) ⁽³⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	181,78	59,28	86,55	0,00	136,34
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	181,78	59,28	86,55	0,00	136,34
1006 30 21	416,00	133,21	193,09		312,00
1006 30 23	416,00	133,21	193,09		312,00
1006 30 25	416,00	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	416,00	133,21	193,09		312,00
1006 30 44	416,00	133,21	193,09		312,00
1006 30 46	416,00	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	416,00	133,21	193,09		312,00
1006 30 63	416,00	133,21	193,09		312,00
1006 30 65	416,00	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	416,00	133,21	193,09		312,00
1006 30 94	416,00	133,21	193,09		312,00
1006 30 96	416,00	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

(⁷) Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/t)	(¹)	181,78	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/t)	—	369,65	229,36	279,42	357,50	—
(b) fob price (EUR/t)	—	—	—	254,77	332,85	—
(c) Sea freight (EUR/t)	—	—	—	24,65	24,65	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1364/2004**of 22 July 2004****laying down transitional measures for the sale of a maximum quantity of 54 000 tonnes of wheat and 40 000 tonnes of maize from the national security stocks held by Hungary**

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,

Whereas:

(1) Pursuant to Article 6 of Commission Regulation (EC) No 1972/2003 of 10 November 2003 on transitional measures to be adopted in respect of trade in agricultural products on account of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia⁽¹⁾, the Hungarian authorities have informed the Commission that they intend to sell a maximum quantity of 54 000 tonnes of wheat and 40 000 tonnes of maize from national security stocks as part of a rotation procedure.

(2) The sale of such a large quantity of wheat and maize is liable to disturb the Community market in cereals. Transitional measures should therefore be taken to lay down conditions for sale similar to those provided for in Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies⁽²⁾ to ensure that operators are treated equally and market conditions respected.

(3) Since any restocking operation could also disturb the Community market, a procedure should be introduced allowing the Commission to approve the restocking arrangements.

(4) 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

This Regulation lays down transitional rules for the sale of a maximum quantity of 54 000 tonnes of wheat and 40 000 tonnes of maize from the national security stocks held by the Hungarian authorities on 1 May 2004 and any subsequent restocking operations.

Article 2

The agency responsible for managing the Hungarian security stocks, details of which are set out in the Annex hereto, shall sell the quantity referred to in Article 1 on the Community market by standing invitation to tender until 30 October 2004.

For the purposes of this Regulation, selling by tender means offering for sale by inviting tenders, the contract being awarded to the person tendering the best price and observing the requirements of this Regulation.

Article 3

The agency referred to in the first paragraph of Article 2 shall publish a notice of invitation to tender at least three days before the closing date of the first period for submission of tenders.

The invitation shall indicate in particular:

- (a) the tendering periods for each partial tendering procedure and the address for submission of tenders;
- (b) the minimum quantities which tenders may cover;
- (c) the securities to be lodged and the terms of their release;
- (d) the main physical and technical characteristics of the various lots;
- (e) the places of storage and the name and address of the storer;
- (f) the payment terms.

⁽¹⁾ OJ L 293, 11.11.2003, p. 3. Regulation as last amended by Regulation (EC) No 735/2004 (OJ L 114, 21.4.2004, p. 13).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

The closing date for submission of tenders for the first partial tendering procedure shall be the fifth working day after the publication of this Regulation in the *Official Journal of the European Union*.

Article 4

Successful tenders must quote a price at least equal to the price recorded for an equivalent quality and for a representative quantity on the market at the place of storage or, failing that, on the nearest market, account being taken of transport costs. It may not be less than EUR 108,76 per tonne.

Article 5

The agency referred to in the first paragraph of Article 2 shall take all measures necessary to enable interested parties to assess the quality of cereals put up for sale before submitting their tenders.

Article 6

The agency referred to in the first paragraph of Article 2 shall immediately inform all tenderers of the outcome of their parti-

cipation in the tendering procedure. They shall forward statements of award of contract to the successful tenderers within three working days of the said notification, by registered letter or written telecommunication.

Article 7

The agency referred to in the first paragraph of Article 2 shall notify the Commission of the quantity and average prices of the various lots sold no later than Tuesday of the week following the closing date for the submission of tenders.

Article 8

The arrangements for restocking the wheat and maize stock referred to in this Regulation shall be approved by the Commission before they are implemented, to ensure that the Community market in cereals is not disturbed.

Article 9

This Regulation shall enter into force on the 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, 22 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Agency responsible for managing the Hungarian security stocks as referred to in Article 2:

TIG Reserve Managing Non Profit Co Agricultural Department

(TIG Kht Mezőgazdasági Osztály)

Budapest, Vámház krt. 2.

1053–Hungary

Tel. (+ 36) 1 266 91 91 or (+ 36) 1 266 91 92 or (+ 36) 1 318 28 99

Fax (+ 36) 1 318 60 25 or (+ 36) 1 318 23 26

Website: www.tig.hu

COMMISSION REGULATION (EC) No 1365/2004**of 28 July 2004****fixing the award coefficient for paddy rice offered for intervention for the third tranche of the 2003/04 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾,

Having regard to Commission Regulation (EC) No 708/98 of 30 March 1998 on the taking over of paddy rice by the intervention agencies and fixing the corrective amounts and the price increases and reductions to be applied ⁽³⁾, and in particular the second subparagraph of Article 4(4) thereof,

Whereas:

- (1) Pursuant to Article 3a of Regulation (EC) No 708/98, the quantities of paddy rice eligible for intervention in the 2003/04 marketing year are to be broken down into two tranches for the producer Member States and a third,

shared tranche for the Community as a whole. In order to determine the quantities to be covered by tranche 3, the Member States have informed the Commission in accordance with the first subparagraph of Article 4(4) of Regulation (EC) No 708/98 of the quantities of rice offered for intervention.

- (2) Since the total quantity offered for intervention exceeds the quantity available, an award coefficient should be applied. This coefficient is calculated so that the total quantity awarded, having regard to the minimum quantity for each offer, is lower than or equal to the available quantity,

HAS ADOPTED THIS REGULATION:

Article 1

The award coefficient for the quantities provided for in the second subparagraph of Article 4(4) of Regulation (EC) No 708/98 shall be 0,860675.

Article 2

This Regulation shall enter into force on the 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, 28 July 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ 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). Regulation repealed by Regulation (EC) No 1785/2003 (OJ L 270, 21.10.2003, p. 96) with effect from the date of entry into force of that Regulation.

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as amended by the 2003 Treaty of Accession.

⁽³⁾ OJ L 98, 31.3.1998, p. 21. Regulation as last amended by Regulation (EC) No 1107/2004 (OJ L 211, 12.6.2004, p. 14).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 July 2004

on the purchase by the Community of classical swine fever vaccines and the establishment of Community stocks of those vaccines

(notified under document number C(2004) 2056)

(Text with EEA relevance)

(2004/571/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 6(2) and Article 8(2) thereof,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever⁽²⁾, and in particular Article 18(2) thereof,

Whereas:

- (1) Classical swine fever is a threat for domestic and feral pigs (wild boar) in the Community.
- (2) Outbreaks of classical swine fever in domestic pig holdings can lead to very serious consequences and economic losses in the Community, in particular if they occur in areas with a high density of pigs.
- (3) The rules for applying emergency vaccination of domestic and feral pigs and the definition of marker vaccine are laid down in Directive 2001/89/EC.
- (4) The Community already has in stock 1 000 000 doses of live attenuated vaccine against classical swine fever.

(5) Pursuant to Commission Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever⁽³⁾, a suitable discriminatory test has recently been established to distinguish vaccinated pigs from pigs naturally infected with classical swine fever virus. Use of the marker vaccines already authorised for marketing in the Community can, therefore, be envisaged in the event of emergency vaccination of domestic pigs.

(6) Recent experience regarding the control of classical swine fever in feral pigs in the Community suggests that vaccination of such pigs by means of a vaccine administered via oral baits can be effective.

(7) For the purpose of reinforcing the Community capability to respond to classical swine fever, it is necessary to purchase an adequate number of doses of marker vaccine and of vaccine to be administered via oral baits and to make arrangements for keeping them in stock and having them rapidly available in case of an emergency.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community shall purchase as soon as possible 1 800 000 doses of marker vaccine against classical swine fever.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Directive 2003/99/EC of the European Parliament and of the Council (OJ L 325, 12.12.2003, p. 31).

⁽²⁾ OJ L 316, 1.12.2001, p. 5. Directive as amended by the 2003 Act of Accession.

⁽³⁾ OJ L 39, 9.2.2002, p. 71. Decision as amended by Decision 2003/859/EC (OJ L 324, 11.12.2003, p. 55).

2. The Community shall make arrangements for the storage and distribution of the vaccine referred to in paragraph 1.

Article 2

The maximum cost of the measures referred to in Article 1 shall not exceed 1 500 000 EUR.

Article 3

1. The Community shall purchase as soon as possible 500 000 doses of vaccine against classical swine fever to be administered orally to feral pigs.

2. The Community shall make arrangements for the storage and distribution of the vaccine referred to in paragraph 1.

Article 4

The maximum cost of the measures referred to in Article 3 shall not exceed 500 000 EUR.

Article 5

The measures provided for in Article 1(2) and Article 3(2) shall be carried out by the Commission in cooperation with the suppliers designated by call for tender.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 23 July 2004.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 23 July 2004

amending Decision 2004/122/EC concerning certain protection measures in relation to avian influenza in several Asian countries*(notified under document number C(2004) 2376)***(Text with EEA relevance)**

(2004/572/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by the 2003 Act of Accession, and in particular Article 18(1) and (6) thereof,Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽³⁾, and in particular Article 22(1), (5) and (6) thereof,

Whereas:

- (1) By Decision 2004/122/EC ⁽⁴⁾ the Commission adopted protection measures in relation to avian influenza in several Asian countries, namely in Cambodia, Indonesia, Japan, Laos, Pakistan, the People's Republic of China including the territory of Hong Kong, South Korea, Thailand and Vietnam.
- (2) Outbreaks of avian influenza are still occurring in some of these countries.

(3) In view of the still worrying situation the protection measures already adopted should be prolonged.

(4) These measures should be reviewed in the light of further developments of the disease situation and possible on-the-spot inspections by the Commission services.

(5) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In Article 7 of Decision 2004/122/EC the date '15 August 2004' is replaced by '15 December 2004'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 July 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 24, 31.1.1998, p. 9.

⁽³⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 36, 7.2.2004, p. 59.