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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1729/2004
of 4 October 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 5 October 2004.

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

Done at Brussels, 4 October 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 4 October 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	46,0
	999	46,0
0707 00 05	052	88,0
	999	88,0
0709 90 70	052	89,5
	999	89,5
0805 50 10	052	71,0
	388	59,5
	524	67,2
	528	53,9
	999	62,9
0806 10 10	052	77,4
	400	163,7
	624	150,8
	999	130,6
0808 10 20, 0808 10 50, 0808 10 90	052	85,9
	388	81,2
	400	105,4
	508	98,9
	512	108,4
	720	16,9
	800	137,8
	804	83,1
0808 20 50	999	89,7
	052	103,1
	388	43,0
	999	73,1

⁽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 1730/2004**of 4 October 2004****amending Regulation (EC) No 1185/2004 as regards the time limits for submission of tenders under the partial invitations to tender for the sale for export of rye held by the German intervention agency**

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 6 thereof,

Whereas:

- (1) Article 5 of Commission Regulation (EC) No 1185/2004 of 25 June 2004 opening a standing invitation to tender for the export of rye held by the German intervention agency⁽²⁾ provides that the time limits for submission of tenders under the partial invitations to tender are to expire each Thursday, with the exception of specific dates.
- (2) Since 1 November, 2 November and 30 December 2004 are public holidays in the majority of Member States, the partial invitations to tender with 4 November and 30 December 2004 as deadlines should be cancelled for reasons relating to administration and sound management.

(3) Regulation (EC) No 1185/2004 should be amended accordingly.

(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

Article 5(2) of Regulation (EC) No 1185/2004 is hereby replaced by the following:

‘2. The time limit for submission of tenders under subsequent partial invitations to tender shall be 9.00 (Brussels time) each Thursday thereafter, with the exception of 22 July 2004, 5 August 2004, 19 August 2004, 2 September 2004, 4 November 2004, 23 December 2004, 30 December 2004, 24 March 2005, 5 May 2005 and 26 May 2005.’

Article 2

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

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

Done at Brussels, 4 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 227, 26.6.2004, p. 11. Regulation as amended by Regulation (EC) No 1410/2004 (OJ L 256, 3.8.2004, p. 13).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 June 2004

appointing one Austrian member and one Austrian alternate member of the Committee of the Regions

(2004/670/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Austrian Government,

Whereas:

- (1) On 22 January 2002 the Council adopted a Decision appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of a member and the seat of an alternate member of the Committee of the Regions have become vacant following the expiry of the mandates of Mr Jörg HAIDER, member, and of Mr Adam UNTERRIEDER, alternate member, of which the Council was notified on 10 May 2004,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed members of the Committee of the Regions:

(a) as a member:

M. Jörg HAIDER

Landeshauptmann;

(b) as an alternate member:

M. Josef MARTINZ

to replace Mr Adam UNTERRIEDER;

for the remainder of their term of office, which ends on 25 January 2006.

Done at Luxembourg, 8 June 2004.

For the Council
The President
M. McDOWELL

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 8 June 2004
appointing a German alternate member of the Committee of the Regions
(2004/671/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002⁽¹⁾ the Council adopted a Decision appointing the members and alternate members of the Committee of the Regions.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Rolf BÖHME, notified to the Council on 17 November 2003,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Bärbel DIECKMANN, Oberbürgermeisterin, Bonn, is hereby appointed an alternate member of the Committee of the Regions in place of Mr Rolf BÖHME for the remainder of his term of office, which runs until 25 January 2006.

Done at Luxembourg, 8 June 2004.

For the Council
The President
M. McDOWELL

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 14 June 2004
appointing a Finnish member and a Finnish alternate member of the Committee of the Regions
(2004/672/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Finnish Government,

Whereas:

- (1) On 22 January 2002 ⁽¹⁾ the Council adopted a Decision appointing the members and alternate members of the Committee of the Regions.
- (2) A seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Markku KAUPPINEN, notified to the Council on 10 May 2004, and a seat as an alternate member of the Committee of the Regions has become vacant following the nomination of Mr Ossi MARTIKAINEN to be a full member,

HAS DECIDED AS FOLLOWS:

Sole Article

- a) Mr Ossi MARTIKAINEN,
Lapinlahden kunnanvaltuuston puheenjohtaja,
is hereby appointed a member in place of Mr Markku KAUPPINEN;
- b) Ms Auli HYVÄRINEN,
Keminmaan kunnanvaltuuston ja kunnanhallituksen jäsen,
is hereby appointed an alternate member in place of Mr Ossi MARTIKAINEN,

for the remainder of their term of office, which runs until 25 January 2006.

Done at Luxembourg, 14 June 2004.

For the Council
The President
B. COWEN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COMMISSION

COMMISSION DECISION

of 26 August 2004

concerning a request from the Republic of Malta to apply a reduced rate of VAT to the supply of electricity

(notified under document number C(2004) 3240)

(2004/673/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽¹⁾, as last amended by Directive 2004/66/EC ⁽²⁾, and in particular Article 12(3)(b) thereof,

Whereas:

- (1) By letter registered at the Commission on 18 June 2004 the Republic of Malta informed the Commission of its intention of applying a reduced rate of VAT to the supply of electricity.
- (2) The planned measure is a general one applying a reduced rate of VAT to the supply of electricity under Article 12(3)(b) of the Sixth VAT Directive.
- (3) Since Malta's electricity system is small and isolated, there is no risk of distorting competition on the internal market. At present Malta does not use natural gas because it has no gas network or connection.
- (4) Moreover, the VAT rules regarding the place of supply of electricity, as laid down in the Sixth VAT Directive, were amended by Directive 2003/92/EC ⁽³⁾. The supply of electricity in the final stage, from traders and distributors to final consumer, is taxed at the place where the customer

has effective use and consumption of the goods, in order to ensure that taxation takes place in the country where actual consumption takes place.

- (5) Since the measure is a general one with no provision for exceptions, the risk of distortion of competition must be deemed non-existent. Since the condition laid down by Article 12(3)(b) of the Sixth Directive is thus fulfilled, Malta should be able to apply the measure concerned as soon as this Decision is notified,

HAS ADOPTED THIS DECISION:

Article 1

Malta may apply the measure notified in its letter of 18 June 2004, applying a reduced rate of VAT to the supply of electricity irrespective of the conditions of production and supply.

Article 2

This Decision is addressed to the Republic of Malta.

Done at Brussels, 26 August 2004.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 145, 13.6.1977, p. 1.

⁽²⁾ OJ L 168, 1.5.2004, p. 35.

⁽³⁾ OJ L 260, 11.10.2003, p. 8.

COMMISSION DECISION

of 15 September 2004

on a financial contribution from the Community towards the costs of the vaccination against foot-and-mouth disease in the Netherlands in 2001*(notified under document number C(2004) 3453)***(Only the Dutch text is authentic)****(Text with EEA relevance)**

(2004/674/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of foot-and-mouth disease in the Netherlands in 2001 under Commission Decision 2003/182/EC of 14 March 2003 ⁽⁴⁾.

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 3(3) and Article 11(4) (c) thereof,

Whereas:

(1) As soon as the presence of foot-and-mouth disease was officially confirmed in 2001, the Netherlands reported that it had immediately implemented the control measures to be applied in the event of an outbreak of that disease as provided for in Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽²⁾, as required in order to obtain a financial contribution from the Community for the eradication of the disease in accordance with Decision 90/424/EEC.

(2) Under Commission Decision 2001/652/EC ⁽³⁾ of 16 August 2001, a Community financial contribution was granted towards the compensation of owners for value of animals compulsorily slaughtered under eradication measures relating to outbreaks of foot-and-mouth disease in 2001.

(3) A financial contribution from the Community was also granted towards the operational costs of the eradication

(4) Under Article 2(1) of Commission Decision 2001/246/EC of 27 March 2001 laying down the conditions for the control and eradication of foot-and-mouth disease in the Netherlands in application of Article 13 of Directive 85/511/EEC ⁽⁵⁾, the Netherlands were authorised to decide on resorting to suppressive vaccination under the conditions specified in the Annex to that Decision.

(5) Under Article 1(2) of Commission Decision 2001/279/EC of 5 April 2001 amending Decision 2001/246/EC, the Netherlands were also authorised to decide on resorting to protective vaccination under the conditions specified in the Annexes to that Decision.

(6) The vaccination of the animals is to be considered as an additional and essential instrument to avoid the spread of foot-and-mouth disease and to control and eradicate it.

(7) It is therefore appropriate that the EU contributes to the costs incurred by the Netherlands for the execution of this operation.

(8) On 21 March 2003, the Netherlands presented a claim for the operational costs of the eradication of foot-and-mouth disease; it included also the costs for the vaccination of the animals.

(9) According to the information provided by the Netherlands, 380 150 vaccines were used, the purchase and reformulation cost is EUR 0,39 per dose, the eligible costs for the specifically employed personnel are EUR 608 826, and the eligible costs for the specifically used consumables are EUR 513 726.

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

⁽²⁾ OJ L 315, 26.11.1985, p. 11. Directive as last amended by Council Regulation EC/807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽³⁾ OJ L 230, 28.8.2001, p. 8.

⁽⁴⁾ OJ L 71, 15.3.2003, p. 19.

⁽⁵⁾ OJ L 88, 28.3.2001, p. 21. Decision as amended by Decision 2001/279/EC (OJ L 96, 6.4.2001, p. 19).

- (10) The reporting and the claims presented by the Netherlands show that the vaccination has been carried out efficiently.
- (11) Pursuant to Decision 90/424/EEC, the financial contribution towards this operation is 60 % of the eligible costs. The EU contribution towards the vaccination against FMD should therefore be fixed at EUR 762 487.
- (12) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agriculture policy⁽¹⁾, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (13) 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

Payment of a financial contribution from the Community to the Netherlands

An amount of EUR 762 487 shall be paid to the Netherlands as a financial contribution from the Community corresponding to 60 % of the eligible expenditure for the vaccination of the animals as authorised by Commission Decision 2001/246/EC.

Article 2

Addressee

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 15 September 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.