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(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1552/2004
of 31 August 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 1 September 2004.

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

Done at Brussels, 31 August 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 31 August 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	052	89,6
	999	89,6
0709 90 70	052	89,2
	999	89,2
0805 50 10	388	48,6
	524	56,6
	528	51,8
	999	52,3
0806 10 10	052	86,7
	400	177,0
	624	158,4
	999	140,7
0808 10 20, 0808 10 50, 0808 10 90	388	79,3
	400	74,3
	508	71,0
	512	80,6
	528	78,6
	720	40,6
	804	64,1
	999	69,8
0808 20 50	052	121,9
	388	106,2
	999	114,1
0809 30 10, 0809 30 90	052	134,5
	999	134,5
0809 40 05	052	80,0
	066	38,8
	093	33,4
	094	25,2
	624	164,2
	999	68,3

⁽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 1553/2004

of 31 August 2004

amending Council Regulation (EC) No 1362/2000 as regards the opening and management of tariff quotas for certain products originating in Mexico

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1362/2000 of 29 June 2000 implementing for the Community the tariff provisions of Decision No 2/2000 of the Joint Council under the Interim Agreement on trade and trade-related matters between the European Community and the United Mexican States⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Regulation (EC) No 1362/2000 implements for the Community the tariff provisions set out in Decision No 2/2000 of the EU-Mexico Joint Council⁽²⁾.
- (2) The EU-Mexico Joint Council has decided, by its Decision No 3/2004 of 29 July 2004 introducing tariff quotas for certain products originating in Mexico⁽³⁾ and listed in Annex I to Decision No 2/2000 of the EU-Mexico Joint Council, to open a transitional tariff quota for bananas which will cease to apply when replaced by a tariff-only regime and a tariff quota for certain pectic substances. Those tariff quotas should be opened.
- (3) In order to avoid any discrimination between Mexico and other exporting countries having access to Community tariff quotas for bananas pursuant to Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community⁽⁴⁾, the tariff quotas for bananas pursuant to this Regulation should be considered initially as non-critical within the meaning of Article 308c of Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽⁵⁾ when they are managed under the system laid down in Article 308a of that Regulation and Article 308c(2) and (3) of that Regulation should not apply.

- (4) Pursuant to Article 17 of Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas⁽⁶⁾ the import of bananas into the Community is subject to the submission of an import licence. This requirement is unnecessary as regards the fresh bananas covered by this Regulation, since the 'first come, first served' management system as laid down in Article 308a of Regulation (EC) No 2454/93 provides equivalent information to that obtained on an import licence.
- (5) Management of the tariff quotas for egg products (under order numbers 09.1832 and 09.1869) requires a coefficient to be applied to the net weight of the goods declared to customs. With a view to improving the efficiency of managing the tariff quotas in question, a separate order number should be created for each group of products having a single coefficient.
- (6) Regulation (EC) No 1362/2000 should therefore be amended accordingly.
- (7) Since Decision No 3/2004 of the EU-Mexico Joint Council of 29 July 2004 enters into force on 1 May 2004 this Regulation should be applicable from the same date.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1362/2000 is amended as follows:

1. Article 2 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. These tariff quotas shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93. However, Article 308c(2) and (3) shall not apply to the tariff quota at order No 09.1871 in the Annex.'

(b) the following paragraph 3 a is inserted:

'3 a. With respect to products of CN code 0803 00 19 the presentation of an import licence as regards fresh bananas originating in Mexico shall not be required.'

⁽¹⁾ OJ L 157, 30.6.2000, p. 1. Regulation as amended by Commission Regulation (EC) No 875/2004 (OJ L 162, 30.4.2004, p. 51).

⁽²⁾ OJ L 157, 30.6.2000, p. 10.

⁽³⁾ Not yet published in the Official Journal.

⁽⁴⁾ OJ L 126, 8.5.2001, p. 6. Regulation as last amended by Regulation (EC) No 838/2004 (OJ L 127, 29.4.2004, p. 52).

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

⁽⁶⁾ OJ L 47, 25.2.1993, p. 1. Regulation as last amended by the Act of Accession of 2003.

(c) the following paragraphs 5 a and 5 b are inserted:

Article 2

5 a. The customs duty applicable to products of CN code 1302 20 10 within the tariff quota at order No 09.1873 in the Annex shall be 2 %.

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

5 b. The customs duty applicable to products of CN code 0803 00 19 within the tariff quota at order No 09.1871 in the Annex shall be EUR 75 /tonne.'

Except for point 2 of the Annex, it shall apply from 1 May 2004.

2. The Annex is amended in accordance with the Annex to this Regulation.

Point 2 of the Annex shall apply from 1 January 2005.

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

Done at Brussels, 31 August 2004.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

Amendments to the Annex to Council Regulation (EC) No 1362/2000

1. The following rows are inserted in the table:

'09.1871 ⁽⁸⁾	0803 00 19	Bananas, fresh (excluding plantains)	2 000 tonnes	Fixed duty to be applied
09.1873	ex 1302 20 10	Dry pectic substances, pectinates and pectates in powder form	250 tonnes	Fixed duty to be applied

⁽⁸⁾ This tariff quota will cease to apply when the current WTO quotas for bananas of CN code 0803 00 19 are replaced by a tariff-only regime.

2. The rows in the table with respect to order numbers 09.1832 and 09.1869 are replaced by the following:

'09.1832	0408 11 80 0408 19 81 0408 19 89 0408 91 80 0408 99 80	— Egg yolks, Birds' eggs not in shell:	1 000 tonnes ⁽³⁾	50 MFN or 50 GSP ⁽²⁾
09.1875	0408 11 80	— Egg yolks, dried		50 MFN or 50 GSP ⁽²⁾
09.1877	0408 19 81 0408 19 89	— Egg yolks, liquid — Egg yolks, other		50 MFN or 50 GSP ⁽²⁾
09.1879	0408 91 80	— Birds' eggs, not in shell, dried		50 MFN or 50 GSP ⁽²⁾
09.1881	0408 99 80	— Birds' eggs, not in shell, other		50 MFN or 50 GSP ⁽²⁾

09.1869	3502 11 90 3502 19 90	— Egg albumin:	3 000 tonnes ⁽³⁾	100
09.1883	ex 3502 11 90	— dried (crystals)		100
09.1885	ex 3502 11 90	— dried (other)		100
09.1887	3502 19 90	— other than dried		100

⁽³⁾ Shell egg equivalent. To be converted in accordance with the rates fixed in Annex 69 to Regulation (EEC) No 2454/93.

COMMISSION REGULATION (EC) No 1554/2004
of 31 August 2004
determining the world market price for unginmed cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginmed cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginmed cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginmed cotton is to be determined in respect of a product of specific characteristics and by reference to the most

favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginmed cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginmed cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 21,639 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 September 2004.

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

Done at Brussels, 31 August 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 1555/2004**of 31 August 2004****fixing the import duties in the cereals sector applicable from 1 September 2004**

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⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 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 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.
- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those 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 1 September 2004.

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

Done at Brussels, 31 August 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from 1 September 2004

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	5,44
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	35,95
1005 10 90	Maize seed other than hybrid	52,73
1005 90 00	Maize other than seed ⁽²⁾	52,73
1007 00 90	Grain sorghum other than hybrids for sowing	46,04

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3/t, where the port of unloading is on the Mediterranean Sea, or

— EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

period from 17.8.-30.8.2004

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	117,96 (**)	73,53	148,94 (***)	138,94 (***)	118,94 (***)	88,42 (***)
Gulf premium (EUR/t)	—	13,38	—			—
Great Lakes premium (EUR/t)	16,55	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(***) Fob Duluth.

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 27,48 EUR/t; Great Lakes–Rotterdam: 32,66 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 993/2001 of 4 May 2001 amending Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

(Official Journal of the European Communities L 141 of 28 May 2001)

On page 4, in Article 346(1), point 15, third subparagraph:

for: 'However, where guarantee data is exchanged between the office of guarantee and the office of departure using information technology and computer networks, the original of the guarantee instrument shall be retained at the office of departure.'

read: 'However, where guarantee data is exchanged between the office of guarantee and the office of departure using information technology and computer networks, the original of the guarantee instrument shall be retained at the office of guarantee and no paper copy shall be presented to the office of departure.'
