

Official Journal

of the European Union

L 316

Volume 47

15 October 2004

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Commission Regulation (EC) No 1769/2004 of 14 October 2004 amending Regulation (EC) No 2390/1999 laying down form and content of the accounting information to be submitted to the Commission for the purpose of the clearance of the EAGGF Guarantee Section accounts as well as for monitoring and forecasting purposes** 1
- Commission Regulation (EC) No 1770/2004 of 14 October 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables 54
- Commission Regulation (EC) No 1771/2004 of 14 October 2004 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 15 October 2004 56
- Commission Regulation (EC) No 1772/2004 of 14 October 2004 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 58
- Commission Regulation (EC) No 1773/2004 of 14 October 2004 fixing the maximum export refund for white sugar to certain third countries for the 9th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1327/2004 60
- ★ **Commission Regulation (EC) No 1774/2004 of 14 October 2004 amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms** 61
- ★ **Commission Regulation (EC) No 1775/2004 of 14 October 2004 setting the production levies in the sugar sector for the 2003/04 marketing year** 64
- ★ **Commission Regulation (EC) No 1776/2004 of 14 October 2004 fixing, for the 2003/04 marketing year, the amount to be paid by sugar manufacturers to beet sellers in respect of the difference between the maximum amount of the B levy and the amount of that levy to be charged** 65

Price: EUR 22

(Continued overleaf)



Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EC) No 1777/2004 of 14 October 2004 adapting Regulation (EC) No 2342/1999 laying down detailed rules for the application of Council Regulation (CE) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes, by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union	66
★ Commission Regulation (EC) No 1778/2004 of 13 October 2004 prohibiting fishing for blue ling by vessels flying the flag of the United Kingdom	72
★ Commission Regulation (EC) No 1779/2004 of 13 October 2004 prohibiting fishing for ling by vessels flying the flag of Denmark	73
Commission Regulation (EC) No 1780/2004 of 14 October 2004 fixing the export refunds on milk and milk products	74
Commission Regulation (EC) No 1781/2004 of 14 October 2004 fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004.....	82
Commission Regulation (EC) No 1782/2004 of 14 October 2004 fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004.....	84
Commission Regulation (EC) No 1783/2004 of 14 October 2004 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1757/2004	85
Commission Regulation (EC) No 1784/2004 of 14 October 2004 concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1565/2004	86

II *Acts whose publication is not obligatory*

Commission

2004/695/EC:

★ Commission Decision of 14 October 2004 on the lists of programmes for the eradication and monitoring of animal diseases and of checks aimed at the prevention of zoonoses qualifying for a financial contribution from the Community in 2005 (notified under document number C(2004) 4010)	87
---	----

2004/696/EC:

★ Commission Decision of 14 October 2004 on the list of programmes for the eradication and the monitoring of certain TSEs qualifying for a financial contribution from the Community in 2005 (notified under document number C(2004) 4011)	91
---	----

2004/697/EC:

★ Commission Decision of 14 October 2004 on certain protective measures against bluetongue in Spain (notified under document number C(2004) 4055) ⁽¹⁾	96
---	----



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1769/2004**of 14 October 2004****amending Regulation (EC) No 2390/1999 laying down form and content of the accounting information to be submitted to the Commission for the purpose of the clearance of the EAGGF Guarantee Section accounts as well as for monitoring and forecasting purposes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy⁽¹⁾, and in particular Article 4(8) thereof,

Whereas:

- (1) Article 2(3) 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⁽²⁾ provides that the form and content of the accounting information referred to in Article 4(1)(c) of that Regulation shall be established in accordance with the procedure provided for in Article 13 of Regulation (EC) No 1258/1999.
- (2) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽³⁾, applicable to Community institutions and bodies, and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽⁴⁾, implemented into national law, applicable to Member States, protect the right to privacy of natural persons with respect to the processing of personal data.
- (3) Any personal data included in the information collected in the context of Commission Regulation (EC) No 2390/1999⁽⁵⁾ shall be processed in accordance with the requirements of Regulation (EC) No 45/2001, which provides, in particular, that data subjects should be informed of their rights, including the right to obtain, upon request, the communication of his personal data, the right to rectify any inaccurate or incomplete personal data, and the right of recourse at any time to the European Data Protection Supervisor. Pursuant to Article 248(3) of the Treaty, the European Court of Auditors is entitled to have access to the accounting information referred to in Article 4(1)(c) of Regulation (EC) No 1663/95, and may process personal data in accordance with Articles 5(b) and 7 of Regulation (EC) No 45/2001.
- (4) For the undertaking of verifications in the context of the clearance of the EAGGF Guarantee Section accounts, the European Anti-fraud Office (OLAF) is also entitled to have access to the accounting information referred to in Article 4(1)(c) of Regulation (EC) No 1663/95, and may process personal data in accordance with Articles 5(a) and 7(1) of Regulation (EC) No 45/2001.
- (5) The form and content of the accounting information to be submitted to the Commission for the purposes of the clearance of the EAGGF Guarantee Section accounts as well as for monitoring and forecasting purposes are presently laid down in Regulation (EC) No 2390/1999. It is appropriate to adapt that Regulation.
- (6) Due to changes in the budget nomenclature and in order to keep the transfer of information between the Member States and the Commission optimal and up to date, it is necessary to adapt the Annexes to Regulation (EC) No 2390/1999 as from 16 October 2004.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ 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).

⁽³⁾ OJ L 8, 12.1.2001, p. 1.

⁽⁴⁾ OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽⁵⁾ OJ L 295, 16.11.1999, p. 1. Regulation last amended by Regulation (EC) No 1747/2003 (OJ L 259, 10.10.2003, p. 1).

- (7) Regulation (EC) No 2390/1999 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Fund Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2390/1999 is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The accounting information referred to in Article 4(1)(c) of Regulation (EC) No 1663/95 shall be used by the Commission for the sole purposes of:

- (a) carrying out its functions in the context of the clearance of the EAGGF Guarantee Section accounts pursuant to Regulation (EC) No 1258/1999;
- (b) monitoring developments and providing forecasts in the agricultural sector.

In this context, the European Court of Auditors and the European Anti-fraud Office (OLAF) may have access to this information.

2. Any personal data included in the information collected shall only be processed for the purposes specified in paragraph 1. In particular, if accounting information is used by the Commission for the purpose referred to in paragraph 1(b), the Commission shall make such data anonymous and process it in aggregated form only.

3. Should the data subject have any queries concerning the processing of his/her personal data, he/she shall address them to the Directorate-General for Agriculture at the European Commission at the following e-mail address: AGRI-J1@cec.eu.int

4. The Commission shall ensure that the accounting information referred to in Article 4(1)(c) of Regulation (EC) No 1663/95 is kept confidential and secure.'

2. Annexes I, II and III to Regulation (EC) No 2390/1999 are replaced by the text in Annex to this Regulation.

Article 2

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

It shall apply from 16 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX II

**TECHNICAL SPECIFICATIONS FOR THE TRANSFER OF COMPUTER FILES TO THE EAGGF
(from 16 October 2004)**

INTRODUCTION

These technical specifications apply in respect of the financial year 2004, which commenced on 16 October 2003.

1. Transfer medium

The coordinating body of the Member State must transfer the computer files and the relating documentation to the Commission through STATEL/STADIUM. The Commission will only support one installation of STATEL/STADIUM per Member State. The latest STADIUM client and more information on the use of STATEL/STADIUM shall be downloaded from the CIRCA website of the EAGGF.

2. Computer file structure

- 2.1. The Member State must create a computer record for each individual component of the EAGGF (Guarantee Section) payments and receipts. These components are the individual items of which the payment (receipt) to (from) the beneficiary consists.
- 2.2. The records must have a flat-file structure. If fields have more than one value, separate records containing all data fields are required. Make sure that no double counting occurs⁽¹⁾.
- 2.3. All information for the same category of payments or receipts must be contained in the same computer file. Separate files relating to the same payments (e.g. for traders or inspections, or for basic and measure data) are not allowed.
- 2.4. The computer files must have the following characteristics:
 1. The first record in the file (header row) contains the file description. The field names comprise an 'F' followed by the field number used in Annex I (the X table). Only field names existing in this Annex are allowed.
 2. The following records in the file are data (data rows), in the order indicated by the first record describing the file structure.
 3. The fields are separated by a semicolon (;). The header row and data rows shall all contain the same number of semicolons. In the data rows, empty fields appear as a double semicolon (;) within the record, or as a single semicolon (;) at the end of the record.
 4. Records vary in length. Each record ends with a code 'CR LF' or 'Carriage Return — Line Feed' (in hexadecimal: '0D 0A'). The header row never ends with a semicolon. Data rows only end with a semicolon if the last field is empty.
 5. The file is in ASCII coding according to following table. Other codes (such as EBCDIC, TAR, ZIP, etc.) are not accepted:

Code	Member State
ISO 8859-1	BE, DK, DE, ES, FR, IE, IT, LU, NL, AT, PT, FI, SE and GB
ISO 8859-2	CZ, HU, PL, SI and SK
ISO 8859-3	MT
ISO 8859-7	GR and CY
ISO 8859-13	EE, LV and LT

⁽¹⁾ The preliminary remark concerning 'quantities' in Chapter 5 of Annex III should be read first.

6. Numeric fields:

- (a) Decimal separator: ‘.’
- (b) The symbol (+ or –) appears on the far left, followed immediately by the figures. For positive numbers, the ‘+’ sign is optional.
- (c) Fixed number of decimals (the details are set out in the Annex III hereto).
- (d) No spaces between digits. No spaces or other signs between thousands.

7. Date field: ‘YYYYMMDD’ (year in four digits, month in two digits, day in two digits).

8. EAGGF budget code (field F109) ABB-format without spaces: ‘99999999999999’ (where ‘9’ stands for any figure between 0 and 9).

9. Quotation marks (‘ ’) are not allowed at the beginning or at the end of the records. The semicolon field separator ‘;’ must not be used in data in text format.

10. All fields: no spaces at the beginning or end of a field.

11. Files satisfying these rules will look like the following (example for financial year 2004):

F100;F101;F106;F107;F108;F109

BE01;154678;+152.50;EUR;20030715;050201011000001

BE01;024578;-1000.00;EUR;20030905;050208031502002

BE01;154985;9999.20;EUR;20030101;050205011100001

BE01;100078;+152.75;EUR;20030331;050208091515002

BE01;215452;+0.50;EUR;20030615;050201011000002 (Please note +0.50 and not +.50)

BE01;123456;21550.15;EUR;20030101;050805013810001

etc.

(other data rows with the fields in the same order).

2.5. Data files with the characteristics as described under 2.4 shall be sent with consignment type ‘X-TABLE-DATA’ (see ‘STADIUM client’).

2.6. The computer program for checking the format of computer files before sending them to the Commission (WinCheckCsv) is included in the data transfer program (STADIUM client). The paying agencies are invited to download the check program from CIRCA separately for offline validation purposes.

3. **Documentation**

In the following cases only, the coordinating body of the Member State must transfer an explanatory note for each paying agency through STATEL/STADIUM:

- 1. in the case where there are differences between the annual declaration⁽¹⁾, as part of the annual financial clearance procedure (not table 104), and the sum of the records in the computer files (Σ F106), in order to explain them by budget heading and subheading. The STADIUM client includes a specific consignment type for this transfer i.e. ‘EXPLANATORY-NOTE’;
- 2. in the case where there are codes used for fields, for which Annex III does not enforce standard codes, in order to explain all these used codes. The STADIUM client includes a specific consignment type for this kind of tabular transfer, i.e. ‘CODE-LIST’.

The explanatory note shall have the look and feel of an ordinary letter. In particular the identity of the sender or the identity of the paying agency and the name or administrative unit of the addressee shall be clearly marked.

⁽¹⁾ Annual declaration: data sent through STATEL/STADIUM using consignment type ‘ANNUAL_DECLARATION’.

4. Data transfer

The coordinating body must send the computer files completely and only once.

If the coordinating body notices that false data were transmitted or a problem occurred with the data transfer, the Commission has to be informed immediately. All files, which contain incorrect information, are to be indicated. Therefore, the Commission is to be asked to delete these files. Thereafter, in order to avoid an overlapping of computer records or data files, the coordinating body must send the corrected computer files to replace entirely the previous incorrect information.

ANNEX III
AIDE-MEMOIRE
2005 financial year

CONTENTS

	<i>Page</i>
1. DATA RELATING TO PAYMENTS	41
F100: Name of paying agency	41
F101: Reference number of payment	41
F102: Reference number of previous payment	41
F103: Type of payment	41
F103B: Private sector contribution	42
F105: Payment with sanction	42
F105A: Reduction pursuant to Articles 3 and 4 of Council Regulation (EC) No 1259/1999 ...	42
F106: Amount	42
F107: Currency unit	42
F108: Date of payment	42
F109: EAGGF budget code	42
F110: Marketing year or period	43
2. DATA RELATING TO BENEFICIARY (APPLICANT)	43
F200: Identification code	43
F201: Name	43
F202A: Applicant's address (street and number)	43
F202B: Applicant's address (international post code)	43
F202C: Applicant's address (municipality or city)	43
F207: Region and subregion	43
F211: Delivery reference quantity	43
F212: Direct sales reference quantity	43
F213: Reference fat content	43
F214: Purchaser of milk	44
F217: Date of entry private storage	44
F218: End date of private storage	44

	<i>Page</i>
F220: Identification code of the intermediate organisation	44
F221: Name of the intermediate organisation	44
F222B: Organisation's address (international post code)	44
F222C: Organisation's address (municipality or city)	44
3. DATA RELATING TO DECLARATION/APPLICATION	44
F300: Number of declaration/application	44
F300B: Date of application	44
F301: Number of contract (where applicable)	44
F304: Authorising office	44
F305: Number of certificate/licence	44
F306: Date of issue of the certificate/licence	44
F307: Office holding supporting documents	45
4. DATA RELATING TO SECURITY	45
F402: Amount of processing security (others than tender securities)	45
5. DATA RELATING TO PRODUCTS	45
F500: Product code/rural development submeasure code	45
F502: Quantity paid (number of animals, hectares, etc.)	47
F503: Quantity covered by payment application lodged (quantity claimed)	47
F507: Yield	47
F508A: Area covered by payment application lodged	47
F508B: Area covered by payment made	47
F509A: Area wrongly declared	47
F510: Community regulation and Article number	47
F510A: Community rate of financing (%)	48
F511: EAGGF rate of aid (EUR) per unit of measurement	48
F512: Conversion rate	48
F513: EAGGF rate of aid (in currency defined in field F107) per unit of measurement	48
F515: Gross deliveries	48
F517: Actual fat content	48
F518: Adjusted deliveries	48
F519: Direct sales	48
F519B: Deliveries after administrative corrections (if any)	49

	<i>Page</i>
F519C: Direct sales after administrative corrections (if any)	49
F520: Quantities delivered over or under quotas	49
F521: Direct sales over or under quotas	49
F522: Additional levy due	49
F523: Interest due for late payment	49
F530: Actual alcoholic strength by volume	49
F531: Total alcoholic strength by volume	49
F532: Natural alcoholic strength by volume	49
F533: Wine-growing zone	50
6. DATA RELATING TO INSPECTIONS	50
F600: On-farm inspection or remote sensing	50
F601: Date of inspection	50
F602: Application reduced	50
F602B: Recalculation of additional levy payable	50
F603: Reason for reduction	50
F604: Council Regulation (EEC) No 386/90 (on-the-spot checks)	51
F604B: Council Regulation (EEC) No 386/90 (substitution checks)	51
7. (NOT USED)	51
8. ADDITIONAL DATA RELATING TO EXPORT REFUNDS	51
F800: Net weight	51
F800B: Unit of measurement for field F800	51
F801: Application number (export refunds: SAD)	51
F802: Customs office of placing under customs supervision	52
F802B: Customs office of exit	52
F804: Export refund code	52
F805: Code for destination	52
F808: Date of advance fixing	52
F809: Last day of validity (advance fixing)	52
F812: Tender if applicable (advance fixing)	52
F814: Day of acceptance of payment declaration (COM-7)	53
F816: Date of acceptance of export declaration	53
F816B: Date of export from the EU territory	53

General remark: significance of the X, A and D codes used in Annex I:

All the information marked "X" or "A" is obligatory.

"X" = data element already included in the previous version of this Regulation.

"A" = data element to be added compared to the previous version of this Regulation.

"D" = data element to be deleted compared to the previous version of this Regulation.

Where a data request makes no sense under particular circumstances or is not applicable for the Member States concerned, then put NULL value, which shall be represented by two consecutive semicolons (;) in the CSV format data file.

1. DATA RELATING TO PAYMENTS

Preliminary remark: In this section, the term "payment" refers to both the EAGGF (Guarantee Section) payments and the receipts.

F100: Name of paying agency

Required format: to be expressed by a code (see the code list F100 kept up to date on CAP-ED):

<https://awai.ccc.eu.int/>

F101: Reference number of payment

The reference number identifying the payment clearly in the paying agency's accounts. Removals relating to food aid shall not be considered as sales of intervention products. In this particular case field F101 can be ignored.

F102: Reference number of previous payment

The reference number identifying the payment clearly in the paying agency's accounts as an advance or an amount recovered.

F103: Type of payment

Required format: to be expressed by a one-character code corresponding to the following code list:

Code	Significance
0	Food aid
1	Advance or partial payment
2	Final payment (first and single payment, settlement of the balance after advance payment or normal export refund payment)
3	Recovery/reimbursement (following a sanction)/correction
4	Receipt of amounts (not preceded by an advance or final payment)
5	Pre-financing payment export refund
6	No financial transaction

F103B: Private sector contribution

This field is related to field F510A where the Commission asks for the percentage of EAGGF funding. Depending on a country's interpretation of the percentage under F510A, field F103B might be required or not. If the EAGGF funding is expressed as a percentage as against the total investment, the amount of the private sector contribution shall be given here. Total investment being defined as the total costs eligible under EAGGF. If on the contrary F510A is expressed as a percentage as against the total eligible public expenditure, i.e. national and European, then this field can be ignored.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F105: Payment with sanction

Required format: yes = "Y"; no = "N".

F105A: Reduction pursuant to Articles 3 and 4 of Council Regulation (EC) No 1259/1999 (OJ L 160, 26.6.1999, p. 113)

The field F105A of the X table must be used to indicate the amounts retained (negative amounts) on the basis of Articles 3 and 4 of Regulation (EC) No 1259/1999. Field F105A must be used for each budget post where a retention has been made.

There is no specific budget post on which to declare payments made using the amounts retained on the basis of Articles 3 and 4 of Regulation (EC) No 1259/1999. These payments shall therefore be indicated in field F105A of the corresponding budget posts (050401054030, 050401064040, 050401084050 and 050401114070). They appear as positive amounts indicating that the expenditure is financed via penalties for non-respect of environmental protection regimes or the system of modulation.

In the domain of arable crops on the other hand, F105A will appear as a negative amount indicating a reduction of the direct aid.

Required format: +99...99.99 or -99...99.99, where 9 stands for any number from 0 to 9 inclusive.

F106: Amount

Amount of each individual item of payment in the currency identified in field F107. The sum of these amounts (F106) by budget code (F109) shall in principle correspond with the amounts declared in Table 104. The amounts in field F106 relate to the EAGGF expenditure only. National expenditure shall not appear under this heading.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F107: Currency unit

Required format: ISO 4217 code: e.g. DKK, EUR, GBP, SEK etc.

See also the code list F107 kept up to date on CAP-ED:

<https://awai.cec.eu.int/>

F108: Date of payment

The date determining the month of declaration to the EAGGF.

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F109: EAGGF budget code

The full code of the activity-based budgeting structure must be given, including the title, chapter, Article, item and subitem.

Required ABB format without spaces: "9999999999999999", where 9 stands for a digit from 0 to 9. Missing positions shall be filled with zeros (e.g. 05020901160 becomes 050209011600000).

F110: Marketing year or period

For intervention products the Commission needs to know the marketing year to which the product corresponds or the quota period it is to be set off against.

2. DATA RELATING TO BENEFICIARY (APPLICANT)

Preliminary remark: the fields F200, F201, F202A, F202B and F202C must be used to identify the beneficiary of a payment, i.e. the final beneficiary. The fields F220, F221, F222B and F222C must additionally be used if a payment is made to the beneficiary through an intermediate organisation. If the intermediate organisation is also the final beneficiary the same data have to be filled in the fields F220, F221, F222B and F222C as indicated in the fields F200, F201, F202A, F202B and F202C.

The field F207 is only related to the field F200.

F200: Identification code

The individual unique identifier allocated to applicants at Member State level.

F201: Name

The applicant's last name and first name, or the business name.

F202A: Applicant's address (street and number)**F202B: Applicant's address (international post code)****F202C: Applicant's address (municipality or city)****F207: Region and subregion**

Region and subregion code (NUTS 3) is defined by the main activities of the holding of the beneficiary to which the payment is assigned.

The code "Extra Region" (MSZZZ) should only be indicated in cases e.g. where no NUTS 3 code exists.

Required format: NUTS 3 code as specified in the code list F207 on CAP-ED: <https://awai.cec.eu.int/>

F211: Delivery reference quantity

This relates to the milk quota scheme.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9.

F212: Direct sales reference quantity

This relates to the milk quota scheme.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9.

F213: Reference fat content

This relates to the milk quota scheme.

Required format: 9...9.99, where 9 stands for a digit from 0 to 9.

F214: Purchaser of milk

In accordance with Article 5(e) of Council Regulation (EC) No 1788/2003 (OJ L 94, 31.3.2003, p. 71). This relates to the milk quota scheme.

F217: Date of entry private storage

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F218: End date of private storage

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F220: Identification code of the intermediate organisation

The individual unique identifier allocated to intermediate organisations at Member State level.

The payment is made to the beneficiary via the intermediate organisation, i.e. via each intermediate institution or directly to this organisation.

For rural development expenditure this will be basically limited to measures where interest rate subsidies are paid out via intermediate organisations.

F221: Name of the intermediate organisation

The organisation's name.

F222B: Organisation's address (international post code)**F222C: Organisation's address (municipality or city)****3. DATA RELATING TO DECLARATION/APPLICATION****F300: Number of declaration/application**

This must enable the declaration/application to be traced through the Member States' files.

F300B: Date of application

The date of receipt of the application by the paying agency (including any divisional or regional offices thereof).

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F301: Number of contract (where applicable)**F304: Authorising office**

This is the office responsible for administrative control and authorisation, e.g. the region. The more decentralised the management of the scheme is, the more important this information becomes.

F305: Number of certificate/licence**F306: Date of issue of the certificate/licence**

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F307: Office holding supporting documents

Only where this is not the same as that specified in field F304.

4. DATA RELATING TO SECURITY

F402: Amount of processing security (others than tender securities)

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

5. DATA RELATING TO PRODUCTS

Preliminary remark concerning quantities: as a basic rule, quantities, areas and numbers of animals must only be shown once. In the case of an advance payment followed by a balance payment, the quantity must be shown in the record of the advance payment. Adjustments to quantities, areas and numbers of animals must be shown in the records covering the balance or subsequent payments. In the case of sums recovered, if the amount applied for is reduced because of incorrect quantities, areas or numbers of animals, the adjustments to the quantities must be indicated by a minus sign.

F500: Product code/rural development submeasure code

The Member States must draw up their own lists of codes, to be detailed in the explanatory note to the payment file(s).

In the case of rural development measures, indicate where applicable a code per sub-measure implemented (e.g. type of agri-environmental measure). For the budget line for rural development expenditure in the new Member States (budget post 05040400000) a one-character or two-character code corresponding to the following list must be expressed:

Code	Significance
A	Investment in farms
B	Start-up assistance for young farmers
C	Training
D	Early retirement
E	Less-favoured areas and areas with environmental restrictions
F	Agri-environment and animal welfare
G	Improving the processing and marketing of agricultural products
H	Afforestation of agricultural land
I	Other forestry measures
J	Land improvement
K	Reparcelling
L	Setting up farm relief and farm management services, setting-up consulting services in farms and agricultural vulgarisation
M	Marketing of quality agricultural products
N	Basic services for the rural economy and population
O	Renovation and development of villages and protection and conservation of the rural heritage

Code	Significance
P	Diversifying agricultural activities and activities close to agriculture to provide multiple activities or alternative sources of income
Q	Managing agricultural water resources
R	Developing and improving infrastructure connected with the development of agriculture
S	Encouraging tourist and craft activities
T	Protecting the environment in connection with agriculture, forestry and landscape management and improving animal welfare
U	Restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention instruments
V	Financial engineering
X	Respect of standards
Y	Recourse of consulting services regarding respect of standards
Z	Voluntary participation of farmers in food quality systems
AA	Measures of producer groups in the area of food quality
AB	Semi-subsistence farms in the restructuring process
AC	Producer groups
AD	Technical assistance
AE	Complements to direct payments
AF	Complements to State aid in Malta
AG	Full-time farmers in Malta

In the case of the restructuring and conversion of vineyard (budget post 050209071650) measures codes must be expressed. These codes refer to the definitions of the measures defined by the competent authorities of the Member States in accordance with Article 13(2)(a) of Commission Regulation (EC) No 1227/2000 (OJ L 143, 16.6.2000, p. 1).

In the case of export refunds: F500 is only required if F804 contains ingredients for which the export refund is fixed. Then in F500, the code of the goods (in principle the CN code declared in box 33 of the SAD; eight digits) must be indicated for non-Annex I goods, or the product code for the final processed agricultural products.

For the small farmer scheme the following code list should be employed:

Code	Where the flat-rate payment contains:
A	an area aid element
B	an animal premium element
C	both an animal premium and area aid element

F502: Quantity paid (number of animals, hectares, etc.)

See preliminary remarks in heading 5 (data relating to products).

For *rural development* the quantity paid shall be expressed in the unit appropriate to the agri-environmental submeasure mentioned in F500. A table of correspondence between the submeasure code (e.g. input reduction) used in F500 and the unit for calculating the premium (e.g. ha) used in F502 shall be included in the explanatory note to the payment file(s).

For the *wine sector*, the products obtained after distillation shall be expressed by alcoholic strength.

For all other sectors, the quantity paid shall be expressed in the unit, which is laid down in the Regulation as the basis for the premium payment.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant. (maximum 6).

F503: Quantity covered by payment application lodged (quantity claimed)

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant. (maximum 6).

F507: Yield

Representative yield used to calculate the compensatory payment (under the regionalisation plan in accordance with Article 3 of Council Regulation (EC) No 1251/1999 (OJ L 160, 16.6.1999, p. 1)).

Required format: 9...9.999, where 9 stands for a digit from 0 to 9.

F508A: Area covered by payment application lodged

The area covered by the application.

See preliminary remark in heading 5 (data relating to products).

For budget post 050404000000 (Rural Development in the new Member States) this field is required only for the measures E, F and H.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F508B: Area covered by payment made

The area on which the payment is made.

For budget post 050404000000 (Rural Development in the new Member States) this field is required only for the measures E, F and H.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F509A: Area wrongly declared

The difference between the area declared and that found. Overstatement being the area declared exceeding the area found and reported with a positive figure. Understatement being the area found exceeding the area declared and reported with a negative figure.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F510: Community regulation and Article number

In the case of intervention goods, the ad hoc instrument published in the *Official Journal of the European Union* is required.

F510A: Community rate of financing (%)

Percentage of the overall aid, which is EAGGF funded: This percentage can be calculated, as against the total investment, being the total costs eligible under EAGGF, including the private-sector contribution (see F103B). Alternatively as against the total public costs eligible under EAGGF i.e. excluding the private-sector contribution.

Required format: +99.99, where 9 stands for a digit from 0 to 9.

F511: EAGGF rate of aid (EUR) per unit of measurement

Except where there is no change in fields F511 or F512 throughout the marketing year.

Required format: 9...9.999999, where 9 stands for a digit from 0 to 9.

The use of six decimal places may seem odd but some regulations like Council Regulation (EC) No 660/1999 (OJ L 83, 27.3.1999, p. 10) fix the premium with up to five decimals even when using euro. To cover all possibilities the number of decimals has been raised to six.

F512: Conversion rate

The agricultural rate applied in respect of the payment (except where there is no change in fields F511 or F512 throughout the marketing year).

Required format: 9...9.999999, where 9 stands for a digit from 0 to 9.

F513: EAGGF rate of aid (in currency defined in field F107) per unit of measurement

Required format: 9...9.999999, where 9 stands for a digit from 0 to 9 (see comment under F511).

F515: Gross deliveries

"Gross deliveries" covers all quantities of milk and milk products delivered as defined in Article 5(f) of Regulation (EC) No 1788/2003, without any adjustment for the fat content.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With the possibility of increasing the number of decimals if significant (maximum 6).

F517: Actual fat content

As shown by the laboratory analysis findings, expressed as a percentage rather than in grams or kilograms.

Required format: 9...9.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F518: Adjusted deliveries

Quantities delivered, adjusted for the fat content in accordance with Article 10(1) of Commission Regulation (EC) No 595/2004 (OJ L 94, 31.3.2004, p. 22).

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F519: Direct sales

Milk and milk equivalent as defined in Article 5(g) of Regulation (EC) No 1788/2003.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F519B: Deliveries after administrative corrections (if any)

Milk sector: "administrative corrections" means adjustments made by the paying agency to the quantities declared by purchasers. Such changes must always be shown separately from the quantities declared by the purchasers. Corrections may be positive or negative. The net changes must be shown as compared with the situation before the correction. There is no provision for including flat-rate corrections here.

Corrections following on-the-spot checks, required under Article 21 of Commission Regulation (EC) No 595/2004, must be recorded in fields F600 to F603.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F519C: Direct sales after administrative corrections (if any)

For the definition of administrative corrections, see field F519B.

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F520: Quantities delivered over or under quotas

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9.

F521: Direct sales over or under quotas

Required format: +99...99.999 or -99...99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F522: Additional levy due

For deliveries or direct sales (a distinction is to be made through the budget code (field F109)).

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F523: Interest due for late payment

For deliveries or direct sales (to be distinguished by means of the budget code in field F109).

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F530: Actual alcoholic strength by volume

Expressed in % vol/hl.

Required format: 99.99, where 9 stands for a digit from 0 to 9.

F531: Total alcoholic strength by volume

Expressed in % vol/hl.

Required format: 99.99, where 9 stands for a digit from 0 to 9.

F532: Natural alcoholic strength by volume

Expressed in % vol/hl.

Required format: 99.99, where 9 stands for a digit from 0 to 9.

F533: Wine-growing zone

Wine-growing zone as defined in Annex III to Council Regulation (EC) No 1493/1999 (OJ L 179, 14.7.1999, p. 1).

Required format: to be expressed by one of the following codes: A, B, CIA, CIB, CII, CIIIA, CIIIB.

6. DATA RELATING TO INSPECTIONS

The Commission needs to know the number of inspections carried out and the number of cases where penalties have been applied as a result. Where the premium is withheld or recovered in full, zero payments must be indicated with the date of the decision in F108.

F600: On-farm inspection or remote sensing

The "on-the-spot checks" mentioned here are those referred to in the relevant regulations⁽¹⁾. They include physical visits of the farm and/or checks by remote sensing. Fields F601 to F603 need only be completed where an on-the-spot check is indicated in field F600. Every record, be it the advance or balance payment or other, that can be related to a particular inspection, shall have the appropriate code (see below) in field F600.

Administrative checks, within the meaning of the abovementioned regulations (see footnote below), shall not be mentioned in F600. They are not mentioned as such in any field. Nevertheless, the penalties imposed shall be given in F105, whether they originate from an administrative check or on-the-spot check.

Required format: "N" = no inspection, "F" = on-farm inspection and "T" = inspection by remote sensing. The code "FT" must be shown where both remote sensing and physical visits of the farm were used.

F601: Date of inspection

This field must be completed when an on-the-spot inspection is indicated in field F600. This field is not required for remote sensing checks.

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F602: Application reduced

If the application has been reduced as a result of an inspection, this must be indicated here. This field must be completed when an on-the-spot inspection is indicated in field F600.

Required format: yes = "Y"; no = "N".

F602B: Recalculation of additional levy payable

For instance, after on-the-spot inspections.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9.

F603: Reason for reduction

Where there is more than one reason indicate the one justifying the highest penalty. This field must be completed when an on-the-spot inspection is indicated in field F600.

⁽¹⁾ Article 61 of Commission Regulation (EC) No 445/2002 (OJ L 74, 15.3.2002, p. 1) (rural development).
Article 8 of Council Regulation (EEC) No 3508/92 (OJ L 355, 5.12.1992, p. 1) (IACS).
Chapter III of Commission Regulation (EC) No 2419/2001 (OJ L 327, 12.12.2001, p. 1) (arable crops and animal premiums).
Article 8 of Commission Regulation (EEC) No 2159/89 (OJ L 207, 19.7.1989, p. 19) (nuts).
Article 8 of Commission Regulation (EC) No 1621/1999 (OJ L 192, 24.7.1999, p. 21) (dried grapes).
Article 4 of Commission Regulation (EC) No 609/1999 (OJ L 75, 20.3.1999, p. 20) (hops).

For the small farmer scheme the following code list will apply:

Code	Reason
A	Blocked areas not available for farmer's personal use
B	Non-respect of bovine ceiling
C	Non-respect of good agricultural conditions

Required format: to be expressed by a code; the codes must be explained in the accompanying letter.

F604: Council Regulation (EEC) No 386/90 (OJ L 42, 16.2.1990, p. 6) (on-the-spot checks)

Required format: yes = "Y"; no = "N".

F604B: Regulation (EEC) No 386/90 (substitution checks)

Required format: yes = "Y"; no = "N".

7. (NOT USED)
8. ADDITIONAL DATA RELATING TO EXPORT REFUNDS

F800: Net weight

See preliminary remark in heading 5 (data relating to products).

In the case of processed products (non-Annex I goods or processed agricultural products): the quantity of the ingredient eligible for funding. If the code of the goods (F500) contains more than one ingredient eligible for funding (F804), then multiple records with corresponding amounts (F106) and quantities (F800) must be created.

Required format: +99...99.99 or -99...99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (maximum 6).

F800B: Unit of measurement for field F800

Required format: to be expressed by a one-character code corresponding to the following table:

Code	Meaning
K	Kilogram
L	Litre
P	Piece (item)

F801: Application number (export refunds: SAD)

F802: Customs office of placing under customs supervision

The Member States must use the transit customs office list (COL ⁽¹⁾). This is the list of authorised customs offices for Community/common transit operations. It may be that, due to its objective of "transit operations", some of the customs offices might be missing although this will be the exception. In that case the Member State shall provide the name of the customs office in full.

Required format: The format of the COL code consists of two positions to denote the country followed by six numeric positions that define the customs office. For instance, "NL146123".

F802B: Customs office of exit

Indicate the customs office which certifies that products covered by refund applications have left the customs territory of the Community. The Member States must use the transit customs office list (COL). This is the list of authorised customs offices for Community/common transit operations. It may be that due to its objective of "transit operations" some of the customs offices might be missing although this will be the exception. In that case the Member State shall provide the name of the customs office in full.

This information is vital for the auditors in connection with the application of Regulation (EEC) No 386/90 concerning substitution checks. The information is available in T5 or equivalent documents.

Required format: The format of the COL code consists of two positions to denote the country followed by six numeric positions that define the customs office. For instance, "NL146123".

F804: Export refund code

In the case of non-processed agricultural products: The 12-digit product code, for which export refund is fixed.

In cases of processed products (non-Annex I goods or processed agricultural products): the CN code(s) of the ingredient(s) for which the export refund is fixed. In this case, F500 must be completed with the code of the final product. See also the explanatory note to F800 for the procedure to follow where more than one ingredient of a processed product is eligible for refund.

F805: Code for destination

Required format: "XX", where X stands for a letter between A and Z (codes of the nomenclature of countries and territories for the external trade statistics of the Community. See Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6) and subsequent updates).

In view of harmonisation, the Member States shall also use the miscellaneous category (codes Q*) of the nomenclature of countries and territories for the external trade statistics. It is known that that nomenclature does not cover all special export refund cases but the Commission does not require that kind of detail. Member States shall therefore convert their special national codes to the broader categories of the nomenclature of countries and territories for the external trade statistics before sending their data to the Commission.

F808: Date of advance fixing

If fixed in advance, the date on which the rate of refund was set.

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F809: Last day of validity (advance fixing)

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F812: Tender if applicable (advance fixing)

The procedure stipulated in Article 5 of Commission Regulation (EC) No 1501/95 (OJ L 147, 30.6.1995, p. 7) or similar procedure for other sectors. The Commission needs the reference of the invitation to tender.

⁽¹⁾ http://europa.eu.int/comm/taxation_customs/dds/en/csrdhome.htm.

F814: Day of acceptance of payment declaration (COM-7)

For the beef sector: in the case of pre-financing, complete field F814 only (disregarding fields F816 and F816B); if pre-financing is not involved, complete fields F816 and F816B (disregarding field F814).

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F816: Date of acceptance of export declaration

Date within the meaning of Article 5(1) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).

F816B: Date of export from the EU territory

Date of export as indicated on the export declaration or on the T5. See also Article 7(1) of Regulation (EC) No 800/1999.

Required format: "YYYYMMDD" (year in four digits, month in two digits, day in two digits).'

COMMISSION REGULATION (EC) No 1770/2004
of 14 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 15 October 2004.

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

Done at Brussels, 14 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 14 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	75,8
	999	75,8
0707 00 05	052	114,7
	999	114,7
0709 90 70	052	92,6
	999	92,6
0805 50 10	052	66,8
	388	54,6
	524	67,3
	528	58,2
	999	61,7
0806 10 10	052	97,3
	400	172,7
	999	135,0
0808 10 20, 0808 10 50, 0808 10 90	388	80,6
	400	72,5
	404	84,0
	524	110,5
	720	37,1
	800	144,9
	804	98,4
	999	89,7
0808 20 50	052	110,5
	388	83,6
	999	97,1

⁽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 1771/2004**of 14 October 2004****fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 15 October 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾, is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

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

⁽²⁾ OJ L 141, 24.6.1995, p. 12. Regulation as amended by Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

⁽³⁾ OJ L 145, 27.6.1968, p. 12. Regulation as amended by Regulation (EC) No 1422/95 (OJ L 141, 24.6.1995, p. 12).

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 15 October 2004

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽¹⁾
1703 10 00 ⁽²⁾	8,65	—	0
1703 90 00 ⁽²⁾	10,10	—	0

⁽¹⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 1772/2004**of 14 October 2004****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.
- (4) In special cases, the amount of the refund may be fixed by other legal instruments.

- (5) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.
- (8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.
- (9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 15 OCTOBER 2004**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	38,89 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	38,85 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	38,89 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	38,85 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4228
1701 99 10 9100	S00	EUR/100 kg	42,28
1701 99 10 9910	S00	EUR/100 kg	42,24
1701 99 10 9950	S00	EUR/100 kg	42,24
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4228

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

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

The other destinations are:

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

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

**COMMISSION REGULATION (EC) No 1773/2004
of 14 October 2004**

fixing the maximum export refund for white sugar to certain third countries for the 9th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1327/2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾ and in particular the second indent of Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1327/2004 of 19 July 2004^{3rd} on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽²⁾, for the 2004/2005 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1327/2004 a maximum export refund shall be fixed,

as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 9th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1327/2004 the maximum amount of the export refund shall be 45,376 EUR/100 kg.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ L 246, 20.7.2004, p. 23. Regulation as amended by Regulation (EC) No 1685/2004 (OJ L 303, 30.9.2004, p. 21).

COMMISSION REGULATION (EC) No 1774/2004

of 14 October 2004

amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽¹⁾, and in particular Articles 26 and 33 thereof,

Whereas:

(1) Under the arrangements for the private storage of wine and musts provided for in Regulation (EC) No 1493/1999, producers should be allowed to conclude sales contracts during the period of validity of storage contracts in order to encourage them to become more market oriented.

(2) Article 42 of Commission Regulation (EC) No 1623/2000⁽²⁾, provides for the approval of distillers of wine and the drawing up of lists of approved distillers. Given the importance of the distillation of potable alcohol, distillers should be guaranteed access to those lists. In addition, given advances in communications technologies, the electronic publication of this information should be provided for.

(3) As regards the arrangements for the distillation or the withdrawal under supervision of by-products of wine-making, the rules on the organic production of grapes should be clarified and the notification to the Commission of certain derogations granted by the Member States should be provided for.

(4) Article 63a of Regulation (EC) No 1623/2000, concerning the distillation of wine into potable alcohol, lays down a percentage of producers' production that may be distilled. The percentage for the 2004/05 wine year should be set. In addition, experience in previous wine years indicates that some of the dates for this distillation should be amended. In order better to monitor the movement of the alcohol obtained in these distillation operations, prior authorisation should be provided for.

(5) In order to guarantee the smooth implementation of intervention measures where several Member States are involved, the Commission should be notified of the competent authorities designated by the Member States.

(6) Regulation (EC) No 1623/2000 should consequently be amended.

(7) In order to permit the application of the amendments to Regulation (EC) No 1493/1999 for the whole wine year, this Regulation should apply from 1 August 2004.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1623/2000 is hereby amended as follows:

1. In Article 34, paragraph 3 is replaced by the following:

'3. Without prejudice to Article 33 of this Regulation and paragraphs 4, 5 and 6 of this Article, producers may not market or ship to a third party the product under contract during the period of validity of a storage contract.

Notwithstanding the first subparagraph, producers may, while a storage contract is still valid, conclude a sales contract for the product in storage to take effect on expiry of the storage contract. They may also undertake to send the wine for distillation under Title III of this Regulation on expiry of the storage contract.'

2. Article 42 is replaced by the following:

'Article 42

Approval of distillers

1. Member States shall approve distillers established in their territory who so request.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation last amended by Commission Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation last amended by Regulation (EC) No 908/2004 (OJ L 163, 30.4.2004, p. 56).

2. Member States may withdraw approval, either temporarily or permanently, from distillers failing to meet their obligations under this Regulation.

3. Member States shall draw up a list of the approved distillers, which they shall forward to the Commission electronically. They shall also immediately forward all subsequent amendments to that list.

The Commission shall publish that information on its website.'

3. Article 49(4) is replaced by the following:

'4. Under Article 27(8) of Regulation (EC) No 1493/1999, Member States may provide, in respect of all or part of their territory, that the following producers may discharge their obligation to deliver the by-products referred to in paragraphs 3 and 6 of that Article by withdrawing those products under supervision:

- (a) producers who produce no more than 80 hl by themselves on their own premises;
- (b) producers who grow their grapes using organic production methods.'

4. In Article 50, the following subparagraph is added to paragraph 1(b):

'The Member State shall lay down the detailed rules of application for this point and inform the Commission thereof.'

5. Article 63a is amended as follows:

- (a) in paragraph 1, the words 'for the period from 1 October to 31 December' are replaced by 'for the period from 1 October to 23 December';
- (b) in the first subparagraph of paragraph 2, the words 'For the wine year 2003/04' are replaced by 'For the 2004/05 wine year';
- (c) paragraph 4 is replaced by the following:

'4. Member States shall notify the Commission by 15 January of the current year of the total volume covered by contracts or declarations submitted under Article 65(1) for the distillation referred to in paragraph 1 during the period referred to therein.'

(d) in the first subparagraph of paragraph 6, the words 'between 25 January and 15 February' are replaced by 'between 30 January and 20 February';

(e) paragraph 7 is replaced by the following:

'7. Notwithstanding paragraph 6, Member States may approve contracts before 30 January for a quantity not exceeding 40% of the quantity given in the contracts or declarations.'

6. In Article 64(2), the following subparagraph is added:

'After the submission of the storage application and until the end of the storage period, the containers used and the place of storage may be changed only after obtaining approval from the competent authority.'

7. Article 65 is amended as follows:

(a) paragraph 4 is replaced by the following:

'4. For the purposes of paragraph 3, the contract shall be replaced:

- (a) in the case referred to in the first subparagraph of paragraph 3, by the declaration,
- (b) in the case referred to in the second subparagraph of paragraph 3, by the declaration accompanied by a contract for delivery for distillation on the producer's behalf concluded between the producer and the distiller.'

(b) in paragraph 7, the following subparagraph is added:

'Where there are justified doubts about the eligibility of the wine for the distillation concerned, the competent authority of the Member State may extend the payment deadline referred to in the first subparagraph by a maximum of three months.'

8. Article 66(2) is replaced by the following:

'2. The security shall be released by the intervention agency once the proof referred to in Article 65(8) is presented within the time allowed.'

9. In Article 74(5), the words 'within the deadline laid down in Article 65(7)' are replaced by 'within the deadline laid down in Article 65(7) plus one month.'
10. The following Article 102b is added:

'Article 102b

Information regarding the competent authorities

Member States shall draw up a list of the competent authorities and bodies designated for the purposes of this Regulation, which they shall forward to the Commission elec-

tronically. They shall also immediately forward all subsequent amendments to that list.

The Commission shall publish that information on its website.'

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*.

It shall apply from 1 August 2004.

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

Done at Brussels, 14 October 2004.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1775/2004**of 14 October 2004****setting the production levies in the sugar sector for 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 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the first indent of Article 15(8) thereof,

Whereas:

- (1) Article 8 of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector⁽²⁾, provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 16(2) of Regulation (EC) No 1260/2001 for sugar, isoglucose and inulin syrup are to be set before 15 October in respect of the previous marketing year.
- (2) For the 2003/04 marketing year, the estimate of the overall loss recorded in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/2001 requires, in accordance with paragraphs 3 and 4 of that Article, the adoption of 2% for the basic levy and 27,050% for the B levy.
- (3) The overall loss recorded on the basis of known data and in accordance with Article 15(1) of Regulation (EC) No 1260/2001 is covered in its entirety by the receipts from the basic production levy and the B levy. As a result, there is no need to set the coefficient referred to in Article 16(2) of that Regulation for the 2003/04 marketing year.

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

HAS ADOPTED THIS REGULATION:

Article 1

The production levies in the sugar sector for the 2003/04 marketing year shall be as follows:

- (a) EUR 12,638 per tonne of white sugar as the basic production levy on A sugar and B sugar;
- (b) EUR 170,929 per tonne of white sugar as the B levy on B sugar;
- (c) EUR 5,330 per tonne of dry matter as the basic production levy on A isoglucose and B isoglucose;
- (d) EUR 73,014 per tonne of dry matter as the B levy on B isoglucose;
- (e) EUR 12,638 per tonne of dry matter sugar/isoglucose equivalent as the basic production levy on A inulin syrup and B inulin syrup;
- (f) EUR 170,929 per tonne of dry matter sugar/isoglucose equivalent as the B levy on B inulin syrup.

*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, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ L 50, 21.2.2002, p. 40. Regulation as last amended by Regulation (EC) No 38/2004 (OJ L 6, 10.1.2004, p. 13).

COMMISSION REGULATION (EC) No 1776/2004

of 14 October 2004

fixing, for the 2003/04 marketing year, the amount to be paid by sugar manufacturers to beet sellers in respect of the difference between the maximum amount of the B levy and the amount of that levy to be charged

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular Article 18(5) thereof,

Whereas:

- (1) Article 18(2) of Regulation (EC) No 1260/2001 provides that when the amount of the B levy is less than the maximum amount referred to in Article 15(4) of that Regulation, revised where necessary in accordance with paragraph 5 of that Article, sugar manufacturers must pay beet sellers 60% of the difference between the maximum amount of the levy in question and the amount of the levy to be charged. Article 9(1) of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector⁽²⁾ provides that the amount to be paid should be fixed at the same time as the production levies and in accordance with the same procedure.
- (2) For the 2003/04 marketing year, Commission Regulation (EC) No 1430/2004⁽³⁾ sets the maximum amount of the

B levy at 37,5% of the intervention price for white sugar and Commission Regulation (EC) No 1775/2004⁽⁴⁾ fixes the amount of the B levy for sugar to be charged for the said marketing year at 27,050% of the intervention price for white sugar. This difference requires, in accordance with Article 18(2) of Regulation (EC) No 1260/2001, that the amount to be paid by sugar manufacturers to beet sellers should be fixed per tonne of beet of standard quality.

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 18(2) of Regulation (EC) No 1260/2001 to be paid by sugar manufacturers to beet sellers in respect of the B levy shall be fixed for the 2003/04 marketing year at EUR 5,151 per tonne of beet of standard quality.

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, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ L 50, 21.2.2002, p. 40. Regulation as last amended by Regulation (EC) No 38/2004 (OJ L 6, 10.1.2004, p. 13).

⁽³⁾ OJ L 203, 12.8.2003, p. 15.

⁽⁴⁾ See p. 64 of this Official Journal.

COMMISSION REGULATION (EC) No 1777/2004
of 14 October 2004

adapting Regulation (EC) No 2342/1999 laying down detailed rules for the application of Council Regulation (CE) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes, by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

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 Article 57(2) thereof,

Whereas:

- (1) A number of adjustments are required to Commission Regulation (EC) No 2342/1999⁽¹⁾ by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as the 'new Member States').
- (2) Article 6(2) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of their decision regarding the introduction of different regions or the modification of the existing regions within their territory. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (3) Article 7(1) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of their decision to change the limit of 90 head of cattle per holding and per age bracket or to derogate from it. Before the same date, they shall inform the Commission of the minimum number of animals per holding below which the proportional reduction will not be applied. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (4) Article 10 of Regulation (EC) No 2342/1999 provides that the Member States shall notify the Commission before a certain date of their decision to apply the system referred to in Section 2 of Chapter I of that Regulation. A deadline should be fixed for such notification by the new Member States for the year 2004.
- (5) The first paragraph of Article 11 of Regulation (EC) No 2342/1999 provides that the Commission shall decide in which Member States the deseasonalisation premium may be granted for the following calendar year. The possibility that new Member States meet the conditions for applying Article 5(3) of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁽²⁾ should be taken into account. The second paragraph of Article 11 of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date should they decide to apply Article 5(3) of Regulation (EC) No 1254/1999. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (6) Article 15(1) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of their decision to change the maximum individual reference quantity referred to in Article 6(2)(b) of Regulation (EC) No 1254/1999 or to derogate from it. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (7) Article 21(1) and (2) of Regulation (EC) No 2342/1999 provides that the Member States shall notify the Commission of several information laid down in the framework of the suckler cow premium. Deadlines should be fixed for the notification of such information by the new Member States for the year 2004.

⁽¹⁾ OJ L 281, 4.11.1999, p. 30. Regulation last amended by Regulation (EC) No 1473/2003 (OJ L 211, 21.8.2003, p. 12).

⁽²⁾ OJ L 160, 26.6.1999, p. 21. Regulation last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

- (8) The first subparagraph of Article 29(1) of Regulation (EC) No 2342/1999 provides that the Commission shall decide which Member States meet the conditions laid down in Article 10(1) of Regulation (EC) No 1254/1999. The possibility that new Member States meet those conditions should be taken into account. The second subparagraph of Article 29(1) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date whether or not they intend to apply the scheme laid down in Article 10 of Regulation (EC) No 1254/1999. A deadline should be fixed for the notification of such information by the new Member States.
- (9) The second subparagraph of Article 29(2) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of the criteria adopted. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (10) Article 32(5) of Regulation (EC) No 2342/1999 provides that the Member States shall notify the Commission by a certain date of the definition of 'pasture' used for the purposes of Article 13(3) (c) of Regulation (EC) No 1254/1999. A deadline should be fixed for such notification by the new Member States.
- (11) Article 32(6) of Regulation (EC) No 2342/1999 provides that the Commission shall decide which Member States meet the conditions laid down in Article 13(4) of Regulation (EC) No 1254/1999. The possibility that new Member States meet those conditions should be taken into account.
- (12) Article 32(7) of Regulation (EC) No 2342/1999 provides that producers who wish to qualify for the extensification payment under paragraph 6 of that Article shall keep for at least six consecutive months, starting on the day following that on which the application is submitted, a certain number of dairy cows. In the new Member States, the six months retention period should take account of the date of accession.
- (13) Article 32(9) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of their decision to apply, or to cease to apply, the option laid down in the second subparagraph of Article 13(2) of Regulation (EC) No 1254/1999. A deadline should be fixed for the notification of such information by the new Member States for the year 2004.
- (14) The third subparagraph of Article 35(2) of Regulation (EC) No 2342/1999 provides that the Member States shall inform the Commission before a certain date of their decision to apply the derogation laid down in that Article 35(2). A deadline should be fixed for the notification of such information by the new Member States.
- (15) Article 46(1) of Regulation (EC) No 2342/1999 provides that the Member States shall notify annually the Commission before a certain date of information regarding the number of animals in respect of which the premiums were applied for. A deadline should be fixed for such notification by the new Member States for the year 2004.
- (16) Annex I to Regulation (EC) No 2342/1999 provides for the list of bovine breeds referred to in Article 14 of that Regulation. That Annex should take account of the existing bovine breeds in the new Member States.
- (17) Annex II to Regulation (EC) No 2342/1999 provides for the average milk yield referred to in Article 18 of that Regulation. That Annex should take account of the average milk yields registered in the new Member States.
- (18) Regulation (EC) No 2342/1999 should therefore be amended accordingly as from the day of entry into force of the Act of Accession of the new Member States,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2342/1999 is amended as follows:

1. in Article 6(2), the following subparagraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of a decision pursuant to the first subparagraph.';

2. in Article 7(1), the following subparagraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of their decisions pursuant to the first and second subparagraphs.');

3. in Article 10, the following paragraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall notify the Commission by 30 October 2004 at the latest of their decision pursuant to the first paragraph.');

4. Article 11 is amended as follows:

(a) the following paragraph is inserted after the first paragraph:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the Commission shall decide by 1 November 2004 at the latest in which of those Member States the deseasonalisation premium may be granted for the year 2005.');

(b) the following paragraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of their decision pursuant to the third paragraph.');

5. in Article 15(1), the following subparagraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of their decision pursuant to the first subparagraph.');

6. Article 21 is amended as follows:

(a) in paragraph 1, the following subparagraph is added:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the notification referred to in the first subparagraph shall be made by 30 October 2004 at the latest.');

(b) in paragraph 2, the following subparagraph is added:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the initial notification referred to in the first subparagraph shall be made by 30 October 2004 at the latest.');

7. Article 29 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the following subparagraph is inserted after the first subparagraph:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the Commission shall decide which of those Member States meet the conditions laid down in Article 10(1) of Regulation (EC) No 1254/1999 by 31 December 2004 at the latest.');

(ii) the following subparagraph is added:

'The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of their decision pursuant to the third subparagraph.');

(b) in paragraph 2, the following subparagraph is added:

'For the year 2004, for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the initial notification referred to in the second subparagraph shall be made by 30 October 2004 at the latest.');

8. Article 32 is amended as follows:

(a) in paragraph 5, the following subparagraph is added:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the initial notification referred to in the first subparagraph shall be made by 30 October 2004 at the latest.');

(b) in paragraph 6, the following subparagraph is inserted after the first subparagraph:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the Commission shall decide which of those Member States meet the conditions laid down in Article 13(4) of Regulation (EC) No 1254/1999 by 31 December 2004 at the latest.');

(c) in paragraph 7, the following subparagraph is inserted after the second subparagraph:

'In the new Member States, applications for the year 2004 shall be submitted within an overall period of six months, to be determined by the Member State, which may end in 2005.');

(d) in paragraph 9, the following subparagraph is added:

'For the year 2004, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall inform the Commission by 30 October 2004 at the latest of their decision pursuant to the first subparagraph.'

9. in Article 35(2), the following subparagraph is inserted after the third subparagraph:

'For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, if they choose to apply this paragraph, the initial notification referred to in the third subparagraph shall be made by 30 October 2004 at the latest.'

10. in Article 46(1), the following subparagraph is added:

'The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall notify the Commission by 1 March 2005 at the latest of the information referred to in points (a) to (d) of the first subparagraph relating to the period from May to December 2004.'

11. Annex I is replaced by the text in Annex I to this Regulation;

12. Annex II is replaced by the text in Annex II to this Regulation.

Article 2

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

It shall apply from 1 May 2004.

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

Done at Brussels, 14 October 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

'ANNEX I

LIST OF BOVINE BREEDS REFERRED TO IN ARTICLE 14

- Angler Rotvieh (Angeln) — Rød dansk mælkerace (RMD) — *German Red* — *Lithuanian Red*
 - Ayrshire
 - Armoricaïne
 - Bretonne Pie-noire
 - Fries-Hollands (FH), Française frisonne pie noire (FFPN), Friesian-Holstein, Holstein, Black and White Friesian, Red and White Friesian, Frisona española, Frisona Italiana, Zwartbonten van België/pie noire de Belgique, Sortbroget dansk mælkerace (SDM), Deutsche Schwarzbunte, Schwarzbunte Milchrasse (SMR), *Czarno-biala*, *Czerwono-biala*, *Magyar Holstein-Friz*, *Dutch Black and White*, *Estonian Holstein*, *Estonian Native*, *Estonian Red*, *British Friesian*, *Crno-Bela*, *German Red and White*, *Holstein Black and White*, *Red Holstein*
 - Groninger Blaarkop
 - Guernsey
 - Jersey
 - Malkeborhorn
 - Reggiana
 - Valdostana Nera
 - Itäsuomenkarja
 - Länsisuomenkarja
 - Pohjoissuomenkarja.'
-

ANNEX II

ANNEX II

AVERAGE MILK YIELD REFERRED TO IN ARTICLE 18

	<i>(kilograms)</i>
Belgium	5 450
Czech Republic	5 682
Denmark	6 800
Germany	5 800
Estonia	5 608
Greece	4 250
Spain	4 650
France	5 550
Ireland	4 100
Italy	5 150
Cyprus	6 559
Latvia	4 796
Lithuania	4 970
Luxembourg	5 700
Hungary	6 666
Malta	
Netherlands	6 800
Austria	4 650
Poland	3 913
Portugal	5 100
Slovenia	4 787
Slovakia	5 006
Finland	6 400
Sweden	7 150
United Kingdom	5 900

COMMISSION REGULATION (EC) No 1778/2004**of 13 October 2004****prohibiting fishing for blue ling by vessels flying the flag of the United Kingdom**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Council Regulation (EC) No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks⁽²⁾ lays down quotas for blue ling for 2004.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of blue ling in the waters of ICES sub-areas II, IV and V (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have exhausted the

quota allocated for 2004. The United Kingdom has prohibited fishing for this stock from 12 July 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of blue ling in the waters of ICES sub-areas II, IV and V (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are hereby deemed to have exhausted the quota allocated to the United Kingdom for 2004.

Fishing for blue ling in the waters of ICES sub-areas II, IV and V (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 12 July 2004.

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

Done at Brussels, 13 October 2004.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

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

⁽²⁾ OJ L 356, 31.12.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 762/2004 (OJ L 120, 24.4.2004, p. 8).

COMMISSION REGULATION (EC) No 1779/2004
of 13 October 2004
prohibiting fishing for ling by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Council Regulation (EC) No 2340/2002 of 16 December 2002 fixing for 2003 and 2004 the fishing opportunities for deep-sea fish stocks⁽²⁾ lays down quotas for ling for 2004.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of ling in the waters of ICES sub-area III (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of Denmark or registered in Denmark have

exhausted the quota for 2004. Denmark has prohibited fishing for this stock from 1 August 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of ling in the waters of ICES sub-area III (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of Denmark or registered in Denmark have exhausted the quota allocated to Denmark for 2004.

Fishing for ling in the waters of ICES sub-area III (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of Denmark or registered in Denmark is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 1 August 2004.

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

Done at Brussels, 13 October 2004.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 356, 31.12.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 762/2004 (OJ L 120, 24.4.2004, p. 8).

COMMISSION REGULATION (EC) No 1780/2004
of 14 October 2004
fixing the export refunds on milk and milk products

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⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third-country markets;
- (b) the most favourable prices in third countries of destination for third-country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the above-mentioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products⁽²⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽³⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽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 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 1948/2003 (OJ L 287, 5.11.2003, p. 13).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

- (7) Commission Regulation (EEC) No 896/84⁽¹⁾ laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 14 October 2004 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,548	0402 21 11 9300	L01	EUR/100 kg	—
0401 10 90 9000	970	EUR/100 kg	1,548		068	EUR/100 kg	—
0401 20 11 9500	970	EUR/100 kg	2,393		L02	EUR/100 kg	49,04
0401 20 19 9500	970	EUR/100 kg	2,393		A01	EUR/100 kg	62,93
0401 20 91 9000	970	EUR/100 kg	3,028	0402 21 11 9500	L01	EUR/100 kg	—
0401 30 11 9400	970	EUR/100 kg	6,987		068	EUR/100 kg	—
0401 30 11 9700	970	EUR/100 kg	10,49		L02	EUR/100 kg	51,17
0401 30 31 9100	L01	EUR/100 kg	—		A01	EUR/100 kg	65,69
	L02	EUR/100 kg	17,84	0402 21 11 9900	L01	EUR/100 kg	—
	A01	EUR/100 kg	25,49		068	EUR/100 kg	—
0401 30 31 9400	L01	EUR/100 kg	—		L02	EUR/100 kg	54,53
	L02	EUR/100 kg	27,87		A01	EUR/100 kg	70,00
	A01	EUR/100 kg	39,82	0402 21 17 9000	L01	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	30,74		L02	EUR/100 kg	24,03
	A01	EUR/100 kg	43,91		A01	EUR/100 kg	29,00
0401 30 39 9100	L01	EUR/100 kg	—	0402 21 19 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	17,84		068	EUR/100 kg	—
	A01	EUR/100 kg	25,49		L02	EUR/100 kg	49,04
0401 30 39 9400	L01	EUR/100 kg	—		A01	EUR/100 kg	62,93
	L02	EUR/100 kg	27,87	0402 21 19 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	39,82		068	EUR/100 kg	—
0401 30 39 9700	L01	EUR/100 kg	—		L02	EUR/100 kg	51,17
	L02	EUR/100 kg	30,74		A01	EUR/100 kg	65,69
	A01	EUR/100 kg	43,91	0402 21 19 9900	L01	EUR/100 kg	—
0401 30 91 9100	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	54,53
	A01	EUR/100 kg	50,05		A01	EUR/100 kg	70,00
0401 30 99 9100	L01	EUR/100 kg	—	0402 21 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		068	EUR/100 kg	—
	A01	EUR/100 kg	50,05		L02	EUR/100 kg	54,87
0401 30 99 9500	L01	EUR/100 kg	—		A01	EUR/100 kg	70,43
	L02	EUR/100 kg	51,49	0402 21 91 9200	L01	EUR/100 kg	—
	A01	EUR/100 kg	73,55		068	EUR/100 kg	—
0402 10 11 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	55,19
	068	EUR/100 kg	—		A01	EUR/100 kg	70,85
	L02	EUR/100 kg	24,03	0402 21 91 9350	L01	EUR/100 kg	—
	A01	EUR/100 kg	29,00		068	EUR/100 kg	—
0402 10 19 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	55,76
	068	EUR/100 kg	—		A01	EUR/100 kg	71,58
	L02	EUR/100 kg	24,03	0402 21 91 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	29,00		068	EUR/100 kg	—
0402 10 91 9000	L01	EUR/kg	—		L02	EUR/100 kg	59,93
	068	EUR/kg	—		A01	EUR/100 kg	76,93
	L02	EUR/kg	0,2403	0402 21 99 9100	L01	EUR/100 kg	—
	A01	EUR/kg	0,2900		068	EUR/100 kg	—
0402 10 99 9000	L01	EUR/kg	—		L02	EUR/100 kg	54,87
	068	EUR/kg	—		A01	EUR/100 kg	70,43
	L02	EUR/kg	0,2403	0402 21 99 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,2900		068	EUR/100 kg	—
0402 21 11 9200	L01	EUR/100 kg	—		L02	EUR/100 kg	55,19
	068	EUR/100 kg	—		A01	EUR/100 kg	70,85
	L02	EUR/100 kg	24,03				
	A01	EUR/100 kg	29,00				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund	
0402 21 99 9300	L01	EUR/100 kg	—	0402 91 19 9370	L01	EUR/100 kg	—	
	068	EUR/100 kg	—		L02	EUR/100 kg	4,958	
	L02	EUR/100 kg	55,76		A01	EUR/100 kg	7,083	
0402 21 99 9400	A01	EUR/100 kg	71,58	0402 91 31 9300	L01	EUR/100 kg	—	
	L01	EUR/100 kg	—		L02	EUR/100 kg	5,859	
	068	EUR/100 kg	—		A01	EUR/100 kg	8,371	
0402 21 99 9500	L02	EUR/100 kg	58,85	0402 91 39 9300	L01	EUR/100 kg	—	
	A01	EUR/100 kg	75,55		L02	EUR/100 kg	5,859	
	L01	EUR/100 kg	—		A01	EUR/100 kg	8,371	
0402 21 99 9600	068	EUR/100 kg	—	0402 91 99 9000	L01	EUR/100 kg	—	
	L02	EUR/100 kg	59,93		L02	EUR/100 kg	21,53	
	A01	EUR/100 kg	76,93		A01	EUR/100 kg	30,75	
0402 21 99 9700	L01	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—	
	068	EUR/100 kg	—		L02	EUR/kg	0,1268	
	L02	EUR/100 kg	64,15		A01	EUR/kg	0,1812	
0402 21 99 9900	A01	EUR/100 kg	82,35	0402 99 19 9350	L01	EUR/kg	—	
	L01	EUR/100 kg	—		L02	EUR/kg	0,1268	
	068	EUR/100 kg	—		A01	EUR/kg	0,1812	
0402 21 99 9900	L02	EUR/100 kg	66,54	0402 99 31 9150	L01	EUR/kg	—	
	A01	EUR/100 kg	85,43		L02	EUR/kg	0,1316	
	L01	EUR/100 kg	—		A01	EUR/kg	0,1880	
0402 29 15 9200	068	EUR/100 kg	—	0402 99 31 9300	L01	EUR/kg	—	
	L02	EUR/100 kg	69,32		L02	EUR/kg	0,1288	
	A01	EUR/100 kg	88,97		A01	EUR/kg	0,1840	
0402 29 15 9300	L01	EUR/kg	—	0402 99 39 9150	L01	EUR/kg	—	
	L02	EUR/kg	0,2403		L02	EUR/kg	0,1316	
	A01	EUR/kg	0,2900		A01	EUR/kg	0,1880	
0402 29 15 9500	L01	EUR/kg	—	0403 90 11 9000	L01	EUR/100 kg	—	
	L02	EUR/kg	0,4904		L02	EUR/100 kg	23,69	
	A01	EUR/kg	0,6293		A01	EUR/100 kg	28,59	
0402 29 15 9900	L01	EUR/kg	—	0403 90 13 9200	L01	EUR/100 kg	—	
	L02	EUR/kg	0,5117		L02	EUR/100 kg	23,69	
	A01	EUR/kg	0,6569		A01	EUR/100 kg	28,59	
0402 29 19 9300	L01	EUR/kg	—	0403 90 13 9300	L01	EUR/100 kg	—	
	L02	EUR/kg	0,5453		L02	EUR/100 kg	48,59	
	A01	EUR/kg	0,7000		A01	EUR/100 kg	62,37	
0402 29 19 9500	L01	EUR/kg	—	0403 90 13 9500	L01	EUR/100 kg	—	
	L02	EUR/kg	0,4904		L02	EUR/100 kg	50,72	
	A01	EUR/kg	0,6293		A01	EUR/100 kg	65,10	
0402 29 19 9900	L01	EUR/kg	—	0403 90 13 9900	L01	EUR/100 kg	—	
	L02	EUR/kg	0,5117		L02	EUR/100 kg	54,05	
	A01	EUR/kg	0,6569		A01	EUR/100 kg	69,37	
0402 29 19 9900	L01	EUR/kg	—	0403 90 19 9000	L01	EUR/100 kg	—	
	L02	EUR/kg	0,5453		L02	EUR/100 kg	54,38	
	A01	EUR/kg	0,7000		A01	EUR/100 kg	69,80	
0402 29 91 9000	L01	EUR/kg	—	0403 90 33 9400	L01	EUR/kg	—	
	L02	EUR/kg	0,5487		L02	EUR/kg	0,4859	
	A01	EUR/kg	0,7043		A01	EUR/kg	0,6237	
0402 29 99 9100	L01	EUR/kg	—	0403 90 33 9900	L01	EUR/kg	—	
	L02	EUR/kg	0,5487		L02	EUR/kg	0,5405	
	A01	EUR/kg	0,7043		A01	EUR/kg	0,6937	
0402 29 99 9500	L01	EUR/kg	—	0403 90 51 9100	970	EUR/100 kg	1,548	
	L02	EUR/kg	0,5885		0403 90 59 9170	970	EUR/100 kg	10,49
	A01	EUR/kg	0,7555			0403 90 59 9310	L01	EUR/100 kg
L01	EUR/100 kg	—	L02	EUR/100 kg	17,84			
L02	EUR/100 kg	4,958	A01	EUR/100 kg	25,49			
0402 91 11 9370	A01	EUR/100 kg	7,083					

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9340	L01	EUR/100 kg	—	0405 10 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	26,11		075	EUR/100 kg	119,99
	A01	EUR/100 kg	37,29		L02	EUR/100 kg	94,80
0403 90 59 9370	L01	EUR/100 kg	—	0405 10 11 9700	A01	EUR/100 kg	127,81
	L02	EUR/100 kg	26,11		L01	EUR/100 kg	—
	A01	EUR/100 kg	37,29		075	EUR/100 kg	122,98
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L02	EUR/100 kg	97,16
	L02	EUR/100 kg	26,11		A01	EUR/100 kg	131,00
	A01	EUR/100 kg	37,29		L01	EUR/100 kg	—
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	075	EUR/100 kg	119,99
	L02	EUR/100 kg	20,49		L02	EUR/100 kg	94,80
	A01	EUR/100 kg	24,74		A01	EUR/100 kg	127,81
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 30 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	24,03		075	EUR/100 kg	119,99
	A01	EUR/100 kg	29,00		L02	EUR/100 kg	94,80
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9300	A01	EUR/100 kg	127,81
	L02	EUR/100 kg	24,03		L01	EUR/100 kg	—
	A01	EUR/100 kg	29,00		075	EUR/100 kg	122,98
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9700	L02	EUR/100 kg	97,16
	L02	EUR/100 kg	49,04		A01	EUR/100 kg	131,00
	A01	EUR/100 kg	62,93		L01	EUR/100 kg	—
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 50 9300	075	EUR/100 kg	122,98
	L02	EUR/100 kg	51,17		L02	EUR/100 kg	97,16
	A01	EUR/100 kg	65,69		A01	EUR/100 kg	131,00
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 50 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	54,53		075	EUR/100 kg	119,99
	A01	EUR/100 kg	70,00		L02	EUR/100 kg	94,80
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9700	A01	EUR/100 kg	127,81
	L02	EUR/100 kg	54,87		L01	EUR/100 kg	—
	A01	EUR/100 kg	70,43		075	EUR/100 kg	122,98
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 90 9000	L02	EUR/100 kg	97,16
	L02	EUR/100 kg	55,19		A01	EUR/100 kg	131,00
	A01	EUR/100 kg	70,85		L01	EUR/100 kg	—
0404 90 29 9125	L01	EUR/100 kg	—	0405 20 90 9500	075	EUR/100 kg	127,49
	L02	EUR/100 kg	55,76		L02	EUR/100 kg	100,71
	A01	EUR/100 kg	71,58		A01	EUR/100 kg	135,79
0404 90 29 9140	L01	EUR/100 kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	59,93		075	EUR/100 kg	112,50
	A01	EUR/100 kg	76,93		L02	EUR/100 kg	88,87
0404 90 81 9100	L01	EUR/kg	—	0405 20 90 9900	A01	EUR/100 kg	119,83
	L02	EUR/kg	0,2403		L01	EUR/100 kg	—
	A01	EUR/kg	0,2900		075	EUR/100 kg	116,99
0404 90 83 9110	L01	EUR/kg	—	0405 90 10 9000	L02	EUR/100 kg	92,42
	L02	EUR/kg	0,2403		L01	EUR/100 kg	—
	A01	EUR/kg	0,2900		075	EUR/100 kg	155,77
0404 90 83 9130	L01	EUR/kg	—	0405 90 10 9300	L02	EUR/100 kg	123,06
	L02	EUR/kg	0,4904		A01	EUR/100 kg	165,93
	A01	EUR/kg	0,6293				
0404 90 83 9150	L01	EUR/kg	—				
	L02	EUR/kg	0,5117				
	A01	EUR/kg	0,6569				
0404 90 83 9170	L01	EUR/kg	—				
	L02	EUR/kg	0,5453				
	A01	EUR/kg	0,7000				
0404 90 83 9936	L01	EUR/kg	—				
	L02	EUR/kg	0,1268				
	A01	EUR/kg	0,1812				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0405 90 90 9000	L01	EUR/100 kg	—	0406 20 90 9919	L03	EUR/100 kg	—
	075	EUR/100 kg	124,60		L04	EUR/100 kg	44,50
	L02	EUR/100 kg	98,43		400	EUR/100 kg	—
	A01	EUR/100 kg	132,71		A01	EUR/100 kg	55,63
0406 10 20 9100	A00	EUR/100 kg	—	0406 30 31 9710	L03	EUR/100 kg	—
0406 10 20 9230	L03	EUR/100 kg	—		L04	EUR/100 kg	3,38
	L04	EUR/100 kg	16,39		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	7,88
0406 10 20 9290	A01	EUR/100 kg	20,48	0406 30 31 9730	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	15,25		400	EUR/100 kg	—
0406 10 20 9300	400	EUR/100 kg	—	0406 30 31 9910	A01	EUR/100 kg	11,57
	A01	EUR/100 kg	19,05		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	3,38
	L04	EUR/100 kg	6,69		400	EUR/100 kg	—
0406 10 20 9610	400	EUR/100 kg	—	0406 30 31 9930	A01	EUR/100 kg	7,88
	A01	EUR/100 kg	8,36		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	22,22		400	EUR/100 kg	—
0406 10 20 9620	400	EUR/100 kg	—	0406 30 31 9950	A01	EUR/100 kg	11,57
	A01	EUR/100 kg	27,79		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	22,55		400	EUR/100 kg	—
0406 10 20 9630	400	EUR/100 kg	—	0406 30 39 9500	A01	EUR/100 kg	16,82
	A01	EUR/100 kg	28,18		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	25,17		400	EUR/100 kg	—
0406 10 20 9640	400	EUR/100 kg	—	0406 30 39 9700	A01	EUR/100 kg	11,57
	A01	EUR/100 kg	31,46		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	36,98		400	EUR/100 kg	—
0406 10 20 9650	400	EUR/100 kg	—	0406 30 39 9930	A01	EUR/100 kg	16,82
	A01	EUR/100 kg	46,22		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	30,83		400	EUR/100 kg	—
0406 10 20 9830	400	EUR/100 kg	—	0406 30 39 9950	A01	EUR/100 kg	16,82
	A01	EUR/100 kg	38,52		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	8,12
	L04	EUR/100 kg	11,44		400	EUR/100 kg	—
0406 10 20 9850	400	EUR/100 kg	—	0406 30 90 9000	A01	EUR/100 kg	19,03
	A01	EUR/100 kg	14,29		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	8,51
	L04	EUR/100 kg	13,86		400	EUR/100 kg	—
0406 20 90 9100	400	EUR/100 kg	—	0406 40 50 9000	A01	EUR/100 kg	19,96
	A01	EUR/100 kg	17,33		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	43,49
	L04	EUR/100 kg	28,39		400	EUR/100 kg	—
0406 20 90 9913	400	EUR/100 kg	—	0406 40 90 9000	A01	EUR/100 kg	54,36
	A01	EUR/100 kg	35,49		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	44,66
	L04	EUR/100 kg	37,47		400	EUR/100 kg	—
0406 20 90 9915	400	EUR/100 kg	—	0406 90 13 9000	A01	EUR/100 kg	55,82
	A01	EUR/100 kg	46,84		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	49,11
	L04	EUR/100 kg	39,83		400	EUR/100 kg	—
0406 20 90 9917	400	EUR/100 kg	—		A01	EUR/100 kg	70,29
	A01	EUR/100 kg	49,77				
	L03	EUR/100 kg	—				
	L04	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 15 9100	L03	EUR/100 kg	—	0406 90 63 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,75		L04	EUR/100 kg	53,84
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 90 17 9100	A01	EUR/100 kg	72,63	0406 90 63 9900	A01	EUR/100 kg	77,65
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	50,75		L04	EUR/100 kg	51,76
0406 90 21 9900	400	EUR/100 kg	—	0406 90 69 9100	400	EUR/100 kg	—
	A01	EUR/100 kg	72,63		A01	EUR/100 kg	75,00
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
0406 90 23 9900	L04	EUR/100 kg	49,73	0406 90 69 9910	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	51,76
	A01	EUR/100 kg	71,00		400	EUR/100 kg	—
0406 90 25 9900	L03	EUR/100 kg	—	0406 90 73 9900	A01	EUR/100 kg	75,00
	L04	EUR/100 kg	43,67		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,08
0406 90 27 9900	A01	EUR/100 kg	62,77	0406 90 75 9900	400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	64,58
	L04	EUR/100 kg	43,38		L03	EUR/100 kg	—
0406 90 31 9119	400	EUR/100 kg	—	0406 90 76 9300	L04	EUR/100 kg	45,38
	A01	EUR/100 kg	62,09		400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	65,27
0406 90 33 9119	L04	EUR/100 kg	39,28	0406 90 76 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	40,92
	A01	EUR/100 kg	56,24		400	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 76 9500	A01	EUR/100 kg	58,58
	L04	EUR/100 kg	36,11		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,83
0406 90 35 9190	A01	EUR/100 kg	51,76	0406 90 78 9100	400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	65,61
	L04	EUR/100 kg	36,11		L03	EUR/100 kg	—
0406 90 35 9951	400	EUR/100 kg	—	0406 90 78 9300	L04	EUR/100 kg	43,60
	A01	EUR/100 kg	51,76		400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	61,88
0406 90 37 9000	L04	EUR/100 kg	32,99	0406 90 78 9500	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	42,28
	A01	EUR/100 kg	47,48		400	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 79 9900	A01	EUR/100 kg	61,77
	L04	EUR/100 kg	33,33		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	44,83
0406 90 15 9100	A01	EUR/100 kg	47,50	0406 90 81 9900	400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	64,02
	L04	EUR/100 kg	51,07		L03	EUR/100 kg	—
0406 90 17 9100	400	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	44,41
	A01	EUR/100 kg	73,43		400	EUR/100 kg	—
	L03	EUR/100 kg	—		A01	EUR/100 kg	63,03
0406 90 21 9900	L04	EUR/100 kg	51,07	0406 90 79 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	36,26
	A01	EUR/100 kg	73,43		400	EUR/100 kg	—
0406 90 23 9900	A01	EUR/100 kg	73,43	0406 90 81 9900	A01	EUR/100 kg	52,11
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	51,07		L04	EUR/100 kg	45,83
0406 90 25 9900	400	EUR/100 kg	—	0406 90 85 9930	400	EUR/100 kg	—
	A01	EUR/100 kg	73,43		A01	EUR/100 kg	65,61
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
0406 90 27 9900	L04	EUR/100 kg	49,11	0406 90 85 9930	L04	EUR/100 kg	49,49
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	70,29		A01	EUR/100 kg	71,21
0406 90 31 9119	L03	EUR/100 kg	—				
	L04	EUR/100 kg	54,11				
	400	EUR/100 kg	—				
0406 90 33 9119	A01	EUR/100 kg	78,30				
	L03	EUR/100 kg	—				
	L04	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 85 9970	L03	EUR/100 kg	—	0406 90 87 9951	L03	EUR/100 kg	—
	L04	EUR/100 kg	45,38		L04	EUR/100 kg	45,01
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	65,27		A01	EUR/100 kg	64,43
0406 90 86 9100	A00	EUR/100 kg	—	0406 90 87 9971	L03	EUR/100 kg	—
0406 90 86 9200	L03	EUR/100 kg	—		L04	EUR/100 kg	45,01
	L04	EUR/100 kg	41,64		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	64,43	
	A01	EUR/100 kg	61,76	0406 90 87 9972	L03	EUR/100 kg	—
0406 90 86 9300	L03	EUR/100 kg	—		L04	EUR/100 kg	19,18
	L04	EUR/100 kg	42,25		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	27,57	
	A01	EUR/100 kg	62,41	0406 90 87 9973	L03	EUR/100 kg	—
0406 90 86 9400	L03	EUR/100 kg	—		L04	EUR/100 kg	44,20
	L04	EUR/100 kg	44,87		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	63,26	
	A01	EUR/100 kg	65,61	0406 90 87 9974	L03	EUR/100 kg	—
0406 90 86 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	47,97
	L04	EUR/100 kg	49,49		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	68,37	
	A01	EUR/100 kg	71,21	0406 90 87 9975	L03	EUR/100 kg	—
0406 90 87 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	48,92
	0406 90 87 9200	L03	EUR/100 kg		—	400	EUR/100 kg
		L04	EUR/100 kg	34,71	A01	EUR/100 kg	69,13
		400	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg
A01		EUR/100 kg	51,45	L04		EUR/100 kg	43,67
0406 90 87 9300	L03	EUR/100 kg	—	400		EUR/100 kg	—
	L04	EUR/100 kg	38,78	A01	EUR/100 kg	62,77	
	400	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	A01	EUR/100 kg	57,31		0406 90 88 9300	L03	EUR/100 kg
0406 90 87 9400	L03	EUR/100 kg	—			L04	EUR/100 kg
	L04	EUR/100 kg	39,80	400		EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	50,44	
	A01	EUR/100 kg	58,18				

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).

The other destinations are defined as follows:

L01 Holy See, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L02 Andorra and Gibraltar,

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Turkey, Romania, Bulgaria, Croatia, Canada, Australia, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L04 Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia.

'970' includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 1781/2004
of 14 October 2004

**fixing the maximum export refund for butter in the framework of the standing invitation to tender
provided for in Regulation (EC) No 581/2004**

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⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 13 October 2004.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 13 October 2004, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 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 90, 27.3.2004, p. 64.

⁽³⁾ OJ L 90, 27.3.2004, p. 58.

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund	
		For export to the destination referred to in the first indent of Article 1(1) of Regulation (EC) No 581/2004	For export to the destinations referred to in the second indent of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—	133,50
Butter	ex 0405 10 19 9700	132,00	139,00
Butteroil	ex 0405 90 10 9000	—	170,00

COMMISSION REGULATION (EC) No 1782/2004**of 14 October 2004****fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

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⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds for skimmed milk powder⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products⁽³⁾ and following an examination of the tenders submitted in response to the invitation to

tender, it is appropriate to fix a maximum export refund for the tendering period ending on 13 October 2004.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 13 October 2004, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be 33,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 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 90, 27.3.2004, p. 67.

⁽³⁾ OJ L 90, 27.3.2004, p. 58.

COMMISSION REGULATION (EC) No 1783/2004**of 14 October 2004****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1757/2004**

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⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1757/2004 ⁽²⁾.

(2) In accordance with Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed.

(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

For tenders notified on 14 October 2004, pursuant to the invitation to tender issued in Regulation (EC) No 1757/2004, the maximum refund on exportation of barley shall be EUR 14,99/t.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 313, 12.10.2004, p. 10.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 1784/2004
of 14 October 2004
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 1565/2004

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⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EC) No 1565/2004 of 3 September 2004 on a special intervention measure for cereals in Finland and Sweden for the 2004/2005 marketing year⁽³⁾,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from

Finland and Sweden to all third countries, with the exception of Bulgaria, Norway, Romania and Switzerland was opened pursuant to Regulation (EC) No 1565/2004.

- (2) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (3) 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

No action shall be taken on the tenders notified from 8 to 14 October 2004 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1565/2004.

Article 2

This Regulation shall enter into force on 15 October 2004.

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

Done at Brussels, 14 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

⁽³⁾ OJ L 285, 4.9.2004, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 October 2004

on the lists of programmes for the eradication and monitoring of animal diseases and of checks aimed at the prevention of zoonoses qualifying for a financial contribution from the Community in 2005

(notified under document number C(2004) 4010)

(2004/695/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 24(5) and Article 32 thereof,

Whereas:

(1) Certain Member States have submitted programmes to the Commission for the eradication and monitoring of animal diseases for which they wish to receive a financial contribution from the Community.

(2) Under Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy⁽²⁾, programmes for the eradication and monitoring of animal diseases 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 that Regulation are to apply.

(3) In drawing up the list of programmes for the eradication and monitoring of animal diseases qualifying for a financial contribution from the Community for 2005, and the proposed rate and amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.

(4) In drawing up the list of programmes of checks aimed at the prevention of zoonoses qualifying for a financial contribution from the Community for 2005, and the proposed rate and amount of the contribution for each programme, the interest of each programme for the Community, its compliance with the technical provisions of relevant Community veterinary legislation and the volume of available appropriations must be taken into account.

(5) The Commission has considered each of the programmes submitted from both the veterinary and the financial point of view and is satisfied that those programmes should be included in the lists of programmes qualifying for a financial contribution from the Community in 2005.

(6) 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 programmes for the eradication and monitoring of animal diseases listed in Annex I shall qualify for a financial contribution from the Community in 2005.

2. For each programme as referred to in paragraph 1, the proposed rate and amount of the financial contribution from the Community shall be as set out in Annex I.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

Article 2

1. The programmes of checks aimed at the prevention of zoonoses listed in Annex II shall qualify for a financial contribution from the Community in 2005.

2. For each programme as referred to in paragraph 1, the proposed rate and amount of the financial contribution from the Community shall be as set out in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

List of programmes for the eradication and monitoring of animal diseases (Article 1(1))

— Proposed rate and amount of the Community financial contribution —

(EUR)			
Disease	Member State	Rate	Prop. amount
Aujeszky's disease	Belgium	50 %	300 000
	Spain	50 %	250 000
	Hungary	50 %	50 000
	Ireland	50 %	50 000
	Portugal	50 %	25 000
	Slovak Republic	50 %	25 000
Bluetongue	Spain	50 %	25 000
	France	50 %	50 000
	Italy	50 %	400 000
Bovine brucellosis	Cyprus	50 %	100 000
	Greece	50 %	100 000
	Spain	50 %	5 000 000
	Ireland	50 %	5 000 000
	Italy	50 %	3 000 000
	Poland	50 %	800 000
	Portugal	50 %	1 800 000
	United Kingdom (Northern Ireland)	50 %	5 000 000
Bovine tuberculosis	Cyprus	50 %	5 000
	Greece	50 %	100 000
	Spain	50 %	4 000 000
	Ireland	50 %	3 000 000
	Italy	50 %	2 500 000
	Poland	50 %	700 000
	Portugal	50 %	250 000
	United Kingdom (Northern Ireland)	50 %	2 000 000
Classical swine fever	Belgium	50 %	15 000
	Czech Republic	50 %	100 000
	Germany	50 %	800 000
	France	50 %	150 000
	Luxembourg	50 %	100 000
	Slovenia	50 %	10 000
	Slovak Republic	50 %	200 000
Enzootic bovine leucosis	Estonia	50 %	25 000
	Italy	50 %	250 000
	Lithuania	50 %	200 000
	Latvia	50 %	100 000
	Portugal	50 %	200 000

(EUR)			
Disease	Member State	Rate	Prop. amount
Ovine and caprine brucellosis (<i>B melitensis</i>)	Cyprus	50 %	175 000
	Greece	50 %	800 000
	Spain	50 %	6 500 000
	France	50 %	300 000
	Italy	50 %	4 500 000
	Portugal	50 %	1 700 000
Poseidom ⁽¹⁾	France	50 %	150 000
Rabies	Austria	50 %	180 000
	Czech Republic	50 %	400 000
	Germany	50 %	400 000
	Finland	50 %	100 000
	Lithuania	50 %	900 000
	Poland	50 %	1 500 000
	Slovenia	50 %	200 000
	Slovak Republic	50 %	400 000
Swine vesicular disease	Italy	50 %	200 000
Total			55 085 000

⁽¹⁾ Heartwater, babesiosis and anaplasmosis transmitted by vector insects in the French overseas departments.

ANNEX II

List of programmes of checks aimed at the prevention of zoonoses (Article 2(1))

— Proposed rate and amount of the Community financial contribution —

(EUR)			
Zoonosis	Member State	Rate	Proposed Amount
Salmonella	Austria	50 %	70 000
	Belgium	50 %	400 000
	Denmark	50 %	110 000
	France	50 %	600 000
	Ireland	50 %	50 000
	Italy	50 %	600 000
	Netherlands	50 %	350 000
	Slovak Republic	50 %	100 000
Total			2 280 000

COMMISSION DECISION

of 14 October 2004

on the list of programmes for the eradication and the monitoring of certain TSEs qualifying for a financial contribution from the Community in 2005

(notified under document number C(2004) 4011)

(2004/696/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 24(5) thereof,

Whereas:

(1) Certain Member States have submitted programmes to the Commission for the eradication and the monitoring of certain transmissible spongiform encephalopathies (TSEs) for which they wish to receive a financial contribution from the Community.

(2) Under Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy⁽²⁾, programmes for the eradication and the monitoring of animal diseases 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 that Regulation are to apply.

(3) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁽³⁾, lays down rules for monitoring and eradication of TSEs in bovine, ovine and caprine animals.

(4) In drawing up the lists of programmes for the eradication and the monitoring of TSEs qualifying for a financial contribution from the Community for 2005 and the proposed rate and maximum amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.

(5) The Member States have supplied the Commission with information enabling it to assess the interest for the Community of providing a financial contribution to the programmes for 2005.

(6) The Commission has considered each of the programmes from both the veterinary and the financial point of view and is satisfied that those programmes should be included in the lists of programmes qualifying for a financial contribution from the Community in 2005. The contribution for the monitoring of TSEs concerns the implementation of rapid tests, and for the eradication of TSEs, the destruction of animals found positive and the genotyping of animals.

(7) In view of the importance of those measures for the protection of public and animal health, as well as the relatively recent introduction of those monitoring programmes compared with the traditional disease eradication programmes and the obligatory application of these programmes in all Member States, a high level of financial assistance from the Community should be ensured.

(8) It is therefore appropriate to adopt the list of programmes qualifying for a financial contribution from the Community in 2005 and to set the proposed rate and the maximum amount of those contributions.

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programmes for the monitoring of TSE (BSE and scrapie) listed in Annex I shall qualify for a financial contribution from the Community in 2005.

2. For each programme as referred to in paragraph 1, the proposed rate and maximum amount of the financial contribution from the Community shall be as set out in Annex I.

⁽¹⁾ OJ L 244, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

⁽³⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 1492/2004 (OJ L 274, 24.8.2004, p. 3).

Article 2

1. The programmes for the eradication of BSE listed in Annex II shall qualify for a financial contribution from the Community in 2005.

2. For each programme as referred to in paragraph 1, the proposed rate and maximum amount of the financial contribution from the Community shall be as set out in Annex II.

Article 3

1. The programmes for the eradication of scrapie listed in Annex III shall qualify for a financial contribution from the Community in 2005.

2. For each programme as referred to in paragraph 1, the proposed rate and maximum amount of the financial contribution from the Community shall be as set out in Annex III.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2004.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

List of programmes for the monitoring of TSEs*Rate and maximum amount of the Community financial contribution**(in EUR)*

Disease	Member State	Rate rapid tests performed	Maximum
TSEs	Austria	100 %	1 920 000
	Belgium	100 %	3 550 000
	Cyprus	100 %	85 000
	Czech Republic	100 %	1 700 000
	Denmark	100 %	2 375 000
	Estonia	100 %	290 000
	Finland	100 %	1 160 000
	France	100 %	24 045 000
	Germany	100 %	15 020 000
	Greece	100 %	585 000
	Hungary	100 %	1 085 000
	Ireland	100 %	6 170 000
	Italy	100 %	6 660 000
	Lithuania	100 %	835 000
	Luxembourg	100 %	145 000
	Malta	100 %	35 000
	Netherlands	100 %	4 270 000
	Portugal	100 %	1 135 000
	Slovenia	100 %	435 000
	Spain	100 %	4 780 000
Sweden	100 %	305 000	
United Kingdom	100 %	5 570 000	
		Total	82 155 000

ANNEX II

List of programmes for the eradication of BSE*Maximum amount of the Community financial contribution**(in EUR)*

Disease	Member State	Rate	Maximum amount
BSE	Austria	50 % culling	10 000
	Belgium	50 % culling	250 000
	Cyprus	50 % culling	25 000
	Czech Republic	50 % culling	2 500 000
	Denmark	50 % culling	200 000
	Estonia	50 % culling	25 000
	Finland	50 % culling	25 000
	France	50 % culling	500 000
	Germany	50 % culling	875 000
	Greece	50 % culling	150 000
	Ireland	50 % culling	4 000 000
	Italy	50 % culling	205 000
	Luxembourg	50 % culling	150 000
	Netherlands	50 % culling	450 000
	Portugal	50 % culling	975 000
	Slovak Republic	50 % culling	25 000
	Slovenia	50 % culling	25 000
	Spain	50 % culling	1 320 000
	United Kingdom	50 % culling	4 235 000
Total			15 945 000

ANNEX III

List of programmes for the eradication of scrapie*Maximum amount of the Community financial contribution**(in EUR)*

Disease	Member State	Rate	Maximum amount
Scrapie	Austria	50 % culling; 100 % genotyping	10 000
	Belgium	50 % culling; 100 % genotyping	105 000
	Cyprus	50 % culling; 100 % genotyping	5 565 000
	Czech Republic	50 % culling; 100 % genotyping	20 000
	Denmark	50 % culling; 100 % genotyping	5 000
	Estonia	50 % culling; 100 % genotyping	10 000
	Finland	50 % culling; 100 % genotyping	5 000
	France	50 % culling; 100 % genotyping	1 300 000
	Germany	50 % culling; 100 % genotyping	2 275 000
	Greece	50 % culling; 100 % genotyping	1 555 000
	Hungary	50 % culling; 100 % genotyping	5 000
	Ireland	50 % culling; 100 % genotyping	800 000
	Italy	50 % culling; 100 % genotyping	2 485 000
	Latvia	50 % culling; 100 % genotyping	5 000
	Lithuania	50 % culling; 100 % genotyping	5 000
	Luxembourg	50 % culling; 100 % genotyping	35 000
	Netherlands	50 % culling; 100 % genotyping	575 000
	Portugal	50 % culling; 100 % genotyping	695 000
	Slovak Republic	50 % culling; 100 % genotyping	340 000
	Slovenia	50 % culling; 100 % genotyping	65 000
Spain	50 % culling; 100 % genotyping	9 525 000	
Sweden	50 % culling; 100 % genotyping	10 000	
United Kingdom	50 % culling; 100 % genotyping	7 380 000	
Total			32 775 000

COMMISSION DECISION
of 14 October 2004
on certain protective measures against bluetongue in Spain

(notified under document number C(2004) 4055)

(Text with EEA relevance)

(2004/697/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Communities,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by European Parliament and Council Directive 2002/33/EC⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) On 13 October 2004 the bluetongue surveillance programme set up by Spain revealed an outbreak of the bluetongue virus in the east of the province of Cádiz in southern Spain.
- (2) To prevent the disease from spreading, the Spanish authorities have banned the movement of animals of species susceptible to bluetongue and their sperm, ova and embryos from the territory of the Provinces of Cádiz, Seville and Málaga and certain districts of the Provinces of Córdoba, Granada and Huelva.
- (3) Bluetongue appears on List A of the International Office of Epizootics (IOE). Its spread would be a grave risk to the Community and could have an international impact on trade.
- (4) For the sake of clarity and transparency, Community measures should be adopted to prevent the spread of the disease, particularly with regard to movements of animals of species susceptible to bluetongue and their sperm, ova and embryos from the territory of the regions placed under restriction by the Spanish authorities. Such measures will take account of the measures already adopted by the Spanish authorities.

- (5) Pending a meeting of the Standing Committee on the Food Chain and Animal Health and in collaboration with the Member State concerned, the Commission should take provisional protective measures with regard to movements of live animals of susceptible species from the territory of the regions affected,

HAS ADOPTED THIS DECISION:

Article 1

Spain shall ban the movement of live animals of species susceptible to bluetongue and their sperm, ova and embryos from the territory of the districts listed in the Annex to this Decision.

Article 2

Member States shall amend the measures they apply to trade so that they conform to this Decision and shall immediately inform the Commission thereof.

Article 3

This Decision shall be reviewed in the light of developments and investigations and studies carried out by the Spanish authorities.

This Decision shall be reviewed at the meeting of the Standing Committee on the Food Chain and Animal Health scheduled for 19 October 2004.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

ANNEX

Province of Cádiz: all districts

Province of Málaga: all districts

Province of Seville: all districts

Province of Huelva: districts of La Palma del Condado and Ayamonte

Province of Córdoba: districts of Lucena, Montilla and Posada

Province of Granada: districts of la Alhama, Granada and Loja
