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(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1423/2004
of 6 August 2004
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 August 2004.

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

Done at Brussels, 6 August 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 6 August 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
0707 00 05	052	44,5
	999	44,5
0709 90 70	052	67,8
	999	67,8
0805 50 10	388	57,3
	508	46,6
	520	45,9
	524	60,8
	528	60,0
	999	54,1
0806 10 10	052	129,7
	204	108,5
	220	100,8
	400	172,4
	624	145,0
	628	136,6
0808 10 20, 0808 10 50, 0808 10 90	999	132,2
	388	86,8
	400	95,2
	404	98,4
	508	71,1
	512	72,8
	528	95,4
	720	49,2
	800	124,8
	804	77,9
	999	85,7
0808 20 50	052	139,5
	388	77,1
	999	108,3
0809 20 95	052	325,0
	400	286,1
	404	294,2
	999	301,8
0809 30 10, 0809 30 90	052	149,2
	999	149,2
0809 40 05	066	35,3
	093	41,6
	094	37,5
	512	91,6
	624	104,2
	999	62,0

⁽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 1424/2004**of 6 August 2004****fixing quantities for importing bananas into the Community under the tariff quotas A/B and C for the fourth quarter of 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93⁽¹⁾ of 13 February 1993 on the common organisation of the market in bananas, and in particular Article 20 thereof,

Whereas:

- (1) Commission Regulation (EC) No 896/2001 lays down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community⁽²⁾. It is necessary to determine the quantities available for imports during the last quarter of 2004 in the framework of the import tariff quotas A/B and C provided for in Article 18 of Regulation (EEC) No 404/93.
- (2) The quantities available for import under the A/B and C tariff quotas for the fourth quarter of 2004 should be determined, having regard, on the one hand, to the volume of tariff quotas provided for in Article 18 of Regulation (EEC) No 404/93 and, on the other hand, to the import licences issued for the first three quarters of 2004. For traditional operators, however, these quantities are determined on a provisional basis in accordance with Article 1 of Commission Regulation (EC) No 2036/2003 of 19 November 2003 derogating from Regulation (EC) No 896/2001 as regards the fixing of adjustment coefficients to be applied to the reference quantity for each traditional operator under the tariff quotas for banana imports for 2004⁽³⁾.
- (3) Since this Regulation must apply before the beginning of the period for the submission of licence applications in respect of the fourth quarter of 2004, it should enter into force immediately.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the fourth quarter of 2004, the quantities available for import under the tariff quota arrangements for the import of bananas shall be as set out in the Annex.
2. For the fourth quarter of 2004, applications for import licences under the A/B and C tariff quotas:
 - (a) submitted by a traditional operator may not relate to a quantity exceeding the difference between the reference quantity established pursuant to Articles 4 and 5 of Regulation (EC) No 896/2001 and the sum of the quantities covered by import licences issued for the first three quarters of 2004;
 - (b) submitted by a non-traditional operator may not relate to a quantity exceeding the difference between the annual quantity determined and notified to the operator pursuant to Article 9(3) of Regulation (EC) No 896/2001 and the sum of the quantities covered by import licences issued for the first three quarters of 2004.

To be accepted, applications for import licences shall be accompanied by a copy of the import licence(s) issued to the operator for the preceding quarters of 2004.

Article 2

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

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

⁽²⁾ OJ L 126, 8.5.2001, p. 6. Regulation as last amended by Regulation (EC) No 838/2004 (OJ L 27, 29.4.2004, p. 52).

⁽³⁾ OJ L 302, 20.11.2003, p. 7.

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

Done at Brussels, 6 August 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Quantities of available bananas by tariff quota and operator category for the fourth quarter of 2004

(tonnes, net weight)		
Tariff quotas	Operator category	Quantity
A/B	Traditional	590 229,525
	Non-traditional	95 204,274
C	Traditional	116 157,069
	Non-traditional	14 171,526

COMMISSION REGULATION (EC) No 1425/2004**of 6 August 2004****fixing the A1 and B export refunds for fruit and vegetables (tomatoes, oranges, table grapes and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ lays down the detailed rules of application for export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. These quantities must be allocated taking account of the perishability of the products concerned.

(4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or outlook for fruit and vegetable prices on the

Community market and supplies available on the one hand, and prices on the international market on the other hand. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges, table grapes and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to fix the A1 and B export refunds.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For system A1, the refund rates, the refund application period and the scheduled quantities for the products concerned are fixed in the Annex hereto.

For system B, the indicative refund rates, the licence application period and the scheduled quantities for the products concerned are fixed in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not count against the eligible quantities in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 September 2004.

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

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 1176/2002 (OJ L 170, 29.6.2002, p. 69).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2180/2003 (OJ L 335, 22.12.2003, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 636/2004 (OJ L 100, 6.4.2004, p. 25).

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

Done at Brussels, 6 August 2004.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 6 August 2004 fixing the export refunds on fruit and vegetables (tomatoes, oranges, table grapes and apples)

Product code ⁽¹⁾	Destination ⁽²⁾	System A1 Refund application period 10.9.-8.11.2004		System B Licence application period 17.9.-15.11.2004	
		Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	30		30	4 316
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	A00	25		25	13 423
0806 10 10 9100	A00	24		24	22 406
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F04, F09	29		29	14 668

⁽¹⁾ The product codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

⁽²⁾ The 'A' series destination codes are set out in Annex II to Regulation (EEC) No 3846/87.

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:

F03: All destinations except Switzerland.

F04: Sri Lanka, Hong Kong SAR, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica and Japan.

F08: All destinations except Bulgaria.

F09: The following destinations:

— Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia;

— African countries and territories except for South Africa;

— destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).