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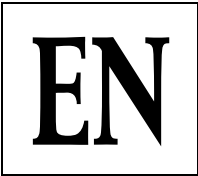
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1963/2004
of 15 November 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 16 November 2004.

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

Done at Brussels, 15 November 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 15 November 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	118,2
	070	59,9
	204	60,3
	999	79,5
0707 00 05	052	100,6
	204	37,2
	999	68,9
0709 90 70	052	88,0
	204	80,0
	999	84,0
0805 20 10	204	93,5
	999	93,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	68,9
	624	79,9
	999	74,4
0805 50 10	052	53,6
	388	31,5
	524	67,3
	528	35,1
	999	46,9
0806 10 10	052	104,3
	400	211,9
	508	239,8
	999	185,3
0808 10 20, 0808 10 50, 0808 10 90	052	90,5
	388	113,6
	400	102,9
	404	84,2
	512	104,2
	720	57,2
	800	194,6
	804	106,7
	999	106,7
0808 20 50	052	67,3
	720	58,4
	999	62,9

⁽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 1964/2004
of 12 November 2004
prohibiting fishing for tusk by vessels flying the flag of Ireland

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 tusk 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 tusk in the waters of ICES sub-areas V, VI, VII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by

vessels flying the flag of Ireland or registered in Ireland have exhausted the quota allocated for 2004. Ireland has prohibited fishing for this stock from 1 October 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of tusk in the waters of ICES sub-areas V, VI, VII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the flag of Ireland or registered in Ireland are hereby deemed to have exhausted the quota allocated to Ireland for 2004.

Fishing for tusk in the waters of ICES sub-areas V, VI and VII (EC waters and waters not subject to the sovereignty or jurisdiction of third countries) by vessels flying the flag of Ireland or registered in Ireland 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 1 October 2004.

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

Done at Brussels, 12 November 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.

COMMISSION REGULATION (EC) No 1965/2004**of 15 November 2004****amending Regulation (EC) No 1763/2004 imposing certain restrictive measures in support of effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1763/2004 imposing certain restrictive measures in support of effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾, and in particular Article 10(a) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 1763/2004 lists the persons covered by the freezing of funds and economic resources under that Regulation.
- (2) The Commission is empowered to amend that Annex, taking into account Council Decisions implementing

Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of ICTY ⁽²⁾. Council Decision 2004/767/CFSP ⁽³⁾ implements that Common Position. Annex I to Regulation (EC) No 1763/2004 should, therefore, be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1763/2004 is replaced by the text in the Annex 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*.

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

Done at Brussels, 15 November 2004.

For the Commission
Eneko LANDÁBURU
General Director

⁽¹⁾ OJ L 315, 14.10.2004, p. 14.

⁽²⁾ OJ L 315, 14.10.2004, p. 52.

⁽³⁾ See page 16 of this Official Journal.

ANNEX

List of persons referred to in Article 2

1. Borovcanin, Ljubomir. Date of birth: 27.2.1960. Place of birth: Han Pijesak, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 2. Borovnica, Goran. Date of birth: 15.8.1965. Place of birth: Kozarac, Municipality of Prijedor, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 3. Bralo, Miroslav. Date of birth: 13.10.1967. Place of birth: Kratine, Municipality of Vitez, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 4. Djordjevic, Vlastimir. Date of birth: 1948. Place of birth: Vladicin Han, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 5. Gotovina, Ante. Date of birth: 12.10.1955. Place of birth: Island of Pasman, Municipality of Zadar, Republic of Croatia. Nationality: (a) Croatian, (b) French.
 6. Hadzic, Goran. Date of birth: 7.9.1958. Place of birth: Vinkovci, Republic of Croatia. Nationality: Serbia and Montenegro.
 7. Jankovic, Gojko. Date of birth: 31.10.1954. Place of birth: Trbuse, Municipality of Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 8. Karadžić, Radovan. Date of birth: 19.6.1945. Place of birth: Petnjica, Savnik, Montenegro, Serbia and Montenegro. Nationality: Bosnia and Herzegovina.
 9. Lazarevic, Vladimir. Date of birth: 23.3.1949. Place of birth: Grncar, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 10. Lukic, Milan. Date of birth: 6.9.1967. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 11. Lukic, Sredoje. Date of birth: 5.4.1961. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 12. Lukic, Sreten. Date of birth: 28.3.1955. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: Serbia and Montenegro.
 13. Milosevic, Dragomir. Date of birth: 4.2.1942. Place of birth: Murgas, Municipality of Ub, Serbia and Montenegro. Nationality: Bosnia and Herzegovina.
 14. Mladić, Ratko. Date of birth: 12.3.1942. Place of birth: Bozanovici, Municipality of Kalinovik, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) Serbia and Montenegro.
 15. Nikolic, Drago. Date of birth: 9.11.1957. Place of birth: Bratunac, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 16. Pandurevic, Vinko. Date of birth: 25.6.1959. Place of birth: Sokolac, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 17. Pavkovic, Nebojsa. Date of birth: 10.4.1946. Place of birth: Senjski Rudnik, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 18. Popovic, Vujadin. Date of birth: 14.3.1957. Place of birth: Sekovici, Bosnia and Herzegovina. Nationality: Serbia and Montenegro.
 19. Todovic, Savo. Date of birth: 11.12.1952. Place of birth: Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 20. Zelenovic, Dragan. Date of birth: 12.2.1961. Place of birth: Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 21. Zupljanin, Stojan. Date of birth: 22.9.1951. Place of birth: Kotor Varos, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.'
-

COMMISSION REGULATION (EC) No 1966/2004**of 15 November 2004****fixing the import duties in the cereals sector applicable from 16 November 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

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

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.

- (4) The import duties are applicable until new duties are fixed and enter into force.

- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.

- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 November 2004.

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

Done at Brussels, 15 November 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

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

ANNEX I

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

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	34,81
1005 10 90	Maize seed other than hybrid	52,52
1005 90 00	Maize other than seed ⁽²⁾	52,52
1007 00 90	Grain sorghum other than hybrids for sowing	34,81

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

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

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

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

ANNEX II

Factors for calculating duties

period from 2.11.2004-12.11.2004

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

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	118,56 (***)	60,76	152,87 (****)	142,87 (****)	122,87 (****)	82,49 (****)
Gulf premium (EUR/t)	—	12,94	—			—
Great Lakes premium (EUR/t)	18,28	—	—			—

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

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

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

(****) Fob Duluth.

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

Freight/cost: Gulf of Mexico–Rotterdam: 31,52 EUR/t; Great Lakes–Rotterdam: 40,44 EUR/t.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 October 2004

concerning an extension of the maximum period laid down for the application of eartags to certain bovine animals kept in nature reserves in the Netherlands

(notified under document number C(2004) 4013)

(Only the Dutch text is authentic)

(Text with EEA relevance)

(2004/764/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97⁽¹⁾, and in particular Article 4(2) thereof,

Having regard to the request submitted by the Netherlands,

Whereas:

- (1) The Netherlands have requested an extension to 12 months of the maximum period laid down for the application of eartags to bovine animals in nature reserves, due to practical difficulties.
- (2) Those animals are primarily kept for the purpose of nature protection and landscape conservation and not for production purposes. They are kept under extensive holding conditions and in free range where calves stay always close to their mother.
- (3) It is justified to take account of the Dutch request, provided that the extension of the maximum period for tagging does not affect the quality of information provided by the Dutch database for bovine animals and that there is no movement of bovine animals to which eartags have not been applied.

- (4) In the case of animals, which have not been tagged until the age of 6 months, the identity of the mother should be verified by a DNA test. Taking this additional guarantee into account the maximum period for tagging should not be longer than 12 months.

- (5) This derogation should be strictly restricted to a limited number of holdings, which have been separately authorised according to defined criteria as nature reserves and communicated to the Commission.

- (6) The Dutch authorities undertake not to extend this derogation to the identification and registration system of bovine animals.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee for the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS DECISION:

Article 1

The Netherlands may extend to 12 months the maximum period laid down by Article 4(2) of Regulation (EC) No 1760/2000, for the application of eartags to calves kept in certain nature reserves provided all the conditions set out in this Decision are met.

This extension shall not affect the quality of information provided by the computerised bovine database.

⁽¹⁾ OJ L 204, 11.8.2000, p. 1.

Article 2

1. The extension provided in Article 1 shall be allowed subject to all the conditions set out in paragraph 2 to 5.
2. The animals shall be born in a nature reserve authorised by the competent authority in accordance with Article 3.
3. The birth of each calf shall be reported to the competent authority within a period to be fixed by the Netherlands in accordance with Article 7(1) of Regulation (EC) No 1760/2000.
4. The eartags shall be applied before the calves are 12 months old.
5. In any case no animals shall leave the nature reserve without prior application of the eartags.
6. For calves tagged later than 6 months of age the identity of the mother shall be verified on the basis of a DNA-test when the eartags are applied.

Article 3

1. The competent authority may authorise nature reserves for the purpose of this Decision if they fulfil the following conditions:
 - (a) the nature reserve is a holding where animals are primarily kept for the purpose of nature protection and landscape conservation;

- (b) the nature reserve covers a territory of at least 100 ha;
 - (c) the effective livestock density is below 0,5 animals over 12 months of age per hectare, on an annual average basis;
 - (d) the animals are reared at liberty in a totally extensive system, with the calves staying with their mother.
2. The status of a holding as an authorised nature reserve with an extended period for tagging shall be clearly stated in the records of the computerised bovine database.
3. The competent authority shall communicate to the Commission the list of nature reserves which have been authorised according to paragraph 1.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 22 October 2004.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 22 October 2004

concerning a draft Regulation from the Federal Republic of Germany on the labelling of fruit, vegetables and potatoes treated after harvesting

(notified under document number C(2004) 4029)

(Only the German text is authentic)

(Text with EEA relevance)

(2004/765/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

other Member States via the Standing Committee on the Food Chain and Animal Health.

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽¹⁾, and in particular Articles 19 and 20 thereof,

Whereas:

(1) In accordance with the procedure provided for in Article 19(2) of Directive 2000/13/EC, the German authorities notified the Commission on 1 March 2004 of a draft Regulation amending the Regulation on maximum residue limits, with a view to adding to it specific provisions on the compulsory labelling of fruit, vegetables and potatoes treated with plant protection substances after harvesting for the purpose of preservation.

(2) Pursuant to the new Article 3a added by the aforementioned draft Regulation, directions on the labels of fruit, vegetables or potatoes treated after harvesting should state 'treated after harvesting with ...' followed by the name of the substance.

(3) In accordance with the provisions of Article 19(2) of Directive 2000/13/EC, the Commission consulted the

(4) Community law already contains certain provisions to ensure that the use of these substances does not present a risk to consumers' health. These substances have to be authorised, pursuant to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽²⁾, and maximum levels for residues are established in accordance with Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables⁽³⁾.

(5) Furthermore, in some cases, it may be useful for consumers to be informed, by means of a specific warning on the label, where foodstuffs have been treated after harvesting so that they can choose between products which have been treated and those which have not or take precautions such as washing or peeling the products. This type of measure is already in place for citrus fruit under Commission Regulation (EC) No 1799/2001⁽⁴⁾, in particular because of the method for calculating the maximum residue levels which, for these products, takes into account that they are normally consumed peeled.

(6) However, such a measure applied unilaterally and indiscriminately by Germany in respect of all fruit and vegetables would be sure to hinder intra-Community trade to a disproportionate extent. It would oblige producers or operators in other Member States to provide specific labelling for fruit, vegetables and potatoes imported into Germany and to take measures to this effect right from the start of the production process, depending on the destination of the products.

⁽¹⁾ OJ L 109, 6.5.2000, p. 29. Directive as last amended by Directive 2003/89/EC (OJ L 308, 25.11.2003, p. 15).

⁽²⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2004/99/EC (OJ L 309, 6.10.2004, p. 6).

⁽³⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Commission Directive 2004/95/EC (OJ L 301, 28.9.2004, p. 42).

⁽⁴⁾ OJ L 244, 14.9.2001, p. 12. Regulation as last amended by Regulation (EC) No 907/2004 (OJ L 163, 30.4.2004, p. 50).

- (7) The cases where non-harmonised national provisions governing the labelling and presentation of certain foodstuffs or foodstuffs in general may be acceptable are listed limitatively in Article 18(2) of Directive 2000/13/EC. Apart from cases relating to the protection of public health, such measures may be admissible only where justified for the prevention of fraud or the protection of industrial and commercial property rights, indications of provenance, registered designations of origin and prevention of unfair competition.
- (8) Germany has not provided any evidence that the draft Regulation is necessary to attain one of the objectives of the abovementioned Article 18 or that the obstacle thus created is proportionate. It mentions only the aim of informing consumers on post-harvesting treatments.
- (9) Consequently, a Community labelling measure should be created for cases where it would be desirable to inform consumers of post-harvesting treatments, as envisaged by Germany. This is the case for sodium orthophenylphenol and orthophenylphenate, as Directive 2003/114/EC of the European Parliament and of the Council ⁽¹⁾ provides that they are to be removed from the scope of the legislation on additives as soon as provisions on the labelling of foods treated with these substances come into force pursuant to Community legislation laying down maximum levels of pesticide residues.
- (10) The Commission will be continuing discussions with the Member States with regard to other extensions of labelling to indicate treatment after harvesting.
- (11) Member States should therefore suspend any national initiatives in this area.
- (12) In light of these observations, the Commission has delivered a negative opinion pursuant to Article 19(3) of Directive 2000/13/EC.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- HAS ADOPTED THIS DECISION:
- Article 1*
- The Federal Republic of Germany is required to refrain from adopting its draft Regulation amending the Regulation on maximum residue limits with a view to adding to it specific provisions on the compulsory labelling of fruit, vegetables and potatoes treated with plant protection substances after harvesting for the purpose of preservation.
- Article 2*
- This Decision is addressed to the Federal Republic of Germany.
- Done at Brussels, 22 October 2004.
- For the Commission*
David BYRNE
Member of the Commission

⁽¹⁾ OJ L 24, 29.1.2004, p. 58.

COMMISSION DECISION

of 5 November 2004

adopting the plan allocating to the Member States resources to be charged to the 2005 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(notified under document number C(2004) 4356)

(2004/0000/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community⁽¹⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro⁽²⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) In accordance with Article 2 of Commission Regulation (EEC) No 3149/92 of 29 October 1992 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community⁽³⁾, the Commission must adopt a distribution plan to be financed from resources available in the 2005 budget year. The plan should lay down in particular, for each of the Member States applying the measure, the maximum financial resources available to carry out its part of the plan, and the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies.
- (2) The Member States involved in the plan have supplied the information required in accordance with Article 1 of Regulation (EEC) No 3149/92.
- (3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.
- (4) The intra-Community transfers necessary to bring the plan to fruition should also be authorised under the conditions provided for in Article 7 of Regulation (EEC) No 3149/92.

(5) To implement the plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.

(6) In accordance with Article 2(2) of Regulation (EEC) No 3149/92 the Commission sought the advice of the major organisations familiar with the problems of the most deprived persons in the Community when drawing up the plan.

(7) The measures provided for in this Decision are in accordance with the opinions of all the relevant committees,

HAS ADOPTED THIS DECISION:

Article 1

For 2005, foodstuffs for distribution to the most deprived persons in the Community under Regulation (EEC) No 3730/87 shall be supplied in accordance with the distribution plan set out in Annex I.

Article 2

The intra-Community transfer operations listed in Annex II are hereby authorised.

Article 3

To implement the annual plan, the date of the operative event referred to in Article 3 of Regulation (EC) No 2799/98 shall be 1 October 2004.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 5 November 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 352, 15.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2535/95 (OJ L 260, 31.10.1995, p. 3).

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 313, 30.10.1992, p. 50. Regulation as last amended by Regulation (EC) No 1903/2004 (OJ L 328, 30.10.2004, p. 77).

ANNEX I

Annual distribution plan for 2005(a) *Financial resources made available to implement the plan in each Member State:*

(in EUR)

Member State	Allocation
Belgium	3 047 791
Greece	5 704 637
Spain	42 544 686
France	48 620 337
Italy	60 294 489
Luxembourg	68 537
Malta	347 642
Poland	35 504 167
Portugal	12 527 718
Finland	2 825 645
Total	211 485 650

(b) *Quantity of each type of product to be withdrawn from Community intervention stocks for distribution in each Member State subject to the maximum amounts laid down in (a):*

(tonnes)

Member State	Product			
	Cereals	Rice (paddy rice)	Butter	Milk powder
Belgium	6 000	3 500	318	410
Greece	6 972	4 346		2 087
Spain	68 721	29 452	9 547	
France	60 905	31 412		18 143
Italy	98 153	22 575	14 446	
Malta	1 383	553		
Poland	17 758	26 835	6 772	3 749
Portugal	8 588	14 708	2 594	480
Finland	15 000			600
Total	283 480	133 381	33 677	25 469

(c) *Allocation for Luxembourg with a view to purchases on the Community market of:*

— milk powder: EUR 68 537

(d) *Allocation for Malta with a view to purchases on the Community market of:*

— milk powder: EUR 113 404

ANNEX II

Intra-Community transfers authorised under the plan for 2005

	Product	Quantity (tonnes)	Holder	Consignee
1.	Cereals	6 000	BLE, Germany	BIRB, Belgium
2.	Cereals	6 972	BLE, Germany	Ministry of Agriculture, Greece
3.	Cereals	68 721	BLE, Germany	FEGA, Spain
4.	Cereals	45 440	BLE, Germany	Ministry of Agriculture, France
5.	Cereals	98 153	BLE, Germany	AGEA, Italy
6.	Cereals	1 383	BLE, Germany	National Research and Development Centre, Malta
7.	Cereals	17 758	BLE, Germany	ARR, Poland
8.	Cereals	8 588	BLE, Germany	INGA, Portugal
9.	Rice	3 500	Ente Risi, Italy	BIRB, Belgium
10.	Rice	553	Ente Risi, Italy	National Research and Development Centre, Malta
11.	Rice	26 835	Ente Risi, Italy	ARR, Poland
12.	Rice	14 708	FEGA, Spain	INGA, Portugal
13.	Milk powder	2 087	Department of Agriculture and Food, Ireland	Ministry of Agriculture, Greece
14.	Milk powder	18 143	Department of Agriculture and Food, Ireland	Ministry of Agriculture, France
15.	Milk powder	3 749	Department of Agriculture and Food, Ireland	ARR, Poland
16.	Milk powder	600	SJV, Sweden	Ministry of Agriculture, Finland
17.	Butter	59	BLE, Germany	BIRB, Belgium
18.	Butter	6 571	FEGA, Spain	AGEA, Italy
19.	Butter	3 584	BLE, Germany	ARR, Poland
20.	Butter	3 188	Ministry of Agriculture, Finland	ARR, Poland

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION 2004/767/CFSP

of 15 November 2004

implementing Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to Common Position 2004/694/CFSP⁽¹⁾, and in particular Article 2 thereof, in conjunction with Article 23(2) of the Treaty on European Union,

Article 1

The list of persons set out in the Annex to Common Position 2004/694/CFSP shall be replaced by the list set out in the Annex to this Decision.

Whereas:

Article 2

This Decision shall take effect on the date of its adoption.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 15 November 2004.

- (1) By Common Position 2004/694/CFSP the Council adopted measures in order to freeze all funds and economic resources belonging to Radovan Karadžić, Ratko Mladić and Ante Gotovina.
- (2) These measures should be extended to all persons publicly indicted by the ICTY for war crimes who are not in the custody of the Tribunal.
- (3) The list contained in the Annex to Common Position 2004/694/CFSP should therefore be amended.
- (4) Action by the Community is needed in order to implement this Decision,

For the Council

The President

M. VAN DER HOEVEN

⁽¹⁾ OJ L 315, 14.10.2004, p. 52.

ANNEX

List of persons referred to in Article 2

1. Borovcanin, Ljubomir. Date of birth: 27.2.1960. Place of birth: Han Pijesak, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 2. Borovnica, Goran. Date of birth: 15.8.1965. Place of birth: Kozarac, Municipality of Prijedor, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 3. Bralo, Miroslav. Date of birth: 13.10.1967. Place of birth: Kratine, Municipality of Vitez, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 4. Djordjevic, Vlastimir. Date of birth: 1948. Place of birth: Vladicin Han, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 5. Gotovina, Ante. Date of birth: 12.10.1955. Place of birth: Island of Pasman, Municipality of Zadar, Republic of Croatia. Nationality: (a) Croatian, (b) French.
 6. Hadzic, Goran. Date of birth: 7.9.1958. Place of birth: Vinkovci, Republic of Croatia. Nationality: Serbia and Montenegro.
 7. Jankovic, Gojko. Date of birth: 31.10.1954. Place of birth: Trbuse, Municipality of Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 8. Karadžić, Radovan. Date of birth: 19.6.1945. Place of birth: Petnjica, Savnik, Montenegro, Serbia and Montenegro. Nationality: Bosnia and Herzegovina.
 9. Lazarevic, Vladimir. Date of birth: 23.3.1949. Place of birth: Grncar, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 10. Lukic, Milan. Date of birth: 6.9.1967. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 11. Lukic, Sredoje. Date of birth: 5.4.1961. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 12. Lukic, Sreten. Date of birth: 28.3.1955. Place of birth: Visegrad, Bosnia and Herzegovina. Nationality: Serbia and Montenegro.
 13. Milosevic, Dragomir. Date of birth: 4.2.1942. Place of birth: Murgas, Municipality of Ub, Serbia and Montenegro. Nationality: Bosnia and Herzegovina.
 14. Mladić, Ratko. Date of birth: 12.3.1942. Place of birth: Bozanovici, Municipality of Kalinovik, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) Serbia and Montenegro.
 15. Nikolic, Drago. Date of birth: 9.11.1957. Place of birth: Bratunac, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 16. Pandurevic, Vinko. Date of birth: 25.6.1959. Place of birth: Sokolac, Bosnia and Herzegovina. Nationality: (a) Bosnia and Herzegovina, (b) possibly Serbia and Montenegro.
 17. Pavkovic, Nebojsa. Date of birth: 10.4.1946. Place of birth: Senjski Rudnik, Serbia and Montenegro. Nationality: Serbia and Montenegro.
 18. Popovic, Vujadin. Date of birth: 14.3.1957. Place of birth: Sekovici, Bosnia and Herzegovina. Nationality: Serbia and Montenegro.
 19. Todovic, Savo. Date of birth: 11.12.1952. Place of birth: Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 20. Zelenovic, Dragan. Date of birth: 12.2.1961. Place of birth: Foca, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.
 21. Zupljanin, Stojan. Date of birth: 22.9.1951. Place of birth: Kotor Varos, Bosnia and Herzegovina. Nationality: Bosnia and Herzegovina.'
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