

COMMISSION REGULATION (EC) No 1137/2004

of 21 June 2004

amending Regulation (EC) No 43/2003 laying down detailed rules for applying Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards aid for the local production of crop products in the outermost regions of the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima)⁽¹⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Annex IV to Commission Regulation (EC) No 43/2003⁽²⁾ laid down the amounts and maximum quantities applicable to aid for the local marketing of products referred to in Article 5(1) of Regulation (EC) No 1453/2001.
- (2) Implementation of this measure in 2003 showed that the use made of the maximum quantities varies widely among products. It was noted that the quantities set for some products are systematically under-used, while applications for other products exceed the maximum quantities, resulting in a reduction coefficient being applied. It would seem justified, therefore, to redistribute the quantities among products in such a way as to follow the trends observed and adjust the amounts of aid for certain products, in accordance with the experience

gained and results recorded, in order to make better use of resources.

- (3) Regulation (EC) No 43/2003 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of all the management committees for the products concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EC) No 43/2003 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply:

- (a) as regards the quantities laid down in column III of the new Annex IV, from 1 January 2004;
- (b) as regards the amounts of aid laid down in columns IV and V of the new Annex IV, to contracts concluded after its entry into force.

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

Done at Brussels, 21 June 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 198, 21.7.2001, p. 26. Regulation as last amended by Regulation (EC) No 55/2004 (OJ L 8, 14.1.2004, p. 1).

⁽²⁾ OJ L 7, 11.1.2003, p. 25. Regulation as last amended by Regulation (EC) No 1812/2003 (OJ L 265, 16.10.2003, p. 21).

ANNEX

'ANNEX IV

MADEIRA

(Products as referred to in Article 5 of Regulation (EC) No 1453/2001)

Maximum quantities as referred to in the fourth subparagraph of Article 5(1) of Regulation (EC) No 1453/2001 per period from 1 January to 31 December.

FRUIT AND VEGETABLES

Column I	Column II		Column III	Column IV	Column V
Product categories	CN Code	Product	Quantities (tonnes)	Aid (EUR/t)	
A	ex 0703 10 19 ex 0706 10 00 ex 0706 10 00 ex 0706 90 90 ex 0714 20 ex 0714 90 90 0807 11	Other onions Carrots Turnips Other Sweet potatoes Yams Water melons	1 500	100	200
B	ex 0703 90 00 ex 0704 90 90 ex 0706 90 90 ex 0708 90 00 0709 90 60 0709 0805 10 0805 50 10 0808 10 0808 20 50 ex 0809 30 0809 40 05 0810	Leeks Other cabbages Beetroot Broad beans Sweetcorn Other vegetables not mentioned elsewhere Oranges Lemons Apples Pears Peaches Plums Other non-tropical fruit not mentioned elsewhere	700	125	250
C	0702 00 00 0704 10 00 ex 0705 0707 00 05 0708 10 00 0709 90 10 0709 90 70 ex 0709 90 90 ex 0802 40 00 0804 30 00 ex 0804 40 00 ex 0804 50 00 ex 0805 20 50 0809 10 00 0810 50 00 0703 20 00 0708 20 00 ex 0709 60 10 ex 0709 90 90 0802 31 00 ex 0804 50 00 0805 20 70 0806 10 10 0807 20 00 0809 20 95 0810 10 00 ex 0810 90 40 ex 0810 90 95	Tomatoes Cauliflowers and broccoli Lettuces Cucumbers Peas Salad vegetables Courgettes Other fruit and vegetables Chestnuts Pineapples Avocados Guavas Mandarins Apricots Kiwis Garlic Beans Sweet peppers Other fruit and vegetables not mentioned elsewhere Walnuts in shell Mangoes Tangerines Fresh table grapes Papayas Cherries Strawberries Passion fruit Other tropical fruit	1 250	150	300
D	0701 90	Potatoes	10 000	80	240

FRESH CUT FLOWERS

Column I	Column II		Column III	Column IV	Column V
Product categories	CN Code	Product	Quantities (units)	Aid (EUR/1 000 units)	Aid (EUR/1 000 units)
A	0603 10 10 0603 10 20 0603 10 40 0603 10 50 0603 10 80 0603 90 00 0604 00 00	Roses Carnations Gladioli Chrysanthemums Other (fresh) Other (not fresh) Foliage	2 000 000	50	100
B	0603 10 80	Proteas	300 000	120	240
C	0603 10 30 0603 10 80 0603 10 80	Orchids Anthuriums Strelitzias and Heliconias	900 000	140	280
D	0601 10 00 0601 20 00	Bulbs Bulbs'	20 000	50	100