Commission Regulation (EC) No 810/2004 of 29 April 2004 adapting several Regulations concerning the common organisation of the milk and milk products market by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union

COMMISSION REGULATION (EC) No 810/2004

of 29 April 2004

adapting several Regulations concerning the common organisation of the milk and milk products market 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, and in particular Article 2(3) thereof,

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) Certain technical amendments are necessary in several Commission Regulations concerning the common organisation of the milk and milk products market, in order to carry out the necessary adaptations by reason of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as the "new Member States") to the European Union.

(2) Paragraphs 1 and 2 of Article 4 of Commission Regulation (EEC) No 2191/81 of 31 July 1981 on the granting of aid for the purchase of butter by non-profit-making institutions and organisations[(1)] contain certain entries in all Community languages. These provisions should also include the entries in all the languages of the new Member States.

(3) Article 10(3) and Article 14 of Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community[(2)] contain certain entries in all Community languages. These provisions should also include the entries in all the languages of the new Member States.

(4) Annexes V and VII of Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs[(3)] contain certain entries in all Community languages. These provisions should also include the entries in all the languages of the new Member States.

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(5) Article 20a(9)(c) of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products[4] contains certain entries in all Community languages of the Member States. These provisions should also include the entries in all the languages of the new Member States. Furthermore, the provisions of Article 20b and Annex VIII of Regulation (EC) No 174/1999 are related to trade with the new Member States and therefore no more applicable from the date of accession. Consequently, these provisions should be deleted.

(6) Annex V of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream[5] corresponds to the national quality class of butter produced in the Member States eligible for a private storage aid. This provision should include the national quality class of the new Member States of butter production.

(7) Annex II of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder[6] consists of a list of products, distinguished by Member States, for which market prices should be communicated to the Commission on a regular base, provided that for the products defined, representative trade exists. This Annex should be extended to the list of representative products on the market of the new Member States.

(8) Articles 18(l)(d), 21(l)(d), 28(l)(d), 37 and 44(3) of Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas[7] contain certain entries in all Community languages. These provisions should also include the entries in all the languages of the new Member States. Furthermore, certain provisions under Article 5, Article 19(1) and Article 24 and certain points under Annex I.B, Annex III and Annex XI of Regulation (EC) No 2535/2001 refer to trade with the new Member States. These provisions should be adapted or deleted from the date of accession,

(9) Article 2(1) of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products[8] lays down detailed rules for establishing a standing invitation to tender. Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for certain types of butter[9] and Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for skimmed milk powder[10] provide separate invitations to tender for the mentioned products. The names and addresses of competent authorities responsible for a tendering procedure in the new Member States should also be included,

HAS ADOPTED THIS REGULATION:

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Article 1

In Article 4 of Regulation (EEC) No 2191/81, paragraphs 1 and 2 are replaced by the following:

"1. The butter shall be delivered to the beneficiary in packages bearing in clear and indelible lettering one or more of the following endorsements:

— "Mantequilla a precio reducido con arreglo al Reglamento (CEE) nº 2191/81",
— [Czech version] "Máslo za sníženou cenu podle nařízení (EHS) č. 2191/81",
— "Smør til nedsat pris i henhold til forordning (EØF) nr. 2191/81 ",
— "Verbilligte Butter gemäß Verordnung (EWG) Nr. 2191/81",
— [Estonian version] "Alandatud hinnaga või vastavalt määrusele (EMÜ) nr 2191 /81 ",
— "Βούτυρο σε μειωμένη τιμή πωληθέν βάσει του κανονισμού (ΕΟΚ) αριθ. 2191/81",
— "Butter at reduced price under Regulation (EEC) No 2191/81",
— "Beurre à prix réduit vendu au titre du règlement (CEE) nº 2191/81 ",
— "Burro a prezzo ridotto venduto in conformità al regolamento (CEE) n. 2191/81 ",
— [Latvian version] "Sviests par pazeminātu cenu saskaņā ar Regulu (EEK) Nr.2191/81",
— [Lithuanian version] "Sviestas sumažinta kaina pagal Reglamentą (EEB) Nr. 2191/81",
— [Hungarian version] "A 2191/81/EGK rendelet értelmében csökkentett árú vaj",
— [Maltese version] "Butir bi prezz mnaqqas taħt Regolament (KEE) Nru 2191/81",
— "Boter tegen verlaagde prijs overeenkomstig Verordening (EEG) nr.2191 /81 ",
— [Polish version] "Masło po obniżonej cenie zgodnie z Rozporządzeniem (EWG) nr 2191/81",
— "Manteiga a preco diminuido sob Regulamento (CEE) no. 2191/81",
— [Slovak version] "Maslo za zníženú cenu podľa nariadenia (EHS) č. 2191/81",
— [Slovenian version] "Maslo po znižani ceni v skladu z Uredbo (EGS) št. 2191/81",
— "Asetuksen (ETY) N:o 2191/81 mukaisesti alennettuun hintaan myyty voi",
— "Smör till nedsatt pris i enlighet med förordning (EEG) nr 2191/81 ".

2 Any packs or individual portions contained in the packages shall bear one or more of the following endorsements:

— "Reventa prohibida",
— [Czech version] „Opětný prodej zakázán",
— "Videresalg forbudt",
— "Weiterverkauf verboten",
— [Estonian version] "Edasimüük keelatud",
— "Απαγορεύεται η μεταπώληση",
— "Resale prohibited",
— "Revente interdite",
— "Vietata la rivendita",
— [Latvian version] "Atkalpārdošana aizliegta",
— [Lithuanian version] "Perparduoti draudžiama",
— [Hungarian version] " Viszonteladása tilos",
— [Maltese version] "Bejgħ mill-ġdid ipprojbit",
— "Doorverkoop verboden",
— [Polish version] „Odsprzedaż zabroniona",

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— “Revanda proibida”,
— [Slovak version] “Opätovný predaj zakázaný“,
— [Slovenian version] “Nadaljnja prodaj a prepovedana”,
— “Jälleenmyynti kielletty”,
— “Återförsäljning förbjuden”.“

Article 2

Regulation (EEC) No 429/90 is amended as follows:

(1) Article 10(3) is replaced by the following:

3. Concentrated butter to which tracers have been added in accordance with formula I set out in the Annex must be put up in sealed packs. Depending on the products incorporated in accordance with paragraphs 1 and 2 and subject to the national provisions governing the description of food products, the packs shall bear, in clear and legible print, of a single font, one or more of the following statements:

— «Mantequilla concentrada - Reglamento (CEE) no 429/90 » o « mantequilla concentrada para la cocina - Reglamento (CEE) no 429/90 » o « mantequilla concentrada para la cocina y la pastelería - Reglamento (CEE) no 429/90 »,
— [Czech version] “Máselný olej - nařízení (EHS) č. 429/90” nebo “zahuštěné máslo na vaření a pečení - nařízení (EHS) č. 429/90”,
— “Stege- og/eller bagesmør - Forordning (EØF) nr. 429/90”,
— ”Butterfett - Verordnung (EWG) Nr. 429/90” oder ”Butterkonzentrat - Verordnung (EWG) Nr. 429/90” oder „Butterschmalz - Verordnung (EWG) Nr. 429/90”,
— [Estonian version] “Võiõli - määrus (EMÜ) nr 429/90" või "kontsentreeritud või, mis on ette nähtud toiduvalmistamiseks - määrus (EMÜ) nr 429/90”,
— “Συμπυκνωμένο βούτυρο - Κανονισμός (ΕΟΚ) αριθ. 429/90» ή «Συμπυκνωμένο βούτυρο για μαγειρική -Κανονισμός (ΕΟΚ) αριθ. 429/90» ή «Συμπυκνωμένο βούτυρο για μαγειρική και ζαχαροπλαστική -Κανονισμός (ΕΟΚ) αριθ. 429/90» ή «Μαγειρικό βούτυρο - Κανονισμός (ΕΟΚ) αριθ. 429/90»,
— ‘Butteroil - Regulation (EEC) No 429/90' or 'concentrated butter for cooking and baking - Regulation (EEC) No 429/90',
— “ Beurre concentré - Règlement (CEE) n^{o} 429/90” ou “beurre concentré pour la cuisine - Règlement (CEE) n^{o} 429/90” ou “beurre concentré pour la cuisine et la pâtisserie - Règlement (CEE) n^{o} 429/90” ou “beurre cuisinier - Règlement (CEE) n^{o} 429/90” ou “beurre de cuisine - Règlement (CEE) n^{o} 429/90”,
— «Burro concentrato - Regolamento (CEE) n. 429/90 »,
— [Latvian version] “Sviesta eļļa - Regula (EEK) Nr.429/90” vai “koncentrēts sviests gatavošanai un cepšanai - Regula (EEK) Nr.429/90”,
— [Lithuanian version] “Pieno riebalai - Reglamentas (EEB) Nr. 429/90” arba “koncentruotas sviestas, skirtas virti ir kepti - Reglamentas (EEB) Nr. 429/90”,
— [Hungarian version] “Vajolaj - 429/90/EGK rendelet” vagy „sütésre és főzésre szánt vajkoncentrátum - 429/90/EGK rendelet”,
— [Maltese version] “Żejt tal-butir - Regolament (KEE) Nru 429/90” jew “butir konċentrat għat-tisjir u l-ħami - Regolament (KEE) Nru 429/90”,

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— »Bak- en braadboter - Verordening (EEG) nr. 429/90" of »boterconcentraat - Verordening (EEG) nr. 429/90",
— [Polish version] „Masło skoncentrowane do gotowania i pieczenia - Rozporządzenie (EWG) nr 429/90”,
— ”Butteroil - Regulamento (CEE) no. 429/90” o “manteiga concentrada para cozinhar e corer - Regulamento (CEE) no. 429/90”,
— [Slovak version] „Maslový olej - nariadenie (EHS) č. 429/90" alebo "koncentrované maslo na varenie a pečenie - nariadenie (EHS) č.429/90“,
— [Slovenian version] „Masleno-mlečna maščoba - Uredba (EGS) št. 429/90" ali "zgoščeno maslo za kuho in peko - Uredba (EGS) št. 429/90".
— Voiöljy ruoanlaittoon ja leivontaan - asetus (ETY) N:o 429/90,
— Koncentrerat smör för matlagning och bakning - förordning (EEG) nr 429/90.

Concentrateci butter to which tracers have been added in accordance with formula II set out in the Annex must be put in sealed packs bearing, in clear and legible print, of a single font, one or more of the following statements:

— Ghee obtenido de mantequilla - Reglamento (CEE) no 429/90,
— [Czech version] Ghee z másla - nařízení (EHS) č. 429/90, - Ghee - Forordning (EØF) nr. 429/90,
— Aus Butter gewonnenes Ghee - Verordnung (EWG) Nr. 429/90,
— [Estonian version] Pühvlivõi - Määrus (EMÜ) nr 429/90,]
— Βούτυρο ghee Κανονισμός (ΕΟΚ) αριθ. 429/90, - Butter ghee - Regulation (EEC) No 429/90,
— Ghee obtenu du beurre - Règlement (CEE) no 429/90,
— Ghee ottenuto da burro - Regolamento (CEE) n. 429/90,
— [Latvian version] Kausēts sviests (iegūts no bifeļmātes piena) - Regula (EEK) Nr.429/90,
— [Lithuanian version] Ghee sviestas - Reglamentas (EEB) Nr. 429/90,
— [Hungarian version] Tisztított vaj (ghee) - 429/90 EGK rendelet,
— [Maltese version] Butir għall-konċentrazzjoni u 1-użu b'mod konformi ma' Artikolu 3 (b) tar-Regolament (KE) Nru 2571/97,
— Ghee - Verordening (EEG) nr. 429/90,
— [Polish version] Masło Ghee Rozporządzenie (EWG) nr 429/90,
— Ghee - Regulamento (CEE) no 429/90,
— [Slovak version] Maslo čistené polotekuté - nariadenie (ES) č. 429/90,
— [Slovenian version] Maslo ghee - Uredba (EGS) št. 429/90,
— Voiöljy - asetus (ETY) N:o 429/90,
— Smörolja - förordning (EEG) nr 429/90,

2) In Article 14, the third subparagraph is replaced by the following:

On the dispatch of the packed concentrated butter for taking over by the retail trade in another Member State, in addition to the endorsements provided for in Regulation (EEC) No 3002/92, the T 5 control copy shall carry in Section 104 one of the following endorsements:

— Mantequilla concentrada y envasada destinada al consumo inmediato en la Comunidad (para su aceptación por el comercio minorista)