COMMISSION REGULATION (EC) No 41/2004

of 9 January 2004

amending and correcting the Annex to Council Regulation (EC) No 1259/1999 establishing common rules for direct support schemes under the common agricultural policy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy [1], and in particular the second indent of Article 11(4) thereof,

Whereas:

(1) According to Article 1 of Regulation (EC) No 1259/1999, that Regulation applies to payments granted directly to farmers under the support schemes listed in its Annex.

(2) Regulation (EC) No 1259/1999 will be replaced, as from 1 May 2004, by Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 [2]. However, Articles 2a and 11 of Regulation (EC) No 1259/1999 will continue to apply until 31 December 2005 and Articles 3, 4 and 5 of that Regulation will continue to apply until 31 December 2004. For the purpose of the application of those Articles, the Annex to Regulation (EC) No 1259/1999 will continue to apply accordingly.

(3) The list of support schemes set out in the Annex to Regulation (EC) No 1259/1999 indicates the relevant product sectors, the provisions on the basis of which the support is paid under the different schemes and the type of payment concerned. These indications are however no longer up-to-date, as several of the provisions or acts referred to have been either amended or repealed and replaced.

(4) Certain direct aid payments that fall under the scope of Regulation (EC) No 1259/1999 are not mentioned in its Annex, either because of omission or because they were introduced after the adoption of that Regulation.

(5) The errors in the reference to the legal basis for beef and veal as well as in the notes concerning sheep and goat should be corrected.

(6) The Annex to Regulation (EC) 1259/1999 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1259/1999 is replaced by the text in the Annex to this Regulation.

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 January 2004.

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

Done at Brussels, 9 January 2004.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 160, 26.6.1999, p. 113. Regulation as amended by Regulation (EC) No 1244/2001 (OJ L 173, 27.6.2001, p. 1).

[2] OJ L 270, 21.10.2003, p. 53.

ANNEX

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LIST OF SUPPORT SCHEMES FULFILLING THE CRITERIA SET OUT IN ARTICLE 1

Sector	Legal base	Notes
Arable crops	Articles 2, 4 and 5 of Regulation (EC) No 1251/1999	Area payments, including set-aside payments, grass silage payments, supplementary amounts, durum wheat supplement and special aid
Durum wheat	Title IV, Chapter 1 of Regulation (EC) No 1782/2003	Area aid
Protein crop	Title IV, Chapter 2 of Regulation (EC) No 1782/2003	Area aid
Potato starch	Article 8(2) of Regulation (EEC) No 1766/92 Title IV, Chapter 6 of Regulation (EC) No 1782/2003	Payment for farmers producing potatoes intended for the manufacture of potato starch
Grain legumes	Article 1 of Regulation (EC) No 1577/96	Area aid
Rice	Article 6 of Regulation (EC) No 3072/95 Title IV, Chapter 3 of Regulation (EC) No 1782/2003	Area aid
Nuts	Title IV, Chapter 4 of Regulation (EC) No 1782/2003	Area aid
Energy crops	Title IV, Chapter 5 of Regulation (EC) No 1782/2003	Area aid
Olive oil	Article 5(1) of Regulation 136/66/EEC	Production aid
Silkworms	Article 2 of Regulation (EEC) No 845/72	Aid to encourage rearing
Bananas	Article 12 of Regulation (EEC) No 404/93	Production aid
Dried grapes	Article 7(1) of Regulation (EC) No 2201/96	Area aid
Tobacco	Article 3 of Regulation (EEC) No 2075/92	Production aid
Seeds	Article 3 of Regulation (EEC) No 2358/71	Production aid
Hops	Article 12 of Regulation (EEC) No 1696/71	Area aid
	Article 3 of Regulation (EC) No 1098/98	Area payments for temporary resting only

Sector	Legal base	Notes
Beef and veal	Articles 4, 5, 6, 10, 11, 13 and 14 of Regulation (EC) No 1254/1999	Special premium, deseasonalisation premium, suckler cow premium (including when paid for heifers and including the additional national suckler cow premium when co-financed), slaughter premium, extensification payment, additional payments
Milk and dairy products	Title IV, Chapter 7 of Regulation (EC) No 1782/2003	Dairy premium and additional payments
Sheep and goats	Articles 4, 5 and 11(1) and (2), 1st, 2nd and 4th indent of Regulation (EC) No 2529/2001	Ewe and she-goat premium, supplementary premium and certain additional payments
Agri-money	Articles 4 and 5 of Regulation (EC) No 2799/98 Articles 2 and 3 of Regulation (EC) No 2800/98	Payments to producers (including those under the transitional Regulation)
Poseidom	Articles 9, 12(2) and 16 of Regulation (EC) No 1452/2001	Sectors: beef and veal; green vanilla; sugar
Poseima	Articles 13 and 22(2) to (7), Articles 16, 17 and 28(1), Articles 21, 27, 29 and Article 30(1), (2) and (4) of Regulation (EC) No 1453/2001	Sectors: beef and veal and milk; potatoes; sugar; wicker; pineapples; tobacco; seed potatoes, chicory and tea
Poseican	Articles 5, 6 and 14 of Regulation (EC) No 1454/2001	Sectors: beef and veal;; sheep and goats; potatoes
Aegean Islands	Articles 6, 8, 11 and 12 of Regulation (EEC) No 2019/93	Sectors: beef and veal; potatoes; olives; honey'