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►**B** **COMMISSION REGULATION (EC) No 877/2004**

of 29 April 2004

laying down detailed rules for applying Regulation (EC) No 2200/96 as regards notification of the prices recorded on the markets for certain fresh fruit and vegetables

(OJ L 162, 30.4.2004, p. 54)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 974/2006 of 29 June 2006	L 176	68	30.6.2006

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COMMISSION REGULATION (EC) No 877/2004

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laying down detailed rules for applying Regulation (EC) No 2200/96 as regards notification of the prices recorded on the markets for certain fresh fruit and vegetables

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 Article 28(2) thereof,

Whereas:

(1) Council Regulation (EC) No 2200/96 requires the Member States to notify to the Commission the prices for certain fresh fruit and vegetables recorded on the representative markets. The detailed rules for implementing that requirement were laid down in Commission Regulation (EC) No 659/97 ([2]), itself repealed by Commission Regulation (EC) No 103/2004 21 January 2004 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards intervention arrangements in the fruit and vegetables sector ([3]). New detailed rules should therefore be adopted for the notification of the prices recorded on the markets for certain fresh fruit and vegetables which, in the interests of clarity, should be separate from the detailed rules on intervention and withdrawals in the fruit and vegetables sector.

(2) The prices transmitted to the Commission for each product should be comparable. A reasonably harmonised definition should therefore apply throughout the Community regarding the marketing stage, presentation, quality class and, where applicable, the variety or type. The various representative markets for each product concerned should also be defined. In addition, the Member States should, where appropriate, provide the necessary explanations to the Commission regarding the methods and criteria applied to calculate the prices concerned.

(3) In order to ensure rapid circulation of information, electronic means of transmission should be used.

(4) In the interests of transparency, the Commission should inform the Member States of the prices recorded throughout the Community and the Community average price.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The prices to be recorded under Article 28(1) of Regulation (EC) No 2200/96 shall be for class I products, ex packing station, sorted, packaged and, where applicable, on pallets, expressed in euro per 100 kilograms net weight.

2. The Member States shall determine the representative markets referred to in Article 28(1) of Regulation (EC) No 2200/96 on the basis of:

([1]) OJ L 297, 21.11.1996, p. 1. Regulation last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).
([2]) OJ L 100, 17.4.1997, p. 22. Regulation last amended by Regulation (EC) No 1135/2001 (OJ L 154, 9.6.2001, p. 9).
([3]) OJ L 16, 23.1.2004, p. 3.

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(a) either transactions carried out on physically identifiable markets (wholesale markets, auctions and other physical meeting places of supply and demand) in the production area,

(b) or direct transactions between producers in the production area and individual buyers (wholesalers, traders, distribution centres and other operators),

(c) or a combination of the types of transaction referred to at (a) and (b) above.

The list of representative markets is set out in the Annex hereto.

Article 2

For the products listed in the Annex, the Member States shall forward to the Commission, no later than 12.00 (Brussels time) on Wednesday each week, a notification detailing for each market day the average price in euro per 100 kilograms recorded on the markets listed in the Annex for the types and/or varieties of products and the sizes and/or qualities stated in the Annex for which there have been transactions as referred to in Article 1(2).

These notifications shall be sent via the electronic system indicated by the Commission.

The Commission shall forward this information to the Member States, together with the Community average price for each product concerned.

Article 3

1. At the Commission's request, the Member States shall transmit the method they use to calculate the average price referred to in the first paragraph of Article 2.

Where prices given for the types and/or varieties of products concerned are for sizes and/or presentations other than those specified in the Annex, the Member States may calculate the average price for the sizes and/or presentations in the Annex using conversion coefficients. Fixing the conversion coefficients shall be included in the method referred to in the first subparagraph of this paragraph.

2. If necessary, the Commission shall draw up common guidelines on the method referred to in paragraph 1.

Article 4

This Regulation shall enter into force on the 20th day following 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.

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ANNEX

Product	Type/variety	Presentation/size	Markets
Tomatoes	Round	Size 57-67/67-82 mm, in bulk in packs of around 5-6 kg	Wien (AT) Flanders (BE) Praha (CZ) Lasithi (EL) Almeria (ES) Granada (ES) Murcia (ES) Rhône-Méditerranée (FR) Bretagne (FR) Budapest (HU) Lecce (IT) Salerno (IT) Vittoria (IT) Westland (NL) Kalisko-pleszewski (PL) Algarve (PT) Komarno (SK)
	Trusses	in bulk in packs of around 3-6 kg	
	Cherry	Trays of around 250-500 g	
Aubergines	Long or round	Size 40 mm and over for long varieties and 70 mm and over for round varieties in bulk in packs of around 5 kg	Lasithi (EL) Almeria (ES) Rhône-Méditerranée (FR) Salerno (IT) Foggia (IT) Vittoria (IT) Barendrecht (NL)
Water melons	With seeds	In bulk	Nicosia (CY) Helia (EL) Viotia (EL) Almeria (ES) Valencia (ES) Budapest (HU) Lecce (IT) Latina (IT) Ribatejo (PT)
Melons	Galia	Size 800-1 250 g, packs of around 5-10 kg	Helia (EL) Almeria (ES) Murcia (ES) Ciudad Real (ES) Rhône-Méditerranée (FR) Val de Loire — Centre (FR) Ferrara (IT) Lecce (IT) Ribatejo (PT) Algarve (PT)
	Charentais/Cantaloups, reticulated or smooth	Size 800-1 250 g, packs of around 5-10 kg	
	Canary/yellow varieties	Packs of around 5 -10 kg	
	Piel de Sapo		
	Melao Branco		
Cauliflowers	Trimmed	Large (16-20 cm), packs containing around six to 12.	Wien (AT) Flanders (BE) Praha (CZ) Rheinland-Pfalz (DE) Thessaloniki (EL) La Rioja (ES) Bretagne (FR) Nord (FR) Budapest (HU) Taranto (IT) Salerno (IT) Barendrecht (NL) Krakowsko-proszowicki (PL) London (UK)

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Product	Type/variety	Presentation/size	Markets
Apricots	All types and varieties	Size 45-50 mm Trays or packs of around 6-10 kg	Argolida (EL) Murcia (ES) Valencia (ES) Rhône-Méditerranée (FR) Budapest (HU) Napoli (IT) Bologna (IT)
Nectarines	White flesh	Size A/B Trays or packs of around 6-10 kg	Hemathia (EL) Lleida (ES) Zaragoza (ES) Rhône-Méditerranée (FR) Ravenna (IT) Forli (IT)
	Yellow flesh	Size A/B Trays or packs of around 6-10 kg	
Peaches	White flesh	Size A/B Trays or packs of around 6-10 kg	Hemathia (EL) Pella (EL) Lleida (ES) Murcia (ES) Huesca (ES) Rhône-Méditerranée (FR) Budapest (HU) Caserta (IT) Forli (IT) Cova da Beira (PT)
	Yellow flesh	Size A/B Trays or packs of around 6-10 kg	
Table grapes	Muscatel	5-12 kg trays or packs	Nicosia (CY) Korinthos (EL) Alicante (ES) Murcia (ES) Rhône-Méditerranée (FR) Sud-Ouest (FR) Budapest (HU) Bari (IT) Foggia (IT) Algarve (PT)
	Chasselas		
	Alphonse Lavallée		
	Italia		
	Cardinal		
	Red Globe		
	Victoria		
	Matilde		
	Thomson seedless and sultanas		
Poires	Blanquilla	Size 55/60, packs of around 5-20 kg	Flanders (BE) Hemathia (EL) Lleida (ES) Zaragoza (ES) Val de Loire — Centre (FR) Budapest (HU) Ferrara (IT) Modena (IT) Geldermalsen (NL) Grójecko-warecki (PL) Oeste (PT)
	Conference	Size 60/65, packs of around 5-20 kg	
	Williams	Size 65/70, packs of around 5-20 kg	
	Rocha		
	Abbé Fétel	Size 70/75, packs of around 5-20 kg	
	Kaiser		
	Doyenné du Comice	Size 75/80, packs of around 5-20 kg	

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Product	Type/variety	Presentation/size	Markets
Apples	Golden delicious	Size 70/80, packs of around 5-20 kg	Gleisdorf (AT) Flanders (BE) Praha (CZ) Niedersachsen (DE) Hemathia (EL) Lleida (ES) Girona (ES) Rhône-Méditerranée (FR) Val de Loire — Centre (FR) Sud-Ouest (FR) Budapest (HU) Trento (IT) Bolzano (IT) Geldermalsen (NL) Grójecko-warecki (PL) Lubelsko-sandomierski (PL) Oeste (PT)
	Braeburn		
	Jonagold (or Jonagored)		
	Idared		
	Fuji		
	Shampion		
	Granny smith		
	Red delicious and other red varieties		
	Boskoop		
	Gala	Size 65/70, packs of around 5-20 kg	
	Elstar		
	Cox orange		
Satsumas	All varieties	Sizes 1-X – 2, packs of around 10-20 kg	Valencia (ES)
Lemons	All varieties	Sizes 1-3, packs of around 15 kg	Nicosia (CY) Achaia (EL) Alicante (ES) Murcia (ES) Catania (IT) Siracusa (IT)
Clementines	All varieties	Sizes 1-X – 2, packs of around 10-20 kg	Arta (EL) Castellon (ES) Valencia (ES) Corigliano (IT) Catania (IT)
Mandarins	All varieties	Sizes 1-X – 2, packs of around 10-20 kg	Nicosia (CY) Chios (EL) Castellon (ES) Valencia (ES) Palermo (IT) Catania (IT) Siracusa (IT) Algarve (PT)
Oranges	Salustiana	Size 2/-4, packs of around 15-20 kg	Nicosia (CY) Argolida (EL) Lakonia (EL) Alicante (ES) Valencia (ES) Sevilla (ES) Catania (IT) Siracusa (IT) Algarve (PT)
	Navelinas		
	Navelate		
	Lanelate		
	Valencia late		
	Tarocco		
Courgettes	All varieties	Size 14-21, loose in the pack	Wien (AT) Attiki (EL) Almeria (ES) Rhône-Méditerranée (FR) Bari (IT) Latina (IT) Barendrecht (NL)

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Product	Type/variety	Presentation/size	Markets
Cerises	All sweet varieties	Sizes 22 and over, loose in the pack	Praha (CZ) Rheinland-Pfalz (DE) Pella (EL) Zaragoza (ES) Rhône-Méditerranée (FR) Budapest (HU) Bari (IT) Napoli (IT) Grójecko-warecki (PL) Cova da Beira (PT)
Cucumbers	Smooth varieties	Sizes 350-500 g, arranged in the pack	Wien (AT) Flanders (BE) Helia (EL) Almeria (ES) Val de Loire — Centre (FR) Budapest (HU) Bari (IT) Vittoria (IT) Barendrecht (NL) Kalisko-pleszewski (PL) Komarno (SK) Birmingham (UK)
Kiwis	Hayward	Sizes 105-125 g, packs of around 3-10 kg	Pieria (EL) Sud-Ouest (FR) Latina (IT) Cuneo (IT) Verona (IT) Grande Porto (PT)
Avocados	Hass	Sizes 16-20, packs of around 4-12 kg	Nicosia (CY) Chania (EL) Granada (ES)
Garlic	White Violet	Size 50-80 mm, packs of around 2-5 kg	Evia (EL) Cuenca (ES) Cordoba (ES) Sud-Ouest (FR) Budapest (HU) Rovigo (IT)
Carrots	All varieties	Loose in the pack	Raasdorf (AT) Praha (CZ) ►M1 Nordrhein-Westfalen (DE) ◄ Rheinland-Pfalz (DE) Cadiz (ES) Sud-Ouest (FR) Budapest (HU) Ragusa (IT) Barendrecht (NL) Warszawsko-łęczycki (PL) Montijo (PT) Birmingham (UK)

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Product	Type/variety	Presentation/size	Markets
Plums	Greengage	Size 35 mm and over	Praha (CZ) Baden-Würtemberg (DE) Murcia (ES) Sud-Ouest (FR) Budapest (HU) Modena (IT) Bologna (IT) Grójecko-warecki (PL) Alfândega da Fé (PT)
	European plums (President, Stanley, Cacanska, etc.)	Size 35 mm and over	
	Santa Rosa	Size 40 mm and over	
	Japanese plums (Golden Japan, etc.)	Size 40 mm and over	
Sweet peppers	Square green	Size 70 mm and over	Evia (EL) Almeria (ES) Murcia (ES) Budapest (HU) Brindisi (IT) Vittoria (IT) Westland (NL) Oeste (PT) Komarno (SK)
	Square coloured (red, yellow, etc.)		
	White	Size 50 mm and over	
	Elongated green	Size 40 mm and over	
Asparagus	White/violet	Size 16 mm and over	Baden-Würtemberg (DE) Brandenburg (DE) Pella (EL) Granada (ES) Navarra (ES) Rhône-Méditerranée (FR) Budapest (HU) Verona (IT) Grubbenvorst (NL) Nowotomysko-wolsztyński (PL)
	Green	Size 10-16 mm	
Onions	Yellow	Size 40-80 mm, sacks of around 5-25 kg	Raasdorf (AT) Praha (CZ) Viotia (EL) Albacete (ES) Bourgogne (FR) Budapest (HU) Verona (IT) Zoetermeer (NL) Warszawsko-łęczycki (PL) Birmingham (UK)
	White		
	Red		
Beans	Needle (round)	Size ‘fine’, arranged in the package	Evia (EL) Almeria (ES) Granada (ES) Val de Loire — Centre (FR) Salerno (IT) Vittoria (IT)
	Flat	Arranged in the package	
Lettuces	Iceberg	Size 400 g and over, packs of 8 — 12	Wien (AT) Flanders (BE) Nordrhein-Westfalen (DE) Mecklenburg-Vorpommern (DE) Attiki (EL) Almeria (ES) Murcia (ES) Rhône-Méditerranée (FR) Bari (IT) Grubbenvorst (NL) Oeste (PT) London (UK)
	Other varieties of headed lettuce (including Batavia)	Size 400 g and over, packs of 8 -12	

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Product	Type/variety	Presentation/size	Markets
Fraises	Toutes variétés	Barquettes 250/500 g	Flanders (BE) Nordrhein-Westfalen (DE) Huelva (ES) Sud-Ouest (FR) Salerno (IT) Barendrecht (NL) Płocki (PL) Algarve (PT) London (UK)
Leeks	All varieties	Packs of around 5 -10 kg	Flanders (BE) Nordrhein-Westfalen (DE) Thessaloniki (EL) Manche (FR) Grubbenvorst (NL) London (UK)
Cultivated mushrooms	Closed	Medium sized (30-65 mm)	Flanders (BE) La Rioja (ES) Val de Loire — Centre (FR) Dublin (IE) Budapest (HU) Barendrecht (NL) Poznański (PL) London (UK)