TREATY OF ACCESSION: PROTOCOL, ANNEX III

DRAFT LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Delegations will find attached the draft Treaty of Accession of Bulgaria and Romania to the European Union: **PROTOCOL, ANNEX III**.

LIST REFERRED TO IN ARTICLE 15 OF THE PROTOCOL

1. COMPANY LAW

INDUSTRIAL PROPERTY RIGHTS

I. COMMUNITY TRADE MARK

31994 R 0040: Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (OJ L 11, 14.1.1994, p. 1), as amended by:

– 31994 R 3288: Council Regulation (EC) No 3288/94 of 22.12.1994 (OJ L 349, 31.12.1994, p. 83),
– 32003 R 0807: Council Regulation (EC) No 807/2003 of 14.4.2003 (OJ L 122, 16.5.2003, p. 36),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32003 R 1653: Council Regulation (EC) No 1653/2003 of 18.6.2003 (OJ L 245, 29.9.2003, p. 36),
– 32003 R 1992: Council Regulation (EC) No 1992/2003 of 27.10.2003 (OJ L 296, 14.11.2003, p. 1),
– 32004 R 0422: Council Regulation (EC) No 422/2004 of 19.2.2004 (OJ L 70, 9.3.2004, p. 1).

Article 159a(1) is replaced by the following:

"1. As from the date of accession of Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community trade mark registered or applied for pursuant to this Regulation before the respective date of accession shall be extended to the territory of those Member States in order to have

equal effect throughout the Community.".

II. SUPPLEMENTARY PROTECTION CERTIFICATES

1. 31992 R 1768: Council Regulation (EEC) No 1768/92 of 18 June 1992 concerning the creation of a supplementary protection certificate for medicinal products (OJ L 182, 2.7.1992, p. 1), as amended by:

– 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties –Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33).

(a) The following is added to Article 19a:

"(k) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained after 1 January 2000 may be granted a certificate in Bulgaria, provided that the application for a certificate is lodged within six months of the date of accession.

(l) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained after 1 January 2000 may be granted a certificate in Romania. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession.".

(b) Article 20(2) is replaced by the following:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic,

Estonia, Cyprus, Latvia, Lithuania, Malta, Poland, Romania, Slovenia and Slovakia prior to their respective date of accession.".

2. 31996 R 1610: Regulation (EC) No 1610/96 of the European Parliament and of the Council of 23 July 1996 concerning the creation of a supplementary protection certificate for plant protection products (OJ L 198, 8.8.1996, p. 30), as amended by:

– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33).

(a) The following is added to Article 19a:

"(k) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2000 may be granted a certificate in Bulgaria, provided that the application for a certificate is lodged within six months of the date of accession.

(l) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2000 may be granted a certificate in Romania. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession.".

(b) Article 20(2) is replaced by the following:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Poland, Romania, Slovenia and Slovakia prior to their respective date of accession.".

III. COMMUNITY DESIGNS

32002 R 0006: Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1), as amended by:

– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33).

Article 110a(1) is replaced by the following:

"1. As from the date of accession of Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community design protected or applied for pursuant to this Regulation before the respective date of accession shall be extended to the territory of those Member States in order to have equal effect throughout the Community.".

2. AGRICULTURE

1. 31989 R 1576: Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (OJ L 160, 12.6.1989, p. 1), as amended by:

– 31992 R 3280: Council Regulation (EEC) No 3280/92 of 9.11.1992 (OJ L 327, 13.11.1992, p. 3),
– 31994 R 3378: Regulation (EC) No 3378/94 of the European Parliament and of the Council of 22.12.1994 (OJ L 366, 31.12.1994, p. 1),
– 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),

– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32003 R 1882: Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29.9.2003 (OJ L 284, 31.10.2003, p. 1).

(a) The following is added to Article 1(4), point (i):

"(5) The name "fruit spirit" may be replaced by the designation " Pălincă " solely for the spirit drink produced in Romania.";

(b) In Annex II, the following geographical designations are added:

– to point 4: "Vinars Târnave", "Vinars Vaslui", "Vinars Murfatlar", "Vinars Vrancea", "Vinars Segarcea"

– to point 6: "Сунгурларска гроздова ракия / Гроздова ракия от Сунгурларе / Sungurlarska grozdova rakiya / Grozdova rakiya from Sungurlare", "Сливенска перла (Сливенска гроздова ракия / Гроздова ракия от Сливен) / Slivenska perla (Slivenska grozdova rakiya / Grozdova rakiya from Sliven)", "Стралджанска Мускатова ракия / Мускатова ракия от Стралджа / Straldjanska Muscatova rakiya / Muscatova rakiya from Straldja", "Поморийска гроздова ракия / Гроздова ракия от Поморие / Pomoriyska grozdova rakiya / Grozdova rakiya from Pomorie", "Русенска бисерна гроздова ракия / Бисерна гроздова ракия от Русе / Rusenska biserna grozdova rakiya / Biserna grozdova rakiya from Ruse", "Бургаска Мускатова ракия / Мускатова ракия от Бургас / Bourgaska Muscatova rakiya / Muscatova rakiya from Bourgas", "Добруджанска мускатова ракия / Мускатова ракия от Добруджа / Dobrudjanska muscatova rakiya / Muscatova rakiya from Dobrudja", "Сухиндолска гроздова ракия / Гроздова ракия от Сухиндол / Suhindolska grozdova

rakiya / Grozdova rakiya from Suhindol", "Карловска гроздова ракия / Гроздова Ракия от Карлово / Karlovska grozdova rakiya / Grozdova Rakiya from Karlovo"

– to point 7: "Троянска сливова ракия / Сливова ракия от Троян / Troyanska slivova rakiya / Slivova rakiya from Troyan", "Силистренска кайсиева ракия / Кайсиева ракия от Силистра / Silistrenska kaysieva rakiya / Kaysieva rakiya from Silistra", "Тервелска кайсиева ракия / Кайсиева ракия от Тервел / Tervelska kaysieva rakiya / Kaysieva rakiya from Tervel", "Ловешка сливова ракия / Сливова ракия от Ловеч / Loveshka slivova rakiya / Slivova rakiya from Lovech", "Țuică Zetea de Medieşu Aurit", "Țuică de Valea Milcovului", "Țuică de Buzău", "Țuică de Argeş", "Țuică de Zalău", "Țuică Ardelenească de Bistrița", "Horincă de Maramureş", "Horincă de Cămârzan", "Horincă de Seini", "Horincă de Chioar", "Horincă de Lăpuş", "Turț de Oaş", "Turț de Maramureş".

2. 31991 R 1601: Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ L 149, 14.6.1991, p. 1), as amended by:

– 31992 R 3279: Council Regulation (EEC) No 3279/92 of 9.11.1992 (OJ L 327, 13.11.1992, p. 1),
– 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties –Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),

– 31994 R 3378: Regulation (EC) No 3378/94 of the European Parliament and of the Council of 22.12.1994 (OJ L 366, 31.12.1994, p. 1),
– 31996 R 2061: Regulation (EC) No 2061/96 of the European Parliament and of the Council of 8.10.1996 (OJ L 277, 30.10.1996, p. 1),
– 32003 R 1882: Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29.9.2003 (OJ L 284, 31.10.2003, p. 1).

In Article 2(3), the following subparagraph is inserted after subparagraph (h):

"(i) Pelin: an aromatized wine-based drink produced from white or red wine, grape must concentrate, grape juice (or beet sugar) and specific tincture of herbs, having an alcoholic strength of not less than 8,5% vol., a sugar content expressed as invert sugar of 45-50 grams per litre, and a total acidity of not less than 3 grams per litre expressed as tartaric acid."

and, subparagraph (i) is re-lettered (j).

3. 31992 R 2075: Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco (OJ L 215, 30.7.1992, p. 70), as amended by:

– 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),
– 31994 R 3290: Council Regulation (EC) No 3290/94 of 22.12.1994 (OJ L 349, 31.12.1994, p. 105),
– 31995 R 0711: Council Regulation (EC) No 711/95 of 27.3.1995 (OJ L 73, 1.4.1995, p. 13),
– 31996 R 0415: Council Regulation (EC) No 415/96 of 4.3.1996 (OJ L 59, 8.3.1996, p. 3),
– 31996 R 2444: Council Regulation (EC) No 2444/96 of 17.12.1996 (OJ L 333, 21.12.1996, p. 4),
– 31997 R 2595: Council Regulation (EC) No 2595/97 of 18.12.1997 (OJ L 351, 23.12.1997, p. 11),
– 31998 R 1636: Council Regulation (EC) No 1636/98 of 20.7.1998 (OJ L 210, 28.7.1998, p. 23),
– 31999 R 0660: Council Regulation (EC) No 660/1999 of 22.3.1999 (OJ L 83, 27.3.1999, p. 10),
– 32000 R 1336: Council Regulation (EC) No 1336/2000 of 19.6.2000 (OJ L 154, 27.6.2000, p. 2),
– 32002 R 0546: Council Regulation (EC) No 546/2002 of 25.3.2002 (OJ L 84,

28.3.2002, p. 4),

– 32003 R 0806: Council Regulation (EC) No 806/2003 of 14.4.2003 (OJ L 122, 16.5.2003, p. 1),

– 32003 R 2319: Council Regulation (EC) No 2319/2003 of 17.12.2003 (OJ L 345, 31.12.2003, p. 17),

– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33).

(a) In the Annex, point V. "Sun-cured", the following is added:

"Molovata

Ghimpati

Baragan"

(b) In the Annex, point VI. "Basmas", the following is added:

"Djebel

Nevrokop

Dupnica

Melnik

Ustina

Harmanli

Krumovgrad

Iztochen Balkan

Topolovgrad

Svilengrad

Srednogorska yaka"

(c) In the Annex, point VIII. "Kaba Koulak (classic)", the following is added:

"Severna Bulgaria

Tekne"

4. 31996 R 2201: Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products (OJ L 297, 21.11.1996, p. 29) as amended by:

– 31997 R 2199: Council Regulation (EC) No 2199/97 of 30.10.1997 (OJ L 303, 6.11.1997, p. 1),
– 31999 R 2701: Council Regulation (EC) No 2701/1999 of 14.12.1999 (OJ L 327, 21.12.1999, p. 5),
– 32000 R 2699: Council Regulation (EC) No 2699/2000 of 4.12.2000 (OJ L 311, 12.12.2000, p. 9),
– 32001 R 1239: Council Regulation (EC) No 1239/2001 of 19.6.2001 (OJ L 171, 26.6.2001, p. 1),
– 32002 R 0453: Commission Regulation (EC) No 453/2002 of 13.3.2002 (OJ L 72, 14.3.2002, p. 9),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32004 R 0386: Commission Regulation (EC) No 386/2004 of 1.3.2004 (OJ L 64, 2.3.2004, p. 25).

Annex III is replaced by the following:

"ANNEX III

Processing thresholds referred to in Article 5

Net weight fresh product

(in tonnes)

1)	2)	Tomatoes	Peaches	Pears
Community thresholds		8 860 061	560 428	105 659
National thresholds	Bulgaria	156 343	17 843	n.r.
	Czech Republic	12 000	1 287	11
	Greece	1 211 241	300 000	5 155
	Spain	1 238 606	180 794	35 199
	France	401 608	15 685	17 703
	Italy	4 350 000	42 309	45 708
	Cyprus	7 944	6	n.r.
	Latvia	n.r.	n.r.	n.r.
	Hungary	130 790	1 616	1 031
	Malta	27 000	n.r.	n.r.
	Netherlands	n.r.	n.r.	243
	Austria	n.r.	n.r.	9
	Poland	194 639	n.r.	n.r.
	Portugal	1 050 000	218	600
	Romania	50 390	523	n.r.
	Slovakia	29 500	147	n.r.

n.r. = not relevant

".

5. 31998 R 2848: Commission Regulation (EC) No 2848/98 of 22 December 1998 laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards the premium scheme, production quotas and the specific aid to be granted to producer groups in the raw tobacco sector (OJ L 358, 31.12.1998, p. 17), as amended by:

– 31999 R 0510: Commission Regulation (EC) No 510/1999 of 8.3.1999 (OJ L 60, 9.3.1999, p. 54),
– 31999 R 0731: Commission Regulation (EC) No 731/1999 of 7.4.1999 (OJ L 93, 8.4.1999, p. 20),

– 31999 R 1373: Commission Regulation (EC) No 1373/1999 of 25.6.1999 (OJ L 162, 26.6.1999, p. 47),
– 31999 R 2162: Commission Regulation (EC) No 2162/1999 of 12.10.1999 (OJ L 265, 13.10.1999, p. 13),
– 31999 R 2637: Commission Regulation (EC) No 2637/1999 of 14.12.1999 (OJ L 323, 15.12.1999, p. 8),
– 32000 R 0531: Commission Regulation (EC) No 531/2000 of 10.3.2000 (OJ L 64, 11.3.2000, p. 13),
– 32000 R 0909: Commission Regulation (EC) No 909/2000 of 2.5.2000 (OJ L 105, 3.5.2000, p. 18),
– 32000 R 1249: Commission Regulation (EC) No 1249/2000 of 15.6.2000 (OJ L 142, 16.6.2000, p. 3),
– 32001 R 0385: Commission Regulation (EC) No 385/2001 of 26.2.2001 (OJ L 57, 27.2.2001, p. 18),
– 32001 R 1441: Commission Regulation (EC) No 1441/2001 of 16.7.2001 (OJ L 193, 17.7.2001, p. 5),
– 32002 R 0486: Commission Regulation (EC) No 486/2002 of 18.3.2002 (OJ L 76, 19.3.2002, p. 9),
– 32002 R 1005: Commission Regulation (EC) No 1005/2002 of 12.06.2002 (OJ L 153 13.6.2002, p. 3),
– 32002 R 1501: Commission Regulation (EC) No 1501/2002 of 22.08.2002 (OJ L 227, 23.8.2002, p. 16),
– 32002 R 1983: Commission Regulation (EC) No 1983/2002 of 7.11.2002 (OJ L 306, 8.11.2002, p. 8),
– 32004 R 1809: Commission Regulation (EC) No 1809/2004 of 18.10.2004 (OJ L 318, 19.10.2004, p. 18).

Annex I is replaced by the following:

"ANNEX I

PERCENTAGES OF THE GUARANTEE THRESHOLD PER MEMBER STATE OR SPECIFIC REGION FOR THE RECOGNITION OF PRODUCER GROUPS

Member State or specific region of establishment of the producer group	Percentage

Germany, Spain (except Castile-Leon, Navarra and the Campezo area in the Basque Country), France (except Nord-Pas-de-Calais and Picardy), Italy, Portugal (except the Autonomous Region of the Azores), Belgium, Austria, Romania	2 %
Greece (except Epirus), Autonomous Region of the Azores (Portugal), Nord-Pas-de-Calais and Picardy (France), Bulgaria (except the Banite, Zlatograd, Madan and Dospat municipalities in the Djebel area and Veliki Preslav, Varbitca, Shumen, Smiadovo, Varna, Dalgopol, General Toshevo, Dobrich, Kavarna, Krushari, Shabla and Antonovo municipalities in the North Bulgaria area)	1 %
Castile-Leon (Spain), Navarra (Spain), the Campezo area in the Basque Country (Spain), Epirus (Greece), Banite, Zlatograd, Madan and Dospat municipalities in the Djebel area and Veliki Preslav, Varbitca, Shumen, Smiadovo, Varna, Dalgopol, General Toshevo, Dobrich, Kavarna, Krushari, Shabla and Antonovo municipalities in the North Bulgaria area (Bulgaria)	0,3 %

6. 31999 R 1493: Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine (OJ L 179, 14.7.1999, p. 1), as amended by:

– 32000 R 1622: Commission Regulation (EC) No 1622/2000 of 24.7.2000 (OJ L 194, 31.7.2000, p. 1),
– 32000 R 2826: Council Regulation (EC) No 2826/2000 of 19.12.2000 (OJ L 328, 23.12.2000, p. 2),
– 32001 R 2585: Council Regulation (EC) No 2585/2001 of 19.12.2001 (OJ L 345, 29.12.2001, p. 10),
– 32003 R 0806: Council Regulation (EC) No 806/2003 of 14.4. 2003 (OJ L 122, 16.5.2003, p. 1),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the

Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),

– 32003 R 1795: Commission Regulation (EC) No 1795/2003 of 13.10.2003 (OJ L 262, 14.10.2003, p. 13).

(a) The following is added to Article 6:

"5. For Bulgaria and Romania, newly created planting rights shall be allocated for the production of quality wines psr amounting to 1,5% of the total vineyard area, amounting to 2302,5 hectares for Bulgaria and 2830,5 hectares for Romania as of the date of accession. These rights shall be allocated to a national reserve to which Article 5 shall apply.";

(b) In Annex III (Wine-growing zones), the following is added to point 2:

"(g) in Romania, in the area of Podişul Transilvaniei"

(c) In Annex III (Wine-growing zones), the last sentence in point 3 is replaced by the following:

"(d) in Slovakia, the Tokay region.

(e) in Romania, areas under vines not included in points 2(g) or 5(f)."

(d) In Annex III (Wine-growing zones), the following is added to point 5:

"(e) in Bulgaria, areas under vines in the following regions: Dunavska Ravnina (Дунавска равнина), Chernomorski Rayon (Черноморски район), Rozova Dolina (Розова долина)

(f) in Romania, areas under vines in the following regions: Dealurile Bužaului, Dealu Mare, Severinului and Plaiurile Drâncei, Colinele Dobrogei, Terasele Dunării, the South wine region including sands and other favourable regions"

(e) In Annex III (Wine-growing zones), the following is added to point 6:

"In Bulgaria, wine-growing zone C III a) comprises the areas under vines not included in point 5(e)",

(f) In Annex V, Part D.3, the following is added:

"and in Romania";

7. 32000 R 1673: Council Regulation (EC) No 1673/2000 of 27 July 2000 on the common organisation of the markets in flax and hemp grown for fibre (OJ L 193, 29.7.2000, p. 16), as amended by:

– 32002 R 0651: Commission Regulation (EC) No 651/2002 of 16.4.2002 (OJ L 101, 17.4.2002, p. 3),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32003 R 1782: Council Regulation (EC) No 1782/2003 of 29.9.2003 (OJ L 270, 21.10.2003, p. 1),
– 32004 R 0393: Council Regulation (EC) No 393/2004 of 24.2.2004 (OJ L 65, 3.3.2004, p. 4).

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

"1. A maximum guaranteed quantity of 80 878 tonnes per marketing year shall be established for long flax fibre and apportioned among all the Member States as national guaranteed quantities. That quantity shall be apportioned as follows:

– 13 800 tonnes for Belgium,

– 13 tonnes for Bulgaria,

– 1 923 tonnes for the Czech Republic,

– 300 tonnes for Germany,

– 30 tonnes for Estonia,

–50 tonnes for Spain,

–55 800 tonnes for France,

–360 tonnes for Latvia,

–2 263 tonnes for Lithuania,

–4 800 tonnes for the Netherlands,

–150 tonnes for Austria,

–924 tonnes for Poland

–50 tonnes for Portugal,

–42 tonnes for Romania,

–73 tonnes for Slovakia,

–200 tonnes for Finland,

–50 tonnes for Sweden,

–50 tonnes for the United Kingdom."

(b) In Article 3(2), the introductory paragraph and subparagraph (a) are replaced by the following:

"A maximum guaranteed quantity of 147 265 tonnes per marketing year shall be established for short flax fibre and hemp fibre in respect of which aid may be granted. That quantity shall be apportioned in the form of:

(a) national guaranteed quantities for the following Member States:

–10 350 tonnes for Belgium,

–48 tonnes for Bulgaria,

–2 866 tonnes for the Czech Republic,

–12 800 tonnes for Germany,

–42 tonnes for Estonia,

– 20 000 tonnes for Spain,

– 61 350 tonnes for France,

– 1 313 tonnes for Latvia,

– 3 463 tonnes for Lithuania,

– 2 061 tonnes for Hungary,

– 5 550 tonnes for the Netherlands,

– 2 500 tonnes for Austria,

– 462 tonnes for Poland,

– 1 750 tonnes for Portugal,

– 921 tonnes for Romania,

– 189 tonnes for Slovakia,

– 2 250 tonnes for Finland,

– 2 250 tonnes for Sweden,

– 12 100 tonnes for the United Kingdom.

However, the national guaranteed quantity fixed for Hungary concerns hemp fibre only."

8. 32003 R 1782: 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 (OJ L 270, 21.10.2003, p. 1), as amended by:

– 32004 R 0021: Council Regulation (EC) No 21/2004 of 17.12.2003 (OJ L 5, 9.1.2004, p. 8),
– 32004 R 0583: Council Regulation (EC) No 583/2004 of 22.3.2004 (OJ L 91, 30.3.2004, p. 1),

– 32004 D 0281: Council Decision 2004/281/EC of 22.3.2004 (OJ L 93, 30.3.2004, p. 1),
– 32004 R 0864: Council Regulation (EC) No 864/2004 of 29.4.2004 (OJ L 161, 30.4.2004, p. 48).

(a) Article 2(g) is replaced by the following:

"(g) "new Member States" means Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia.";

(b) In Article 5(2), the following is added at the end of the first subparagraph:

"However, Bulgaria and Romania shall ensure that land which was under permanent pasture on 1 January 2007 is maintained under permanent pasture.";

(c) In Article 54(2), the following is added at the end of the first subparagraph:

"However, for Bulgaria and Romania, the date provided for the area aid applications shall be 30 June 2005";

(d) The following is added to Article 71g:

"9. For Bulgaria and Romania:
(a) the three-year reference period referred to in paragraph 2 shall be 2002 to 2004;
(b) the year referred to in paragraph 3(a) shall be 2004;
(c) in the first subparagraph of paragraph 4, the reference to 2004 and/or 2005 shall be 2005 and /or 2006, and the references to 2004 shall be to 2005.";

(e) The following is added to Article 71h:

"However, for Bulgaria and Romania the reference to 30 June 2003 shall be to 30 June 2005.";

(f) Article 74(1) is replaced by the following:

"1. The aid shall be granted for national base areas in the traditional production zones listed in Annex X.

The base area shall be as follows:

Bulgaria	21 800 ha
Greece	617 000 ha
Spain	594 000 ha
France	208 000 ha
Italy	1 646 000 ha
Cyprus	6 183 ha
Hungary	2 500 ha
Austria	7 000 ha
Portugal	118 000 ha

";

(g) Article 78(1) is replaced by the following:

"1. A maximum guaranteed area of 1 648 000 ha for which the aid may be granted is hereby established.";

(h) Article 80(2) is replaced by the following:

"2. The aid shall be as follows, according to the yields in the Member States concerned:

	Marketing year 2004/2005 and in case of application of Article 71 (EUR/ha)	Marketing year 2005/2006 and onward (EUR/ha)
Bulgaria	-	345,225
Greece	1 323,96	561,00
Spain	1 123,95	476,25
France:		
– metropolitan territory	971,73	411,75
– French Guyana	1 329,27	563,25
Italy	1 069,08	453,00
Hungary	548,70	232,50
Portugal	1 070,85	453,75
Romania	-	126,075

";

(i) Article 81 is replaced by the following:

"Article 81

Areas

A national base area for each producing Member State is hereby established. However, for France two base areas are established. The base areas shall be as follows:

Bulgaria	4 166 ha
Greece	20 333 ha
Spain	104 973 ha
France:	
– metropolitan territory	19 050 ha
– French Guyana	4 190 ha
Italy	219 588 ha
Hungary	3 222 ha

Portugal	24 667 ha
Romania	500 ha

A Member State may subdivide its base area or areas into sub-base areas in accordance with objective criteria.";

(j) Article 84 is replaced by the following:

"Article 84

Areas

1. A Member State shall grant the Community aid within the limit of a ceiling calculated by multiplying the number of hectares of its NGA as fixed in paragraph 3 by the average amount of EUR 120,75.

2. A maximum guaranteed area of 829 229 ha is hereby established.

3. The maximum guaranteed area referred to in paragraph 2 shall be divided into the following NGA:

National Guaranteed Areas (NGA)	
Belgium	100 ha
Bulgaria	11 984 ha
Germany	1 500 ha
Greece	41 100 ha
Spain	568 200 ha
France	17 300 ha
Italy	130 100 ha
Cyprus	5 100 ha
Luxembourg	100 ha
Hungary	2 900 ha
Netherlands	100 ha
Austria	100 ha
Poland	4 200 ha
Portugal	41 300 ha
Romania	1 645 ha
Slovenia	300 ha
Slovakia	3 100 ha
United Kingdom	100 ha

4. A Member State may subdivide its NGA into sub-areas in accordance with objective criteria, in particular at regional level or in relation to the production.";

(k) In Article 95(4) the following subparagraphs are added:

"For Bulgaria and Romania the total quantities referred to in the first subparagraph are set out in table (f) of Annex I of Council Regulation (EC) No 1788/2003 and reviewed in accordance with Article 6(1) sixth subparagraph of Council Regulation (EC) No 1788/2003.

For Bulgaria and Romania the 12-month period referred to in the first subparagraph shall be that of 2006/2007."

(l) In Article 103, the following is added to the second paragraph:

"However, for Bulgaria and Romania the condition for the application of this paragraph will be that the single area payment scheme is applied in 2007 and that the application of Article 66 has been opted for.";

(m) Article 105(1) is replaced by the following:

"1. A supplement to the area payment of:

– EUR 291/ha for the marketing year 2005/2006,

– EUR 285/ha for the marketing year 2006/2007 and onwards,

shall be paid for the area down to durum wheat in the traditional production zones listed in Annex X, subject to the following limits:

	(hectares)
Bulgaria	21 800
Greece	617 000
Spain	594 000
France	208 000
Italy	1 646 000
Cyprus	6 183
Hungary	2 500
Austria	7 000
Portugal	118 000

";

(n) In Article 108, the following is added to the second paragraph:

"However, for Bulgaria and Romania, applications for payment may not be made in respect of land which, on 30 June 2005, was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes.";

(o) Article 110c(1) is replaced by the following:

"1. A national base area is hereby established for:

- Bulgaria: 10 237 ha
- Greece: 370 000 ha
- Spain: 70 000 ha
- Portugal: 360 ha.";

(p) Article 110c(2) is replaced by the following:

"The amount of the aid per eligible hectare shall be in:

- Bulgaria: EUR 263
- Greece: EUR 594 for 300 000 hectares and EUR 342,85 for the remaining 70 000 hectares
- Spain: EUR 1 039
- Portugal: EUR 556.";

(q) Article 116(4) is replaced by the following:

"4. The following ceilings shall apply:

Member State	Rights (x 1 000)
Belgium	70
Bulgaria	2 058,483
Czech Republic	66,733
Denmark	104
Germany	2 432
Estonia	48
Greece	11 023
Spain	19 580
France	7 842
Ireland	4 956
Italy	9 575
Cyprus	472,401
Latvia	18,437
Lithuania	17,304
Luxembourg	4
Hungary	1 146

Malta	8,485
Netherlands	930
Austria	206
Poland	335,88
Portugal	2 690
Romania	5.880,620
Slovenia	84,909
Slovakia	305,756
Finland	80
Sweden	180
United Kingdom	19 492
Total	89 607,008

";

(r) Article 123(8) is replaced by the following:

"8. The following regional ceilings shall apply:

Belgium	235 149
Bulgaria	90 343
Czech Republic	244 349
Denmark	277 110
Germany	1 782 700

Estonia	18 800
Greece	143 134
Spain	713 999*
France	1 754 732**
Ireland	1 077 458
Italy	598 746
Cyprus	12 000
Latvia	70 200
Lithuania	150 000
Luxembourg	18 962
Hungary	94 620
Malta	3 201
Netherlands	157 932
Austria	373 400
Poland	926 000
Portugal	175 075***
Romania	452 000
Slovenia	92 276
Slovakia	78 348
Finland	250 000
Sweden	250 000
United Kingdom	1 419 811****

– * Without prejudice to the specific rules laid down in Regulation (EC) No 1454/2001.
– ** Without prejudice to the specific rules laid down in Regulation (EC) No 1452/2001.
– *** Without prejudice to the specific rules laid down in Regulation (EC) No 1453/2001.
– **** This ceiling shall be temporarily increased by 100 000 to 1 519 811 until such time as live animals under six months of age may be exported.

– ";

(s) Article 126(5) is replaced by the following:

"5. The following national ceilings shall apply:

Belgium	394 253
Bulgaria	16 019
Czech Republic	90 300
Denmark	112 932
Germany	639 535
Estonia	13 416
Greece	138 005
Spain*	1 441 539
France**	3 779 866
Ireland	1 102 620
Italy	621 611
Cyprus	500
Latvia	19 368
Lithuania	47 232
Luxembourg	18 537
Hungary	117 000
Malta	454
Netherlands	63 236
Austria	375 000
Poland	325 581
Portugal***	416 539
Romania	150 000
Slovenia	86 384
Slovakia	28 080
Finland	55 000
Sweden	155 000
United Kingdom	1 699 511

– * Without prejudice to the specific rules laid down in Regulation (EC) No 1454/2001.
– ** Without prejudice to the specific rules laid down in Regulation (EC) No 1452/2001.
– *** Without prejudice to the specific rules laid down in Regulation (EC) No 1453/2001.

";

(t) In Article 130(3), the second subparagraph is replaced by the following:

"For the new Member States the national ceilings shall be those contained in the following table.

	Bulls, steers, cows and heifers	Calves more than 1 and less than 8 months old and of carcass weight up to 185 kg
Bulgaria	22 191	101 542
Czech Republic	483 382	27 380
Estonia	107 813	30 000
Cyprus	21 000	–
Latvia	124 320	53 280
Lithuania	367 484	244 200
Hungary	141 559	94 439
Malta	6 002	17
Poland	1 815 430	839 518
Romania	1 148 000	85 000
Slovenia	161 137	35 852
Slovakia	204 062	62 841

";

(u) The following paragraph is added to Article 143a:

"However, for Bulgaria and Romania direct payments shall be introduced in accordance with the following schedule of increments expressed as a percentage of the then applicable level of such payments in the Community as constituted on 30 April 2004:

- 25% in 2007,
- 30% in 2008,
- 35% in 2009,
- 40% in 2010,
- 50% in 2011,

- 60% in 2012,
- 70% in 2013,
- 80% in 2014,
- 90% in 2015,
- 100% as from 2016.";

(v) The following subparagraph is added to Article 143b(4):

"However, for Bulgaria and Romania, the agricultural area under the single area payment scheme shall be the part of its utilised agricultural area which is maintained in good agricultural condition, whether in production or not, where appropriate adjusted in accordance with the objective criteria to be set by Bulgaria or Romania after approval by the Commission.";

(w) Article 143b(9) is replaced by the following:

"9. For any new Member State the single area payment scheme shall be available for a period of application until the end of 2006 with the possibility of renewal twice by one year at the new Member State's request. However, for Bulgaria and Romania, the single area payment scheme shall be available for a period of application until the end of 2009 with the possibility of renewal twice by one year at their request. Subject to the provisions of paragraph 11, any new Member State may decide to terminate the application of the scheme at the end of the first or the second year of the period of application with a view to applying the single payment scheme. New Member States shall notify the Commission of their intention to terminate by 1 August of the last year of application.";

(x) The following subparagraph is added to Article 143b(11):

"For Bulgaria and Romania, until the end of the 5 year period of application of the single area payment scheme (i.e. 2011), the percentage rate set out in the second paragraph of Article 143a shall apply. If the application of the single area payment scheme is extended beyond that date pursuant to a decision

taken under point (b), the percentage rate set out in the second paragraph of Article 143a for the year 2011 shall apply until the end of the last year of application of the single area payment scheme.";

(y) Article 143c(2), is replaced by the following:

"2. The new Member States shall have the possibility, subject to authorisation by the Commission, of complementing any direct payments up to:

(a) with regard to all direct payments, 55% of the level of direct payments in the Community as constituted on 30 April 2004 in 2004, 60% in 2005 and 65% in 2006 and from 2007 up to 30 percentage points above the applicable level referred to in Article 143a in the relevant year. As far as Bulgaria and Romania are concerned, the following shall apply: 55% of the level of direct payments in the Community as constituted on 30 April 2004 in 2007, 60% in 2008 and 65% in 2009 and from 2010 up to 30 percentage points above the applicable level referred to in the second paragraph of Article 143a in the relevant year. However, the Czech Republic may complement direct payments in the potato starch sector up to 100% of the level applicable in the Community as constituted on 30 April 2004. However, for the direct payments referred to in Chapter 7 of Title IV of this Regulation the following maximum rates shall apply: 85% in 2004, 90% in 2005, 95% in 2006 and 100% as from 2007. As far as Bulgaria and Romania are concerned, the following maximum rates shall apply: 85% in 2007, 90% in 2008, 95% in 2009 and 100% as from 2010;

or

(b)(i) with regard to direct payments other than the single payment scheme, the total level of direct support the farmer would have been entitled to receive, on a product by product basis, in the new Member State in the calendar year 2003 under a CAP-like national scheme increased by 10 percentage points. However for Lithuania the reference year shall be

the calendar year 2002. For Bulgaria and Romania the reference year shall be the calendar year 2006. For Slovenia the increase shall be 10 percentage points in 2004, 15 percentage points in 2005, 20 percentage points in 2006 and 25 percentage points from 2007.

(ii) with regard to the single payment scheme the total amount of complementary national direct aid which may be granted by a new Member State in respect of a given year shall be limited by a specific financial envelope. This envelope shall be equal to the difference between:

– the total amount of CAP-like national direct support that would be available in the relevant new Member State in respect of the calendar year 2003 or, in the case of Lithuania, of the calendar year 2002, each time increased by 10 percentage points. However, for Bulgaria and Romania the reference year shall be the calendar year 2006. For Slovenia the increase shall be 10 percentage points in 2004, 15 percentage points in 2005, 20 percentage points in 2006 and 25 percentage points from 2007,

and

– the national ceiling of that new Member State listed in Annex VIIIa adjusted, where appropriate, in accordance with Articles 64(2) and 70(2).

For the purpose of calculating the total amount referred to in the first indent above, the national direct payments and/or its components corresponding to the Community direct payments and/or its components which were taken into account for calculating the effective ceiling of the new Member State concerned in accordance with Articles 64(2), 70(2) and 71c shall be included.

For each direct payment concerned a new Member State may choose to apply either option (a) or (b) above.

The total direct support the farmer may be granted in the new Member States after accession under the relevant direct payment including all complementary national direct payments shall not exceed the level of direct support the farmer would be entitled to receive under the corresponding direct payment then applicable to the Member States in the Community as constituted on 30 April 2004."

(z) Article 154a(2) is replaced by the following:

"2. The measures referred to in paragraph 1 may be adopted during a period starting on 1 May 2004 and expiring on 30 June 2009 and shall not apply beyond that date. However, for Bulgaria and Romania the period shall start on 1 January 2007 and expire on 31 December 2011. The Council, acting by a qualified majority on a proposal from the Commission, may extend these periods.";

(aa) In Annex III, the following footnote is added to the title of point A:

"* For Bulgaria and Romania the reference to 2005 should be read as a reference to the first year of application of the Single Payment Scheme.";

to the title of point B:

"* For Bulgaria and Romania the reference to 2006 should be read as a reference to the second year of application of the Single Payment Scheme.";

and, to the title of point C:

"* For Bulgaria and Romania the reference to 2007 should be read as a reference to the third year of application of the Single Payment Scheme.";

(ab) Annex VIIIA is replaced by the following:

"ANNEX VIIIA

National ceilings referred to in Article 71c

The ceilings have been calculated taking account of the schedule of increments provided for in Article 143a, and therefore do not require to be reduced.

(EUR million)

Calendar year	Bulgaria	Czech Republic	Estonia	Cyprus	Latvia	Lithuania	Hungary	Malta	Poland	Romania	Slovenia	Slovakia
2005	-	228,8	23,4	8,9	33,9	92,0	350,8	0,67	724,6	-	35,8	97,7
2006	-	266,7	27,3	12,5	39,6	107,3	420,2	0,83	881,7	-	41,9	115,4
2007	200,3	343,6	40,4	16,3	55,6	146,9	508,3	1,64	1 140,8	440,0	56,1	146,6
2008	240,4	429,2	50,5	20,4	69,5	183,6	634,9	2,05	1 425,9	527,9	70,1	183,2
2009	281,0	514,9	60,5	24,5	83,4	220,3	761,6	2,46	1 711,0	618,1	84,1	219,7
2010	321,2	600,5	70,6	28,6	97,3	257,0	888,2	2,87	1 996,1	706,4	98,1	256,2
2011	401,4	686,2	80,7	32,7	111,2	293,7	1 014,9	3,28	2 281,1	883,0	112,1	292,8
2012	481,7	771,8	90,8	36,8	125,1	330,4	1 141,5	3,69	2 566,2	1 059,6	126,1	329,3
2013	562,0	857,5	100,9	40,9	139,0	367,1	1 268,2	4,10	2 851,3	1 236,2	140,2	365,9
2014	642,3	857,5	100,9	40,9	139,0	367,1	1 268,2	4,10	2 851,3	1 412,8	140,2	365,9
2015	722,6	857,5	100,9	40,9	139,0	367,1	1 268,2	4,10	2 851,3	1 589,4	140,2	365,9
subsequent years	802,9	857,5	100,9	40,9	139,0	367,1	1 268,2	4,10	2 851,3	1 766,0	140,2	365,9

";

(ac) The following is added to Annex X:

"BULGARIA
Starozagorski
Haskovski
Slivenski
Yambolski
Burgaski
Dobrichki
Plovdivski";

(ad) Annex XIB is replaced by the following:

"ANNEX XIb

National arable crops base areas and reference yields in the new Member States referred to in Articles 101 and 103

	Base area (hectares)	Reference yields (t/ha)
Bulgaria	2 625 258	2,90
Czech Republic	2 253 598	4,20
Estonia	362 827	2,40
Cyprus	79 004	2,30
Latvia	443 580	2,50
Lithuania	1 146 633	2,70
Hungary	3 487 792	4,73
Malta	4 565	2,02
Poland	9 454 671	3,00
Romania	7 012 666	2,65
Slovenia	125 171	5,27
Slovakia	1 003 453	4,06

"

9. 32003 R 1788: Council Regulation (EC) No 1788/2003 of 29 September 2003 establishing a levy in the milk and milk products sector (OJ L 270, 21.10.2003, p. 123), as amended by:

– 32004 D 0281: Council Decision 2004/281/EC of 22.3.2004 (OJ L 93, 30.3.2004, p. 1).

(a) The following subparagraph is added to Article 1(4):

"For Bulgaria and Romania a special restructuring reserve shall be established as set out in table (g) of Annex I. This reserve shall be released as from 1 April 2009 to the extent that the on-farm consumption of milk and milk products in each of these countries has decreased since 2002. The decision on releasing the reserve and its distribution to the deliveries and direct sales quota shall be taken by the Commission in accordance with the procedure referred to in Article 23(2) on the basis of an assessment of a report to be submitted by Bulgaria and Romania to the Commission by 31 December 2008. This report shall detail the results and trends of the actual restructuring process in the country's dairy sector and, in particular the shift from production for on-farm consumption to production for the market.";

(b) Article 1(5) is replaced by the following:

"5. For Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia the national reference quantities shall include all cow's milk or milk equivalent delivered to a purchaser or sold directly, as defined under Article 5 of this Regulation, irrespective of whether it is produced or marketed under a transitional measure applicable in these countries.";

(c) The following is added to Article 1:

"6. For Bulgaria and Romania the levy shall apply from 1 April 2007."

(d) In Article 6(1) the second and third subparagraphs are replaced by the following:

"For Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia the basis for the individual reference quantities referred to are set out in table (f) of Annex I.
In the case of Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia the twelve month period for the establishment of the individual reference quantities shall commence on: 1 April 2001 for Hungary, 1 April 2002 for Malta and Lithuania, 1 April 2003 for the Czech Republic, Cyprus, Estonia, Latvia and Slovakia, 1 April 2004 for Poland and Slovenia and 1 April 2006 for Bulgaria and Romania.";

(e) The following subparagraph is added to Article 6(1):

"For Bulgaria and Romania the distribution of the total quantity between deliveries and direct sales as set out in table (f) of Annex I shall be reviewed on the basis of its actual 2006 figures on deliveries and direct sales and, if necessary, adjusted by the Commission in accordance with the procedure referred to in Article 23(2).";

(f) In Article 9(2), the second subparagraph is replaced by the following:

"For Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Poland, Romania, Slovenia and Slovakia, the reference fat content referred to in paragraph 1 shall be the same as the reference fat content of the quantities allocated to producers on the following dates: 31 March 2002 for Hungary, 31 March 2003 for Lithuania, 31 March 2004 for the Czech Republic, Cyprus, Estonia, Latvia and Slovakia, 31 March 2005 for Poland and Slovenia and 31 March 2007 for Bulgaria and Romania.";

(g) The following subparagraph is added to Article 9(5):

"For Romania the reference fat content set in Annex II shall be reviewed on the basis of the figures for the full year 2004 and, if necessary, adjusted by the Commission in accordance with the procedure referred to in Article 23(2).";

(h) In Annex I, tables (d), (e), (f) and (g) are replaced by the following:

"(d) Period 2007/2008

Member State	Quantities, tonnes
Belgium	3 343 535,000
Bulgaria	979 000,000
Czech Republic	2 682 143,000
Denmark	4 499 900,000
Germany	28 143 464,000
Estonia	624 483,000
Greece	820 513,000
Spain	6 116 950,000
France	24 478 156,000
Ireland	5 395 764,000
Italy	10 530 060,000
Cyprus	145 200,000
Latvia	695 395,000
Lithuania	1 646 939,000
Luxembourg	271 739,000
Hungary	1 947 280,000
Malta	48 698,000
Netherlands	11 185 440,000
Austria	2 776 895,000
Poland	8 964 017,000
Portugal	1 939 187,000
Romania	3 057 000,000
Slovenia	560 424,000
Slovakia	1 013 316,000
Finland	2 431 047,324
Sweden	3 336 030,000
United Kingdom	14 755 647,000

(e) Period 2008/2009 to 2014/2015

Member State	Quantities, tonnes
Belgium	3 360 087,000
Bulgaria	979 000,000
Czech Republic	2 682 143,000
Denmark	4 522 176,000
Germany	28 282 788,000
Estonia	624 483,000
Greece	820 513,000
Spain	6 116 950,000
France	24 599 335,000
Ireland	5 395 764,000
Italy	10 530 060,000
Cyprus	145 200,000
Latvia	695 395,000
Lithuania	1 646 939,000
Luxembourg	273 084,000
Hungary	1 947 280,000
Malta	48 698,000
Netherlands	11 240 814,000
Austria	2 790 642,000
Poland	8 964 017,000
Portugal	1 948 550,000
Romania	3 057 000,000
Slovenia	560 424,000
Slovakia	1 013 316,000
Finland	2 443 069,324
Sweden	3 352 545,000
United Kingdom	14 828 597,000

(f) Reference quantities for deliveries and direct sales referred to in the second subparagraph of Article 6(1)

Member State	Reference quantities for deliveries, tonnes	Reference quantities for direct sales, tonnes
Bulgaria	722 000	257 000
Czech Republic	2 613 239	68 904
Estonia	537 188	87 365
Cyprus	141 337	3 863
Latvia	468 943	226 452
Lithuania	1 256 440	390 499
Hungary	1 782 650	164 630
Malta	48 698	–
Poland	8 500 000	464 017
Romania	1 093 000	1 964 000
Slovenia	467 063	93 361
Slovakia	990 810	22 506

(g) Special restructuring reserve quantities referred to in Article 1(4)

Member State	Special restructuring reserve quantities, tonnes
Bulgaria	39 180
Czech Republic	55 788
Estonia	21 885
Latvia	33 253
Lithuania	57 900
Hungary	42 780
Poland	416 126
Romania	188 400
Slovenia	16 214
Slovakia	27 472

"

(i) In Annex II, the table is replaced by the following:

"REFERENCE FAT CONTENT

Member State	Reference fat content (g/kg)
Belgium	36,91
Bulgaria	39,10
Czech Republic	42,10
Denmark	43,68
Germany	40,11
Estonia	43,10
Greece	36,10
Spain	36,37
France	39,48
Ireland	35,81
Italy	36,88
Cyprus	34,60
Latvia	40,70
Lithuania	39,90
Luxembourg	39,17
Hungary	38,50
Netherlands	42,36
Austria	40,30
Poland	39,00
Portugal	37,30
Romania	35,93
Slovenia	41,30
Slovakia	37,10
Finland	43,40
Sweden	43,40
United Kingdom	39,70

"

3. TRANSPORT **POLICY**

31996 L 0026: Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (OJ L 124, 23.5.1996, p. 1), as amended by:

– 31998 L 0076: Council Directive 98/76/EC of 1.10.1998 (OJ L 277, 14.10.1998, p. 17),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties –Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32004 L 0066: Council Directive 2004/66/EC of 26.4.2004 (OJ L 168, 1.5.2004, p. 35).

(a) The following paragraph**s are** added to Article 10:

"11. By way of derogation from paragraph 3, certificates issued to road transport operators before the date of accession in Bulgaria shall only be deemed equivalent to the certificates issued pursuant to the provisions of this Directive if they have been issued to:

– international road haulage and passenger transport operators under Ordinance No 11 of 31 October 2002 on International Carriage of Passengers and Goods by Road (State Gazette No 108 of 19 November 2002), since 19 November 2002;

– domestic road haulage and passenger transport operators under Ordinance 33 of 3 November 1999 on Public Carriage of Passengers and Goods on the territory of Bulgaria, as amended on 30 October 2002 (State

Gazette No 108 of 19 November 2002), since 19 November 2002.

12. By way of derogation from paragraph 3, certificates issued to road transport operators before the date of accession in Romania shall only be deemed equivalent to the certificates issued pursuant to the provisions of this Directive if they have been issued to international and domestic road haulage and road passenger transport operators under Order of Minister of Transport No 761 of 21 December 1999 on appointing, training and professional certification of persons coordinating permanently and effectively road transport activity, since 28 January 2000.".

(b) In Article 10b, the second paragraph is replaced by the following:

"The professional competence certificates referred to in paragraphs 4 to 12 of Article 10 may be reissued by the Member States concerned in the form of the certificate set out in Annex Ia."

4. TAXATION

1. 31977 L 0388: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes – Common system of value added tax: uniform basis of assessment (OJ L 145, 13.6.1977, p. 1), as amended by:

– 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties –Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 95),
– 31980 L 0368: Council Directive 80/368/EEC of 26.3.1980 (OJ L 90, 3.4.1980, p. 41),
– 31984 L 0386: Council Directive 84/386/EEC of 31.7.1984 (OJ L 208, 3.8.1984, p. 58),
– 11985 I: Act concerning the conditions of accession and the adjustments of the Treaties –Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 167),
– 31989 L 0465: Council Directive 89/465/EEC of 18.7.1989 (OJ L 226, 3.8.1989, p. 21),

– 31991 L 0680: Council Directive 91/680/EEC of 16.12.1991 (OJ L 376, 31.12.1991, p. 1),
– 31992 L 0077: Council Directive 92/77/EEC of 19.10.1992 (OJ L 316, 31.10.1992, p. 1),
– 31992 L 0111: Council Directive 92/111/EEC of 14.12.1992 (OJ L 384, 30.12.1992, p. 47),
– 31994 L 0004: Council Directive 94/4/EC of 14.2.1994 (OJ L 60, 3.3.1994, p. 14),
– 31994 L 0005: Council Directive 94/5/EC of 14.2.1994 (OJ L 60, 3.3.1994, p. 16),
– 31994 L 0076: Council Directive 94/76/EC of 22.12.1994 (OJ L 365, 31.12.1994, p. 53),
– 31995 L 0007: Council Directive 95/7/EC of 10.4.1995 (OJ L 102, 5.5.1995, p. 18),
– 31996 L 0042: Council Directive 96/42/EC of 25.6. 1996 (OJ L 170, 9.7.1996, p. 34),
– 31996 L 0095: Council Directive 96/95/EC of 20.12.1996 (OJ L 338, 28.12.1996, p. 89),
– 31998 L 0080: Council Directive 98/80/EC of 12.10.1998 (OJ L 281, 17.10.1998, p. 31),
– 31999 L 0049: Council Directive 1999/49/EC of 25.5.1999 (OJ L 139, 2.6.1999, p. 27),
– 31999 L 0059: Council Directive 1999/59/EC of 17.6.1999 (OJ L 162, 26.6.1999, p. 63),
– 31999 L 0085: Council Directive 1999/85/EC of 22.10.1999 (OJ L 277, 28.10.1999, p. 34),
– 32000 L 0017: Council Directive 2000/17/EC of 30.3.2000 (OJ L 84, 5.4.2000, p. 24),
– 32000 L 0065: Council Directive 2000/65/EC of 17.10.2000 (OJ L 269, 21.10.2000, p. 44),
– 32001 L 0004: Council Directive 2001/4/EC of 19.1.2001 (OJ L 22, 24.1.2001, p. 17),
– 32001 L 0115: Council Directive 2001/115/EC of 20.12. 2001 (OJ L 15, 17.1.2002, p. 24),

– 32002 L 0038: Council Directive 2002/38/EC of 7.5.2002 (OJ L 128, 15.5.2002, p. 41),
– 32002 L 0093: Council Directive 2002/93/EC of 3.12.2002 (OJ L 331, 7.12.2002, p. 27),
– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),
– 32003 L 0092: Council Directive 2003/92/EC of 7.10.2003 (OJ L 260, 11.10.2003, p. 8),
– 32004 L 0007: Council Directive 2004/7/EC of 20.1.2004 (OJ L 27, 30.1.2004, p. 44),
– 32004 L 0015: Council Directive 2004/15/EC of 10.2.2004 (OJ L 52, 21.2.2004, p. 61),
– 32004 L 0066: Council Directive 2004/66/EC of 26.4.2004 (OJ L 168, 1.5.2004, p. 35).

In Article 24a, the following is inserted before the indent "– in the Czech Republic: EUR 35 000":

"– in Bulgaria: EUR 25 600;"
and, the following is inserted after the indent "– in Poland: EUR 10 000":

"– in Romania: EUR 35 000;".
2. 31992 L 0083: Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages (OJ L 316, 31.10.1992, p. 21), as amended by:

– 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties - Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33).

(a) Article 22(6) is replaced by the following:

"6. Bulgaria and the Czech Republic may apply a reduced rate of excise duty, of not less than 50% of the standard national rate of excise duty on ethyl alcohol, to ethyl alcohol produced by fruit growers' distilleries producing, on an annual basis, more than 10 hectolitres of ethyl alcohol from fruit supplied to them by fruit growers' households. The application of the reduced rate shall be limited to 30 litres of fruit spirits per producing fruit growers' household per year, destined exclusively for their personal consumption."

(b) Article 22(7) is replaced by the following:

"7. Hungary, Romania and Slovakia may apply a reduced rate of excise duty, of not less than 50% of the standard national rate of excise duty on ethyl alcohol, to ethyl alcohol produced by fruit growers' distilleries producing, on an annual basis, more than 10 hectolitres of ethyl alcohol from fruit supplied to them by fruit growers' households. The application of the reduced rate shall be limited to 50 litres of fruit spirits per producing fruit growers' household per year, destined exclusively for their personal consumption. The Commission will review this arrangement in 2015 and report to the Council on possible modifications."