

**COMMISSION REGULATION (EC) No 206/2004
of 5 February 2004**

amending Regulation (EC) No 2316/1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(5) Regulation (EC) No 2316/1999 should be amended accordingly.

Having regard to the Treaty establishing the European Community,

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) Commission Regulation (EC) No 2316/1999 ⁽²⁾ lays down detailed rules for the application of Regulation (EC) No 1251/1999 concerning the conditions for the grant of area payments for certain arable crops and determines the conditions for set-aside, in particular the minimum areas set-aside must cover.

Article 1

Regulation (EC) No 2316/1999 is hereby amended as follows:

(2) Areas left fallow have a positive impact on the environment. This could be enhanced by taking account of smaller parcels. Member States should therefore be permitted to accept smaller areas for set-aside.

1. in Article 19(1), the following subparagraph is added:

‘For the 2004/05 marketing year, Member States may also accept:

(a) areas at least 10 m wide and covering 0,1 ha;

(b) for properly justified environmental reasons, areas at least 5 m wide and covering 0,05 ha.’

(3) Under Council Regulation (EC) No 1017/94 of 26 April 1994 concerning the conversion of land currently under arable crops to extensive livestock farming in Portugal ⁽³⁾, applications for conversion have been submitted equivalent to 35 585 ha. The base area should consequently be adjusted.

2. In Annex VI, the information shown under the heading ‘Portugal’ is replaced by that in Annex I to this Regulation.

3. Annex XII is replaced by the content of Annex II to this Regulation.

(4) The Member States have notified the results of the tests to determine the tetrahydrocannabinol levels in the hemp varieties sown in 2003. Those results should be taken into account when drawing up the list of hemp varieties qualifying for area payments in the coming marketing years and the list of varieties temporarily accepted for 2004/2005, which will require further testing during that marketing year.

Article 2

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 1. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 280, 30.10.1999, p. 43. Regulation as last amended by Regulation (EC) No 1035/2003 (OJ L 150, 18.6.2003, p. 24).

⁽³⁾ OJ L 112, 3.5.1994, p. 2. Regulation as last amended by Regulation (EC) No 2582/2001 (OJ L 345, 29.12.2001, p. 5).

It shall apply from 15 January 2004.

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

Done at Brussels, 5 February 2004.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX I

(1 000 ha)

Region	All crops	of which maize
PORTUGAL		
Azores	9,7	
Madeira		
— Regadio	0,31	0,29
— Other	0,30	
Continental		
— Regadio	293,4	221,4
— Other	622,7	

ANNEX II

'ANNEX XII

(Article 7a(1))

Varieties of flax and hemp grown for fibre eligible for the support system**1. Varieties of flax grown for fibre**

	Modran
Adélie	Nike
Agatha	Opaline
Alba	Rosalin
Alizée	Selena
Angelin	Super
Argos	Tabor
Ariane	Texa
Artemida	Venica
Aurore	Venus
Belinka	Veralin
Bonet	Viking
Caesar Augustus	Viola
Diane	
Diva	
Drakkar	
Electra	
Elise	
Escalina	
Evelin	
Exel	
Hermes	
Ilona	
Jitka	
Jordan	
Kastyciai	
Laura	
Liflax	
Liviola	
Loréa	
Luna	
Marina	
Marylin	
Melina	
Merkur	

2a. Varieties of hemp grown for fibre

Carmagnola
Beniko
Chamaeleon
Cs
Delta-Llosa
Delta 405
Dioica 88
Epsilon 68
Fedora 17
Felina 32
Ferimon-Férimon
Fibranova
Fibrimon 24
Futura 75
Juso 14
Red Petiole
Santhica 23
Santhica 27
Uso 31

2b. Varieties of hemp grown for fibre authorised in the 2004/05 marketing year	Finola
Bialobrzeskie	Lipko ⁽¹⁾
Cannacomp ⁽¹⁾	Silesia ⁽²⁾
Fasamo	Tiborszallasi ⁽¹⁾
Felina 34 — Féline 34	
Fibriko TC	UNIKO-B'

⁽¹⁾ Limited to Hungary.

⁽²⁾ Limited to Poland.