

# COMMISSION

## COMMISSION DECISION

of 25 April 2005

### amending Decision 2001/657/EC extending the derogation to include fillets of salt cod and whole salt cod

(notified under document number C(2005) 1256)

(2005/335/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community (Overseas Association Decision) <sup>(1)</sup>, and in particular Article 37(9)(c) of Annex III thereto,

Whereas:

- (1) By way of Decision 2001/657/EC <sup>(2)</sup>, a derogation was granted to Saint Pierre and Miquelon from the definition of the concept of originating products to take account of its special situation with regard to frozen fillets of cod, redfish, plaice and halibut of CN code 0304 20.
- (2) On 20 January 2005, the French Government has requested an amendment to Decision 2001/657/EC in order to obtain an extension of the scope of the derogation granted in respect of frozen fillets of cod of CN code ex 0304 20, to fillets of salt cod of CN code ex 0305 30 and whole salt cod of CN code 0305 62.
- (3) The French Government has based its request on a readjustment in the sales strategy of a local industry towards European markets.
- (4) The requested derogation is justified under the terms of the provisions concerned in paragraph 1 of Article 37 of Annex III to the Council Decision 2001/822/EC as it is vital to preserving a seafood-processing industry and the associated jobs.

(5) The requested amendment would not alter the global annual quantity granted for cod, nor would it alter the duration of the derogation and would consequently not cause serious injury to an established Community industry.

(6) Therefore, the Decision 2001/657/EC should be amended accordingly.

(7) The measures provided for in this Decision are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The Annex to Decision 2001/657/EC is amended in accordance with the Annex to this Decision.

#### *Article 2*

This Decision shall apply from 1 May 2005.

#### *Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 25 April 2005.

*For the Commission*

László KOVÁCS

*Member of the Commission*

<sup>(1)</sup> OJ L 314, 30.11.2001, p. 1.

<sup>(2)</sup> OJ L 231, 29.8.2001, p. 13.

## ANNEX

The Annex to Decision 2001/657/EC is replaced by the following:

## 'ANNEX

## SAINT PIERRE AND MIQUELON

Order No	CN code	Description of goods	Period	Quantities (tonnes)
09.1651	ex 0304 20 ex 0305 30 0305 62	Fillets of cod, frozen Fillets of cod, salted Whole cod, salted	1.9.2001 to 31.8.2002	1 100
			1.9.2002 to 31.8.2003	1 100
			1.9.2003 to 31.8.2004	1 100
			1.9.2004 to 31.8.2005	1 100
			1.9.2005 to 31.8.2006	1 100
09.1652	ex 0304 20	Fillets of redfish, frozen	1.9.2001 to 31.8.2002	60
			1.9.2002 to 31.8.2003	60
			1.9.2003 to 31.8.2004	60
			1.9.2004 to 31.8.2005	60
			1.9.2005 to 31.8.2006	60
09.1656	ex 0304 20	Fillets of plaice, frozen	1.9.2001 to 31.8.2002	11
			1.9.2002 to 31.8.2003	11
			1.9.2003 to 31.8.2004	11
			1.9.2004 to 31.8.2005	11
			1.9.2005 to 31.8.2006	11
09.1659	ex 0304 20	Fillets of halibut, frozen	1.9.2001 to 31.8.2002	119
			1.9.2002 to 31.8.2003	119
			1.9.2003 to 31.8.2004	119
			1.9.2004 to 31.8.2005	119
			1.9.2005 to 31.8.2006	119'