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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2030/2004**of 26 November 2004****fixing certain indicative quantities and individual ceilings for the issue of licences for the import of bananas into the Community in the first quarter of 2005 under tariff quotas A/B and C**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas⁽¹⁾, and in particular Article 20 thereof,

Whereas:

(1) Article 14(1) of Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community⁽²⁾ provides that an indicative quantity expressed as the same percentage of available quantities from each of the tariff quotas A, B and C provided for in Article 18(1) of Regulation (EEC) No 404/93 may be fixed for the purposes of issuing import licences for each of the first three quarters of the year.

(2) The data concerning, firstly, the quantities of bananas marketed in the Community in 2004, and in particular the actual imports, especially during the first quarter, and secondly, the supply and consumption prospects on the Community market during the same first quarter for 2005, result in indicative quantities being fixed for tariff quotas A and B and C so as to ensure adequate supplies for the whole of the Community, and the continuation of trade flows between the production and marketing sectors.

(3) On the basis of the same data, in accordance with Article 14(2) of Regulation (EC) No 896/2001, the maximum quantity for which each operator may submit licence applications for the first quarter of 2005 should be fixed.

(4) In view of the fact that this Regulation must apply before the start of the period for the submission of licence applications for the first quarter of 2005, provision should be made for this Regulation to enter into force immediately.

(5) This Regulation must apply to operators established in the Community as constituted on 30 April 2004 since Commission Regulation (EC) No 1892/2004⁽³⁾ adopted transitional measures for imports of bananas into the Community by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

HAS ADOPTED THIS REGULATION:

Article 1

The indicative quantity referred to in Article 14(1) of Regulation (EC) No 896/2001 for the issue of import licences for bananas under the tariff quotas provided for in Article 18(1) of Regulation (EEC) No 404/93 is hereby fixed, for the first quarter of 2005, at:

— 27 % of the quantities available for traditional operators and non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B,

— 27 % of the quantities available for traditional operators and non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C.

Article 2

For the first quarter of 2005, the maximum authorised quantity referred to in Article 14(2) of Regulation (EC) No 896/2001, for licence applications for the import of bananas under the tariff quotas provided for in Article 18(1) of Regulation (EEC) No 404/93 is hereby fixed at:

(a) 27 % of the reference quantity established and notified in accordance with Articles 4 and 5 of Regulation (EC) No 896/2001 for the traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B;

⁽¹⁾ OJ L 47, 25.2.1993, p. 1. Regulation as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 126, 8.5.2001, p. 6. Regulation as last amended by Regulation (EC) No 838/2004 (OJ L 127, 29.4.2004, p. 52).

⁽³⁾ OJ L 328, 30.10.2004, p. 50.

- (b) 27 % of the quantity established and notified, in accordance with Article 9(3) of Regulation (EC) No 896/2001 for the non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quotas A/B;
- (c) 27 % of the reference quantity established and notified in accordance with Articles 4 and 5 of Regulation (EC) No 896/2001 for the traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C;
- (d) 27 % of the quantity established and notified, in accordance with Article 9(3) of Regulation (EC) No 896/2001 for the non-traditional operators established in the Community as constituted on 30 April 2004 under tariff quota C.

Article 3

This Regulation shall enter into force on the day of 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.

Done at Brussels, 26 November 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 2031/2004**of 26 November 2004****opening a tendering procedure for the refund on export of wholly milled round-grain, medium-grain and long-grain A rice to certain third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽¹⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Examination of the supply balance shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2004/2005 marketing year.
- (2) In order to rectify this situation, it is appropriate to make use of export refunds in respect of zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the quantities of rice benefiting from refunds, and therefore to fix the amount of the export refund by tendering procedure.
- (3) It should be stated that Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice⁽²⁾ applies to this tendering procedure.
- (4) For the sake of sound management of the markets, the tendering procedure should be limited to certain zones listed in the Annex to Commission Regulation (EEC) No 2145/92⁽³⁾.
- (5) Under Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture⁽⁴⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the

common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of that Article specify the operative events applicable to advances and securities.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby opened for the refund on export as referred to in Article 14 of Regulation (EC) No 1785/2003 for wholly milled round-grain, medium-grain and long-grain A rice falling within CN codes 1006 30 61, 1006 30 63, 1006 30 65, 1006 30 92, 1006 30 94 and 1006 30 96.

The tendering procedure shall be restricted to the following destinations:

- (a) zones I to VI in the Annex to Regulation (EEC) No 2145/ 92, except for Malta, Cyprus, Poland, the Czech Republic, Slovakia, Hungary, Estonia, Latvia, Lithuania, Slovenia, Romania and Turkey;
- (b) zone VIII in the Annex to Regulation (EEC) No 2145/92, except for Guyana, Madagascar, Suriname, the Netherlands Antilles, Aruba and the Turks and Caicos Islands.

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 61, 7.3.1975, p. 25. Regulation as last amended by Regulation (EC) No 1948/2002 (OJ L 299, 1.11.2002, p. 18).

⁽³⁾ OJ L 214, 30.7.1992, p. 20. Regulation as amended by Regulation (EC) No 3304/94 (OJ L 341, 30.12.1994, p. 48).

⁽⁴⁾ OJ L 349, 24.12.1998, p. 36. Regulation as last amended by Regulation (EC) No 1250/2004 (OJ L 237, 8.7.2004, p. 13).

2. The tendering procedure shall be open until 23 June 2005. During that period regular invitations to tender shall be issued and the date for submission of tenders shall be set down in the notice of invitation to tender.

3. The tendering procedure shall take place in accordance with Regulation (EEC) No 584/75 and this Regulation.

Article 2

Tenders shall be admissible only if they cover a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. As an exception to Article 23(1) of Commission Regulation (EC) No 1291/2000 ⁽¹⁾, export licences issued under this tendering procedure shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the time limit for submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are lodged, Member States shall inform the Commission within the time limit referred to in the first paragraph.

Article 6

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 26(2) of Regulation (EC) No 1785/2003:

— either to fix a maximum export refund, taking account in particular of the criteria laid down in Article 14 of Regulation (EC) No 1785/2003,

— or to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender specifies a rate of refund not exceeding such maximum export refund.

Article 7

The closing date for the submission of tenders for the first regular invitation to tender shall be 16 December 2004 at 10.00 (Brussels time).

The final date for submission of tenders shall be 23 June 2005.

Article 8

This Regulation shall enter into force on the third 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.

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

ANNEX

Tendering procedure for the refund on export of wholly milled round-grain, medium-grain and long-grain A rice to certain third countries

Closing date for the submission of tenders (date/time):

1	2	3	4
Serial numbers of tenderers	Quantity in tonnes	Amount of export refund (in EUR per tonne)	Minimum quantity (*) in tonnes
1			
2			
3			
4			
5			
etc.			

(*) Quantities referred to in Article 2(1)(e) of Regulation (EC) No 584/75.

COMMISSION REGULATION (EC) No 2032/2004**of 26 November 2004****opening a tendering procedure for the refund on export of wholly milled and parboiled long-grain B rice to certain third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽¹⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Examination of the supply balance shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2004/2005 marketing year.
- (2) In order to remedy this situation, it is appropriate to grant export refunds in respect of zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the quantities of rice benefiting from refunds, and therefore to fix the amount of the export refund by tendering procedure.
- (3) It should be stated that Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ⁽²⁾ applies to this tendering procedure.
- (4) For the sake of sound management of the markets, the tendering procedure should be limited to certain zones listed in the Annex to Commission Regulation (EEC) No 2145/92 ⁽³⁾.

(5) Under Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁴⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of that Article specify the operative events applicable to advances and securities.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure opened for the refund on export as referred to in Article 14 of Regulation (EC) No 1785/2003 for wholly milled and parboiled long-grain B rice falling within CN code 1006 30 67.

The tendering procedure shall be restricted to the following destinations:

- (a) zones I to VI in the Annex to Regulation (EEC) No 2145/92, except for Malta, Cyprus, Poland, the Czech Republic, Slovakia, Hungary, Estonia, Latvia, Lithuania, Slovenia, Romania and Turkey;
- (b) zone VIII in the Annex to Regulation (EEC) No 2145/92, except for Guyana, Madagascar, Suriname, the Netherlands Antilles, Aruba and the Turks and Caicos Islands.

2. The tendering procedure shall be open until 23 June 2005. During that period regular invitations to tender shall be issued and the date for submission of tenders shall be laid down in the notice of invitation to tender.

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 61, 7.3.1975, p. 25. Regulation as last amended by Regulation (EC) No 1948/2002 (OJ L 299, 1.11.2002, p. 18).

⁽³⁾ OJ L 214, 30.7.1992, p. 20. Regulation as amended by Regulation (EC) No 3304/94 (OJ L 341, 30.12.1994, p. 48).

⁽⁴⁾ OJ L 349, 24.12.1998, p. 36. Regulation as last amended by Regulation (EC) No 1250/2004 (OJ L 237, 8.7.2004, p. 13).

3. The tendering procedure shall take place in accordance with Regulation (EEC) No 584/75 and this Regulation.

Article 2

A tender shall be admissible only if it covers a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. As an exception to Article 23(1) of Commission Regulation (EC) No 1291/2000⁽¹⁾, export licences issued under this tendering procedure shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the time limit for the submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the model given in the Annex.

If no tenders are lodged, Member States shall inform the Commission within the time limit referred to in the first paragraph.

Article 6

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 26(2) of Regulation (EC) No 1785/2003:

— either to fix a maximum export refund, taking account of the criteria laid down in Article 14 of Regulation (EC) No 1785/2003,

— or not to take any action on the tenders.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender specifies a rate of refund not exceeding such maximum export refund.

Article 7

The closing date for the submission of tenders for the first regular invitation to tender shall be 16 December 2004 at 10.00 (Brussels time).

The final date for submission of tenders is hereby fixed at 23 June 2005.

Article 8

This Regulation shall enter into force on the third 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.

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

ANNEX

Tendering procedure for the refund on export of wholly milled and parboiled long-grain B rice to certain third countries

Closing date for the submission of tenders (date/time):

1	2	3	4
Serial numbers of tenderers	Quantity in tonnes	Amount of export refund (in EUR per tonne)	Minimum quantity (*) in tonnes
1			
2			
3			
4			
5			
etc.			

(*) Quantities referred to in Article 2(2)(e) of Regulation (EEC) No 584/75.

COMMISSION REGULATION (EC) No 2033/2004**of 26 November 2004****opening a tendering procedure for the refund on consignment of husked long-grain B rice to Réunion**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽¹⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Examination of the supply balance in Réunion indicates that rice is in short supply. In view of the rice available on the Community market, Réunion should be able to be supplied with rice from the Community market by granting a subsidy for consignments of rice intended for consumption there. Because of Réunion's particular circumstances, it is appropriate to limit the quantities to be sent and thus fix the amount of the subsidy by tendering procedure.
- (2) It should be stated that Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion⁽²⁾ applies to this tendering procedure.
- (3) Under Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture⁽³⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby opened to fix the amount of the subsidy for the consignment to Réunion of husked long-

grain B rice falling within CN code 1006 20 98, referred to in Article 5(1) of Regulation (EC) No 1785/2003.

2. The tendering procedure shall be open until 23 June 2005. During that period regular invitations to tender shall be issued and the date for submission of tenders shall be set down in the notice of invitation to tender.

3. The tendering procedure shall take place in accordance with Regulation (EEC) No 2692/89 and this Regulation.

Article 2

A tender shall be admissible only if it covers a quantity for shipment of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 7(3)(a) of Regulation (EEC) No 2692/89 shall be EUR 30 per tonne.

Article 4

The subsidy documents issued under this tendering procedure shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the time limit for the submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the model given in the Annex.

If no tenders are lodged, Member States shall inform the Commission within the time limit referred to in the first paragraph.

Article 6

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 26(2) of Regulation (EC) No 1785/2003:

— either to fix a maximum subsidy,

— or not to take any action on the tenders.

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 261, 7.9.1989, p. 8. Regulation as last amended by Regulation (EC) No 1275/2004 (OJ L 241, 13.7.2004, p. 8).

⁽³⁾ OJ L 349, 24.12.1998, p. 36. Regulation as last amended by Regulation (EC) No 1250/2004 (OJ L 237, 8.7.2004, p. 13).

2. Where a maximum subsidy is fixed, an award shall be made to the tenderer or tenderers whose tenders do not exceed the maximum subsidy.

Article 7

The closing date for the submission of tenders for the first regular invitation to tender shall be 16 December 2004 at 10.00 (Brussels time).

The final date for submission of tenders is hereby fixed at 23 June 2005.

Article 8

This Regulation shall enter into force on the third 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.

Done at Brussels, 26 November 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Tendering procedure for the subsidy on consignments of husked long-grain B rice to Réunion

Closing date for the submission of tenders (date/time):

1	2	3
Serial numbers of tenderers	Quantity in tonnes	Amount of consignment subsidy (in euro per tonne)
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EC) No 2034/2004**of 26 November 2004****amending for the 40th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freezing of funds and other financial resources in respect of the Taliban of Afghanistan⁽¹⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 22 November 2004, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of 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.

Done at Brussels, 26 November 2004.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 1840/2004 (OJ L 322, 23.10.2004, p. 5).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The entry 'Lionel DUMONT (*alias* (a) BILAL, (b) HAMZA, (c) Jacques BROUGERE). Place of birth: Roubaix (France). Date of birth: 21.1.1971' 'Natural persons' shall be replaced by the following:

'Lionel DUMONT (*alias* (a) Jacques BROUGERE, (b) BILAL, (c) HAMZA). Address: no fixed address in Italy. Place of birth: Roubaix (France). Date of birth: (a) 21.1.1971, (b) 29.1.1975.'

COMMISSION REGULATION (EC) No 2035/2004**of 26 November 2004****fixing the minimum selling prices for butter for the 153rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽²⁾, to sell by invitation to tender certain quantities of butter from intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the

intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices of butter from intervention stocks and processing securities applying for the 153rd individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 26 November 2004 fixing the minimum selling prices for butter for the 153rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	215,1	—	215,1
		Concentrated	209,1	—	—	—
Processing security		Unaltered	—	129	—	129
		Concentrated	129	—	—	—

COMMISSION REGULATION (EC) No 2036/2004**of 26 November 2004****fixing the maximum aid for cream, butter and concentrated butter for the 153rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice cream and other foodstuffs⁽²⁾, to sell by invitation to tender certain quantities of butter of intervention stocks that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further

stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 153rd individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

ANNEX

to the Commission Regulation of 26 November 2004 fixing the maximum aid for cream, butter and concentrated butter for the 153rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter ≥ 82 %	58	54	58	54
	Butter < 82 %	56	52	—	—
	Concentrated butter	69	65	69	65
	Cream			26	23
Processing security	Butter	64	—	64	—
	Concentrated butter	76	—	76	—
	Cream	—	—	29	—

COMMISSION REGULATION (EC) No 2037/2004**of 26 November 2004****fixing the minimum selling price for skimmed-milk powder for the 72th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

(3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 72th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 23 November 2004, the minimum selling price and the processing security are fixed as follows:

— minimum selling price: 198,24 EUR/100 kg,

— processing security: 35,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 340, 31.12.1999, p. 3. Regulation as last amended by Regulation (EC) No 1674/2004 (OJ L 300, 25.9.2004, p. 11).

COMMISSION REGULATION (EC) No 2038/2004**of 26 November 2004****fixing the maximum aid for concentrated butter for the 325th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽²⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter. Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 325th tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 the maximum aid and the end-use security are fixed as follows:

- | | |
|---------------------|----------------|
| — maximum aid: | 69 EUR/100 kg, |
| — end-use security: | 82 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 45, 21.2.1990, p. 8. Regulation as last amended by Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

COMMISSION REGULATION (EC) No 2039/2004**of 26 November 2004****fixing the minimum selling price for butter for the 9th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no

award, in accordance with Article 24a of Regulation (EC) No 2771/1999.

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 9th individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 23 November 2004, the minimum selling price for butter is fixed at 270 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1448/2004 (OJ L 267, 14.8.2004, p. 30).

COMMISSION REGULATION (EC) No 2040/2004**of 26 November 2004****fixing the minimum selling price for skimmed-milk powder for the 8th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 10(c) thereof,

Whereas:

(1) Pursuant to Article 21 of Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed milk⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.

(2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price

shall be fixed or a decision shall be taken to make no award, in accordance with Article 24a of Regulation (EC) No 214/2001.

(3) In the light of the tenders received, a minimum selling price should be fixed.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 8th individual invitation to tender pursuant to Regulation (EC) No 214/2001, in respect of which the time limit for the submission of tenders expired on 23 November 2004, the minimum selling price for skimmed milk is fixed at 210,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 November 2004.

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

Done at Brussels, 26 November 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 37, 7.2.2001, p. 100. Regulation as last amended by Regulation (EC) No 1675/2004 (OJ L 300, 25.9.2004, p. 12).

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION 2004/803/CFSP

of 25 November 2004

on the launching of the European Union military operation in Bosnia and Herzegovina

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 17 thereof,

Having regard to Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina⁽¹⁾, and in particular Article 5 thereof,

Whereas:

(1) On 9 July 2004 the United Nations Security Council unanimously adopted Resolution 1551 (2004) welcoming the European Union's intention to launch an EU mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter of 29 June 2004 from the Minister of Foreign Affairs of Ireland and President of the Council of the European Union to the Presidency of the Security Council. The United Nations Security Council further decided that the status of forces agreements currently contained in Appendix B to Annex 1.A of the Peace Agreement shall apply provisionally in respect to the proposed EU mission and its forces, including from the point of their build-up in Bosnia and Herzegovina, in anticipation of the concurrence of the parties to those agreements to that effect.

(2) On 22 November 2004 the United Nations Security Council unanimously adopted Resolution 1575 (2004), *inter alia* authorising the Member States, acting through or in cooperation with the EU, to establish for an initial planned period of 12 months a multinational stabilisation force (EUFOR) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO HQ presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council, which recognise that EUFOR will have the main peace stabilisation role under the military aspects of the Peace Agreement, and recognising that the Peace Agreement

and the provisions of its previous relevant resolutions shall apply to and in respect of both EUFOR and the NATO presence as they have applied to and in respect of SFOR and that therefore references in the Peace Agreement, in particular in Annex 1-A and its appendices, and relevant resolutions to IFOR and/or SFOR, NATO and the NAC shall henceforth be read as applying, as appropriate, to the NATO presence, EUFOR, the European Union and the Political and Security Committee and Council of the European Union respectively.

(3) In conformity with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions of the European Union which have defence implications. Denmark does not participate in the financing of the operation.

(4) On 12 and 13 December 2002 the Copenhagen European Council adopted a Declaration stating that the 'Berlin plus' arrangements and the implementation thereof will apply only to those EU Member States which are also either NATO members or parties to the 'Partnership for Peace', and which have consequently concluded bilateral security agreements with NATO,

HAS DECIDED AS FOLLOWS:

Article 1

The EU military operation in Bosnia and Herzegovina, ALTHEA, shall be launched on 2 December 2004.

Article 2

The EU Operation Commander is hereby authorised with immediate effect to release the activation order (ACTORD) in order to execute the deployment of the forces, prior to Transfer of Authority following their arrival in theatre, and start execution of the mission on 2 December 2004.

⁽¹⁾ OJ L 252, 28.7.2004, p. 10.

Article 3

Without prejudice to Article 17 of Joint Action 2004/570/CFSP, this Decision shall remain in force until the Council decides to end the EU military operation in Bosnia and Herzegovina.

Article 5

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 25 November 2004.

Article 4

This Decision shall enter into force on the date of its adoption.

For the Council

The President

L. J. BRINKHORST

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1277/2004 of 12 July 2004 amending for the 37th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001

(Official Journal of the European Union L 241 of 13 July 2004)

On page 13, in point (2), under (a):

for: 'Abulaziz',

read: 'Abdulaziz'.

Corrigendum to Commission Regulation (EC) No 2020/2004 of 25 November 2004 fixing the export refunds on products processed from cereals and rice

(Official Journal of the European Communities L 351 of 26 November 2004)

On page 26, the Annex should be replaced with the following:

‘ANNEX

to Commission Regulation of 25 November 2004 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	54,39	1104 23 10 9300	C10	EUR/t	44,68
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	46,62	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	46,62	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	9,71
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	69,93	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	54,39	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	46,62	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	46,62	1108 12 00 9200	C10	EUR/t	62,16
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	62,16
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	62,16
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	62,16
1103 20 20 9000	C11	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	60,90
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	46,62
1104 19 50 9110	C10	EUR/t	62,16	1702 30 91 9000	C10	EUR/t	60,90
1104 19 50 9130	C10	EUR/t	50,51	1702 30 99 9000	C10	EUR/t	46,62
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	46,62
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	60,90
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	46,62
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	63,81
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	44,29
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	46,62
1104 23 10 9100	C10	EUR/t	58,28				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

NB: The product codes and the ‘A’ series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are as follows:

C10: All destinations

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania’

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