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Contents

I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory

REGULATIONS

- ★ **Council Regulation (EC) No 1250/2009 of 30 November 2009 amending Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers** 1

V Acts adopted from 1 December 2009 under the Treaty on European Union, the Treaty on the Functioning of the European Union and the Euratom Treaty

ACTS WHOSE PUBLICATION IS OBLIGATORY

- ★ **Council Implementing Regulation (EU) No 1251/2009 of 18 December 2009 amending Regulation (EC) No 1911/2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, inter alia, in Russia** 5
- ★ **Council Implementing Regulation (EU) No 1252/2009 of 18 December 2009 concluding the new exporter review of Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China, levying retroactively and imposing an anti-dumping duty with regard to imports from one exporter in this country and terminating the registration of these imports** 12

Price: EUR 7

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EU) No 1253/2009 of 18 December 2009 establishing the standard import values for determining the entry price of certain fruit and vegetables	15
★ Commission Regulation (EU) No 1254/2009 of 18 December 2009 setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures ⁽¹⁾	17
★ Commission Regulation (EU) No 1255/2009 of 18 December 2009 on the withdrawal of a temporary suspension of the duty free regime for the year 2010 for the importation into the Union of certain goods originating in Norway resulting from the processing of agricultural products covered by Council Regulation (EC) No 3448/93	18
★ Commission Regulation (EU) No 1256/2009 of 15 December 2009 amending Regulation (EC) No 1580/2007 as regards the trigger levels for additional duties for pears, lemons, apples and courgettes	20
★ Commission Regulation (EU) No 1257/2009 of 15 December 2009 amending Regulation (EC) No 391/2007 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States in implementing the monitoring and control systems applicable to the Common Fisheries Policy	22
★ Commission Regulation (EU) No 1258/2009 of 18 December 2009 laying down rules for the management and distribution of textile quotas established for the year 2010 under Council Regulation (EC) No 517/94	24
★ Commission Regulation (EU) No 1259/2009 of 18 December 2009 amending Annexes I, II, III, V and VII to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries	32
★ Commission Regulation (EU) No 1260/2009 of 18 December 2009 amending Annexes I, II, IV and VI to Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules	58
Commission Regulation (EU) No 1261/2009 of 18 December 2009 on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat	75
Commission Regulation (EU) No 1262/2009 of 18 December 2009 on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin	77

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 1250/2009

of 30 November 2009

amending Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers

THE COUNCIL OF THE EUROPEAN UNION,

Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽³⁾.

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(3) 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 ⁽⁴⁾ authorised the Commission to adopt, inter alia, a provision to deal with the situation where the allocation of payment entitlements to a farmer would lead to a windfall profit for the farmer. Such a situation can also occur under Regulation (EC) No 73/2009 and should therefore be addressed.

(1) Regulation (EC) No 73/2009 ⁽¹⁾ establishes the mechanism of financial discipline whereby the level of direct support is adjusted when the forecasts indicate that the subceiling for market related expenditure and direct payments, under heading 2 of Annex I to the Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽²⁾, with a safety margin of EUR 300 000 000, is exceeded in a given financial year.

(4) Under Regulation (EC) No 1782/2003 some Member States opted for the implementation of the single payment scheme and for the partial implementation of the single payment scheme in the sheepmeat and goatmeat sector as well as in the beef and veal sector at regional level. Regional considerations may also be relevant for the decisions to be taken under Regulation (EC) No 73/2009 to continue or to adjust the partial implementation of the single payment scheme in those sectors. It should therefore be made possible for those decisions to be taken at regional level.

(2) The abovementioned subceiling covers expenditure for direct payments before all transfers to rural development and before modulation. The text of Regulation (EC) No 73/2009 should therefore be clarified so as to provide that the expenditure to be compared with the subceiling also includes possible transfers to the European Agricultural Fund for Rural Development (EAFRD) referred to in Article 136 of Regulation (EC) No 73/2009, as well as possible transfers to EAFRD in the wine sector resulting from the application of Article 190a(2) of

(5) Regulation (EC) No 73/2009 provides for the allocation of payment entitlements where a farmer in a sector concerned does not hold any payment entitlement. However, this provision does not adequately deal with the situation where that farmer nevertheless declares a number of leased payment entitlements in the first year of integration of the coupled support into the single payment scheme. In that case the farmer would not be able or only partly be able to activate the new payment

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ OJ C 139, 14.6.2006, p. 1.

⁽³⁾ OJ L 299, 16.11.2007, p. 1.

⁽⁴⁾ OJ L 270, 21.10.2003, p. 1.

entitlements allocated since all or some of the farmer's eligible hectares would already have been used to activate the leased entitlements. It is therefore appropriate to provide a temporary derogation according to which the farmer concerned should be allocated payment entitlements for the hectares declared which correspond to those hectares over and above the hectares declared to activate the leased payment entitlements and/or the payment entitlements which give right to a payment without any declaration of the corresponding hectares. This derogation should be limited to the situation where a farmer is to remain in agricultural activity.

- (6) Pursuant to Regulation (EC) No 73/2009, Member States wishing to grant, from 2010, specific support measures as referred to in that Regulation had to take a decision by 1 August 2009 on the use of their national ceiling for financing those measures. Following the Communication from the Commission to the Council of 22 July 2009 entitled 'Dairy market situation 2009', and in view of the current dairy market situation, a derogation from that deadline is necessary in order to allow Member States under certain conditions to grant, from 2010, specific support in favour of farmers in the dairy sector.
- (7) Regulation (EC) No 73/2009 provides for a derogation from the upper limit of support laid down in that Regulation in certain cases where Article 69 of Regulation (EC) No 1782/2003 was used to provide support with regard to suckler cows. The purpose of this derogation is to provide for a sufficient transitional period in order to allow for a smooth transition to the new rules for specific support in the beef and veal sector. It should therefore be clarified that this derogation is limited to cases where Article 69 of Regulation (EC) No 1782/2003 was used mainly to support the beef and veal sector.
- (8) Regulation (EC) No 73/2009 repeals Regulation (EC) No 1782/2003 as from the date of its entry into force and applies from 1 January 2009. However, Regulation (EC) No 73/2009 provides for the continued application of Regulation (EC) No 1782/2003 in specific cases including that of the partial implementation of the single payment scheme in the sheepmeat and goatmeat sector. In order to ensure a coherent approach for this sector, the corresponding provision in Regulation (EC) No 73/2009 should apply instead in 2009. It is therefore appropriate to establish a transitional provision as regards the additional sheep and goat payments for 2009.
- (9) Regulation (EC) No 73/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 73/2009 is amended as follows:

1. Article 11(1) is replaced by the following:

'1. With a view to ensuring that the amounts for the financing of the market related expenditure and direct payments of the CAP currently under heading 2 of Annex I to the Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (*) respect the annual ceilings set out in the Decision 2002/929/EC of the Representatives of the Governments of the Member States, meeting within the Council of 18 November 2002, concerning the Conclusions of the European Council meeting in Brussels on 24 and 25 October 2002 (**), an adjustment of the direct payments shall be determined when the forecasts for the financing of the aforementioned measures under heading 2 for a given financial year, increased by the amounts given in Article 190a of Regulation (EC) No 1234/2007, the amounts given in Articles 134 and 135 and the amounts referred to in Article 136 of this Regulation and before application of modulation provided for in Articles 7 and 10 of this Regulation and Article 1(1) of Regulation (EC) No 378/2007, indicate that the applicable abovementioned annual ceiling, taking into account a margin of EUR 300 000 000 below that ceiling, will be exceeded.

(*) OJ C 139, 14.6.2006, p. 1.

(**) OJ L 323, 28.11.2002, p. 48.;

2. the following paragraph is added to Article 41:

'6. Where a Member State applies Articles 59 or 63, it may, on the basis of objective criteria and in such a way as to ensure equal treatment between farmers and to avoid market and competition distortions, provide that, in cases of sale or grant or expiry of all or part of a lease of a holding or of premium rights, some or all of the payment entitlements or of the increase in the value of payment entitlements that would be allocated to the farmer in question shall revert to the national reserve where the allocation or increase would lead to a windfall profit for the farmer in question. The criteria shall include at least:

- (a) a minimum duration for the lease;
- (b) the period in which the sale or grant or expiry of the lease can be deemed to lead to a windfall profit. That period shall start no earlier than the start date of the relevant reference period for decoupling and shall end no later than the date when the farmer concerned was made aware of the decoupling and of the relevant conditions;
- (c) the proportion of the payment received which shall revert to the national reserve.;

3. Article 51 is amended as follows:

- (a) in paragraph 1, the following subparagraph is added:

'Member States having made use of the option provided for in Section 2 of Chapter 5 of Title III of Regulation (EC) No 1782/2003 to apply the single payment scheme at regional level may apply the first and second subparagraph at the same regional level.;

- (b) the following paragraph is added:

'3. Any Member State applying the possibility provided for in the fifth subparagraph of paragraph 1 shall submit the following information to the Commission, by 1 December 2009:

- (a) the breakdown per region of the amounts foreseen for the measure or measures concerned for the years 2010 to 2012 according to objective criteria;
- (b) the statistical and other supporting data used to establish the amounts referred to in point (a).

Member States shall reply to any request from the Commission for further clarifications on the information submitted within one month.

The Commission shall use the amounts referred to in point (a) of the first subparagraph of this paragraph as a basis for fixing the ceiling of the Member States concerned for each of the direct payments referred to in Articles 52 and 53 as provided for in paragraph 2 of this Article.;

4. the following subparagraphs are added to Article 64(2):

'By way of derogation from the third subparagraph, where a farmer of the sector concerned does not hold any payment entitlement but declares a number of leased payment entitlements in the first year of integration of the coupled support, he shall be allocated a number of payment entitlements corresponding to the difference between the number of eligible hectares he declares and the number of leased payment entitlements he declares. The value of the entitlements allocated shall be established by dividing the amount resulting from the application of paragraph 1 by the number of entitlements to be allocated. However, the value of each entitlement allocated shall not exceed EUR 5 000.

In order to ensure the full allocation of the amount resulting from the application of paragraph 1 after application of the fourth subparagraph of this paragraph, the farmer of the sector concerned shall be allocated payment entitlements

of a maximum value per entitlement of EUR 5 000. By way of derogation from Article 35, these payment entitlements shall give right to an annual support under the single payment scheme without declaration of the corresponding hectares. However, the number of payment entitlements activated by use of this derogation shall in a given year not exceed the number of payment entitlements activated by the farmer in accordance with Article 35. This derogation shall cease to apply from the first year where, and to the extent to which, the farmer of the sector concerned declares sufficient eligible hectares for activation of the payment entitlements or part thereof in accordance with Article 35. Those payment entitlements shall be activated on the available eligible hectares before any payment entitlements are transferred to the farmer, after the allocation of payment entitlement in accordance with the first sentence of this subparagraph.

In the case of transfer of the payment entitlements resulting from the fifth subparagraph of this paragraph, other than by actual or anticipated inheritance or as a consequence to change in legal status, Article 35 shall apply where the transferee activates those payment entitlements.;

5. in Article 67, the current text becomes paragraph 1 and the following paragraph is added:

'2. Member States having made use only in some parts of their territory of the option provided for in Section 1 of Chapter 5 of Title III of Regulation (EC) No 1782/2003 to apply the single payment scheme at regional level may apply this Article at the same regional level.

Any Member State applying the possibility provided for in the first subparagraph shall submit the following information to the Commission, by 1 December 2009:

- (a) the breakdown per region of the amounts foreseen for the measure or measures concerned for the years 2010 to 2012 according to objective criteria;
- (b) the statistical and other supporting data used to establish the amounts referred to in point (a).

Member States shall reply to any request from the Commission for further clarifications on the information submitted within one month.

The Commission shall use the amounts referred to in point (a) of the second subparagraph of this paragraph as a basis for adjusting the national ceilings referred to in Article 40 for the Member States concerned as provided for in this Article.;

6. Article 69 is amended as follows:

(a) the following subparagraph is added to paragraph 1:

'The deadline of 1 August 2009 referred to in the previous subparagraph shall be replaced by 1 January 2010 in the case of Member States which decide to grant, from 2010, the support provided for in Article 68(1)(b) of this Regulation in favour of farmers in the dairy sector provided that, by way of derogation from Article 69(6) of this Regulation, the support is financed only by using the amounts of the national reserve.';

(b) in paragraph 5, the first subparagraph is replaced by the following:

'By way of derogation from paragraph 4, during calendar years 2010 to 2013, where a Member State granted support with regard to suckler cows in accordance with Article 69 of Regulation (EC) No 1782/2003 while not having applied the option provided for in Article 68(2)(a)(i) of that Regulation, and in that connection used more than 50 % of the amounts established in accordance with Article 69 of that Regulation for the beef and veal sector, the limit set out in paragraph 4 of this Article shall be set at 6 % of that Member State's national ceiling referred to in Article 40 of this Regulation. Furthermore, where more than 60 % of a Member State's milk production takes place north of the 62nd parallel, that limit shall be set at 10 % of that Member State's national ceiling referred to in Article 40 of this Regulation.';

7. the following subparagraph is added to Article 131(1):

'The deadline of 1 August 2009 referred to in the first subparagraph shall be replaced by 1 January 2010 in the case of the new Member States applying the single area payment scheme which decide to grant, from 2010, the support provided for in Article 68(1)(b) in favour of farmers in the dairy sector, provided that the support is financed in accordance with paragraph 3(a) of this Article.';

8. in Chapter 2 of Title VII, the following Article is inserted:

'Article 146a

Sheep and goat payments in 2009

In 2009, Member States having granted payments in the sheepmeat and goatmeat sector in accordance with Section 2 of Chapter 5 of Title III of Regulation (EC) No 1782/2003 may retain up to 50 % of the component of national ceilings referred to in Article 41 of this Regulation corresponding to the sheep and goat payments listed in Annex VI of Regulation (EC) No 1782/2003.

In this case and within the limit of the ceiling fixed in accordance with Article 64(2) of Regulation (EC) No 1782/2003, the Member States concerned shall make, in 2009, an additional payment to farmers.

The additional payment shall be granted to farmers rearing sheep and goats under the conditions provided for in Chapter 11 of Title IV of Regulation (EC) No 1782/2003.';

9. the second subparagraph of Article 146(1) is replaced by the following:

'However, Article 20(2), Article 64(2), Articles 66, 68, 68a, 68b and 69, Article 70(1)(b) and (2) and Chapters 1 (durum wheat), 5 (energy crops), 7 (dairy premium), 10 (arable crops area payment), 10b (aid for olive groves), 10c (tobacco production aid) and 10d (hops area payment) of Title IV of that Regulation shall continue to apply for 2009.'.

Article 2

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

However, points 8 and 9 of Article 1 shall apply from 1 January 2009.

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

Done at Brussels, 30 November 2009.

For the Council
The President
S. O. LITTORIN

V

(Acts adopted from 1 December 2009 under the Treaty on European Union, the Treaty on the Functioning of the European Union and the Euratom Treaty)

ACTS WHOSE PUBLICATION IS OBLIGATORY

COUNCIL IMPLEMENTING REGULATION (EU) No 1251/2009

of 18 December 2009

amending Regulation (EC) No 1911/2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, *inter alia*, in Russia

THE COUNCIL OF THE EUROPEAN UNION,

B. PRESENT PROCEDURE

1. REQUEST FOR A REVIEW

Having regard to the Treaty on the Functioning of the European Union,

- (3) A request for a new exporter review ('the present review') pursuant to Article 11(4) of the basic Regulation was lodged by Joint Stock Company Acron ('the applicant'), an exporting producer in Russia. The request was limited in scope to dumping as far as the applicant is concerned.

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ ('the basic Regulation'), and in particular Articles 9(4) and 11(4) thereof,

- (4) The applicant alleged that it did not export UAN to the Union during the period of investigation on which the anti-dumping measures were based, that is, the period from 1 June 1998 to 31 May 1999 ('the original investigation period') and that it is not related to any of the exporting producers of UAN which are subject to the abovementioned anti-dumping measures. The applicant further alleged that it began exporting UAN to the Union after the end of the original investigation period.

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

2. INITIATION OF A 'NEW EXPORTER' REVIEW

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 1995/2000⁽²⁾, the Council imposed a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate ('UAN') originating, *inter alia*, in Russia. That Regulation will hereinafter be referred to as 'the original Regulation' and the investigation that led to the measures imposed by the original Regulation will be hereinafter referred to as 'the original investigation'.

- (5) The Commission examined the *prima facie* evidence submitted by the applicant and considered it sufficient to justify the initiation of a review pursuant to Article 11(4) of the basic Regulation. After consulting the Advisory Committee and after the Union industry concerned had been given the opportunity to comment, the Commission initiated by Regulation (EC) No 241/2009⁽⁴⁾, a review of Regulation (EC) No 1911/2006 ('measures in force') with regard to the applicant.

- (2) Following an expiry review initiated in September 2005 ('the expiry review'), the Council, by Regulation (EC) No 1911/2006⁽³⁾, renewed for five years these measures at their current level. The measures consist of specific duties.

- (6) Pursuant to Article 2 of Regulation (EC) No 241/2009, the anti-dumping duty of 20,11 EUR/tonne imposed by Regulation (EC) No 1911/2006 on imports of UAN produced and sold for export to the Union by the applicant was repealed. Simultaneously, pursuant to Article 14(5) of the basic Regulation, customs authorities were directed to take appropriate steps to register these imports.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 238, 22.9.2000, p. 15.

⁽³⁾ OJ L 365, 21.12.2006, p. 26.

⁽⁴⁾ OJ L 75, 21.3.2009, p. 5.

3. PRODUCT CONCERNED

- (7) The product concerned by the current review is the same as in the original investigation, i.e. a solution of urea and ammonium nitrate, a liquid fertiliser commonly used in agriculture, originating in Russia ('the product concerned'). It consists of a mixture of urea, ammonium nitrate and water. The product concerned is currently falling within CN code 3102 80 00.

4. PARTIES CONCERNED

- (8) The Commission officially informed the applicant, the representatives of the exporting country and the association of Union producers about the initiation of the review. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the notice of initiation. All interested parties, who so requested and showed that there were particular reasons why they should be heard, were granted a hearing.
- (9) The Commission sent questionnaires to the applicant and its related companies and received replies within the deadlines set for that purpose. The Commission sought and verified all information deemed necessary for the determination of dumping. The Commission carried out verification visits at the premises of the applicant and its related company:

— JSC Acron, Novgorod, Russia,

— Agronova International Inc., Hallandale, USA ('Agronova').

5. REVIEW INVESTIGATION PERIOD

- (10) The 'new exporter' review investigation period covered the period from 1 January 2008 to 31 December 2008 ('RIP').

C. RESULTS OF THE INVESTIGATION

1. 'NEW EXPORTER' QUALIFICATION

- (11) The investigation confirmed that the applicant had not exported the product concerned during the original investigation period and that it had begun exporting to the Union after this period.
- (12) Furthermore, the applicant was able to demonstrate that it was not related to any of the exporters or producers in Russia which are subject to the anti-dumping measures in force on imports of the product concerned originating in Russia.

- (13) In this context, it is confirmed that the applicant should be considered a 'new exporter' in accordance with Article 11(4) of the basic Regulation.

2. DUMPING

2.1. DETERMINATION OF NORMAL VALUE

- (14) The applicant had no domestic sales in Russia of the product concerned. Whenever domestic prices cannot be used in order to establish normal value, another method has to be applied. In accordance with Article 2(3) of the basic Regulation, the Commission instead calculated a constructed normal value, as follows:
- (15) Normal value was constructed on the basis of the manufacturing costs incurred by the applicant plus a reasonable amount for selling, general and administrative costs ('SG&A costs') and for profits, in accordance with Article 2(3) and (6) of the basic Regulation.

2.1.1. *Adjustment of natural gas costs on the domestic Russian market*

- (16) Regarding the cost of manufacturing, it should be noted that gas costs represent a major proportion of the manufacturing cost and a significant proportion of the total cost of production. In accordance with Article 2(5) of the basic Regulation, it was examined whether the costs associated with the production and sales of the product concerned were reasonably reflected in the records of the applicant.
- (17) It was established that the domestic gas prices paid by the applicant were abnormally low. By way of illustration, they amounted to between one fourth and one fifth of the export price of natural gas from Russia. In this regard, all available data indicates that domestic gas prices in Russia were regulated prices, which are far below market prices paid in unregulated markets for natural gas. Since gas costs were not reasonably reflected in the applicant's records, they had to be adjusted accordingly. In the absence of any undistorted gas prices relating to the Russian domestic market, and in accordance with Article 2(5) of the basic Regulation, gas prices had to be established on 'any other reasonable basis, including information from other representative markets'.
- (18) The adjusted price was based on the average price of Russian gas when sold for export at the German/Czech border (Waidhaus), net of transport costs and adjusted to reflect local distribution cost. Waidhaus, being the main hub for Russian gas sales to the Union, which is both the largest market for Russian gas and has prices reasonably reflecting costs, can be considered a representative market within the meaning of Article 2(5) of the basic Regulation.

- (19) Following disclosure, the applicant submitted several claims linked to the (i) legal basis of the gas adjustment made on the one hand and (ii) to the methodologies applied for the gas adjustment on the other hand.

2.1.1.1. Legal basis of the gas adjustment

- (20) The applicant claimed that any adjustment of the gas price paid on the Russian domestic market would be unwarranted because its accounting records fully reflected the costs associated with the production of the product concerned in Russia. The applicant further argued that in accordance with Article 1 of the basic Regulation, normal value must always be established with regard to the exporting country and that consequently it was contrary to that article to base findings on information from producers in other third countries.

- (21) As to the applicant's argument about the alleged breach of Article 1 of the basic Regulation it should be noted that Article 1 only describes the general concept of dumping but the detailed rules on establishing dumping are set out in Article 2 of the basic Regulation. Article 2(5) of the basic Regulation provides for the possibility to use data from other representative markets including a third country if costs associated with the production and sale of the product under investigation are not reasonably reflected in the records of the party concerned. The applicant's argument in this respect had therefore to be rejected.

- (22) The applicant also invoked the existence of natural competitive advantages in Russia such as the large availability of natural gas and favourable conditions of supply which would explain the price difference between the natural gas sold domestically and the one exported. The applicant also alleged that Russian domestic gas prices would be cost covering.

- (23) With regard to the existence of natural advantages the applicant did not address the fact that domestic prices for natural gas were regulated in Russia and could not therefore be considered to reasonably reflect a price normally payable in undistorted markets. The applicant did also not submit any evidence in support of these claims. Furthermore, as regards costs, even if gas prices paid by the applicant covered the unit cost of production and sales of gas incurred by its provider, this argument is irrelevant since the market price of gas is not necessarily linked to the costs of its production and sales. These claims had therefore to be rejected.

- (24) The applicant claimed further that an investigation under the basic Regulation should not cover the case of subsidisation of upstream products. It is noted that Article 2(5) of the basic Regulation aims to determine whether costs associated with the production and sale of the like product are reasonably reflected in the records of the party concerned. This was found not to be the case for the reasons set out above in recital (17). This is different from the determination of the existence of subsidies which was not subject to the present investigation. The applicant's argument therefore had to be rejected.

- (25) In this context, the applicant also argued that even if particular market situations exist within the meaning of Article 2(3) of the basic Regulation, these would only refer to the market of the product concerned, i.e. UAN as such which cannot be extended to the market conditions of the upstream product. However, as it results from recital (24) above, the adjustment for natural gas prices was done on the basis of Article 2(5) of the basic Regulation which, as mentioned above in recital (21) explicitly entitles the Institutions to use the cost of production coming from other representative markets. The applicant's argument therefore had to be rejected.

- (26) The applicant finally argued that Article 2(5) of the basic Regulation is limited to the examination of the compliance of the company's records with the generally accepted accounting principles of the third country concerned and does not require that costs are in line with costs in unregulated markets.

- (27) It should be noted that in accordance with Article 2(5) of the basic Regulation two requirements need to be met in order for the costs to be calculated on the basis of the records kept by the exporter: (i) records must be kept in accordance with the generally accepted accounting principles ('GAAP') of the country concerned; and (ii) records must reasonably reflect the costs associated with the production and sale of the product concerned. If, as in the present case, the second requirement is not met because the costs are not reflected in the records, the costs must be adjusted. The applicant's argument therefore had to be rejected.

2.1.1.2. Methodology applied for the gas adjustment

- (28) The applicant claimed that during the RIP of the current investigation gas prices fluctuated significantly and that normal value should be established on a monthly (or at least quarterly) basis rather than on a yearly basis.

- (29) It should be noted that although gas prices fluctuated during the RIP, these fluctuations were not considered exceptional or particularly significant. Indeed, the market for natural gas is generally characterised by rather important price fluctuations. The applicant could not show that there were any specific circumstances and that the price fluctuations during the RIP were significantly beyond usual fluctuations. Therefore there was no reason to deviate from the methodology used in the investigation leading to the measures in force. Secondly, information on which basis – according to the applicant – normal values should have been established was only partly available, since the necessary information from the US companies, i.e. SG&A and profit, was only available on a yearly basis. Therefore, even if one would follow the applicant's argument, no meaningful calculation of monthly or quarterly values would have been possible. The applicant's argument therefore had to be rejected.
- (30) The applicant also claimed that Waidhaus is not an appropriate reference market given the allegedly non-competitive pricing on gas in Germany and relationships between parties which factor is linked to the price formulae in the gas export contracts from Russia.
- (31) It should be noted that the alleged non-competitive domestic gas pricing in Germany was in any event considered irrelevant because it would only concern the prices at which German gas distributors sell the gas on the domestic market, and therefore, this is not linked at all to the price at which Russian exported gas is sold at Waidhaus. The applicant's argument that the German incumbents do not have an incentive to negotiate low prices for Russian imported gas at Waidhaus is a mere presumption without any factual background and evidence. Consequently, these arguments were rejected.
- (32) The applicant argued further that if the export price at Waidhaus was to be used, the Russian export duty payable for all exports should have been deducted from the Waidhaus price because it was not incurred domestically.
- (33) Indeed, the market price at Waidhaus, which was considered as representative market within the meaning of Article 2(5) of the basic Regulation, is the price after export taxes and not the prices before these taxes. From the perspective of the buyer it is the price it has to pay at Waidhaus which is relevant, and in this regard it is irrelevant what percentage of that price constitutes an export tax and what percentage is paid to the gas supplier. The latter, on the other hand will always try to maximise its price and therefore charge the highest price its customers are willing to pay. Given that this price is always well above its costs of production, allowing the gas supplier to make high profits, the market price is not primarily influenced by the amount of the export tax but by the price the market is willing to pay. It was therefore concluded that the price including the export tax, and not the price before that tax, is the undistorted market driven price. Consequently, the arguments of the applicant in this regard were rejected.
- (34) In this context, the applicant also claimed that the mark-up of the local distributor should not be added to the export price at Waidhaus, without however explaining or demonstrating why it considered that the adjustment for the local distributor would have been inappropriate. It was considered that since domestic customers were purchasing the gas from local suppliers, it had to be assumed that they would have to pay local distribution costs which are not as such included in the unadjusted Waidhaus price. Therefore it was considered that this adjustment was indeed warranted and consequently the applicant's claim was rejected.
- 2.1.2. Selling, General and Administrative costs ('SG&A costs')**
- (35) SG&A costs and profit could not be established on the basis of the 'chapeau' of Article 2(6), first sentence, of the basic Regulation because the applicant had no domestic sales in Russia of the like product. Article 2(6)(a) of the basic Regulation could not be applied, since only the applicant is subject to the investigation. Article 2(6)(b) was not applicable either, since for products belonging to the same general category of goods, natural gas is likewise by far the most important raw material and therefore manufacturing costs would very likely also need to be adjusted, for the reasons indicated in recital (17) above. In the framework of this review, no information was available to properly quantify such adjustment and to establish SG&A costs and the relevant profit margins when selling these products after such adjustment. Therefore, SG&A costs and profit were established pursuant to Article 2(6)(c) of the basic Regulation on the basis of a reasonable method.
- (36) As the Russian domestic market of products of the same general category is extremely small, information had to be obtained from other representative markets. In this respect, consideration was given to publicly available information relating to major companies operating in the nitrogen fertilisers business sector. It was found that the corresponding data from North American (namely US) producers would be the most appropriate for the purpose of the investigation, given the large availability of reliable and complete public financial information from listed companies in this region of the world. Moreover, the North American market showed a significant volume of domestic sales and a considerable level of competition from both domestic and foreign companies. Therefore, SG&A costs and profit were established on the basis of the weighted average of SG&A costs and profit from three North American producers, which were found to be amongst the largest companies in the fertilisers sector, with regard to their North American sales of the same general category of

products (nitrogen fertilisers). These three producers were considered to be representative of the nitrogen fertilisers business and their SG&A costs and profit as representative of the same type of costs normally incurred by companies operating successfully in that business segment. Furthermore, there is no indication suggesting that the amount for profit so established exceeds the profit normally realised by Russian producers on sales of products of the same general category on their domestic market.

- (37) Following disclosure the applicant contested the above described methodology claiming that the profit margin used is unreasonable and excessively high, especially in comparison to the profit margin used in previous anti-dumping investigations concerning the same product. The applicant claimed that the year 2008 on which basis SG&A and profits were established was exceptional in the US market as gas prices were fluctuating considerably and fertiliser prices were exceptionally high which yielded exceptionally high profit rates for US producers.
- (38) In general, the present review confirmed that there were no changed circumstances, in the sense of Article 11(9) of the basic Regulation, that would justify a deviation from the methodology used in the investigation leading to the measures in force. First of all, it was found that profit margins achieved by the same US producers before 2008 were similar to profit margins realised in 2008. Secondly, even if profit levels in 2008 differed from those in prior years, this is normal in a market economy where costs, prices and profits move over time. Thirdly, the market for natural gas is generally characterised as volatile. A comparison of the gas price levels on US markets and at Waidhaus in 2008 and previous years did not show any diverging trend that would have given grounds for abnormally high profits on the US market. In light of the above, it is considered that there were no grounds to deviate from the methodology described above in recital (36).
- (39) Furthermore, the applicant alleged that the test of Article 2(6)(c) on the reasonableness of the profit margin used was not applied since the profit margin exceeds the profit normally realised by other exporters or producers on products of the same general category in the domestic market of the country of origin within the meaning of Article 2(6)(c) of the basic Regulation.
- (40) The applicant did not submit any evidence in support of this claim. Since the present review was limited to the determination of dumping with regard to the applicant, no information was available concerning other producers in Russia. While noting that gas costs incurred by the applicant have had to be rejected for the reasons outlined above, the applicant's own reported profitability rate at company level for products sold on the domestic market,

after corrections for extraordinary gains and losses from financial activities, is in the same order of magnitude as the profitability rate of the US producers. In these circumstances, there are no grounds to consider that the profit margin used would exceed the profit normally realised by other exporters or producers on products of the same general category in the domestic market of the country of origin within the meaning of Article 2(6)(c) of the basic Regulation.

- (41) The Union industry objected to the above approach with regard to the determination of SG&A and profits and claimed the applicant's own SG&A should have been used. However, Article 2(6) of the basic Regulation sets out that the amounts for SG&A and profits shall only be based on actual data pertaining to the production and sale of the exporting producer concerned, when these sales were made in the ordinary course of trade. As outlined above in recitals (35) and (36), this was not the case because the applicant had no domestic sales in Russia of the like product. Therefore this argument had to be rejected.

2.2. EXPORT PRICE

- (42) The export price was established in accordance with Article 2(8) of the basic Regulation, i.e. on the basis of the price actually paid or payable for the product when sold for export from the exporting country to the Union.

2.3. COMPARISON

- (43) The normal value and export price were compared on an ex-works basis. For the purpose of ensuring a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences affecting price and price comparability in accordance with Article 2(10) of the basic Regulation. Accordingly, adjustments were made for differences in transport, handling, loading and ancillary costs and indirect taxes where applicable and supported by verified evidence.
- (44) Export sales of the applicant during the RIP were made via Agronova, the related trader located in the USA. The investigation has shown that the functions of the related company are solely restricted to finding customers and negotiating sales contracts. The verification revealed that Agronova's accounts did not fully reflect the totality of its operations and there were indications that although no transaction-linked commissions were paid to the company, compensation for its activities was given in other forms. For these reasons Agronova's functions were considered to be similar to those of an agent working on a commission basis. The export price was therefore adjusted by a notional commission corresponding to a trader's usual mark-up in accordance with Article 2(10)(i) of the basic Regulation.

- (45) The applicant claimed that the export price should not have been adjusted by a notional commission in accordance with Article 2(10)(i) of the basic Regulation for sales made via its related company in the USA since this company allegedly performed functions identical to those of a fully integrated export sales department and should therefore not be treated as an agent working on commission basis.

- (46) This could not be confirmed by the present investigation which revealed that concerning the functions and the way the related company is compensated for its activities by the applicant, the related company should rather be considered as an agent working on commission basis.

2.4. DUMPING MARGIN

- (47) The dumping margin was established on the basis of a comparison of a weighted average normal value with a weighted average export price, in accordance with Article 2(11) of the basic Regulation.

- (48) This comparison showed a dumping margin of 22,9 %, expressed as a percentage of the CIF frontier price, duty unpaid.

D. ANTI-DUMPING MEASURES

- (49) It is reminded that, in accordance with Article 9(4) of the basic Regulation and as outlined in recital (49) of Regulation (EC) No 1995/2000, the definitive duty in the original investigation was established at the level of the injury margin found, which was lower than the dumping margin because it was found that such lesser duty would be adequate to remove the injury to the Union industry. In the light of the foregoing, the duty established in this review should not be higher than the injury margin.

- (50) No individual injury margin can be established in this partial interim review, since it is limited to the examination of dumping as far as the applicant is concerned. Therefore, the dumping margin established in the present review was compared to the injury margin as established in the original investigation. Since the latter was lower than the dumping margin found in the present investigation, a definitive anti-dumping duty should be imposed for the applicant at the level of the injury margin found in the original investigation.

- (51) Regarding the form of the measure, it was considered that the amended anti-dumping duty should take the same form as the duties imposed by Regulation (EC)

No 1995/2000. To ensure efficiency of the measures and to discourage price manipulation it was appropriate to impose duties in the form of a specific amount per tonne. As a result, the anti-dumping duty to be imposed on imports of the product concerned produced and sold for export to the Union by the applicant, calculated on the basis of the injury margin as established in the original investigation expressed as a specific amount per tonne, should be EUR 20,11 per tonne.

E. RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY

- (52) In the light of the above findings, the anti-dumping duty applicable to the applicant shall be levied retroactively from the date of initiation of the review on imports of the product concerned which have been made subject to registration pursuant to Article 3 of Regulation (EC) No 241/2009.

F. DISCLOSURE AND DURATION OF THE MEASURES

- (53) The applicant and other parties were informed of the essential facts and considerations on the basis of which it was intended to reimpose a definitive anti-dumping duty on imports of UAN originating, inter alia, in Russia and produced and sold for export to the Union by the applicant and to levy this duty retroactively on imports made subject to registration. All parties were given an opportunity to comment.

- (54) This review does not affect the date on which the measures imposed by Regulation (EC) No 1911/2006 will expire pursuant to Article 11(2) of the basic Regulation.

G. UNDERTAKING

- (55) Following final disclosure the applicant offered an undertaking in accordance with Article 8 of the basic Regulation. The applicant stated that the offer would be based on the reasonable expectation that some of its claims made following the final disclosure would be accepted and would result in a minimum import price workable for the applicant. Since, however, none of the comments raised by the applicant were found to be warranted and since the applicant appears not interested to offer a minimum import price based on the injury elimination level established in the original investigation, any further detailed analysis of the undertaking offer as to its acceptance was considered unnecessary,

HAS ADOPTED THIS REGULATION:

Article 1

1. The table in Article 1(2) of Regulation (EC) No 1911/2006 is hereby amended by adding the following:

Country	Company	Amount of duty (per tonne)	TARIC additional code
'Russia	Joint Stock Company Acron	EUR 20,11	A932'

2. The duty hereby imposed shall also be levied retroactively on imports of mixtures of urea and ammonium nitrate in

aqueous or ammoniacal solution which have been registered pursuant to Article 3 of Regulation (EC) No 241/2009.

3. The customs authorities are hereby directed to cease the registration of imports of mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution originating in Russia produced and sold for export to the Union by Joint Stock Company Acron.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

This Regulation shall enter into force on the 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, 18 December 2009.

For the Council

The President

Å. TORSTENSSON

COUNCIL IMPLEMENTING REGULATION (EU) No 1252/2009
of 18 December 2009

concluding the new exporter review of Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China, levying retroactively and imposing an anti-dumping duty with regard to imports from one exporter in this country and terminating the registration of these imports

THE COUNCIL OF THE EUROPEAN UNION,

(i) did not export chamois leather before or during the investigation period of the original investigation;

Having regard to the Treaty on the Functioning of the European Union,

(ii) was not related to any of the exporting producers subject to the measures imposed by Regulation (EC) No 1338/2006;

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation'), and in particular Article 11(4) thereof,

(iii) had started to export chamois leather to the Union after the end of the investigation period of the original investigation;

Having regard to the proposal submitted from the European Commission after consulting the Advisory Committee,

(iv) operates under market economy conditions as defined in Article 2(7)(c) of the basic Regulation or alternatively claims individual treatment in conformity with Article 9(5) of the basic Regulation.

Whereas:

(b) Initiation of a new exporter review

1. MEASURES IN FORCE

- (1) By Regulation (EC) No 1338/2006 ⁽²⁾, the Council, following an investigation ('the original investigation'), imposed a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China ('PRC'). The measures in force consist of an *ad valorem* definitive country-wide duty rate of 58,9 %.

- (3) The Commission examined the *prima facie* evidence submitted by the applicant and considered it sufficient to justify the initiation of a review pursuant to Article 11(4) of the basic Regulation. After consultation of the Advisory Committee and after the Union industry concerned had been given the opportunity to comment, the Commission initiated, by Regulation (EC) No 573/2009 ⁽³⁾, a review of Regulation (EC) No 1338/2006 with regard to the applicant.

2. CURRENT INVESTIGATION

(a) Request for a review

- (2) Subsequent to the imposition of the definitive anti-dumping measures, the Commission received a request for a new exporter review pursuant to Article 11(4) of the basic Regulation. The request was based on the claim that the exporting producer, Henan Prosper Skins and Leather Enterprise Co. Ltd. ('the applicant'):

- (4) Pursuant to Article 2 of Regulation 573/2009, the anti-dumping duty imposed by Regulation (EC) No 1338/2006 on imports of chamois leather produced by the applicant was repealed. Simultaneously, pursuant to Article 14(5) of the basic Regulation, customs authorities were directed to take appropriate steps to register the imports of chamois leather produced by the applicant.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 251, 14.9.2006, p. 1.

⁽³⁾ Commission Regulation (EC) No 573/2009 of 29 June 2009 initiating a new exporter review of Council Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China, repealing the duty with regard to imports from one exporting producer in this country and making these imports subject to registration (OJ L 172, 2.7.2009, p. 3).

(c) Product concerned

- (5) The product concerned by the current review is chamois leather as defined in the original investigation, i.e. chamois leather and combination chamois leather, whether or not cut to shape, including crust chamois and combination crust chamois leather ('chamois leather') originating in the People's Republic of China, currently falling within CN codes 4114 10 10 and 4114 10 90.

(d) Parties concerned

- (6) The Commission officially advised the Union industry, the applicant and the representatives of the exporting country of the initiation of the review. Interested parties were given the opportunity to make their views known in writing and to be heard.

(e) Review investigation period

- (7) The investigation of dumping covered the period from 1 July 2008 to 30 June 2009 ('review investigation period' or 'RIP').

3. WITHDRAWAL OF COOPERATION AND OF THE REQUEST FOR A NEW EXPORTER REVIEW

- (8) The Commission sent a questionnaire to the applicant and received a reply within the deadlines set. During the verification of the applicant's questionnaire reply at their premises, the applicant provided false and misleading information within the meaning of Article 18(1) of the basic Regulation. Furthermore, the applicant decided to cease cooperation altogether and the verification had to be terminated without being completed. On 21 September 2009, the applicant formally withdrew its application for a new exporter review.
- (9) The applicant was informed that the information supplied by it could not be considered reliable and would be rejected and was invited to provide further explanations within a given deadline in accordance with Article 18(4) of the basic Regulation. The applicant did not supply any further explanation.
- (10) In the above circumstances, despite the withdrawal of the application, it was considered appropriate to continue the investigation *ex officio* and base findings with regard to the applicant on facts available within the meaning of Article 18 of the basic Regulation.
- (11) In the absence of other information, the duty rate to be applied to the applicant is set at the level of the country-wide duty.

4. CONCLUSION OF THE INVESTIGATION AND RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY

- (12) In the light of the above findings, it was concluded that imports into the Union of chamois leather and combination chamois leather, whether or not cut to shape, including crust chamois leather and combination crust chamois leather, currently falling within CN codes 4114 10 10 and 4114 10 90, originating in the People's Republic of China, produced and sold for export to the Union by Henan Prosper Skins & Leather Enterprise Co. Ltd. (TARIC additional code A957) should be subject to an anti-dumping duty at the level of the antidumping duty imposed by Regulation (EC) No 1338/2006 on all companies in the People's Republic of China and that that rate of anti-dumping duty should be re-imposed and levied retroactively on imports of the product concerned, which have been made subject to registration pursuant to Article 3 of Regulation (EC) No 573/2009.

5. DISCLOSURE AND DURATION OF THE MEASURES

- (13) The applicant, the Union industry and the representatives of the exporting country were informed of the essential facts and considerations leading to the above conclusions and were given an opportunity to comment. No comments of a nature as to warrant a change of the above conclusions were received.
- (14) This review does not affect the date on which the measures imposed by Regulation (EC) No 1338/2006 will expire pursuant to Article 11(2) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The new exporter review initiated by Regulation (EC) No 573/2009 is hereby concluded, and an anti-dumping duty set at the level of the anti-dumping duty applicable according to Article 1(2) of Regulation (EC) No 1338/2006 to all companies in the People's Republic of China is hereby imposed on imports identified in Article 1 of Regulation (EC) No 573/2009.
2. An anti-dumping duty set at the level of the anti-dumping duty applicable according to Article 1(2) of Regulation (EC) No 1338/2006 to all companies in the People's Republic of China is hereby levied with effect from 3 July 2009 on imports of chamois leather which have been registered pursuant to Article 3 of Regulation (EC) No 573/2009.

3. The customs authorities are hereby directed to cease the registration carried out pursuant to Article 3 of Regulation (EC) No 573/2009.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

This Regulation shall enter into force on the day following that 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, 18 December 2009.

For the Council
The President

Å. TORSTENSSON

COMMISSION REGULATION (EU) No 1253/2009**of 18 December 2009****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 2009.

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

Done at Brussels, 18 December 2009.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	44,1
	MA	68,6
	TN	139,7
	TR	82,4
	ZZ	83,7
0707 00 05	MA	59,4
	TR	110,3
	ZZ	84,9
0709 90 70	MA	41,5
	TR	132,6
	ZZ	87,1
0709 90 80	EG	175,4
	ZZ	175,4
0805 10 20	MA	64,0
	TR	56,9
	ZA	81,6
	ZZ	67,5
0805 20 10	MA	74,8
	TR	59,0
	ZZ	66,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	38,8
	IL	76,7
	TR	73,0
	ZZ	62,8
0805 50 10	TR	71,0
	ZZ	71,0
0808 10 80	CA	99,8
	CN	88,7
	MK	22,6
	US	91,5
	ZZ	75,7
0808 20 50	CN	47,6
	TR	97,0
	US	222,8
	ZZ	122,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 1254/2009**of 18 December 2009****setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) The criteria should be set to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures that provide an adequate level of protection on the basis of a (local) risk assessment. Such alternative measures should be justified by reasons relating to the size of the aircraft, or by reasons relating to the nature, scale or frequency of operations or of other relevant activities. Therefore, the criteria to be set should be also justified by these reasons.
- (2) In accordance with Article 24 of Regulation (EC) No 300/2008, the Annex to the said Regulation shall apply as from the date to be specified in the implementing rules, but not later than 24 months after the entry into force of Regulation (EC) No 300/2008. Therefore, the application of the criteria adopted pursuant to Article 4(4) of Regulation (EC) No 300/2008 should be deferred until the adoption of implementing rules pursuant to Article 4(3), but not later than 29 April 2010.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1

Member States may derogate from the common basic standards referred to in Article 4(1) of Regulation (EC) No 300/2008 and

adopt alternative security measures that provide an adequate level of protection on the basis of a local risk assessment at airports or demarcated areas of airports where traffic is limited to one or more of the following categories:

1. aircraft with a maximum take-off weight of less than 15 000 kilograms;
2. helicopters;
3. law enforcement flights;
4. fire suppression flights;
5. flights for medical services, emergency or rescue services;
6. research and development flights;
7. flights for aerial work;
8. humanitarian aid flights;
9. flights operated by air carriers, aircraft manufacturers or maintenance companies, transporting neither passengers and baggage, nor cargo and mail;
10. flights with aircraft with a maximum take-off weight of less than 45 500 kilograms for the carriage of own staff and non fare-paying passengers or goods as an aid to the conduct of company business.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply as from the date specified in the implementing rules adopted in accordance with the procedure referred to in Article 4(3) of Regulation (EC) No 300/2008, but no later than 29 April 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

COMMISSION REGULATION (EU) No 1255/2009

of 18 December 2009

on the withdrawal of a temporary suspension of the duty free regime for the year 2010 for the importation into the Union of certain goods originating in Norway resulting from the processing of agricultural products covered by Council Regulation (EC) No 3448/93

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 2004/859/EC of 25 October 2004 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽²⁾, and in particular Article 3 thereof,

Whereas:

(1) Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽³⁾, and Protocol 3 to the EEA Agreement ⁽⁴⁾, determine the trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.

(2) Protocol 3 to the EEA Agreement, as amended by Decision of the EEA Joint Committee No 138/2004 ⁽⁵⁾, provides for a zero duty applying to certain waters containing added sugar or other sweetening matter or flavoured, classified under CN code 2202 10 00 and certain other non-alcoholic beverages containing sugar, classified under CN code ex 2202 90 10.

(3) The zero duty for the waters and other beverages in question has been temporarily suspended for Norway by the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral free trade Agreement between the European Economic

Community and the Kingdom of Norway ⁽⁶⁾, hereinafter referred to as 'the Agreement', approved by Decision 2004/859/EC. According to point IV of the Agreed Minutes of the Agreement, duty free imports of goods of the CN codes 2202 10 00 and ex 2202 90 10 originating in Norway are to be permitted only within the limits of a duty free tariff quota, while a duty is to be paid for imports outside the tariff quota allocation.

(4) Pursuant to Point IV, third indent, last sentence of the Agreed Minutes of the Agreement, the products in question should be granted unlimited duty free access to the Union if the tariff quota has not been exhausted by 31 October of the previous year. According to statistics provided to the Commission, the annual quota for 2009 for the products in question opened by Commission Regulation (EC) No 89/2009 ⁽⁷⁾ has not been exhausted on 31 October 2009. Therefore, the products in question should be granted unlimited duty free access to the Union from 1 January 2010 to 31 December 2010.

(5) It is therefore necessary to withdraw the temporary suspension of the duty free regime applied under Protocol 2.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed products not listed in Annex I to the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. For 1 January to 31 December 2010, the temporary suspension of the duty free regime applied under Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway to goods classified under CN codes 2202 10 00 (waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured) and ex 2202 90 10 (other non-alcoholic beverages containing sugar (sucrose or invert sugar)) shall be withdrawn.

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 370, 17.12.2004, p. 70.

⁽³⁾ OJ L 171, 27.6.1973, p. 2.

⁽⁴⁾ OJ L 22, 24.1.2002, p. 37.

⁽⁵⁾ OJ L 342, 18.11.2004, p. 30.

⁽⁶⁾ OJ L 370, 17.12.2004, p. 72.

⁽⁷⁾ OJ L 25, 29.1.2009, p. 14.

2. The rules of origin mutually applicable to the goods referred to in paragraph 1 shall be as set out in Protocol 3 of the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway.

Article 2

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

It shall apply from 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 1256/2009**of 15 December 2009****amending Regulation (EC) No 1580/2007 as regards the trigger levels for additional duties for pears, lemons, apples and courgettes**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ('Single CMO' Regulation) ⁽¹⁾, and in particular Article 143(b) thereof, in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾ provides for surveillance of imports of the products listed in Annex XVII thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾.

- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁴⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 2006, 2007 and 2008, the trigger levels for additional duties on pears, lemons, apples and courgettes should be adjusted.

- (3) Regulation (EC) No 1580/2007 should therefore be amended accordingly.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVII to Regulation (EC) No 1580/2007 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2010.

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

Done at Brussels, 15 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX XVII

ADDITIONAL IMPORT DUTIES: TITLE IV, CHAPTER II, SECTION 2

Without prejudice to the rules governing the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation.

Order number	CN Code	Description	Period of application	Trigger level (tonnes)
78.0015	0702 00 00	Tomatoes	From 1 October to 31 May	415 907
78.0020			From 1 June to 30 September	40 107
78.0065	0707 00 05	Cucumbers	From 1 May to 31 October	32 831
78.0075			From 1 November to 30 April	22 427
78.0085	0709 90 80	Artichokes	From 1 November to 30 June	8 866
78.0100	0709 90 70	Courgettes	From 1 January to 31 December	55 369
78.0110	0805 10 20	Oranges	From 1 December to 31 May	355 386
78.0120	0805 20 10	Clementines	From 1 November to end of February	529 006
78.0130	0805 20 30 0805 20 50 0805 20 70 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November to end of February	96 377
78.0155	0805 50 10	Lemons	From 1 June to 31 December	334 680
78.0160			From 1 January to 31 May	62 311
78.0170	0806 10 10	Table grapes	From 21 July to 20 November	89 140
78.0175	0808 10 80	Apples	From 1 January to 31 August	829 840
78.0180			From 1 September to 31 December	884 648
78.0220	0808 20 50	Pears	From 1 January to 30 April	224 927
78.0235			From 1 July to 31 December	38 957
78.0250	0809 10 00	Apricots	From 1 June to 31 July	5 785
78.0265	0809 20 95	Cherries, other than sour cherries	From 21 May to 10 August	133 425
78.0270	0809 30	Peaches, including nectarines	From 11 June to 30 September	131 459
78.0280	0809 40 05	Plums	From 11 June to 30 September	129 925

COMMISSION REGULATION (EU) No 1257/2009**of 15 December 2009****amending Regulation (EC) No 391/2007 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States in implementing the monitoring and control systems applicable to the Common Fisheries Policy**

THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 31 thereof,

Whereas:

- (1) The EU has been financing Member States actions in the field of fisheries control and enforcement since 1990 pursuant to the objectives of the Common Fisheries Policy set out in particular by Council Regulation (EC) No 2371/2002 ⁽²⁾.
- (2) Regulation (EC) No 861/2006 provides, amongst other actions, for EU financial measures for expenditure on fisheries control, inspection and surveillance for the period 2007 to 2013. Commission Regulation (EC) No 391/2007 ⁽³⁾ establishes detailed rules for the implementation of such measures.
- (3) In view of the principle of sound financial management, Member States must have clear indications on the rules to be followed in order to benefit from EU financial assistance when incurring on expenditure in the area of fisheries control and enforcement.
- (4) Rules applicable to the EU financial contribution to national control programmes should be simplified and clarified.
- (5) Claims for reimbursement have to be linked to the precise Commission decision approving the project for which a reimbursement is claimed.
- (6) Specific rules should be set for the eligibility of expenditure incurred in implementing projects co-financed under several successive Commission decisions.

(7) Claims for reimbursement by project may be sent to the Commission before a project is completed. Therefore Member States are required to request reimbursement within a certain time following the date on which expenditure was incurred or it will be considered as ineligible.

(8) Regulation (EC) No 391/2007 should therefore be amended accordingly,

(9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 391/2007 is amended as follows:

1. Article 7 is amended as follows:

(a) In paragraph (1), the following subparagraph is added:

'In case of projects co-financed under several successive Commission decisions, the first subparagraph shall apply only with regard to the first Commission decision approving the projects concerned.'

(b) The following paragraph (2) is added:

'2. Expenditure for which reimbursement has not been claimed within the time specified in Article 11 paragraph 1 shall be considered as ineligible.'

(c) Subsequent paragraphs are renumbered accordingly.

2. Article 11 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Member States shall submit to the Commission their claims for reimbursement within 12 months of the end of the year in which the expenditure was incurred. Those claims shall clearly indicate the project and the Commission decision to which they relate.'

(b) paragraph 4 is deleted;

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 358, 31.12.2002, p. 59.

⁽³⁾ OJ L 97, 12.4.2007, p. 30.

(c) paragraph 6 is replaced by the following:

‘6. If the Commission considers that the claim does not comply with the conditions laid down in Regulation (EC) No 861/2006, in this Regulation, in the decision provided for in Article 21 of Regulation (EC) No 861/2006, or with EU legislation on the award of public contracts, it shall request the Member State to submit its observations on the matter within one month from the Commission’s request. If the examination confirms non compliance, the Commission shall refuse to reimburse all or part of the expenditure at issue and, where appropriate, request reimbursement of undue payments.’

3. In Article 12, paragraph 2 is replaced by the following:

‘2. Reimbursement shall be made in euro on the basis of the exchange rate published in the C series of the *Official Journal of the European Union* of the month on which the invoice is registered in the accounting system of the authorising department of the Commission.’

4. Article 14 is amended as follows:

(a) in paragraph 2 (a), point (iv) is replaced by the following:

‘(iv) a list of the projects which are given up, if any;’

(b) in paragraph 2 (b), point (iv) is replaced by the following:

‘(iv) a list of the projects which were not implemented, if any, with the indication of the EU contribution to those projects’,

5. In Annex VI (d) point (vii), is replaced by the following:

‘(vii) Information on public procurement: in all cases where expenditure exceeds the publication threshold ceiling, the photocopy of the tender notices published in the *Official Journal of the European Union*, the minutes of the tenders opening, the evaluation of tenders, the award notice as well as the contract shall be enclosed. Expenditure incurred on vessels and aircraft to be used fully or partly for fisheries control purposes cannot benefit from any exemption from EU procurement rules with reference to Article 346 Treaty on the Functioning of the European Union;’

Article 2

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, 15 December 2009.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 1258/2009**of 18 December 2009****laying down rules for the management and distribution of textile quotas established for the year 2010 under Council Regulation (EC) No 517/94**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2010 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 1164/2008 of 24 November 2008 laying down rules for the management and distribution of textile quotas established for the year 2009 under Council Regulation (EC) No 517/94⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2010.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.
- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2010 equivalent to the quantity which they imported in 2009.
- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.
- (8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2011 licences of which at least one half has been used by the application date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annex IV to Regulation (EC) No 517/94 for the year 2010.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2010, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2009.

⁽¹⁾ OJ L 67, 10.3.1994, p. 1.

⁽²⁾ OJ L 314, 25.11.2008, p. 7.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2009 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 percent or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1. The competent national authorities listed in Annex II may, from 10 a.m. on 7 January 2010, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

(a) proves the existence of a contract relating to the provision of the goods; and

(b) certifies in writing that, in respect of the categories and countries concerned:

(i) he has not already been allocated an authorisation under this Regulation;

(ii) he has been allocated an authorisation under this Regulation but has used up at least 50 percent of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2010 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 percent used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2011.

Article 5

This Regulation shall enter into force on 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Maximum amounts referred to in Articles 2 and 3

Country concerned	Category	Unit	Maximum amount
Belarus	1	Kilograms	20 000
	2	Kilograms	80 000
	3	Kilograms	5 000
	4	Pieces	20 000
	5	Pieces	15 000
	6	Pieces	20 000
	7	Pieces	20 000
	8	Pieces	20 000
	15	Pieces	17 000
	20	Kilograms	5 000
	21	Pieces	5 000
	22	Kilograms	6 000
	24	Pieces	5 000
	26/27	Pieces	10 000
	29	Pieces	5 000
	67	Kilograms	3 000
	73	Pieces	6 000
	115	Kilograms	20 000
	117	Kilograms	30 000
	118	Kilograms	5 000
North Korea	1	Kilograms	10 000
	2	Kilograms	10 000
	3	Kilograms	10 000
	4	Pieces	10 000
	5	Pieces	10 000
	6	Pieces	10 000
	7	Pieces	10 000
	8	Pieces	10 000
	9	Kilograms	10 000
	12	Pairs	10 000

Country concerned	Category	Unit	Maximum amount
	13	Pieces	10 000
	14	Pieces	10 000
	15	Pieces	10 000
	16	Pieces	10 000
	17	Pieces	10 000
	18	Kilograms	10 000
	19	Pieces	10 000
	20	Kilograms	10 000
	21	Pieces	10 000
	24	Pieces	10 000
	26	Pieces	10 000
	27	Pieces	10 000
	28	Pieces	10 000
	29	Pieces	10 000
	31	Pieces	10 000
	36	Kilograms	10 000
	37	Kilograms	10 000
	39	Kilograms	10 000
	59	Kilograms	10 000
	61	Kilograms	10 000
	68	Kilograms	10 000
	69	Pieces	10 000
	70	Pieces	10 000
	73	Pieces	10 000
	74	Pieces	10 000
	75	Pieces	10 000
	76	Kilograms	10 000
	77	Kilograms	5 000
	78	Kilograms	5 000
	83	Kilograms	10 000
	87	Kilograms	8 000
	109	Kilograms	10 000
	117	Kilograms	10 000

Country concerned	Category	Unit	Maximum amount
	118	Kilograms	10 000
	142	Kilograms	10 000
	151A	Kilograms	10 000
	151B	Kilograms	10 000
	161	Kilograms	10 000

ANNEX II

List of Licensing offices referred to in Article 4

<p>1. Austria</p> <p>Bundesministerium für Wirtschaft, Familie und Jugend Außenwirtschaftsadministration Abteilung C2/2 Stubenring 1A-1011 Wien Tel. +43 1711000 Fax +43 1711008386</p>	<p>2. Belgium</p> <p>FOD Economie, Kmo, Middenstand en Energie Economisch Potentieel KBO-Beheerscel – Vergun- ningen Leuvenseweg 44 1000 Brussel BELGIË Tel. +32 22776713 Fax +32 22775063</p>	<p>SPF Économie, PME, Classes moyennes et Énergie Potentiel économique Cellule de gestion BCE – Licences Rue de Louvain 44 1000 Bruxelles, BELGIQUE Tél. +32 2277613 Fax +32 22775063</p>
<p>3. Bulgaria</p> <p>Министерство на икономиката, енергетиката и туризма Дирекция „Регистриране, лицензиране и контрол“ ул. „Славянска“ № 8 1052 София Тел.: +359 29407008 / +359 29407673 / +359 29407800 Факс: +359 29815041 / +359 29804710 / +359 29883654</p>	<p>4. Cyprus</p> <p>Ministry of Commerce, Industry and Tourism Trade Department 6 Andrea Araouzou Str. 1421 Nicosia Τηλ. +357 2867100 Φαξ +357 2375120</p>	
<p>5. Czech Republic</p> <p>Ministerstvo průmyslu a obchodu Licenční správa Na Františku 32 110 15 Praha 1 Česká republika Tel.: +420 224907111 Fax: +420 224212133</p>	<p>6. Denmark</p> <p>Erhvervs- og Byggestyrelsen Økonomi- og Erhvervsministeriet Langelinje Allé 17 2100 København DANMARK Tlf.: +45 35466030 Fax +45 35466029</p>	
<p>7. Estonia</p> <p>Majandus- ja Kommunikatsiooniministeerium Harju 11 EST-15072 Tallinn Estonia Tel. +372 6256400 Fax +372 6313660</p>	<p>8. Finland</p> <p>Tullihallitus PL 512 FI-00101 Helsinki Puh. +358 96141 Faksi +358 204922852</p>	<p>Tullstyrelsen PB 512 FI-00101 Helsingfors Tel. +358 96141 Fax +358 204922852</p>
<p>9. France</p> <p>Ministère de l'économie, de l'industrie et de l'emploi Direction générale de la compétitivité, de l'industrie et des services Sous-direction «industries de santé, de la chimie et des nouveaux matériaux» Bureau «matériaux du futur et nouveaux procédés» Le Bervil 12 rue Villiot 75572 Paris Cedex 12, FRANCE Tél. +33 153449026 Fax +33 153449172</p>	<p>10. Germany</p> <p>Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA) Frankfurter Str. 29-35 D-65760 Eschborn Tel. +49 61969080 Fax +49 6196908800</p>	

<p>11. Greece</p> <p>Υπουργείο Οικονομίας, Ανταγωνιστικότητας & Ναυτιλίας Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής Άμυνας Κορνάρου 1 105 63 Αθήνα Τηλ. +30 2103286021/22 Φαξ +210 3286094</p>	<p>12. Hungary</p> <p>Magyar Kereskedelmi Engedélyezési Hivatal Margit krt. 85. H-1024 Budapest. Postafiók: 1537 Budapest Pf. 345. Tel. +36 13367303 Fax +36 1336 7302 e-mail: mkeh@mkeh.gov.hu</p>
<p>13. Ireland</p> <p>Department of Enterprise, Trade and Employment Internal Market Kildare Street IRL-Dublin 2 Tel. +353 16312121 Fax +353 16312826</p>	<p>14. Italy</p> <p>Ministero dello Sviluppo Economico Direzione Generale per la Politica Commerciale DIV. III Viale America 341 I-00144 Roma Tel. +39 0659647517, 59932471, 59932245, 59932260 Fax +39 0659932636 E-mail: polcom3@mincomes.it</p>
<p>15. Latvia</p> <p>Ekonomikas ministrija Brīvības iela 55 Rīga, LV-1519 LATVIJA Tālr.: +371 67013299, +371 67013248 Fakss: +371 67280882</p>	<p>16. Lithuania</p> <p>Lietuvos Respublikos Ūkio Ministerija Gedimino pr. 38/2 LT-01104 Vilnius Tel. +370 5262850/+370 52619488 Fax +370 52623974</p>
<p>17. Luxembourg</p> <p>Ministère de l'économie et du commerce Office des licences Boîte postale 113 2011 Luxembourg, LUXEMBOURG Tél. +352 4782371 Fax +352 466138</p>	<p>18. Malta</p> <p>Ministry for Competitiveness and Communication Commerce Division, Trade Services Directorate Lascaris Valletta CMR02 Malta Tel. +356 21237112 Fax +356 21237900</p>
<p>19. Netherlands</p> <p>Belastingdienst/Douane Centrale Dienst voor in- en uitvoer Engelse Kamp 2 Postbus 30003 9700 RD Groningen NEDERLAND Tel. +31 505232600 Fax +31 505232210</p>	<p>20. Poland</p> <p>Ministerstwo Gospodarki Pl. Trzech Krzyży 3/5 00-950 Warszawa Tel. +48 226935553 Faks +48 226934021</p>
<p>21. Portugal</p> <p>Ministério das Finanças Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo Rua Terreiro do Trigo Edifício da Alfândega P-1149-060 LISBOA Tel. +351 218814263 Fax +351 218814261 E-mail: dsl@dgaiec.min-financas.pt</p>	<p>22. Romania</p> <p>Ministerul Întreprinderilor Mici și Mijlocii, Comerțului și Mediului de Afaceri Direcția Generală Politici Comerciale Str. Ion Câmpineanu, nr. 16 București, sector 1 Cod postal 010036 Tel. +40 21315.00.81 Fax +40 2131504.54 e-mail: clc@dce.gov.ro</p>

23. Slovakia Ministerstvo hospodárstva SR Oddelenie licencií Mierová 19 827 15 Bratislava SLOVENSKO Tel. +421 248542021/+421 248547119 Fax +421 243423919	24. Slovenia Ministrstvo za finance Carinska uprava Republike Slovenije Carinski urad Jesenice Center za TARIC in kvote Spodnji Plavž 6c SI-4270 Jesenice SLOVENIJA Tel. +386 42974470 Faks +386 42974472 E-naslov: taric.cuje@gov.si
25. Spain Ministerio de Industria, Turismo y Comercio Secretaría General de Comercio Exterior Paseo de la Castellana, 162 28046 Madrid ESPAÑA Tel. +34 913493817-3748 Fax +34 915631823-349 3831	26. Sweden National Board of Trade (Kommerskollegium) Box 6803 SE-113 86 Stockholm SVERIGE Tfn +46 86904800 Fax +46 8306759
27. United Kingdom Department for Business, Innovation and Skills Import Licensing Branch Queensway House – West Precinct Billingham UK-TS23 2NF Tel. +44 1642364333, 364334 Fax +44 1642364269 E-mail: enquiries.ilb@bis.gsi.gov.uk	

COMMISSION REGULATION (EU) No 1259/2009**of 18 December 2009****amending Annexes I, II, III, V and VII to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, and in particular Article 19 thereof,

Whereas:

- (1) The common rules for imports of certain textile products from third countries should be updated to take account of a number of recent developments.
- (2) The bilateral agreement between the European Community and the Republic of Belarus on trade in textile products in force until 31 December 2009 will not be renewed.
- (3) Amendments to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature

and on the Common Customs Tariff⁽²⁾ also affect certain codes in Annex I to Regulation (EEC) No 3030/93.

(4) Regulation (EEC) No 3030/93 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee set up by Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II, III, V and VII to Regulation (EEC) No 3030/93 are 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*.

It shall apply with effect from 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 275, 8.11.1993, p. 1.

⁽²⁾ OJ L 256, 7.9.1987, p. 1.

ANNEX

Annexes I, II, III, V and VII to Regulation (EEC) No 3030/93 are amended as follows:

(1) Annex I is replaced by the following:

‘ANNEX I

TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1 ⁽¹⁾

1. Without prejudice to the rules for the interpretation of the combined nomenclature, the wording of the description of goods is considered to be of indicative value only, since the products covered by each category are determined, within this Annex, by CN codes. Where there is an “ex” symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description.
2. When the constitutive material of the products of categories 1 to 114 originating in China is not specifically mentioned, these products shall be taken to be made exclusively of wool or of fine animal hair, of cotton or of man-made fibres.
3. Garments which are not recognizable as being garments for men or boys or as being garments for women or girls are classified with the latter.
4. Where the expression “babies’ garments” is used, this is meant to cover garments up to and including commercial size 86.

Category	Description CN-Code 2010	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)
GROUP I A			
1	<p>Cotton yarn, not put up for retail sale</p> <p>5204 11 00 5204 19 00 5205 11 00 5205 12 00 5205 13 00 5205 14 00 5205 15 10 5205 15 90 5205 21 00 5205 22 00 5205 23 00 5205 24 00 5205 26 00 5205 27 00 5205 28 00 5205 31 00 5205 32 00 5205 33 00 5205 34 00 5205 35 00 5205 41 00 5205 42 00 5205 43 00 5205 44 00 5205 46 00 5205 47 00 5205 48 00 5206 11 00 5206 12 00 5206 13 00 5206 14 00 5206 15 00 5206 21 00 5206 22 00 5206 23 00 5206 24 00 5206 25 00 5206 31 00 5206 32 00 5206 33 00 5206 34 00 5206 35 00 5206 41 00 5206 42 00 5206 43 00 5206 44 00 5206 45 00 ex 5604 90 90</p>		
2	<p>Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics</p> <p>5208 11 10 5208 11 90 5208 12 16 5208 12 19 5208 12 96 5208 12 99 5208 13 00 5208 19 00 5208 21 10 5208 21 90 5208 22 16 5208 22 19 5208 22 96 5208 22 99 5208 23 00 5208 29 00 5208 31 00 5208 32 16 5208 32 19 5208 32 96 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 00 5208 59 10 5208 59 90 5209 11 00 5209 12 00 5209 19 00 5209 21 00 5209 22 00 5209 29 00 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00 5209 49 00 5209 51 00 5209 52 00 5209 59 00 5210 11 00 5210 19 00 5210 21 00 5210 29 00 5210 31 00 5210 32 00 5210 39 00 5210 41 00 5210 49 00 5210 51 00 5210 59 00 5211 11 00 5211 12 00 5211 19 00 5211 20 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 10 5211 49 90 5211 51 00 5211 52 00 5211 59 00 5212 11 10 5212 11 90 5212 12 10 5212 12 90 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 21 10 5212 21 90 5212 22 10 5212 22 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90 ex 5811 00 00 ex 6308 00 00</p>		
2 a)	<p>Of which: Other than unbleached or bleached</p> <p>5208 31 00 5208 32 16 5208 32 19 5208 32 96 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 00 5208 59 10 5208 59 90 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00 5209 49 00 5209 51 00 5209 52 00 5209 59 00 5210 31 00 5210 32 00 5210 39 00 5210 41 00 5210 49 00 5210 51 00 5210 59 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 10 5211 49 90 5211 51 00 5211 52 00 5211 59 00 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90 ex 5811 00 00 ex 6308 00 00</p>		

⁽¹⁾ N.B.: Covers only categories 1 to 114, with the exception of Belarus, Russian Federation, Uzbekistan and Serbia, for which categories 1 to 161 are covered.

(1)	(2)	(3)	(4)
3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (incl. terry fabrics) and chenille fabrics 5512 11 00 5512 19 10 5512 19 90 5512 21 00 5512 29 10 5512 29 90 5512 91 00 5512 99 10 5512 99 90 5513 11 20 5513 11 90 5513 12 00 5513 13 00 5513 19 00 5513 21 00 5513 23 10 5513 23 90 5513 29 00 5513 31 00 5513 39 00 5513 41 00 5513 49 00 5514 11 00 5514 12 00 5514 19 10 5514 19 90 5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 30 10 5514 30 30 5514 30 50 5514 30 90 5514 41 00 5514 42 00 5514 43 00 5514 49 00 5515 11 10 5515 11 30 5515 11 90 5515 12 10 5515 12 30 5515 12 90 5515 13 11 5515 13 19 5515 13 91 5515 13 99 5515 19 10 5515 19 30 5515 19 90 5515 21 10 5515 21 30 5515 21 90 5515 22 11 5515 22 19 5515 22 91 5515 22 99 5515 29 00 5515 91 10 5515 91 30 5515 91 90 5515 99 20 5515 99 40 5515 99 80 ex 5803 00 90 ex 5905 00 70 ex 6308 00 00		
3 a)	Of which: Other than unbleached or bleached 5512 19 10 5512 19 90 5512 29 10 5512 29 90 5512 99 10 5512 99 90 5513 21 00 5513 23 10 5513 23 90 5513 29 00 5513 31 00 5513 39 00 5513 41 00 5513 49 00 5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 30 10 5514 30 30 5514 30 50 5514 30 90 5514 41 00 5514 42 00 5514 43 00 5514 49 00 5515 11 30 5515 11 90 5515 12 30 5515 12 90 5515 13 19 5515 13 99 5515 19 30 5515 19 90 5515 21 30 5515 21 90 5515 22 19 5515 22 99 ex 5515 29 00 5515 91 30 5515 91 90 5515 99 40 5515 99 80 ex 5803 00 90 ex 5905 00 70 ex 6308 00 00		

GROUP I B

4	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted 6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 20 6110 20 10 6110 30 10	6,48	154
5	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (others than jackets and blazers), anoraks, wind-cheaters, waister jackets and the like, knitted or crocheted ex 6101 90 80 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 11 10 6110 11 30 6110 11 90 6110 12 10 6110 12 90 6110 19 10 6110 19 90 6110 20 91 6110 20 99 6110 30 91 6110 30 99	4,53	221
6	Men's or boys' woven breeches, shorts other than swimwear and trousers (incl. slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man made fibres; lower parts of track suits with lining, others than category 16 or 29, of cotton or of man-made fibres 6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	1,76	568
7	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or man-made fibres 6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	5,55	180
8	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres ex 6205 90 80 6205 20 00 6205 30 00	4,60	217

GROUP II A

9	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton 5802 11 00 5802 19 00 ex 6302 60 00		
20	Bed linen, other than knitted or crocheted 6302 21 00 6302 22 90 6302 29 90 6302 31 00 6302 32 90 6302 39 90		

(1)	(2)	(3)	(4)
22	Yarn of staple or waste synthetic fibres, not put up for retail sale 5508 10 10 5509 11 00 5509 12 00 5509 21 00 5509 22 00 5509 31 00 5509 32 00 5509 41 00 5509 42 00 5509 51 00 5509 52 00 5509 53 00 5509 59 00 5509 61 00 5509 62 00 5509 69 00 5509 91 00 5509 92 00 5509 99 00		
22 a)	Of which acrylic ex 5508 10 10 5509 31 00 5509 32 00 5509 61 00 5509 62 00 5509 69 00		
23	Yarn of staple or waste artificial fibres, not put up for retail sale 5508 20 10 5510 11 00 5510 12 00 5510 20 00 5510 30 00 5510 90 00		
32	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres 5801 10 00 5801 21 00 5801 22 00 5801 23 00 5801 24 00 5801 25 00 5801 26 00 5801 31 00 5801 32 00 5801 33 00 5801 34 00 5801 35 00 5801 36 00 5802 20 00 5802 30 00		
32 a)	Of which: Cotton corduroy 5801 22 00		
39	Table linen, toilet linen and kitchen linen, other than knitted or crocheted, other than of terry towelling or a similar terry fabrics of cotton 6302 51 00 6302 53 90 ex 6302 59 90 6302 91 00 6302 93 90 ex 6302 99 90		

GROUP II B

12	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70 6115 10 10 ex 6115 10 90 6115 22 00 6115 29 00 6115 30 11 6115 30 90 6115 94 00 6115 95 00 6115 96 10 6115 96 99 6115 99 00	24,3 pairs	41
13	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, of cotton or of man-made fibres 6107 11 00 6107 12 00 6107 19 00 6108 21 00 6108 22 00 6108 29 00 ex 6212 10 10	17	59
14	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	0,72	1 389
15	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	0,84	1 190
16	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boys' track suits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres 6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 22 80 6203 23 80 6203 29 18 6203 29 30 6211 32 31 6211 33 31	0,80	1 250
17	Men's or boys' jackets or blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6203 31 00 6203 32 90 6203 33 90 6203 39 19	1,43	700

(1)	(2)	(3)	(4)
18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 00 6207 99 10 6207 99 90 Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6208 11 00 6208 19 00 6208 21 00 6208 22 00 6208 29 00 6208 91 00 6208 92 00 6208 99 00 ex 6212 10 10		
19	Handkerchiefs, other than knitted or crocheted 6213 20 00 ex 6213 90 00	59	17
21	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	2,3	435
24	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted 6107 21 00 6107 22 00 6107 29 00 6107 91 00 ex 6107 99 00 Women's or girls' night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, knitted or crocheted 6108 31 00 6108 32 00 6108 39 00 6108 91 00 6108 92 00 ex 6108 99 00	3,9	257
26	Women's or girls' dresses, of wool, of cotton or of man-made fibres 6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	3,1	323
27	Women's or girls' skirts, including divided skirts 6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	2,6	385
28	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or of man-made fibres 6103 41 00 6103 42 00 6103 43 00 ex 6103 49 00 6104 61 00 6104 62 00 6104 63 00 ex 6104 69 00	1,61	620
29	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; women's or girls' track suits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres 6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	1,37	730
31	Brassières, woven, knitted or crocheted ex 6212 10 10 6212 10 90	18,2	55
68	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88 6111 90 19 6111 20 90 6111 30 90 ex 6111 90 90 ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90		
73	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres 6112 11 00 6112 12 00 6112 19 00	1,67	600

(1)	(2)	(3)	(4)
76	Men's or boys' industrial or occupational clothing, other than knitted or crocheted 6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6211 32 10 6211 33 10 Women's or girls' aprons, smock overalls and other industrial or occupational clothing, other than knitted or crocheted 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 42 10 6211 43 10		
77	Ski suits, other than knitted or crocheted ex 6211 20 00		
78	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77 6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 85 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 32 90 6211 33 90 ex 6211 39 00 6211 41 00 6211 42 90 6211 43 90		
83	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, 75 ex 6101 90 20 6101 20 10 6101 30 10 6102 10 10 6102 20 10 6102 30 10 6103 31 00 6103 32 00 6103 33 00 ex 6103 39 00 6104 31 00 6104 32 00 6104 33 00 ex 6104 39 00 6112 20 00 6113 00 90 6114 20 00 6114 30 00 ex 6114 90 00		

GROUP III A

33	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide 5407 20 11 Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like 6305 32 19 6305 33 90		
34	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, 3 m or more wide 5407 20 19		
35	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114 5407 10 00 5407 20 90 5407 30 00 5407 41 00 5407 42 00 5407 43 00 5407 44 00 5407 51 00 5407 52 00 5407 53 00 5407 54 00 5407 61 10 5407 61 30 5407 61 50 5407 61 90 5407 69 10 5407 69 90 5407 71 00 5407 72 00 5407 73 00 5407 74 00 5407 81 00 5407 82 00 5407 83 00 5407 84 00 5407 91 00 5407 92 00 5407 93 00 5407 94 00 ex 5811 00 00 ex 5905 00 70		
35 a)	Of which: Other than unbleached or bleached ex 5407 10 00 ex 5407 20 90 ex 5407 30 00 5407 42 00 5407 43 00 5407 44 00 5407 52 00 5407 53 00 5407 54 00 5407 61 30 5407 61 50 5407 61 90 5407 69 90 5407 72 00 5407 73 00 5407 74 00 5407 82 00 5407 83 00 5407 84 00 5407 92 00 5407 93 00 5407 94 00 ex 5811 00 00 ex 5905 00 70		
36	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114 5408 10 00 5408 21 00 5408 22 10 5408 22 90 5408 23 00 5408 24 00 5408 31 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70		
36 a)	Of which: Other than unbleached or bleached ex 5408 10 00 5408 22 10 5408 22 90 5408 23 00 5408 24 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70		

(1)	(2)	(3)	(4)
37	Woven fabrics of artificial staple fibres 5516 11 00 5516 12 00 5516 13 00 5516 14 00 5516 21 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 31 00 5516 32 00 5516 33 00 5516 34 00 5516 41 00 5516 42 00 5516 43 00 5516 44 00 5516 91 00 5516 92 00 5516 93 00 5516 94 00 ex 5803 00 90 ex 5905 00 70		
37 a)	Of which: Other than unbleached or bleached 5516 12 00 5516 13 00 5516 14 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 32 00 5516 33 00 5516 34 00 5516 42 00 5516 43 00 5516 44 00 5516 92 00 5516 93 00 5516 94 00 ex 5803 00 90 ex 5905 00 70		
38 A	Knitted or crocheted synthetic curtain fabric including net curtain fabric 6005 31 10 6005 32 10 6005 33 10 6005 34 10 6006 31 10 6006 32 10 6006 33 10 6006 34 10		
38 B	Net curtains, other than knitted or crocheted ex 6303 91 00 ex 6303 92 90 ex 6303 99 90		
40	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00		
41	Yarn of synthetic filament (continuous), not put up for retail sale, other than non textured single yarn untwisted or with a twist of not more than 50 turns/m 5401 10 12 5401 10 14 5401 10 16 5401 10 18 5402 11 00 5402 19 00 5402 20 00 5402 31 00 5402 32 00 5402 33 00 5402 34 00 5402 39 00 5402 44 00 5402 48 00 5402 49 00 5402 51 00 5402 52 00 5402 59 10 5402 59 90 5402 61 00 5402 62 00 5402 69 10 5402 69 90 ex 5604 90 10 ex 5604 90 90		
42	Yarn of continuous man-made fibres, not put up for retail sale 5401 20 10 Yarn of artificial fibres; yarn of artificial filaments, not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns/m and single non textured yarn of cellulose acetate 5403 10 00 5403 32 00 ex 5403 33 00 5403 39 00 5403 41 00 5403 42 00 5403 49 00 ex 5604 90 10		
43	Yarn of man-made filament, yarn of artificial staple fibres, cotton yarn, put up for retail sale 5204 20 00 5207 10 00 5207 90 00 5401 10 90 5401 20 90 5406 00 00 5508 20 90 5511 30 00		
46	Carded or combed sheep's or lambs' wool or other fine animal hair 5105 10 00 5105 21 00 5105 29 00 5105 31 00 5105 39 00		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale 5106 10 10 5106 10 90 5106 20 10 5106 20 91 5106 20 99 5108 10 10 5108 10 90		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale 5107 10 10 5107 10 90 5107 20 10 5107 20 30 5107 20 51 5107 20 59 5107 20 91 5107 20 99 5108 20 10 5108 20 90		
49	Yarn of sheep's or lambs' wool or of combed fine animal hair, put up for retail sale 5109 10 10 5109 10 90 5109 90 00		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair 5111 11 00 5111 19 10 5111 19 90 5111 20 00 5111 30 10 5111 30 30 5111 30 90 5111 90 10 5111 90 91 5111 90 93 5111 90 99 5112 11 00 5112 19 10 5112 19 90 5112 20 00 5112 30 10 5112 30 30 5112 30 90 5112 90 10 5112 90 91 5112 90 93 5112 90 99		

(1)	(2)	(3)	(4)
51	Cotton, carded or combed 5203 00 00		
53	Cotton gauze 5803 00 10		
54	Artificial staple fibres, including waste, carded, combed or otherwise processed for spinning 5507 00 00		
55	Synthetic staple fibres, including waste, carded, combed or otherwise processed for spinning 5506 10 00 5506 20 00 5506 30 00 5506 90 00		
56	Yarn of synthetic staple fibres (including waste), put up for retail sale 5508 10 90 5511 10 00 5511 20 00		
58	Carpets, carportines and rugs, knotted (made up or not) 5701 10 10 5701 10 90 5701 90 10 5701 90 90		
59	Carpets and other textile floor coverings, other than the carpets of category 58 5702 10 00 5702 31 10 5702 31 80 5702 32 10 5702 32 90 ex 5702 39 00 5702 41 10 5702 41 90 5702 42 10 5702 42 90 ex 5702 49 00 5702 50 10 5702 50 31 5702 50 39 ex 5702 50 90 5702 91 00 5702 92 10 5702 92 90 ex 5702 99 00 5703 10 00 5703 20 12 5703 20 18 5703 20 92 5703 20 98 5703 30 12 5703 30 18 5703 30 82 5703 30 88 5703 90 20 5703 90 80 5704 10 00 5704 90 00 5705 00 10 5705 00 30 ex 5705 00 90		
60	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needlework tapestries (e.g. petit point and cross stitch) made in panels and the like by hand 5805 00 00		
61	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft, assembled by means of an adhesive, other than labels and similar articles of category 62 Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread ex 5806 10 00 5806 20 00 5806 31 00 5806 32 10 5806 32 90 5806 39 00 5806 40 00		
62	Chenille yarn (incl. flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn) 5606 00 91 5606 00 99 Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs 5804 10 10 5804 10 90 5804 21 10 5804 21 90 5804 29 10 5804 29 90 5804 30 00 Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven 5807 10 10 5807 10 90 Braids and ornamental trimmings in the piece; tassels, pompons and the like 5808 10 00 5808 90 00 Embroidery, in the piece, in strips or in motifs 5810 10 10 5810 10 90 5810 91 10 5810 91 90 5810 92 10 5810 92 90 5810 99 10 5810 99 90		

(1)	(2)	(3)	(4)
63	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more elastomeric yarn and knitted or crocheted fabrics containing by weight 5 % or more of rubber thread 5906 91 00 ex 6002 40 00 6002 90 00 ex 6004 10 00 6004 90 00 Raschel lace and long-pile fabric of synthetic fibres ex 6001 10 00 6003 30 10 6005 31 50 6005 32 50 6005 33 50 6005 34 50		
65	Knitted or crocheted fabric, other than those of categories 38 A and 63, of wool, of cotton or of man-made fibres 5606 00 10 ex 6001 10 00 6001 21 00 6001 22 00 ex 6001 29 00 6001 91 00 6001 92 00 ex 6001 99 00 ex 6002 40 00 6003 10 00 6003 20 00 6003 30 90 6003 40 00 ex 6004 10 00 6005 90 10 6005 21 00 6005 22 00 6005 23 00 6005 24 00 6005 31 90 6005 32 90 6005 33 90 6005 34 90 6005 41 00 6005 42 00 6005 43 00 6005 44 00 6006 10 00 6006 21 00 6006 22 00 6006 23 00 6006 24 00 6006 31 90 6006 32 90 6006 33 90 6006 34 90 6006 41 00 6006 42 00 6006 43 00 6006 44 00		
66	Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6301 10 00 6301 20 90 6301 30 90 ex 6301 40 90 ex 6301 90 90		

GROUP III B

10	Gloves, mittens and mitts, knitted or crocheted 6111 90 11 6111 20 10 6111 30 10 ex 6111 90 90 6116 10 20 6116 10 80 6116 91 00 6116 92 00 6116 93 00 6116 99 00	17 pairs	59
67	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (incl. drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories 5807 90 90 6113 00 10 6117 10 00 6117 80 10 6117 80 80 6117 90 00 6301 20 10 6301 30 10 6301 40 10 6301 90 10 6302 10 00 6302 40 00 ex 6302 60 00 6303 12 00 6303 19 00 6304 11 00 6304 91 00 ex 6305 20 00 6305 32 11 ex 6305 32 90 6305 33 10 ex 6305 39 00 ex 6305 90 00 6307 10 10 6307 90 10		
67 a)	Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip 6305 32 11 6305 33 10		
69	Women's and girls' slips and petticoats, knitted or crocheted 6108 11 00 6108 19 00	7,8	128
70	Panty-hose and tights of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex) ex 6115 10 90 6115 21 00 6115 30 19 Women's full length hosiery of synthetic fibres ex 6115 10 90 6115 96 91	30,4 pieces	33
72	Swimwear, of wool, of cotton or of man-made fibres 6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	9,7	103
74	Women's or girls' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits 6104 13 00 6104 19 20 ex 6104 19 90 6104 22 00 6104 23 00 6104 29 10 ex 6104 29 90	1,54	650

(1)	(2)	(3)	(4)
75	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suit 6103 10 10 6103 10 90 6103 22 00 6103 23 00 6103 29 00	0,80	1 250
84	Shawls, scarves, mufflers, mantillas, veils and the like other than knitted or crocheted, of wool, of cotton or of man-made fibres 6214 20 00 6214 30 00 6214 40 00 ex 6214 90 00		
85	Ties, bow ties and cravats other than knitted or crocheted, of wool, of cotton or of man-made fibres 6215 20 00 6215 90 00	17,9	56
86	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted 6212 20 00 6212 30 00 6212 90 00	8,8	114
87	Gloves, mittens and mitts, not knitted or crocheted ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90 6216 00 00		
88	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories other than for babies, other than knitted or crocheted ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90 6217 10 00 6217 90 00		
90	Twine, cordage, ropes and cables of synthetic fibres, plaited or not 5607 41 00 5607 49 11 5607 49 19 5607 49 90 5607 50 11 5607 50 19 5607 50 30 5607 50 90		
91	Tents 6306 22 00 6306 29 00		
93	Sacks and bags, of a kind used for the packing of goods, of woven fabrics, other than made from polyethylene or polypropylene strip ex 6305 20 00 ex 6305 32 90 ex 6305 39 00		
94	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps 5601 10 10 5601 10 90 5601 21 10 5601 21 90 5601 22 10 5601 22 90 5601 29 00 5601 30 00		
95	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings 5602 10 19 5602 10 31 ex 5602 10 38 5602 10 90 5602 21 00 ex 5602 29 00 5602 90 00 ex 5807 90 10 ex 5905 00 70 6210 10 10 6307 90 91		
96	Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated 5603 11 10 5603 11 90 5603 12 10 5603 12 90 5603 13 10 5603 13 90 5603 14 10 5603 14 90 5603 91 10 5603 91 90 5603 92 10 5603 92 90 5603 93 10 5603 93 90 5603 94 10 5603 94 90 ex 5807 90 10 ex 5905 00 70 6210 10 90 ex 6301 40 90 ex 6301 90 90 6302 22 10 6302 32 10 6302 53 10 6302 93 10 6303 92 10 6303 99 10 ex 6304 19 90 ex 6304 93 00 ex 6304 99 00 ex 6305 32 90 ex 6305 39 00 6307 10 30 ex 6307 90 99		
97	Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope 5608 11 20 5608 11 80 5608 19 11 5608 19 19 5608 19 30 5608 19 90 5608 90 00		

(1)	(2)	(3)	(4)
98	Other articles made from yarn, twine, cordage, cables or rope , other than textile fabrics, articles made from such fabrics and articles of category 97 5609 00 00 5905 00 10		
99	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations 5901 10 00 5901 90 00 Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape 5904 10 00 5904 90 00 Rubberised textile fabric, not knitted or crocheted, excluding those for tyres 5906 10 00 5906 99 10 5906 99 90 Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths, other than of category 100 5907 00 00		
100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials 5903 10 10 5903 10 90 5903 20 10 5903 20 90 5903 90 10 5903 90 91 5903 90 99		
101	Twine, cordage, ropes and cables, plaited or not, other than of synthetic fibres ex 5607 90 90		
109	Tarpaulins, sails, awnings and sunblinds 6306 12 00 6306 19 00 6306 30 00		
110	Woven pneumatic mattresses 6306 40 00		
111	Camping goods, woven, other than pneumatic mattresses and tents 6306 91 00 6306 99 00		
112	Other made up textile articles, woven, excluding those of categories 113 and 114 6307 20 00 ex 6307 90 99		
113	Floor cloth, dish cloth and dusters, other than knitted or crocheted 6307 10 90		
114	Woven fabrics and articles for technical uses 5902 10 10 5902 10 90 5902 20 10 5902 20 90 5902 90 10 5902 90 90 5908 00 00 5909 00 10 5909 00 90 5910 00 00 5911 10 00 ex 5911 20 00 5911 31 11 5911 31 19 5911 31 90 5911 32 11 5911 32 19 5911 32 90 5911 40 00 5911 90 10 5911 90 90		

(1)	(2)	(3)	(4)
GROUP IV			
115	Flax or ramie yarn 5306 10 10 5306 10 30 5306 10 50 5306 10 90 5306 20 10 5306 20 90 5308 90 12 5308 90 19		
117	Woven fabrics of flax or of ramie 5309 11 10 5309 11 90 5309 19 00 5309 21 00 5309 29 00 5311 00 10 ex 5803 00 90 5905 00 30		
118	Table linen, toilet linen and kitchen linen of flax or ramie, other than knitted or crocheted 6302 29 10 6302 39 20 6302 59 10 ex 6302 59 90 6302 99 10 ex 6302 99 90		
120	Curtains (incl. drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie ex 6303 99 90 6304 19 30 ex 6304 99 00		
121	Twine, cordage, ropes and cables, plaited or not, of flax or ramie ex 5607 90 90		
122	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted ex 6305 90 00		
123	Woven pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics 5801 90 10 ex 5801 90 90 Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted ex 6214 90 00		
GROUP V			
124	Synthetic staple fibres 5501 10 00 5501 20 00 5501 30 00 5501 40 00 5501 90 00 5503 11 00 5503 19 00 5503 20 00 5503 30 00 5503 40 00 5503 90 00 5505 10 10 5505 10 30 5505 10 50 5505 10 70 5505 10 90		
125 A	Synthetic filament yarn (continuous) not put up for retail sale, other than yarn of category 41 5402 45 00 5402 46 00 5402 47 00		
125 B	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials 5404 11 00 5404 12 00 5404 19 00 5404 90 10 5404 90 90 ex 5604 90 10 ex 5604 90 90		
126	Artificial staple fibres 5502 00 10 5502 00 40 5502 00 80 5504 10 00 5504 90 00 5505 20 00		
127 A	Yarn of artificial filaments (continuous) not put up for retail sale, other than yarn of category 42 5403 31 00 ex 5403 32 00 ex 5403 33 00		
127 B	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials 5405 00 00 ex 5604 90 90		

(1)	(2)	(3)	(4)
128	Coarse animal hair, carded or combed 5105 40 00		
129	Yarn of coarse animal hair or of horsehair 5110 00 00		
130 A	Silk yarn other than yarn spun from silk waste 5004 00 10 5004 00 90 5006 00 10		
130 B	Silk yarn other than of category 130 A; silk-worm gut 5005 00 10 5005 00 90 5006 00 90 ex 5604 90 90		
131	Yarn of other vegetable textile fibres 5308 90 90		
132	Paper yarn 5308 90 50		
133	Yarn of true hemp 5308 20 10 5308 20 90		
134	Metallized yarn 5605 00 00		
135	Woven fabrics of coarse animal hair or of horse hair 5113 00 00		
136	Woven fabrics of silk or of silk waste 5007 10 00 5007 20 11 5007 20 19 5007 20 21 5007 20 31 5007 20 39 5007 20 41 5007 20 51 5007 20 59 5007 20 61 5007 20 69 5007 20 71 5007 90 10 5007 90 30 5007 90 50 5007 90 90 5803 00 30 ex 5905 00 90 ex 5911 20 00		
137	Woven pile fabric and chenille fabrics and narrow woven fabrics of silk, or of silk waste ex 5801 90 90 ex 5806 10 00		
138	Woven fabrics of paper yarn and other textile fibres other than of ramie 5311 00 90 ex 5905 00 90		
139	Woven fabrics of metal threads or of metallized yarn 5809 00 00		
140	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man made fibres ex 6001 10 00 ex 6001 29 00 ex 6001 99 00 6003 90 00 6005 90 90 6006 90 00		
141	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man made fibres ex 6301 90 90		

(1)	(2)	(3)	(4)
142	Carpets and other textile floor coverings of sisal, of other fibres of the agave family or the Manila hemp ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00 ex 5705 00 90		
144	Felt of coarse animal hair ex 5602 10 38 ex 5602 29 00		
145	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp ex 5607 90 20 ex 5607 90 90		
146 A	Binder or baler twine for agricultural machines, of sisal or other fibres of the agave family ex 5607 21 00		
146 B	Twine, cordage, ropes and cables of sisal or other fibres of the agave family, other than the products of category 146 A ex 5607 21 00 5607 29 00		
146 C	Twine, cordage, ropes and cables, whether or not plaited or braided, of jute or of other textile bast fibres of heading No 5303 ex 5607 90 20		
147	Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed ex 5003 00 00		
148 A	Yarn of jute or of other textile bast fibres of heading No 5303 5307 10 00 5307 20 00		
148 B	Coir yarn 5308 10 00		
149	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm 5310 10 90 ex 5310 90 00		
150	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm; Sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used 5310 10 10 ex 5310 90 00 5905 00 50 6305 10 90		
151 A	Floor coverings of coconut fibres (coir) 5702 20 00		
151 B	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flocked ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00		
152	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings 5602 10 11		
153	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303 6305 10 10		

(1)	(2)	(3)	(4)
154	<p>Silkworm cocoons suitable for reeling</p> <p>5001 00 00</p> <p>Raw silk (not thrown)</p> <p>5002 00 00</p> <p>Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed</p> <p>ex 5003 00 00</p> <p>Wool not carded or combed</p> <p>5101 11 00 5101 19 00 5101 21 00 5101 29 00 5101 30 00</p> <p>Fine or coarse animal hair, not carded or combed</p> <p>5102 11 00 5102 19 10 5102 19 30 5102 19 40 5102 19 90 5102 20 00</p> <p>Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock</p> <p>5103 10 10 5103 10 90 5103 20 00 5103 30 00</p> <p>Garnetted stock of wool or of fine or coarse animal hair</p> <p>5104 00 00</p> <p>Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock)</p> <p>5301 10 00 5301 21 00 5301 29 00 5301 30 00</p> <p>Ramie and other vegetable textile fibres, raw or processed but not spun: tow, noils and waste, other than coir and abaca</p> <p>5305 00 00</p> <p>Cotton, not carded nor combed</p> <p>5201 00 10 5201 00 90</p> <p>Cotton waste (incl. yarn waste and garnetted stock)</p> <p>5202 10 00 5202 91 00 5202 99 00</p> <p>True hemp (<i>cannabis sativa</i> L.), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock)</p> <p>5302 10 00 5302 90 00</p> <p>Abaca (<i>Manila hemp</i> or <i>Musa Textilis Nee</i>), raw or processed but not spun: tow and waste of abaca (including yarn waste and garnetted stock)</p> <p>5305 00 00</p> <p>Jute or other textile bast fibres (excl. flax, true hemp and ramie), raw or processed but not spun: tow and waste of jute or other textile bast fibres (including yarn waste and garnetted stock)</p> <p>5303 10 00 5303 90 00</p> <p>Other vegetable textile fibres, raw or processed but not spun: tow and waste of such fibres (including yarn waste and garnetted stock)</p> <p>5305 00 00</p>		
156	<p>Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls</p> <p>6106 90 30 ex 6110 90 90</p>		
157	<p>Garments, knitted or crocheted, other than those of categories 1 to 123 and 156</p> <p>ex 6101 90 20 ex 6101 90 80 6102 90 10 6102 90 90 ex 6103 39 00 ex 6103 49 00 ex 6104 19 90 ex 6104 29 90 ex 6104 39 00 6104 49 00 ex 6104 69 00 6105 90 90 6106 90 50 6106 90 90 ex 6107 99 00 ex 6108 99 00 6109 90 90 6110 90 10 ex 6110 90 90 ex 6111 90 90 ex 6114 90 00</p>		

(1)	(2)	(3)	(4)
159	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste 6204 49 10 6206 10 00 Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste 6214 10 00 Ties, bow ties and cravats of silk or silk waste 6215 10 00		
160	Handkerchiefs of silk or silk waste ex 6213 90 00		
161	Garments, not knitted or crocheted, other than those of categories 1 to 123 and category 159 6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10ex 6205 90 80 6206 90 10 6206 90 90 ex 6211 20 00 ex 6211 39 00 6211 49 00		

ANNEX I A

Category	Description CN-Code 2010	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)
163 ⁽¹⁾	Gauze and articles of gauze put up in forms or packings for retail sale 3005 90 31		

⁽¹⁾ Only applies to imports from China.

ANNEX I B

1. This Annex covers textile raw materials (categories 128 and 154), textile products other than those of wool and fine animal hair, cotton and man-made fibres, as well as man-made fibres and filaments and yarns of categories 124, 125A, 125B, 126, 127A and 127B.
2. Without prejudice to the rules for the interpretation of the combined nomenclature, the wording of the description of goods is considered to be of indicative value only, since the products covered by each category are determined, within this Annex, by CN codes. Where there is an "ex" symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description.
3. Garments which are not recognisable as being garments for men or boys or as being garments for women or girls are classified with the latter.
4. Where the expression "babies' garments" is used, this is meant to cover garments up to and including commercial size 86.

Category	Description CN-Code 2010	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)
GROUP I			
ex 20	Bed linen, other than knitted or crocheted ex 6302 29 90 ex 6302 39 90		
ex 32	Woven pile fabrics and chenille fabrics and tufted textile surfaces ex 5802 20 00 ex 5802 30 00		
ex 39	Table linen, toilet and kitchen linen, other than knitted or crocheted and other than those of category 118 ex 6302 59 90 ex 6302 99 90		
GROUP II			
ex 12	Panty-hose and tights, stockings, understockings, socks, ankle socks, sockettes and the like, knitted or crocheted, other than for babies ex 6115 10 90 ex 6115 29 00 ex 6115 30 90 ex 6115 99 00	24,3	41
ex 13	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted ex 6107 19 00 ex 6108 29 00 ex 6212 10 10	17	59
ex 14	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes ex 6210 20 00	0,72	1 389
ex 15	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than parkas ex 6210 30 00	0,84	1 190
ex 18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted ex 6207 19 00 ex 6207 29 00 ex 6207 99 90 Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted ex 6208 19 00 ex 6208 29 00 ex 6208 99 00 ex 6212 10 10		
ex 19	Handkerchiefs, other than those of silk and silk waste ex 6213 90 00	59	17

(1)	(2)	(3)	(4)
ex 24	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted ex 6107 29 00 Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted ex 6108 39 00	3,9	257
ex 27	Women's or girls' skirts, including divided skirts ex 6104 59 00	2,6	385
ex 28	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted ex 6103 49 00 ex 6104 69 00	1,61	620
ex 31	Brassières, woven, knitted or crocheted ex 6212 10 10 ex 6212 10 90	18,2	55
ex 68	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories ex 10 and ex 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category ex 88 ex 6209 90 90		
ex 73	Track suits of knitted or crocheted fabric ex 6112 19 00	1,67	600
ex 78	Woven garments of fabrics of heading No 5903, 5906 and 5907, excluding garments of categories ex 14 and ex 15 ex 6210 40 00 ex 6210 50 00		
ex 83	Garments of knitted or crocheted fabrics of heading No 5903 and 5907 and ski suits, knitted or crocheted ex 6112 20 00 ex 6113 00 90		

GROUP III A

ex 38 B	Net curtains, other than knitted or crocheted ex 6303 99 90		
ex 40	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted ex 6303 99 90 ex 6304 19 90 ex 6304 99 00		
ex 58	Carpets, carportines and rugs, knotted (made up or not) ex 5701 90 10 ex 5701 90 90		
ex 59	Carpets and other textile floor coverings, other than the carpets of category ex 58, 142 and 151B ex 5702 10 00 ex 5702 50 90 ex 5702 99 00 ex 5703 90 20 ex 5703 90 80 ex 5704 10 00 ex 5704 90 00 ex 5705 00 90		
ex 60	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needlework tapestries (e.g. petit point and cross stitch) made in panels and the like by hand ex 5805 00 00		

(1)	(2)	(3)	(4)
ex 61	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft, assembled by means of an adhesive, other than labels and similar articles of category ex 62 and of category 137 Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread ex 5806 10 00 ex 5806 20 00 ex 5806 39 00 ex 5806 40 00		
ex 62	Chenille yarn (incl. flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn) ex 5606 00 91 ex 5606 00 99 Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs ex 5804 10 10 ex 5804 10 90 ex 5804 29 10 ex 5804 29 90 ex 5804 30 00 Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven ex 5807 10 10 ex 5807 10 90 Braids and ornamental trimmings in the piece; tassels, pompons and the like ex 5808 10 00 ex 5808 90 00 Embroidery, in the piece, in strips or in motifs ex 5810 10 10 ex 5810 10 90 ex 5810 99 10 ex 5810 99 90		
ex 63	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more elastomeric yarn and knitted or crocheted fabrics containing by weight 5 % or more of rubber thread ex 5906 91 00 ex 6002 40 00 ex 6002 90 00 ex 6004 10 00 ex 6004 90 00		
ex 65	Knitted or crocheted fabric, other than those of category ex 63 ex 5606 00 10 ex 6002 40 00 ex 6004 10 00		
ex 66	Travelling rugs and blankets, other than knitted or crocheted ex 6301 10 00		

GROUP III B

ex 10	Gloves, mittens and mitts, knitted or crocheted ex 6116 10 20 ex 6116 10 80 ex 6116 99 00	17 pairs	59
ex 67	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (incl. drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories ex 5807 90 90 ex 6113 00 10 ex 6117 10 00 ex 6117 80 10 ex 6117 80 80 ex 6117 90 00 ex 6301 90 10 ex 6302 10 00 ex 6302 40 00 ex 6303 19 00 ex 6304 11 00 ex 6304 91 00 ex 6307 10 10 ex 6307 90 10		
ex 69	Women's and girls' slips and petticoats, knitted or crocheted ex 6108 19 00	7,8	128
ex 72	Swimwear ex 6112 39 10 ex 6112 39 90 ex 6112 49 10 ex 6112 49 90 ex 6211 11 00 ex 6211 12 00	9,7	103
ex 75	Men's or boys' knitted or crocheted suits and ensembles ex 6103 10 90 ex 6103 29 00	0,80	1 250
ex 85	Ties, bow ties and cravats other than knitted or crocheted, other than those of category 159 ex 6215 90 00	17,9	56

(1)	(2)	(3)	(4)
ex 86	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted ex 6212 20 00 ex 6212 30 00 ex 6212 90 00	8,8	114
ex 87	Gloves, mittens and mitts, not knitted or crocheted ex 6209 90 90 ex 6216 00 00		
ex 88	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories, other than for babies, other than knitted or crocheted ex 6209 90 90 ex 6217 10 00 ex 6217 90 00		
ex 91	Tents ex 6306 29 00		
ex 94	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps ex 5601 10 90 ex 5601 29 00 ex 5601 30 00		
ex 95	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings ex 5602 10 19 ex 5602 10 38 ex 5602 10 90 ex 5602 29 00 ex 5602 90 00 ex 5807 90 10 ex 6210 10 10 ex 6307 90 91		
ex 97	Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope ex 5608 90 00		
ex 98	Other articles made from yarn, twine, cordage, cables or rope, other than textile fabrics, articles made from such fabrics and articles of category 97 ex 5609 00 00 ex 5905 00 10		
ex 99	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations ex 5901 10 00 ex 5901 90 00 Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape ex 5904 10 00 ex 5904 90 00 Rubberised textile fabric, not knitted or crocheted, excluding those for tyres ex 5906 10 00 ex 5906 99 10 ex 5906 99 90 Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths, other than of category ex 100 ex 5907 00 00		
ex 100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials ex 5903 10 10 ex 5903 10 90 ex 5903 20 10 ex 5903 20 90 ex 5903 90 10 ex 5903 90 91 ex 5903 90 99		
ex 109	Tarpaulins, sails, awnings and sunblinds ex 6306 19 00 ex 6306 30 00		
ex 110	Woven pneumatic mattresses ex 6306 40 00		

(1)	(2)	(3)	(4)
ex 111	Camping goods, woven, other than pneumatic mattresses and tents ex 6306 99 00		
ex 112	Other made up textiles articles, woven, excluding those of categories ex 113 and ex 114 ex 6307 20 00 ex 6307 90 99		
ex 113	Floor cloth, dish cloth and dusters, other than knitted or crocheted ex 6307 10 90		
ex 114	Woven fabrics and articles for technical uses, other than those of category 136 ex 5908 00 00 ex 5909 00 90 ex 5910 00 00 ex 5911 10 00 ex 5911 31 19 ex 5911 31 90 ex 5911 32 11 ex 5911 32 19 ex 5911 32 90 ex 5911 40 00 ex 5911 90 10 ex 5911 90 90		

GROUP IV

115	Flax or ramie yarn 5306 10 10 5306 10 30 5306 10 50 5306 10 90 5306 20 10 5306 20 90 5308 90 12 5308 90 19		
117	Woven fabrics of flax or of ramie 5309 11 10 5309 11 90 5309 19 00 5309 21 00 5309 29 00 5311 00 10 ex 5803 00 90 5905 00 30		
118	Table linen, toilet linen and kitchen linen of flax or ramie, other knitted or crocheted 6302 29 10 6302 39 20 6302 59 10 ex 6302 59 90 6302 99 10 ex 6302 99 90		
120	Curtains (incl. drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie ex 6303 99 90 6304 19 30 ex 6304 99 00		
121	Twine, cordage, ropes and cables, plaited or not, of flax or ramie ex 5607 90 90		
122	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted ex 6305 90 00		
123	Woven pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics 5801 90 10 ex 5801 90 90		
	Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted ex 6214 90 00		

GROUP V

124	Synthetic staple fibres 5501 10 00 5501 20 00 5501 30 00 5501 40 00 5501 90 00 5503 11 00 5503 19 00 5503 20 00 5503 30 00 5503 40 00 5503 90 00 5505 10 10 5505 10 30 5505 10 50 5505 10 70 5505 10 90		
125 A	Synthetic filament yarn (continuous) not put up for retail sale ex 5402 44 00 5402 45 00 5402 46 00 5402 47 00		
125 B	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials 5404 11 00 5404 12 00 5404 19 00 5404 90 10 5404 90 90 ex 5604 90 10 ex 5604 90 90		

(1)	(2)	(3)	(4)
126	Artificial staple fibres 5502 00 10 5502 00 40 5502 00 80 5504 10 00 5504 90 00 5505 20 00		
127 A	Yarn of artificial filaments (continuous) not put up for retail sale, single yarn or viscose rayon untwisted or with a twist of not more than 250 turns per metre and single non-textured yarn of cellulose acetate ex 5403 31 00 ex 5403 32 00 ex 5403 33 00		
127 B	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials 5405 00 00 ex 5604 90 90		
128	Coarse animal hair, carded or combed 5105 40 00		
129	Yarn of coarse animal hair or of horsehair 5110 00 00		
130 A	Silk yarn other than yarn spun from silk waste 5004 00 10 5004 00 90 5006 00 10		
130 B	Silk yarn other than of category 130 A; silk-worm gut 5005 00 10 5005 00 90 5006 00 90 ex 5604 90 90		
131	Yarn of other vegetable textile fibres 5308 90 90		
132	Paper yarn 5308 90 50		
133	Yarn of true hemp 5308 20 10 5308 20 90		
134	Metallized yarn 5605 00 00		
135	Woven fabrics of coarse animal hair or of horse hair 5113 00 00		
136 A	Woven fabrics of silk or of silk waste other than unbleached, scoured or bleached 5007 20 19 ex 5007 20 31 ex 5007 20 39 ex 5007 20 41 5007 20 59 5007 20 61 5007 20 69 5007 20 71 5007 90 30 5007 90 50 5007 90 90		
136 B	Woven fabrics of silk or of silk waste other than those of category 136A ex 5007 10 00 5007 20 11 5007 20 21 ex 5007 20 31 ex 5007 20 39 ex 5007 20 41 5007 20 51 5007 90 10 5803 00 30 ex 5905 00 90 ex 5911 20 00		
137	Woven pile fabric and chenille fabrics and narrow woven fabrics of silk, or of silk waste ex 5801 90 90 ex 5806 10 00		
138	Woven fabrics of paper yarn and other textile fibres other than of ramie 5311 00 90 ex 5905 00 90		

(1)	(2)	(3)	(4)
139	Woven fabrics of metal threads or of metallized yarn 5809 00 00		
140	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man made fibres ex 6001 10 00 ex 6001 29 00 ex 6001 99 00 6003 90 00 6005 90 90 6006 90 00		
141	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man made fibres ex 6301 90 90		
142	Carpets and other textile floor coverings of sisal, of other fibres of the agave family or the Manila hemp ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00 ex 5705 00 90		
144	Felt of coarse animal hair ex 5602 10 38 ex 5602 29 00		
145	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp ex 5607 90 20 ex 5607 90 90		
146 A	Binder or baler twine for agricultural machines, of sisal or other fibres of the agave family ex 5607 21 00		
146 B	Twine, cordage, ropes and cables of sisal or other fibres of the agave family, other than the products of category 146 A ex 5607 21 00 5607 29 00		
146 C	Twine, cordage, ropes and cables, whether or not plaited or braided, of jute or of other textile bast fibres of heading No 5303 ex 5607 90 20		
147	Silk waste(incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed ex 5003 00 00		
148 A	Yarn of jute or of other textile bast fibres of heading No 5303 5307 10 00 5307 20 00		
148 B	Coir yarn 5308 10 00		
149	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm 5310 10 90 ex 5310 90 00		
150	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm; Sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used 5310 10 10 ex 5310 90 00 5905 00 50 6305 10 90		
151 A	Floor coverings of coconut fibres (coir) 5702 20 00		
151 B	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flocked ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00		

(1)	(2)	(3)	(4)
152	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings 5602 10 11		
153	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303 6305 10 10		
154	<p>Silkworm cocoons suitable for reeling 5001 00 00</p> <p>Raw silk (not thrown) 5002 00 00</p> <p>Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed ex 5003 00 00</p> <p>Wool not carded or combed 5101 11 00 5101 19 00 5101 21 00 5101 29 00 5101 30 00</p> <p>Fine or coarse animal hair, not carded or combed 5102 11 00 5102 19 10 5102 19 30 5102 19 40 5102 19 90 5102 20 00</p> <p>Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock 5103 10 10 5103 10 90 5103 20 00 5103 30 00</p> <p>Garnetted stock of wool or of fine or coarse animal hair 5104 00 00</p> <p>Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock) 5301 10 00 5301 21 00 5301 29 00 5301 30 00</p> <p>Ramie and other vegetable textile fibres, raw or processed but not spun: tow, noils and waste, other than coir and abaca 5305 00 00</p> <p>Cotton, not carded nor combed 5201 00 10 5201 00 90</p> <p>Cotton waste (incl. yarn waste and garnetted stock) 5202 10 00 5202 91 00 5202 99 00</p> <p>True hemp (<i>cannabis sativa</i>), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock) 5302 10 00 5302 90 00</p> <p>Abaca (<i>Manila hemp</i> or <i>Musa Textilis Nee</i>), raw or processed but not spun: tow and waste of abaca (including yarn waste and garnetted stock) 5305 00 00</p> <p>Jute or other textile bast fibres (excl. flax, true hemp and ramie), raw or processed but not spun: tow and waste of jute or other textile bast fibres (including yarn waste and garnetted stock) 5303 10 00 5303 90 00</p> <p>Other vegetable textile fibres, raw or processed but not spun: tow and waste of such fibres (including yarn waste and garnetted stock) 5305 00 00</p>		

(1)	(2)	(3)	(4)
156	Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls 6106 90 30 ex 6110 90 90		
157	Garments, knitted or crocheted, excluding garments of categories ex 10, ex 12, ex 13, ex 24, ex 27, ex 28, ex 67, ex 69, ex 72, ex 73, ex 75, ex 83 and 156 ex 6101 90 20 ex 6101 90 80 6102 90 10 6102 90 90 ex 6103 39 00 ex 6103 49 00 ex 6104 19 90 ex 6104 29 90 ex 6104 39 00 6104 49 00 ex 6104 69 00 6105 90 90 6106 90 50 6106 90 90 ex 6107 99 00 ex 6108 99 00 6109 90 90 6110 90 10 ex 6110 90 90 ex 6111 90 90 ex 6114 90 00		
159	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste 6204 49 10 6206 10 00 Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste 6214 10 00 Ties, bow ties and cravats of silk or silk waste 6215 10 00		
160	Handkerchiefs of silk or silk waste ex 6213 90 00		
161	Garments, not knitted or crocheted, excluding garments of categories ex 14, ex 15, ex 18, ex 31, ex 68, ex 72, ex 78, ex 86, ex 87, ex 88 and 159 6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 ex 6205 90 80 6206 90 10 6206 90 90 ex 6211 20 00 ex 6211 39 00 6211 49 00'		

(2) Annex II is replaced by the following:

‘ANNEX II

EXPORTING COUNTRIES REFERRED TO IN ARTICLE 1

Russia

Serbia

Uzbekistan’

(3) Annex III is amended as follows:

Article 28(6) is replaced by the following:

‘6. This number shall be composed of the following elements:

— two letters identifying the exporting country as follows:

— Serbia = RS

— Uzbekistan = UZ

— two letters identifying the intended Member State of destination, or group of such Member States, as follows:

— AT = Austria

— BG = Bulgaria

— BL = Benelux

— CY = Cyprus

- CZ = Czech Republic
- DE = Federal Republic of Germany
- DK = Denmark
- EE = Estonia
- GR = Greece
- ES = Spain
- FI = Finland
- FR = France
- GB = United Kingdom
- HU = Hungary
- IE = Ireland
- IT = Italy
- LT = Lithuania
- LV = Latvia
- MT = Malta
- PL = Poland
- PT = Portugal
- RO = Romania
- SE = Sweden
- SI = Slovenia
- SK = Slovakia
- a one-digit number identifying the quota year or the year under which exports were recorded, in the case of products listed in table A of this Annex, corresponding to the last figure in the year in question, e.g. “9” for 2009 and “0” for 2010.
- a two-digit number identifying the issuing office in the exporting country,
- a five-digit number running consecutively from 00001 to 99999 allocated to the specific Member State of destination.’

(4) Annex V and Appendix A to Annex V are replaced by the following:

‘ANNEX V

COMMUNITY QUANTITATIVE LIMITS

Table has been deleted.’

(5) The table in Annex VII is replaced by the following:

‘Table

Community quantitative limits for goods re-imported under outward processing traffic

Table has been deleted.’

COMMISSION REGULATION (EU) No 1260/2009**of 18 December 2009****amending Annexes I, II, IV and VI to Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules ⁽¹⁾, and in particular Article 28 thereof,

Whereas:

- (1) The bilateral textiles agreement with the Republic of Belarus covering trade in 2009 is expiring on 31 December 2009. No common understanding was found with Belarus to renew this agreement. Belarus is creating a customs union with Russia and Kazakhstan and does not see the possibility to continue granting preferential access for EU textiles and clothing exports to the Belarusian market. In consequence, it is considered appropriate that Belarus be included in the scope of application of Regulation (EC) No 517/94. Regulation (EC) No 517/94 should therefore be amended accordingly.

- (2) Amendments to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽²⁾ also affect certain codes in Annex I to Regulation (EC) No 517/94.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II, IV and VI to Regulation (EC) No 517/94 are amended as set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 67, 10.3.1994, p. 1.

⁽²⁾ OJ L 256, 7.9.1987, p. 1.

ANNEX

Annexes I, II, IV and VI to Regulation (EC) No 517/94 are amended as follows:

1. Annex I is replaced by the following:

‘ANNEX I

A. TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1

- Without prejudice to the rules for the interpretation of the combined nomenclature, the wording of the description of goods is considered to be of indicative value only, since the products covered by each category are determined, within this Annex, by CN codes. Where there is an “ex” symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description
- Garments which are not recognizable as being garments for men or boys or as being garments for women or girls are classified with the latter.
- Where the expression “babies’ garments” is used, this is meant to cover garments up to and including commercial size 86.

Category	Description CN-Code 2010	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)
GROUP I A			
1	<p>Cotton yarn, not put up for retail sale</p> <p>5204 11 00 5204 19 00 5205 11 00 5205 12 00 5205 13 00 5205 14 00 5205 15 10 5205 15 90 5205 21 00 5205 22 00 5205 23 00 5205 24 00 5205 26 00 5205 27 00 5205 28 00 5205 31 00 5205 32 00 5205 33 00 5205 34 00 5205 35 00 5205 41 00 5205 42 00 5205 43 00 5205 44 00 5205 46 00 5205 47 00 5205 48 00 5206 11 00 5206 12 00 5206 13 00 5206 14 00 5206 15 00 5206 21 00 5206 22 00 5206 23 00 5206 24 00 5206 25 00 5206 31 00 5206 32 00 5206 33 00 5206 34 00 5206 35 00 5206 41 00 5206 42 00 5206 43 00 5206 44 00 5206 45 00 ex 5604 90 90</p>		
2	<p>Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics</p> <p>5208 11 10 5208 11 90 5208 12 16 5208 12 19 5208 12 96 5208 12 99 5208 13 00 5208 19 00 5208 21 10 5208 21 90 5208 22 16 5208 22 19 5208 22 96 5208 22 99 5208 23 00 5208 29 00 5208 31 00 5208 32 16 5208 32 19 5208 32 96 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 00 5208 59 10 5208 59 90 5209 11 00 5209 12 00 5209 19 00 5209 21 00 5209 22 00 5209 29 00 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00 5209 49 00 5209 51 00 5209 52 00 5209 59 00 5210 11 00 5210 19 00 5210 21 00 5210 29 00 5210 31 00 5210 32 00 5210 39 00 5210 41 00 5210 49 00 5210 51 00 5210 59 00 5211 11 00 5211 12 00 5211 19 00 5211 20 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 10 5211 49 90 5211 51 00 5211 52 00 5211 59 00 5212 11 10 5212 11 90 5212 12 10 5212 12 90 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 21 10 5212 21 90 5212 22 10 5212 22 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90 ex 5811 00 00 ex 6308 00 00</p>		
2 a)	<p>Of which: Other than unbleached or bleached</p> <p>5208 31 00 5208 32 16 5208 32 19 5208 32 96 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 00 5208 59 10 5208 59 90 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00 5209 49 00 5209 51 00 5209 52 00 5209 59 00 5210 31 00 5210 32 00 5210 39 00 5210 41 00 5210 49 00 5210 51 00 5210 59 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 10 5211 49 90 5211 51 00 5211 52 00 5211 59 00 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90 ex 5811 00 00 ex 6308 00 00</p>		

(1)	(2)	(3)	(4)
3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (incl. terry fabrics) and chenille fabrics 5512 11 00 5512 19 10 5512 19 90 5512 21 00 5512 29 10 5512 29 90 5512 91 00 5512 99 10 5512 99 90 5513 11 20 5513 11 90 5513 12 00 5513 13 00 5513 19 00 5513 21 00 5513 23 10 5513 23 90 5513 29 00 5513 31 00 5513 39 00 5513 41 00 5513 49 00 5514 11 00 5514 12 00 5514 19 10 5514 19 90 5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 30 10 5514 30 30 5514 30 50 5514 30 90 5514 41 00 5514 42 00 5514 43 00 5514 49 00 5515 11 10 5515 11 30 5515 11 90 5515 12 10 5515 12 30 5515 12 90 5515 13 11 5515 13 19 5515 13 91 5515 13 99 5515 19 10 5515 19 30 5515 19 90 5515 21 10 5515 21 30 5515 21 90 5515 22 11 5515 22 19 5515 22 91 5515 22 99 5515 29 00 5515 91 10 5515 91 30 5515 91 90 5515 99 20 5515 99 40 5515 99 80 ex 5803 00 90 ex 5905 00 70 ex 6308 00 00		
3 a)	Of which: Other than unbleached or bleached 5512 19 10 5512 19 90 5512 29 10 5512 29 90 5512 99 10 5512 99 90 5513 21 00 5513 23 10 5513 23 90 5513 29 00 5513 31 00 5513 39 00 5513 41 00 5513 49 00 5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 30 10 5514 30 30 5514 30 50 5514 30 90 5514 41 00 5514 42 00 5514 43 00 5514 49 00 5515 11 30 5515 11 90 5515 12 30 5515 12 90 5515 13 19 5515 13 99 5515 19 30 5515 19 90 5515 21 30 5515 21 90 5515 22 19 5515 22 99 ex 5515 29 00 5515 91 30 5515 91 90 5515 99 40 5515 99 80 ex 5803 00 90 ex 5905 00 70 ex 6308 00 00		

GROUP I B

4	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted 6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 20 6110 20 10 6110 30 10	6,48	154
5	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (others than jackets and blazers), anoraks, wind-cheaters, waister jackets and the like, knitted or crocheted ex 6101 90 80 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 11 10 6110 11 30 6110 11 90 6110 12 10 6110 12 90 6110 19 10 6110 19 90 6110 20 91 6110 20 99 6110 30 91 6110 30 99	4,53	221
6	Men's or boys' woven breeches, shorts other than swimwear and trousers (incl. slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man made fibres; lower parts of track suits with lining, others than category 16 or 29, of cotton or of man-made fibres 6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	1,76	568
7	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or man-made fibres 6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	5,55	180
8	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres ex 6205 90 80 6205 20 00 6205 30 00	4,60	217

GROUP II A

9	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton 5802 11 00 5802 19 00 ex 6302 60 00		
20	Bed linen, other than knitted or crocheted 6302 21 00 6302 22 90 6302 29 90 6302 31 00 6302 32 90 6302 39 90		

(1)	(2)	(3)	(4)
22	Yarn of staple or waste synthetic fibres, not put up for retail sale 5508 10 10 5509 11 00 5509 12 00 5509 21 00 5509 22 00 5509 31 00 5509 32 00 5509 41 00 5509 42 00 5509 51 00 5509 52 00 5509 53 00 5509 59 00 5509 61 00 5509 62 00 5509 69 00 5509 91 00 5509 92 00 5509 99 00		
22 a)	Of which acrylic ex 5508 10 10 5509 31 00 5509 32 00 5509 61 00 5509 62 00 5509 69 00		
23	Yarn of staple or waste artificial fibres, not put up for retail sale 5508 20 10 5510 11 00 5510 12 00 5510 20 00 5510 30 00 5510 90 00		
32	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres 5801 10 00 5801 21 00 5801 22 00 5801 23 00 5801 24 00 5801 25 00 5801 26 00 5801 31 00 5801 32 00 5801 33 00 5801 34 00 5801 35 00 5801 36 00 5802 20 00 5802 30 00		
32 a)	Of which: Cotton corduroy 5801 22 00		
39	Table linen, toilet linen and kitchen linen, other than knitted or crocheted, other than of terry towelling or a similar terry fabrics of cotton 6302 51 00 6302 53 90 ex 6302 59 90 6302 91 00 6302 93 90 ex 6302 99 90		

GROUP II B

12	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70 6115 10 10 ex 6115 10 90 6115 22 00 6115 29 00 6115 30 11 6115 30 90 6115 94 00 6115 95 00 6115 96 10 6115 96 99 6115 99 00	24,3 pairs	41
13	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, of cotton or of man-made fibres 6107 11 00 6107 12 00 6107 19 00 6108 21 00 6108 22 00 6108 29 00 ex 6212 10 10	17	59
14	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	0,72	1 389
15	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	0,84	1 190
16	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boys' track suits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres 6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 22 80 6203 23 80 6203 29 18 6203 29 30 6211 32 31 6211 33 31	0,80	1 250
17	Men's or boys' jackets or blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6203 31 00 6203 32 90 6203 33 90 6203 39 19	1,43	700

(1)	(2)	(3)	(4)
18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 00 6207 99 10 6207 99 90 Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6208 11 00 6208 19 00 6208 21 00 6208 22 00 6208 29 00 6208 91 00 6208 92 00 6208 99 00 ex 6212 10 10		
19	Handkerchiefs, other than knitted or crocheted 6213 20 00 ex 6213 90 00	59	17
21	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	2,3	435
24	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted 6107 21 00 6107 22 00 6107 29 00 6107 91 00 ex 6107 99 00 Women's or girls' night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, knitted or crocheted 6108 31 00 6108 32 00 6108 39 00 6108 91 00 6108 92 00 ex 6108 99 00	3,9	257
26	Women's or girls' dresses, of wool, of cotton or of man-made fibres 6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	3,1	323
27	Women's or girls' skirts, including divided skirts 6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	2,6	385
28	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or of man-made fibres 6103 41 00 6103 42 00 6103 43 00 ex 6103 49 00 6104 61 00 6104 62 00 6104 63 00 ex 6104 69 00	1,61	620
29	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; women's or girls' track suits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres 6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	1,37	730
31	Brassières, woven, knitted or crocheted ex 6212 10 10 6212 10 90	18,2	55
68	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88 6111 90 19 6111 20 90 6111 30 90 ex 6111 90 90 ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90		
73	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres 6112 11 00 6112 12 00 6112 19 00	1,67	600

(1)	(2)	(3)	(4)
76	Men's or boys' industrial or occupational clothing, other than knitted or crocheted 6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6211 32 10 6211 33 10 Women's or girls' aprons, smock overalls and other industrial or occupational clothing, other than knitted or crocheted 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 42 10 6211 43 10		
77	Ski suits, other than knitted or crocheted ex 6211 20 00		
78	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77 6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 85 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 32 90 6211 33 90 ex 6211 39 00 6211 41 00 6211 42 90 6211 43 90		
83	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, 75 ex 6101 90 20 6101 20 10 6101 30 10 6102 10 10 6102 20 10 6102 30 10 6103 31 00 6103 32 00 6103 33 00 ex 6103 39 00 6104 31 00 6104 32 00 6104 33 00 ex 6104 39 00 6112 20 00 6113 00 90 6114 20 00 6114 30 00 ex 6114 90 00		

GROUP III A

33	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide 5407 20 11 Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like 6305 32 19 6305 33 90		
34	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, 3 m or more wide 5407 20 19		
35	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114 5407 10 00 5407 20 90 5407 30 00 5407 41 00 5407 42 00 5407 43 00 5407 44 00 5407 51 00 5407 52 00 5407 53 00 5407 54 00 5407 61 10 5407 61 30 5407 61 50 5407 61 90 5407 69 10 5407 69 90 5407 71 00 5407 72 00 5407 73 00 5407 74 00 5407 81 00 5407 82 00 5407 83 00 5407 84 00 5407 91 00 5407 92 00 5407 93 00 5407 94 00 ex 5811 00 00 ex 5905 00 70		
35 a)	Of which: Other than unbleached or bleached ex 5407 10 00 ex 5407 20 90 ex 5407 30 00 5407 42 00 5407 43 00 5407 44 00 5407 52 00 5407 53 00 5407 54 00 5407 61 30 5407 61 50 5407 61 90 5407 69 90 5407 72 00 5407 73 00 5407 74 00 5407 82 00 5407 83 00 5407 84 00 5407 92 00 5407 93 00 5407 94 00 ex 5811 00 00 ex 5905 00 70		
36	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114 5408 10 00 5408 21 00 5408 22 10 5408 22 90 5408 23 00 5408 24 00 5408 31 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70		
36 a)	Of which: Other than unbleached or bleached ex 5408 10 00 5408 22 10 5408 22 90 5408 23 00 5408 24 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70		

(1)	(2)	(3)	(4)
37	Woven fabrics of artificial staple fibres 5516 11 00 5516 12 00 5516 13 00 5516 14 00 5516 21 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 31 00 5516 32 00 5516 33 00 5516 34 00 5516 41 00 5516 42 00 5516 43 00 5516 44 00 5516 91 00 5516 92 00 5516 93 00 5516 94 00 ex 5803 00 90 ex 5905 00 70		
37 a)	Of which: Other than unbleached or bleached 5516 12 00 5516 13 00 5516 14 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 32 00 5516 33 00 5516 34 00 5516 42 00 5516 43 00 5516 44 00 5516 92 00 5516 93 00 5516 94 00 ex 5803 00 90 ex 5905 00 70		
38 A	Knitted or crocheted synthetic curtain fabric including net curtain fabric 6005 31 10 6005 32 10 6005 33 10 6005 34 10 6006 31 10 6006 32 10 6006 33 10 6006 34 10		
38 B	Net curtains, other than knitted or crocheted ex 6303 91 00 ex 6303 92 90 ex 6303 99 90		
40	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00		
41	Yarn of synthetic filament (continuous), not put up for retail sale, other than non textured single yarn untwisted or with a twist of not more than 50 turns/m 5401 10 12 5401 10 14 5401 10 16 5401 10 18 5402 11 00 5402 19 00 5402 20 00 5402 31 00 5402 32 00 5402 33 00 5402 34 00 5402 39 00 5402 44 00 5402 48 00 5402 49 00 5402 51 00 5402 52 00 5402 59 10 5402 59 90 5402 61 00 5402 62 00 5402 69 10 5402 69 90 ex 5604 90 10 ex 5604 90 90		
42	Yarn of continuous man-made fibres, not put up for retail sale 5401 20 10 Yarn of artificial fibres; yarn of artificial filaments, not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns/m and single non textured yarn of cellulose acetate 5403 10 00 5403 32 00 ex 5403 33 00 5403 39 00 5403 41 00 5403 42 00 5403 49 00 ex 5604 90 10		
43	Yarn of man-made filament, yarn of artificial staple fibres, cotton yarn, put up for retail sale 5204 20 00 5207 10 00 5207 90 00 5401 10 90 5401 20 90 5406 00 00 5508 20 90 5511 30 00		
46	Carded or combed sheep's or lambs' wool or other fine animal hair 5105 10 00 5105 21 00 5105 29 00 5105 31 00 5105 39 00		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale 5106 10 10 5106 10 90 5106 20 10 5106 20 91 5106 20 99 5108 10 10 5108 10 90		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale 5107 10 10 5107 10 90 5107 20 10 5107 20 30 5107 20 51 5107 20 59 5107 20 91 5107 20 99 5108 20 10 5108 20 90		
49	Yarn of sheep's or lambs' wool or of combed fine animal hair, put up for retail sale 5109 10 10 5109 10 90 5109 90 00		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair 5111 11 00 5111 19 10 5111 19 90 5111 20 00 5111 30 10 5111 30 30 5111 30 90 5111 90 10 5111 90 91 5111 90 93 5111 90 99 5112 11 00 5112 19 10 5112 19 90 5112 20 00 5112 30 10 5112 30 30 5112 30 90 5112 90 10 5112 90 91 5112 90 93 5112 90 99		

(1)	(2)	(3)	(4)
51	Cotton, carded or combed 5203 00 00		
53	Cotton gauze 5803 00 10		
54	Artificial staple fibres, including waste, carded, combed or otherwise processed for spinning 5507 00 00		
55	Synthetic staple fibres, including waste, carded, combed or otherwise processed for spinning 5506 10 00 5506 20 00 5506 30 00 5506 90 00		
56	Yarn of synthetic staple fibres (including waste), put up for retail sale 5508 10 90 5511 10 00 5511 20 00		
58	Carpets, carportines and rugs, knotted (made up or not) 5701 10 10 5701 10 90 5701 90 10 5701 90 90		
59	Carpets and other textile floor coverings, other than the carpets of category 58 5702 10 00 5702 31 10 5702 31 80 5702 32 10 5702 32 90 ex 5702 39 00 5702 41 10 5702 41 90 5702 42 10 5702 42 90 ex 5702 49 00 5702 50 10 5702 50 31 5702 50 39 ex 5702 50 90 5702 91 00 5702 92 10 5702 92 90 ex 5702 99 00 5703 10 00 5703 20 12 5703 20 18 5703 20 92 5703 20 98 5703 30 12 5703 30 18 5703 30 82 5703 30 88 5703 90 20 5703 90 80 5704 10 00 5704 90 00 5705 00 10 5705 00 30 ex 5705 00 90		
60	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needlework tapestries (e.g. petit point and cross stitch) made in panels and the like by hand 5805 00 00		
61	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft, assembled by means of an adhesive, other than labels and similar articles of category 62 Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread ex 5806 10 00 5806 20 00 5806 31 00 5806 32 10 5806 32 90 5806 39 00 5806 40 00		
62	Chenille yarn (incl. flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn) 5606 00 91 5606 00 99 Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs 5804 10 10 5804 10 90 5804 21 10 5804 21 90 5804 29 10 5804 29 90 5804 30 00 Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven 5807 10 10 5807 10 90 Braids and ornamental trimmings in the piece; tassels, pompons and the like 5808 10 00 5808 90 00 Embroidery, in the piece, in strips or in motifs 5810 10 10 5810 10 90 5810 91 10 5810 91 90 5810 92 10 5810 92 90 5810 99 10 5810 99 90		

(1)	(2)	(3)	(4)
63	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more elastomeric yarn and knitted or crocheted fabrics containing by weight 5 % or more of rubber thread 5906 91 00 ex 6002 40 00 6002 90 00 ex 6004 10 00 6004 90 00 Raschel lace and long-pile fabric of synthetic fibres ex 6001 10 00 6003 30 10 6005 31 50 6005 32 50 6005 33 50 6005 34 50		
65	Knitted or crocheted fabric, other than those of categories 38 A and 63, of wool, of cotton or of man-made fibres 5606 00 10 ex 6001 10 00 6001 21 00 6001 22 00 ex 6001 29 00 6001 91 00 6001 92 00 ex 6001 99 00 ex 6002 40 00 6003 10 00 6003 20 00 6003 30 90 6003 40 00 ex 6004 10 00 6005 90 10 6005 21 00 6005 22 00 6005 23 00 6005 24 00 6005 31 90 6005 32 90 6005 33 90 6005 34 90 6005 41 00 6005 42 00 6005 43 00 6005 44 00 6006 10 00 6006 21 00 6006 22 00 6006 23 00 6006 24 00 6006 31 90 6006 32 90 6006 33 90 6006 34 90 6006 41 00 6006 42 00 6006 43 00 6006 44 00		
66	Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6301 10 00 6301 20 90 6301 30 90 ex 6301 40 90 ex 6301 90 90		

GROUP III B

10	Gloves, mittens and mitts, knitted or crocheted 6111 90 11 6111 20 10 6111 30 10 ex 6111 90 90 6116 10 20 6116 10 80 6116 91 00 6116 92 00 6116 93 00 6116 99 00	17 pairs	59
67	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (incl. drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories 5807 90 90 6113 00 10 6117 10 00 6117 80 10 6117 80 80 6117 90 00 6301 20 10 6301 30 10 6301 40 10 6301 90 10 6302 10 00 6302 40 00 ex 6302 60 00 6303 12 00 6303 19 00 6304 11 00 6304 91 00 ex 6305 20 00 6305 32 11 ex 6305 32 90 6305 33 10 ex 6305 39 00 ex 6305 90 00 6307 10 10 6307 90 10		
67 a)	Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip 6305 32 11 6305 33 10		
69	Women's and girls' slips and petticoats, knitted or crocheted 6108 11 00 6108 19 00	7,8	128
70	Panty-hose and tights of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex) ex 6115 10 90 6115 21 00 6115 30 19 Women's full length hosiery of synthetic fibres ex 6115 10 90 6115 96 91	30,4 pairs	33
72	Swimwear, of wool, of cotton or of man-made fibres 6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	9,7	103
74	Women's or girls' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits 6104 13 00 6104 19 20 ex 6104 19 90 6104 22 00 6104 23 00 6104 29 10 ex 6104 29 90	1,54	650

(1)	(2)	(3)	(4)
75	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suit 6103 10 10 6103 10 90 6103 22 00 6103 23 00 6103 29 00	0,80	1 250
84	Shawls, scarves, mufflers, mantillas, veils and the like other than knitted or crocheted, of wool, of cotton or of man-made fibres 6214 20 00 6214 30 00 6214 40 00 ex 6214 90 00		
85	Ties, bow ties and cravats other than knitted or crocheted, of wool, of cotton or of man-made fibres 6215 20 00 6215 90 00	17,9	56
86	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted 6212 20 00 6212 30 00 6212 90 00	8,8	114
87	Gloves, mittens and mitts, not knitted or crocheted ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90 6216 00 00		
88	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories other than for babies, other than knitted or crocheted ex 6209 90 10 ex 6209 20 00 ex 6209 30 00 ex 6209 90 90 6217 10 00 6217 90 00		
90	Twine, cordage, ropes and cables of synthetic fibres, plaited or not 5607 41 00 5607 49 11 5607 49 19 5607 49 90 5607 50 11 5607 50 19 5607 50 30 5607 50 90		
91	Tents 6306 22 00 6306 29 00		
93	Sacks and bags, of a kind used for the packing of goods, of woven fabrics, other than made from polyethylene or polypropylene strip ex 6305 20 00 ex 6305 32 90 ex 6305 39 00		
94	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps 5601 10 10 5601 10 90 5601 21 10 5601 21 90 5601 22 10 5601 22 90 5601 29 00 5601 30 00		
95	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings 5602 10 19 5602 10 31 ex 5602 10 38 5602 10 90 5602 21 00 ex 5602 29 00 5602 90 00 ex 5807 90 10 ex 5905 00 70 6210 10 10 6307 90 91		
96	Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated 5603 11 10 5603 11 90 5603 12 10 5603 12 90 5603 13 10 5603 13 90 5603 14 10 5603 14 90 5603 91 10 5603 91 90 5603 92 10 5603 92 90 5603 93 10 5603 93 90 5603 94 10 5603 94 90 ex 5807 90 10 ex 5905 00 70 6210 10 90 ex 6301 40 90 ex 6301 90 90 6302 22 10 6302 32 10 6302 53 10 6302 93 10 6303 92 10 6303 99 10 ex 6304 19 90 ex 6304 93 00 ex 6304 99 00 ex 6305 32 90 ex 6305 39 00 6307 10 30 ex 6307 90 99		
97	Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope 5608 11 20 5608 11 80 5608 19 11 5608 19 19 5608 19 30 5608 19 90 5608 90 00		

(1)	(2)	(3)	(4)
98	Other articles made from yarn, twine, cordage, cables or rope , other than textile fabrics, articles made from such fabrics and articles of category 97 5609 00 00 5905 00 10		
99	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations 5901 10 00 5901 90 00 Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape 5904 10 00 5904 90 00 Rubberised textile fabric, not knitted or crocheted, excluding those for tyres 5906 10 00 5906 99 10 5906 99 90 Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths, other than of category 100 5907 00 00		
100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials 5903 10 10 5903 10 90 5903 20 10 5903 20 90 5903 90 10 5903 90 91 5903 90 99		
101	Twine, cordage, ropes and cables, plaited or not, other than of synthetic fibres ex 5607 90 90		
109	Tarpaulins, sails, awnings and sunblinds 6306 12 00 6306 19 00 6306 30 00		
110	Woven pneumatic mattresses 6306 40 00		
111	Camping goods, woven, other than pneumatic mattresses and tents 6306 91 00 6306 99 00		
112	Other made up textile articles, woven, excluding those of categories 113 and 114 6307 20 00 ex 6307 90 99		
113	Floor cloth, dish cloth and dusters, other than knitted or crocheted 6307 10 90		
114	Woven fabrics and articles for technical uses 5902 10 10 5902 10 90 5902 20 10 5902 20 90 5902 90 10 5902 90 90 5908 00 00 5909 00 10 5909 00 90 5910 00 00 5911 10 00 ex 5911 20 00 5911 31 11 5911 31 19 5911 31 90 5911 32 11 5911 32 19 5911 32 90 5911 40 00 5911 90 10 5911 90 90		

(1)	(2)	(3)	(4)
GROUP IV			
115	Flax or ramie yarn 5306 10 10 5306 10 30 5306 10 50 5306 10 90 5306 20 10 5306 20 90 5308 90 12 5308 90 19		
117	Woven fabrics of flax or of ramie 5309 11 10 5309 11 90 5309 19 00 5309 21 00 5309 29 00 5311 00 10 ex 5803 00 90 5905 00 30		
118	Table linen, toilet linen and kitchen linen of flax or ramie, other than knitted or crocheted 6302 29 10 6302 39 20 6302 59 10 ex 6302 59 90 6302 99 10 ex 6302 99 90		
120	Curtains (incl. drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie ex 6303 99 90 6304 19 30 ex 6304 99 00		
121	Twine, cordage, ropes and cables, plaited or not, of flax or ramie ex 5607 90 90		
122	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted ex 6305 90 00		
123	Woven pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics 5801 90 10 ex 5801 90 90 Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted ex 6214 90 00		
GROUP V			
124	Synthetic staple fibres 5501 10 00 5501 20 00 5501 30 00 5501 40 00 5501 90 00 5503 11 00 5503 19 00 5503 20 00 5503 30 00 5503 40 00 5503 90 00 5505 10 10 5505 10 30 5505 10 50 5505 10 70 5505 10 90		
125 A	Synthetic filament yarn (continuous) not put up for retail sale, other than yarn of category 41 5402 45 00 5402 46 00 5402 47 00		
125 B	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials 5404 11 00 5404 12 00 5404 19 00 5404 90 10 5404 90 90 ex 5604 90 10 ex 5604 90 90		
126	Artificial staple fibres 5502 00 10 5502 00 40 5502 00 80 5504 10 00 5504 90 00 5505 20 00		
127 A	Yarn of artificial filaments (continuous) not put up for retail sale, other than yarn of category 42 5403 31 00 ex 5403 32 00 ex 5403 33 00		
127 B	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials 5405 00 00 ex 5604 90 90		

(1)	(2)	(3)	(4)
128	Coarse animal hair, carded or combed 5105 40 00		
129	Yarn of coarse animal hair or of horsehair 5110 00 00		
130 A	Silk yarn other than yarn spun from silk waste 5004 00 10 5004 00 90 5006 00 10		
130 B	Silk yarn other than of category 130 A; silk-worm gut 5005 00 10 5005 00 90 5006 00 90 ex 5604 90 90		
131	Yarn of other vegetable textile fibres 5308 90 90		
132	Paper yarn 5308 90 50		
133	Yarn of true hemp 5308 20 10 5308 20 90		
134	Metallized yarn 5605 00 00		
135	Woven fabrics of coarse animal hair or of horse hair 5113 00 00		
136	Woven fabrics of silk or of silk waste 5007 10 00 5007 20 11 5007 20 19 5007 20 21 5007 20 31 5007 20 39 5007 20 41 5007 20 51 5007 20 59 5007 20 61 5007 20 69 5007 20 71 5007 90 10 5007 90 30 5007 90 50 5007 90 90 5803 00 30 ex 5905 00 90 ex 5911 20 00		
137	Woven pile fabric and chenille fabrics and narrow woven fabrics of silk, or of silk waste ex 5801 90 90 ex 5806 10 00		
138	Woven fabrics of paper yarn and other textile fibres other than of ramie 5311 00 90 ex 5905 00 90		
139	Woven fabrics of metal threads or of metallized yarn 5809 00 00		
140	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man made fibres ex 6001 10 00 ex 6001 29 00 ex 6001 99 00 6003 90 00 6005 90 90 6006 90 00		
141	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man made fibres ex 6301 90 90		

(1)	(2)	(3)	(4)
142	Carpets and other textile floor coverings of sisal, of other fibres of the agave family or the Manila hemp ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00 ex 5705 00 90		
144	Felt of coarse animal hair ex 5602 10 38 ex 5602 29 00		
145	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp ex 5607 90 20 ex 5607 90 90		
146 A	Binder or baler twine for agricultural machines, of sisal or other fibres of the agave family ex 5607 21 00		
146 B	Twine, cordage, ropes and cables of sisal or other fibres of the agave family, other than the products of category 146 A ex 5607 21 00 5607 29 00		
146 C	Twine, cordage, ropes and cables, whether or not plaited or braided, of jute or of other textile bast fibres of heading No 5303 ex 5607 90 20		
147	Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed ex 5003 00 00		
148 A	Yarn of jute or of other textile bast fibres of heading No 5303 5307 10 00 5307 20 00		
148 B	Coir yarn 5308 10 00		
149	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm 5310 10 90 ex 5310 90 00		
150	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm; Sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used 5310 10 10 ex 5310 90 00 5905 00 50 6305 10 90		
151 A	Floor coverings of coconut fibres (coir) 5702 20 00		
151 B	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flocked ex 5702 39 00 ex 5702 49 00 ex 5702 50 90 ex 5702 99 00		
152	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings 5602 10 11		
153	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303 6305 10 10		

(1)	(2)	(3)	(4)
154	<p>Silkworm cocoons suitable for reeling</p> <p>5001 00 00</p> <p>Raw silk (not thrown)</p> <p>5002 00 00</p> <p>Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed</p> <p>ex 5003 00 00</p> <p>Wool not carded or combed</p> <p>5101 11 00 5101 19 00 5101 21 00 5101 29 00 5101 30 00</p> <p>Fine or coarse animal hair, not carded or combed</p> <p>5102 11 00 5102 19 10 5102 19 30 5102 19 40 5102 19 90 5102 20 00</p> <p>Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock</p> <p>5103 10 10 5103 10 90 5103 20 00 5103 30 00</p> <p>Garnetted stock of wool or of fine or coarse animal hair</p> <p>5104 00 00</p> <p>Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock)</p> <p>5301 10 00 5301 21 00 5301 29 00 5301 30 00</p> <p>Ramie and other vegetable textile fibres, raw or processed but not spun: tow, noils and waste, other than coir and abaca</p> <p>5305 00 00</p> <p>Cotton, not carded nor combed</p> <p>5201 00 10 5201 00 90</p> <p>Cotton waste (incl. yarn waste and garnetted stock)</p> <p>5202 10 00 5202 91 00 5202 99 00</p> <p>True hemp (<i>cannabis sativa</i> L.), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock)</p> <p>5302 10 00 5302 90 00</p> <p>Abaca (<i>Manila hemp</i> or <i>Musa Textilis Nee</i>), raw or processed but not spun: tow and waste of abaca (including yarn waste and garnetted stock)</p> <p>5305 00 00</p> <p>Jute or other textile bast fibres (excl. flax, true hemp and ramie), raw or processed but not spun: tow and waste of jute or other textile bast fibres (including yarn waste and garnetted stock)</p> <p>5303 10 00 5303 90 00</p> <p>Other vegetable textile fibres, raw or processed but not spun: tow and waste of such fibres (including yarn waste and garnetted stock)</p> <p>5305 00 00</p>		
156	<p>Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls</p> <p>6106 90 30 ex 6110 90 90</p>		
157	<p>Garments, knitted or crocheted, other than those of categories 1 to 123 and 156</p> <p>ex 6101 90 20 ex 6101 90 80 6102 90 10 6102 90 90 ex 6103 39 00 ex 6103 49 00 ex 6104 19 90 ex 6104 29 90 ex 6104 39 00 6104 49 00 ex 6104 69 00 6105 90 90 6106 90 50 6106 90 90 ex 6107 99 00 ex 6108 99 00 6109 90 90 6110 90 10 ex 6110 90 90 ex 6111 90 90 ex 6114 90 00</p>		

(1)	(2)	(3)	(4)
159	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste 6204 49 10 6206 10 00 Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste 6214 10 00 Ties, bow ties and cravats of silk or silk waste 6215 10 00		
160	Handkerchiefs of silk or silk waste ex 6213 90 00		
161	Garments, not knitted or crocheted, other than those of categories 1 to 123 and category 159 6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 ex 6205 90 80 6206 90 10 6206 90 90 ex 6211 20 00 ex 6211 39 00 6211 49 00		

B. OTHER TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1(1)

Combined Nomenclature codes

3005 90	6309 00 00	7019 11 00
		7019 12 00
3921 12 00	6310 10 00	ex 7019 19
ex 3921 13	6310 90 00	
ex 3921 90 60		8708 21 10
	ex 6405 20	8708 21 90
4202 12 19	ex 6406 10	
4202 12 50	ex 6406 99	8804 00 00
4202 12 91		
4202 12 99	ex 6501 00 00	ex 9113 90 80
4202 22 10	ex 6502 00 00	
4202 22 90	ex 6504 00 00	ex 9404 90
4202 32 10	ex 6505 90	
4202 32 90	ex 6506 99	ex 9612 10'
4202 92 11		
4202 92 15	6601 10 00	
4202 92 19	6601 91 00	
4202 92 91	6601 99	
4202 92 98	6601 99 90	
5604 10 00		

2. Annex II is replaced by the following:

'ANNEX II

List of countries referred to in Article 2

Belarus

North Korea'

3. In Annex IV, the following table is inserted between the Annex heading and the table concerning North Korea:

'Belarus

	Category	Unit	Quantity
Group IA	1	tonnes	1 586
	2	tonnes	6 643
	3	tonnes	242

	Category	Unit	Quantity
Group IB	4	T pieces	1 839
	5	T pieces	1 105
	6	T pieces	1 705
	7	T pieces	1 377
	8	T pieces	1 160
Group IIA	20	tonnes	329
	22	tonnes	524
Group IIB	15	T pieces	1 726
	21	T pieces	930
	24	T pieces	844
	26/27	T pieces	1 117
	29	T pieces	468
	73	T pieces	329
Group IIIB	67	tonnes	359
Group IV	115	tonnes	420
	117	tonnes	2 312
	118	tonnes	471

T pieces: thousand of pieces'

4. Annex VI is replaced by the following:

‘ANNEX VI

OUTWARD PROCESSING TRAFFIC

Annual Community limits referred to in Article 4

Belarus

Category	Unit	Quantity
4	1 000 pieces	6 610
5	1 000 pieces	9 215
6	1 000 pieces	12 290
7	1 000 pieces	9 225
8	1 000 pieces	3 140
15	1 000 pieces	5 387
21	1 000 pieces	3 584
24	1 000 pieces	922
26/27	1 000 pieces	4 492
29	1 000 pieces	1 820
73	1 000 pieces	6 979'

COMMISSION REGULATION (EU) No 1261/2009**of 18 December 2009****on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Whereas:

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector ⁽³⁾, and in particular Article 5(6) thereof,

(1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.

(2) The applications for import licences lodged during the first seven days of December 2009 for the subperiod from 1 January to 31 March 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 January to 31 March 2010 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 December 2009.

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

Done at Brussels, 18 December 2009.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 125, 15.5.2007, p. 9.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.1.2010-31.3.2010 (%)
P1	09.4067	1,460029
P2	09.4068	6,05335
P3	09.4069	0,602058

COMMISSION REGULATION (EU) No 1262/2009**of 18 December 2009****on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 539/2007 of 15 May 2007 opening and providing for the administration of tariff quotas in the egg sector and for egg albumin ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 539/2007 opened tariff quotas for imports of egg products and egg albumin.
- (2) The applications for import licences lodged during the first seven days of December 2009 for the subperiod from 1 January to 31 March 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 539/2007 for the subperiod from 1 January to 31 March 2010 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 2009.

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

Done at Brussels, 18 December 2009.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 128, 16.5.2007, p. 19.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.1.2010-31.3.2010 (%)
E2	09.4401	25,531384

COMMISSION REGULATION (EU) No 1263/2009**of 18 December 2009****on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of December 2009 for the subperiod from 1 January to 31 March 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged for the subperiod from 1 January to 31 March 2010 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 2009.

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

Done at Brussels, 18 December 2009.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 309, 27.11.2007, p. 47.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.1.2010-31.3.2010 (%)
1	09.4410	0,485672
3	09.4412	0,51282
4	09.4420	0,676196
5	09.4421	7,194244
6	09.4422	0,701754

COMMISSION REGULATION (EU) No 1264/2009**of 18 December 2009****on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quota opened by Regulation (EC) No 1384/2007 for poultrymeat originating in Israel**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1384/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 2398/96 as regards opening and providing for the administration of certain quotas for imports into the Community of poultrymeat products originating in Israel ⁽³⁾, and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged during the first seven days of December 2009 for the subperiod from 1 January to 31 March 2010 relate to quantities exceeding those available for licences under the quota with order number 09.4092. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 1384/2007 for the subperiod from 1 January to 31 March 2010 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 2009.

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

Done at Brussels, 18 December 2009.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 309, 27.11.2007, p. 40.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.1.2010-31.3.2010 (%)
IL1	09.4092	74,962518

COMMISSION DIRECTIVE 2009/160/EU**of 17 December 2009****amending Council Directive 91/414/EEC to include 2-phenylphenol as active substance****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) Commission Regulations (EC) No 1112/2002 ⁽²⁾ and (EC) No 2229/2004 ⁽³⁾ lay down the detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes 2-phenylphenol.

(2) For 2-phenylphenol the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulations (EC) No 1112/2002 and (EC) No 2229/2004 for a range of uses proposed by the notifier. Moreover, those Regulations designate the rapporteur Member States which have to submit the relevant assessment reports and recommendations to the European Food Safety Authority (EFSA) in accordance with Article 22 of Regulation (EC) No 2229/2004. For 2-phenylphenol the rapporteur Member State was Spain and all relevant information was submitted on 11 February 2008.

(3) The assessment report has been peer reviewed by the Member States and the EFSA and presented to the Commission on 19 December 2008 in the format of the EFSA Scientific Report for 2-phenylphenol ⁽⁴⁾. This report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 27 November 2009 in the format of the Commission review report for 2-phenylphenol.

(4) It has appeared from the various examinations made that plant protection products containing 2-phenylphenol

may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include 2-phenylphenol in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.

(5) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that the inclusion of a substance in Annex I may be subject to conditions. Therefore it is appropriate to require that the notifier submit further information on the potential for skin depigmentation for workers and consumers due to possible exposure to the metabolite 2-phenylhydroquinone (PHQ) on citrus peel. In addition, the notifier should submit further information to confirm that the analytical method applied in residue trials correctly quantifies the residues of 2-phenylphenol, PHQ and their conjugates.

(6) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion. Since authorisations granted in accordance with the first subparagraph of Article 8(2) of Directive 91/414/EEC for plant protection products containing 2-phenylphenol expire on 31 December 2009 at the latest, this Directive should enter into force no later than 1 January 2010 to avoid a gap with respect to such plant protection products.

(7) Until MRLs have been set in accordance with Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽⁵⁾, European Parliament and Council Directive 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners ⁽⁶⁾ continues to apply to 2-phenylphenol. For the sake of clarity and to avoid an overlap, it is therefore necessary that the date of application of this Directive is such that the same date may be set for the application of the MRLs adopted for 2-phenylphenol, pursuant to Regulation (EC) No 396/2005.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 168, 27.6.2002, p. 14.

⁽³⁾ OJ L 379, 24.12.2004, p. 13.

⁽⁴⁾ EFSA Scientific Report (2008) 217, Conclusion regarding the peer review of the pesticide risk assessment of the active substance 2-phenylphenol (finalised 19 December 2008).

⁽⁵⁾ OJ L 70, 16.3.2005, p. 1.

⁽⁶⁾ OJ L 61, 18.3.1995, p. 1.

- (8) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed an appropriate period after inclusion to review existing authorisations of plant protection products containing 2-phenylphenol to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.
- (10) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

Member States shall adopt and publish by 31 December 2010 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions

and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 January 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing 2-phenylphenol as active substances by 31 December 2010.

By that date they shall in particular verify that the conditions in Annex I to that Directive relating to 2-phenylphenol are met, with the exception of those identified in part B of the entry concerning that active substance, and that the holders of the authorisations have, or have access to, dossiers satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing 2-phenylphenol as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 December 2009 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning 2-phenylphenol. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing 2-phenylphenol as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2014 at the latest; or
- (b) in the case of a product containing 2-phenylphenol as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2014 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 January 2010.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 17 December 2009.

For the Commission
The President
José Manuel BARROSO

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
'305	2-phenylphenol (including its salts such as the sodium salt) CAS No 90-43-7 CIPAC No 246	<i>biphenyl-2-ol</i>	≥ 998 g/kg	1 January 2010	31 December 2019	<p>PART A</p> <p>Only uses as a post-harvest fungicide for indoor use in closed drench chambers may be authorised.</p> <p>PART B</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on 2-phenylphenol, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009 shall be taken into account.</p> <p>In this overall assessment Member States must pay particular attention to put in place appropriate waste management practices to handle the waste solution remaining after application, including the cleaning water of the drenching system. Member States permitting the release of waste water into the sewage system shall ensure that a local risk assessment is carried out.</p> <p>The Member States concerned shall ensure that the notifier submits to the Commission further information on the potential for skin depigmentation for workers and consumers due to possible exposure to the metabolite 2-phenylhydroquinone (PHQ) on citrus peel.</p> <p>They shall ensure that the notifier provides such information to the Commission by 31 December 2011.</p> <p>The Member States concerned shall ensure that the notifier submits to the Commission further information to confirm that the analytical method applied in residue trials correctly quantifies the residues of 2-phenylphenol, PHQ and their conjugates.</p> <p>They shall ensure that the notifier provides such information to the Commission by 31 December 2011.'</p>

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION DIRECTIVE 2009/161/EU**of 17 December 2009****establishing a third list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Commission Directive 2000/39/EC****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work ⁽¹⁾, and in particular Article 3(2) thereof,

Having regard to the opinion of the Advisory Committee on Safety and Health at Work,

Whereas:

(1) Pursuant to Directive 98/24/EC, the Commission is to propose European objectives in the form of indicative occupational exposure limit values (IOELVs) for the protection of workers from chemical risks, to be set at Community level.

(2) In carrying out this task, the Commission is assisted by the Scientific Committee for Occupational Exposure Limits to Chemical Agents (SCOEL) set up by Commission Decision 95/320/EC ⁽²⁾.

(3) IOELVs are health-based, non-binding values, derived from the most recent scientific data available and taking into account the availability of measurement techniques. They set threshold levels of exposure below which, in general, no detrimental effects are expected for any given substance after short-term or daily exposure over a working life time. They constitute European objectives to assist employers in determining and assessing risks, in accordance with Article 4 of Directive 98/24/EC.

(4) For any chemical agent for which an IOELV is established at Community level, Member States are required to establish a national occupational exposure limit value taking into account the Community limit value, but may determine its nature in accordance with national legislation and practice.

(5) IOELVs should be regarded as an important part of the overall approach to ensuring that the health of workers is protected against the risks arising from hazardous chemicals.

(6) Results of the risk assessments and risk reduction strategies developed in the framework of Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances ⁽³⁾ show the need for the establishment or revision of occupational exposure limit for a number of substances.

(7) Commission Directive 91/322/EEC ⁽⁴⁾ as amended by Directive 2006/15/EC ⁽⁵⁾ contains occupational exposure limits for 10 substances and remains in force.

(8) A first and a second list of IOELVs were established by Commission Directives 2000/39/EC ⁽⁶⁾ and 2006/15/EC under Directive 98/24/EC. This Directive establishes a third list of IOELVs under Directive 98/24/EC.

(9) In accordance with Article 3 of Directive 98/24/EC, SCOEL has assessed 19 substances, which are listed in the Annex to this Directive. One of these substances, phenol, was previously listed in the Annex to Directive 2000/39/EC. SCOEL has reviewed the IOELV for this substance in the light of recent scientific data and recommended the establishment of a short-term exposure limit (STEL) to complement the existing time-weighted average (TWA) IOELV. Therefore, this substance, now listed in the Annex to this Directive, should be deleted from the Annex to Directive 2000/39/EC.

(10) Mercury is a substance with potentially serious cumulative health effects. Therefore health surveillance including biological monitoring in accordance with Article 10 of Directive 98/24/EC should complement the IOELV.

(11) It is also necessary to establish short-term exposure limit values for certain substances to take account of effects arising from short-term exposure.

⁽¹⁾ OJ L 131, 5.5.1998, p. 11.

⁽²⁾ OJ L 188, 9.8.1995, p. 14.

⁽³⁾ OJ L 84, 5.4.1993, p. 1.

⁽⁴⁾ OJ L 177, 5.7.1991, p. 22.

⁽⁵⁾ OJ L 38, 9.2.2006, p. 36.

⁽⁶⁾ OJ L 142, 16.6.2000, p. 47.

- (12) For some substances, it is necessary to take into account the possibility of penetration through the skin in order to ensure the best possible level of protection.
- (13) This Directive should constitute a practical step towards consolidating the social dimension of the internal market.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 17 of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽¹⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In implementation of Directive 98/24/EC, a third list of Community indicative occupational exposure limit values is hereby established for the chemical agents listed in the Annex.

Article 2

Member States shall establish national occupational exposure limit values for the chemical agents listed in the Annex, taking into account the Community values.

Article 3

In the Annex to Directive 2000/39/EC the reference to phenol is deleted.

Article 4

1. Member States shall bring into force the necessary laws, regulations and administrative provisions to comply with this Directive by 18 December 2011 at the latest.

They shall forthwith communicate to the Commission the text of those provisions and a correlation table between the provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 5

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 17 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 183, 29.6.1989, p. 1.

ANNEX

CAS ⁽¹⁾	NAME OF AGENT	LIMIT VALUES				Notation ⁽²⁾
		8 hours ⁽³⁾		Short term ⁽⁴⁾		
		mg/m ³ ⁽⁵⁾	ppm ⁽⁶⁾	mg/m ³	ppm	
68-12-2	N,N Dimethylformamide	15	5	30	10	skin
75-15-0	Carbon disulphide	15	5	—	—	skin
80-05-7	Bisphenol A (inhalable dust)	10	—	—	—	—
80-62-6	Methyl methacrylate	—	50	—	100	—
96-33-3	Methylacrylate	18	5	36	10	—
108-05-4	Vinyl acetate	17,6	5	35,2	10	—
108-95-2	Phenol	8	2	16	4	skin
109-86-4	2-Methoxyethanol	—	1	—	—	skin
110-49-6	2-Methoxyethyl acetate	—	1	—	—	skin
110-80-5	2-Ethoxy ethanol	8	2	—	—	skin
111-15-9	2-Ethoxyethyl acetate	11	2	—	—	skin
123-91-1	1,4 Dioxane	73	20	—	—	—
140-88-5	Ethylacrylate	21	5	42	10	—
624-83-9	Methylisocyanate	—	—	—	0,02	—
872-50-4	n-Methyl-2-pyrrolidone	40	10	80	20	skin
1634-04-4	Tertiary-butyl-methyl ether	183,5	50	367	100	—
	Mercury and divalent inorganic mercury compounds including mercuric oxide and mercuric chloride (measured as mercury) ⁽⁷⁾	0,02	—	—	—	—
7664-93-9	Sulphuric acid (mist) ⁽⁸⁾ ⁽⁹⁾	0,05	—	—	—	—
7783-06-4	Hydrogen sulphide	7	5	14	10	—

⁽¹⁾ CAS: Chemical Abstract Service Registry Number.

⁽²⁾ A skin notation assigned to the occupational exposure limit value indicates the possibility of significant uptake through the skin.

⁽³⁾ Measured or calculated in relation to a reference period of 8 hours time-weighted average (TWA).

⁽⁴⁾ Short-term exposure limit (STEL). A limit value above which exposure should not occur and which is related to a 15-minute period unless otherwise specified.

⁽⁵⁾ mg/m³: milligrams per cubic metre of air at 20 °C and 101,3 KPa.

⁽⁶⁾ ppm: parts per million by volume in air (ml/m³).

⁽⁷⁾ During exposure monitoring for mercury and its divalent inorganic compounds, account should be taken of relevant biological monitoring techniques that complement the IOELV.

⁽⁸⁾ When selecting an appropriate exposure monitoring method, account should be taken of potential limitations and interferences that may arise in the presence of other sulphur compounds.

⁽⁹⁾ The mist is defined as the thoracic fraction.

COUNCIL DECISION 2009/981/CFSP**of 18 December 2009****amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 27 April 2006, the Council adopted Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar ⁽¹⁾.
- (2) There are no longer grounds for keeping one person on the list of persons, entities and bodies to which Common Position 2006/318/CFSP applies,

HAS ADOPTED THIS DECISION:

Article 1

The person mentioned in the Annex to this Decision shall be removed from the list set out in Annex II to Common Position 2006/318/CFSP.

Article 2

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

Article 3

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

Done at Brussels, 18 December 2009.

For the Council

The President

Å. TORSTENSSON

⁽¹⁾ OJ L 116, 29.4.2006, p. 77.

ANNEX

PERSON REFERRED TO IN ARTICLE 1

#	Name	Identifying information (inc. Ministry)	Sex (M/F)
E7c	Aung Khaing Moe	Son of Myo Myint, d.o.b. 25.6.1967 (believed to be currently in UK; went before entered on list)	M

POLITICAL AND SECURITY COMMITTEE DECISION EUJUST LEX/2/2009**of 15 December 2009****concerning the appointment of the Head of Mission for the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX**

(2009/982/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Joint Action 2009/475/CFSP of 11 June 2009 on the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX, and in particular Article 9(2) thereof,

Whereas:

- (1) On 11 June 2009, the Council adopted Joint Action 2009/475/CFSP on the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX. That Joint Action expires on 30 June 2010.
- (2) Article 9(2) of Joint Action 2009/475/CFSP authorises the Political and Security Committee to take decisions regarding the appointment of the Head of Mission.
- (3) The High Representative of the Union for Foreign Affairs and Security Policy has proposed that Mr Francisco DÍAZ ALCANTUD be appointed as Head of Mission of EUJUST LEX until 30 June 2010.

Article 1

Mr Francisco DÍAZ ALCANTUD is hereby appointed as Head of Mission of the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX, for the period from 1 January 2010 until 30 June 2010.

Article 2

This Decision shall be notified to Mr Francisco DÍAZ ALCANTUD.

It shall take effect on the day of its notification.

Done at Brussels, 15 December 2009.

For the Political and Security Committee
The President
O. SKOOG

ACTS WHOSE PUBLICATION IS NOT OBLIGATORY

COUNCIL DECISION

of 16 December 2009

on the granting of State aid by the authorities of the Republic of Lithuania for the purchase of State-owned agricultural land between 1 January 2010 and 31 December 2013

(2009/983/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union and in particular Article 108(2), third subparagraph, thereof,

Having regard to the request made by the Government of the Republic of Lithuania on 23 November 2009,

Whereas:

- (1) On 23 November 2009, the Republic of Lithuania (hereinafter referred to as 'Lithuania') presented to the Council a request for a decision in accordance with the third subparagraph of Article 88(2) of the Treaty establishing the European Community concerning Lithuania's plan to grant State aid to Lithuanian farmers for the purchase of State-owned agricultural land.
- (2) Due to insufficient agricultural incomes, it is difficult to improve the unfavourable area structure of Lithuanian agricultural holdings. In 2009, farms with an area of up to 5 hectares made up 52,5 % of all farms.
- (3) In 2009, the economic and financial crisis substantially decreased producer prices of agricultural products in Lithuania: in the first quarter, the producer prices of agricultural products declined by 27 % compared to the first quarter of 2008, by 25,3 % in the second quarter compared to the second quarter of 2008 and by 8 % in the third quarter compared to the third quarter of 2008. Crop producer prices have been especially significantly hit by this decrease: over the same reference period producer prices of crop products declined accordingly by 33,6 %, 35,7 % and 17,9 %.
- (4) At the end of 2008 and in 2009, in view of the lack of equity capital of farmers and the high interest rates applied by credit institutions on loans for the purchase of agricultural land, the prospects for farmers of taking out loans for investments such as the purchase of agricultural land at market conditions were drastically reduced. In the fourth quarter of 2008 and in 2009, credit interest rates on loans for the purchase of agricultural land varied between 9,51 % to 15,99 % per annum.
- (5) The State aid will be provided in two alternative forms: 1) by multiplying the market price of the purchased land by a weighting factor (0,6 or 0,75 for young farmers if all the conditions set in the aid scheme are fulfilled); 2) by selling the State-owned agricultural land on an instalment basis, in which case the aid corresponds to the difference between the actual interest rate paid by the purchaser, which is minimum 5 %, and the interest rate applied by the lending bank.
- (6) The State aid to be granted amounts to a maximum of LTL 55 million and should enable the purchase of a total of 370 000 hectares of agricultural land — in the form of a maximum of 300 hectares of agricultural land per purchaser — during the period from 2010 to 2013. The average amount of aid per holding should be approximately LTL 11 000. The land may be sold to natural persons who fulfil the following conditions: they have submitted a 'single application' in respect of the area-related aid schemes in accordance with Article 11 of Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers⁽¹⁾ in the year preceding the year of submission of their application for State aid; they manage the farm accountancy; they have experience in practical farming and have a registered farm or they have experience in practical farming and hold a diploma in the area of agriculture or a document certifying vocational training in farming. The land may also be sold to legal persons, for which at least half of the annual income is made up of proceeds of sales of marketable agricultural products and for which there is proof of their economic viability.

⁽¹⁾ OJ L 141, 30.4.2004, p. 18.

- (7) State-owned agricultural land can be sold in instalments over a period of no longer than 15 years, the purchaser starting to pay as from the second year and paying 10 % of the price outright, except for young farmers under 40 years of age, who need only pay 5 %. The purchaser must meet the minimum standards of environment protection, hygiene and animal welfare.
- (8) No tendering procedure applies for State-owned agricultural land but the price is calculated according to the Lithuanian Law on Foundations of Property and Business Valuation, i.e. after evaluation of the properties of each land plot at market price. A weighting of 0,6 applies to the price so calculated if young farmers under 40 years of age who have used the land in question for at least 1 year, pay for it outright. A weighting of 0,75 applies in the case of young farmers under 40 years of age who have used the land in question for at least 1 year, pay for the land in instalments. The purchasers of State-owned land cannot change the main purpose of its use earlier than 5 years from the day of purchase. If either of the above weightings has been applied to the price of the land, the purchaser cannot transfer this property earlier than 5 years from the day of purchase.
- (9) The Commission has not at this stage initiated any procedure nor taken a position on the nature and compatibility of the aid.

- (10) Exceptional circumstances therefore exist, making it possible to consider such aid, by way of derogation and to the extent strictly necessary to finish land reform successfully and to improve the structure of farms and the efficiency of farming in Lithuania, to be compatible with the internal market,

HAS ADOPTED THIS DECISION:

Article 1

Exceptional State aid by the Lithuanian authorities for loans for the purchase of State-owned agricultural land, amounting to a maximum of LTL 55 million and granted between 1 January 2010 and 31 December 2013, shall be considered to be compatible with the internal market.

Article 2

This Decision is addressed to the Republic of Lithuania.

Done at Brussels, 16 December 2009.

For the Council

The President

E. ERLANDSSON

COMMISSION DECISION

of 17 December 2009

laying down the final balance to be paid or recovered at programme closure in the field of transitional rural development programmes financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) by the Czech Republic, Hungary and Slovenia

*(notified under document C(2009) 10032)***(Only the Czech, Hungarian and Slovenian texts are authentic)**

(2009/984/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Regulation (EC) No 27/2004 of 5 January 2004 laying down transitional detailed rules for the application of Council Regulation (EC) No 1257/1999 as regards the financing by the EAGGF Guarantee Section of rural development measures in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia ⁽¹⁾ and in particular Article 3(4) thereof,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the structural funds ⁽²⁾, and in particular Article 32(3) thereof,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund ⁽³⁾, and in particular Article 47(3) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) On the basis of the annual accounts submitted by the Czech Republic, Hungary and Slovenia concerning expenditure in the field of rural development measures, accompanied by the information required, the accounts of the paying agencies referred to in Article 6(2) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽⁴⁾, have been cleared for the financial years 2005 ⁽⁵⁾, 2006 ⁽⁶⁾, 2007 ⁽⁷⁾ and 2008 ⁽⁸⁾. The respective clearance decisions have been adopted.

(2) The paying agencies in charge of the transitional rural development programmes for 2004-2006 of the Czech Republic, Hungary and Slovenia have submitted the final declaration of expenditure and final payment claim before 15 October 2008; thus, the clearance of accounts decisions referred to above clear the full expenditure under the programme.

(3) Article 32(3) of Regulation (EC) No 1260/1999 provides that the combined total payments which are made in respect of the programme, prior to the payment of the final balance, shall not exceed 95 % of the Community commitment for the programme.

(4) For the rural development expenditure covered by Article 3(4) of Regulation (EC) No 27/2004, the final balance to be paid or recovered shall be calculated on the basis of the latest clearance of accounts decision and additional information provided by the Czech Republic, Hungary and Slovenia as per recital 5 hereafter.

(5) In the light of the closure of the Transitional Rural Development programmes, the Member States concerned were requested to provide information on the outstanding debts in respect of the programmes. The debt data were verified and taken into consideration by the Commission when calculating the final balance.

(6) Due to the fact that Estonia, Cyprus, Latvia, Lithuania, Malta, Poland and Slovakia did not submit the final declaration of expenditure and final payment claim before 15 October 2008, the respective programmes will have to be proposed for closure in a future Decision.

(7) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

⁽¹⁾ OJ L 5, 9.1.2004, p. 36.

⁽²⁾ OJ L 161, 26.6.1999, p. 1.

⁽³⁾ OJ L 160, 26.6.1999, p. 80.

⁽⁴⁾ OJ L 209, 11.8.2005, p. 1.

⁽⁵⁾ OJ L 118, 3.5.2006, p. 20 and OJ L 122, 11.5.2007, p. 47.

⁽⁶⁾ OJ L 122, 11.5.2007, p. 41.

⁽⁷⁾ OJ L 139, 29.5.2008, p. 25.

⁽⁸⁾ OJ L 111, 5.5.2009, p. 35.

HAS ADOPTED THIS DECISION:

Article 1

The amounts of the final balance which is recoverable from, or payable to, each Member State pursuant to this Decision in the field of rural development measures applicable in the Czech Republic, Hungary and Slovenia, are set out in the Annex.

Article 2

As regards the accounts of the Member States' paying agencies in the field of rural development measures applicable in Estonia, Cyprus, Latvia, Lithuania, Malta, Poland and Slovakia, the closure of the Transitional Rural Development programme shall be the subject of a future Decision.

Article 3

This Decision is addressed to the Czech Republic, the Republic of Hungary and the Republic of Slovenia.

Done at Brussels, 17 December 2009.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

TRDI programmes: Declared expenditure 2000/06, final balance and decommitment of EU co-financing

(EUR)

New Member States:		CZ	HU	SI
Declared expenditure 2004/08				
A	Total committed amount for the programme	542 800 000,00	602 300 000,00	281 600 000,00
B	Eligible expenditure incurred by MS to 15.10.2008	542 799 982,00	602 096 646,00	282 041 275,00
C	Annually cleared expenditure			
	2004			
	2005	145 160 224,00	37 272 434,19	73 638 853,19
	2006	176 481 317,23	296 024 258,77	118 941 385,27
	2007	188 407 840,07	178 498 827,76	88 853 612,73
	2008	32 399 539,50	90 290 537,46	607 424,53
	Total cleared expenditure 2004/08	542 448 920,80	602 086 058,18	282 041 275,72
Final balance and decommitment of EU co-financing (situation at closure)				
D	Total eligible expenditure (lowest: B or C)	542 448 920,80	602 086 058,18	282 041 275,00
E	Less: Irregularities recovered by the MS to be deducted from the final balance	249 112,34	1 352 932,08	2 438 683,32
F	Total eligible expenditure to be reimbursed (D-E)	542 199 808,46	600 733 126,10	279 602 591,68
G	Less: Advances already paid	86 848 000,00	96 368 000,00	45 056 000,00
H	Less: INT already made	428 812 000,00	475 817 000,00	222 464 000,00
I	Payment or recovery of net final balance (F-G-H)	26 539 808,46	28 548 126,10	12 082 591,68

COMMISSION DECISION

of 18 December 2009

appointing members of the Scientific Committee for Occupational Exposure Limits to Chemical Agents for a new term of office

(2009/985/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Decision 95/320/EC of 12 July 1995 setting up a Scientific Committee for Occupational Exposure Limits to Chemical Agents ⁽¹⁾, referred to below as 'the Committee', as amended by Commission Decision 2006/275/EC ⁽²⁾ and

Having regard to the profiles of candidates submitted by the Member States and evaluated by a Selection Committee on 6 July 2009,

Whereas:

- (1) Article 3(1) of Decision 95/320/EC provides that the Committee shall consist of not more than 21 members selected from among suitable candidates proposed by the Member States and reflecting the full range of scientific expertise which is necessary to fulfil the mandate of the Committee.
- (2) Article 3(2) of Decision 95/320/EC provides that the Commission shall appoint the members of the Committee, on the basis of their proven scientific expertise and experience, having regard to the need to ensure that the various specific areas are covered.
- (3) Article 3(4) of Decision 95/320/EC provides that the term of office of the members of the Committee shall be three years and that their appointment shall be renewable. After the expiry of the three-year period, members of the Committee remain in office until they are replaced or until their appointments are renewed.
- (4) The Commission has appointed by Decision 2006/573/EC ⁽³⁾ the members of the Committee for the fourth term of office from 1 July 2006 to 30 June 2009.
- (5) It is therefore necessary to appoint the members of that Committee for the fifth term of office from 1 January 2010 to 31 December 2012.

- (6) The Commission consulted the Member States according to Article 3(2) of Decision 95/320/EC,

HAS ADOPTED THIS DECISION:

Sole article

The Commission appoints the following members of the Scientific Committee for Occupational Exposure Limits to Chemical Agents for the term of office from 1 January 2010 to 31 December 2012:

Prof. Hermann Bolt	Germany
Dr Marie-Thérèse Brondeau	France
Dr Dominique Brunet	France
Dr Eugenia Dănulescu	Romania
Prof. Helmut Greim	Germany
Prof. Andrea Hartwig	Germany
Prof. Alastair Hay	United Kingdom
Dr Miroslava Hornychová	Czech Republic
Dr Aranka Hudák-Demeter	Hungary
Prof. Gunnar Johanson	Sweden
Prof. Leonard Levy	United Kingdom
Prof. Dominique Lison	Belgium
Prof. Raphael Masschelein	Belgium
Dr Ekaterina Mirkova	Bulgaria
Dr Gunnar Nielsen	Denmark
Dr Hannu Norppa	Finland
Dr Erich Pospischil	Austria
Dr Tiina Santonen	Finland
Dr Jolanta Skowroń	Poland
Dr José Natalio Tejedor	Spain
Dr Ruud Woutersen	The Netherlands

Done at Brussels, 18 December 2009.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 188, 9.8.1995, p. 14.

⁽²⁾ OJ L 101, 11.4.2006, p. 4.

⁽³⁾ OJ L 228, 22.8.2006, p. 22.

COMMISSION DECISION**of 18 December 2009****establishing the group of experts for technical advice on the School Fruit Scheme**

(2009/986/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) To ensure the successful implementation of the School Fruit Scheme, established by Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾ as amended by Council Regulation (EC) No 13/2009 ⁽²⁾, hereinafter referred to as 'School Fruit Scheme', the Commission should be able to receive technical expert advice from a forum of experts with expertise in nutrition, epidemiology, public health and health promotion, behavioural and social sciences, evaluation.
- (2) It is therefore necessary to set up a group of independent experts and to define its tasks and its structure.
- (3) The expert group should provide the Commission with expert input in a wide range of fields related to the implementation, monitoring and evaluation of the School Fruit Scheme. The expert group should also provide the Commission with assistance as regards the elaboration of the report referred to in Article 184(5) of Regulation (EC) No 1234/2007.
- (4) The members of the expert group should be appointed in a personal capacity and deliver independent advice to the Commission. Members of the expert group should have complementary backgrounds and combine both scientific and practical knowledge. The composition of the expert group should reflect an adequate geographical balance within the European Union.
- (5) The Commission's representative in the expert group should be entitled to invite experts or observers with experience in a specific field to participate in the group's work.
- (6) Rules on disclosure of information by members of the expert group should be provided for, without prejudice to the Commission's rules on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom ⁽³⁾.

- (7) Personal data relating to members of the expert group should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽⁴⁾,

HAS ADOPTED THIS DECISION:

*Article 1***The group of experts for technical advice on the School Fruit Scheme**

The group of experts for technical advice on the School Fruit Scheme, hereinafter referred to as 'the expert group', is hereby set up.

*Article 2***Tasks**

The expert group's task shall be to assist the Commission:

- (a) with the implementation, monitoring and evaluation of the School Fruit Scheme established by Regulation (EC) No 1234/2007, hereinafter referred to as 'School Fruit Scheme', by providing it with expert advice;
- (b) with the elaboration of the report referred to in Article 184(5) of Regulation (EC) No 1234/2007.

*Article 3***Consultation**

1. The Commission may consult the expert group on any matter relating to the application of the School Fruit Scheme.
2. The Chairperson of the expert group may advise the Commission that it is desirable to consult it on a specific question.

*Article 4***Membership — Appointment**

1. The expert group shall be composed of ten members. Its composition shall reflect an adequate geographical balance within the European Union.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 5, 9.1.2009, p. 1.

⁽³⁾ OJ L 317, 3.12.2001, p. 1.

⁽⁴⁾ OJ L 8, 12.1.2001, p. 1.

2. The members of the expert group shall be appointed by the Commission from specialists:

- (a) with expertise in nutrition, epidemiology, public health and health promotion, behavioural and social sciences, evaluation;
- (b) with a suitable background to advise the Commission on the implementation, monitoring and evaluation of the School Fruit Scheme; and
- (c) who have responded to a public call for applications.

3. The Commission may also establish a list of candidates that could not be appointed as permanent members of the expert group, although they were considered suitable for a position in the expert group in the course of the selection procedure. This list may be used for the appointment of alternate members of the expert group.

4. The members of the expert group shall be appointed in a personal capacity and shall advise the Commission independently of any outside influence.

5. Members of the expert group shall be appointed for a three-year renewable term of office and may not serve for more than three consecutive terms. They shall remain in office until such time as they are replaced in accordance with paragraph 6 or their term of office ends.

6. Members who are no longer capable of contributing effectively to the expert group's deliberations, who resign or who do not comply with the conditions set out in paragraph 4 of this Article, or Article 339 of the Treaty on the Functioning of the European Union, may be replaced for the remainder of their term of office.

7. Members shall each year sign an undertaking to act in the public interest and a declaration indicating the absence or existence of any interest which may undermine their objectivity. They shall also declare before each meeting any specific interest which may be considered as prejudicial to their independence in relation to the items on the agenda.

8. The names of members and those included in the list referred to in paragraph 3 shall be published on the Internet site of the Directorate-General for Agriculture and Rural Development and in the Register of Expert Groups. These names shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

Article 5

Operation

1. The expert group shall elect a chairperson and two vice-chairpersons from its members by simple majority vote.

2. A Commission representative may attend the meetings of the expert group. He may invite experts or observers with specific expertise on a subject on the agenda of the expert group to participate in the work of the expert group.

3. Information obtained by participating in the deliberations of the expert group shall not be divulged if, in the opinion of the Commission, that information relates to confidential matters.

4. The expert group shall normally meet on Commission premises in accordance with the procedures and schedule established by it. The Commission shall provide secretarial services. Other Commission officials with an interest in the proceedings may attend meetings of the expert group.

5. The expert group shall adopt its rules of procedure on the basis of the standard rules of procedure adopted by the Commission ⁽¹⁾ by simple majority vote.

6. The Commission may publish on the Internet, in the original language of the document concerned, the agenda, the minutes, any summary, conclusion, or partial conclusion or working document of the expert group.

Article 6

Meeting expenses

1. The Commission shall reimburse travel and, where appropriate, subsistence expenses for members and experts in connection with the expert group's activities in accordance with the Commission's applicable rules on the compensation of external experts.

2. The members, experts and observers shall not be remunerated for the services they render.

3. Meeting expenses shall be reimbursed within the limits of the annual budget allocated by the responsible Commission services.

Article 7

Entry into force

The Decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Annex III to document SEC(2005) 1004 of 27.7.2005.

COMMISSION DECISION

of 18 December 2009

conferring on the former Yugoslav Republic of Macedonia management of aid relating to the Component V — Agriculture and Rural Development of the Instrument for Pre-Accession Assistance (IPA) for pre-accession measures 101, 103 and 302 in the pre-accession period

(2009/987/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) ⁽²⁾ and in particular Articles 18 and 186 thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽³⁾ (hereinafter referred to as: 'the Financial Regulation'), and in particular Article 53c and Article 56(2) thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾ (hereinafter referred to as: 'the Implementing Rules') and in particular Article 35 thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA) lays down the objectives and main principles for pre-accession assistance to candidate and potential candidate countries for the period from 2007 to 2013 and confers the responsibility for its implementation to the Commission.
- (2) Articles 11, 12, 13, 14, 18 and 186 of Regulation (EC) No 718/2007 implementing Regulation (EC) No 1085/2006 give the Commission the possibility to confer management powers to the beneficiary country and define the requirements for such conferral relating to the Component V — Agriculture and Rural Development of the Instrument for Pre-Accession Assistance.

- (3) Pursuant to Article 7 of Regulation (EC) No 718/2007 the Commission and the beneficiary country shall conclude a framework agreement, in order to set out and agree on the rules for cooperation concerning EU financial assistance to the beneficiary country. Where necessary, the framework agreement may be complemented by a sectoral agreement, or sectoral agreements, covering component specific provisions.

- (4) For conferring management powers to the beneficiary country the conditions laid down in Article 53c and Article 56(2) of the Financial Regulation and in Article 35 of the Implementing Rules must be fulfilled.

- (5) The Framework Agreement on the rules for cooperation concerning EC-financial assistance to the former Yugoslav Republic of Macedonia in the framework of the implementation of the assistance under the instrument for Pre-Accession Assistance (IPA) between the Government of the former Yugoslav Republic of Macedonia and the Commission of the European Communities was concluded on 4 March 2008.

- (6) The Programme for Agriculture and Rural Development of the former Yugoslav Republic of Macedonia under IPA (hereinafter referred to as 'IPARD Programme'), approved by Commission Decision C(2008) 677 of 25 February 2008, in accordance with Article 7(3) of Regulation (EC) No 1085/2006, and Article 184 of Regulation (EC) No 718/2007 included a plan for the annual Community contributions as well as the financing agreement.

- (7) The Sectoral Agreement concluded on 29 January 2009 between the Commission of the European Community, acting for and on behalf of the European Community and the Government of the former Yugoslav Republic of Macedonia, acting on behalf of the former Yugoslav Republic of Macedonia, complements the provisions of the Framework Agreement, laying down the specific provisions applicable for the implementation and the execution of the IPARD Programme for Agriculture and Rural Development of the former Yugoslav Republic of Macedonia under the Instrument for Pre-Accession Assistance (IPA).

- (8) The IPARD Programme was last amended on 23 September 2009 by Commission Decision C(2009) 7041.

⁽¹⁾ OJ L 210, 31.7.2006, p. 82.

⁽²⁾ OJ L 170, 29.6.2007, p. 1.

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁴⁾ OJ L 357, 31.12.2002, p. 1.

- (9) Pursuant to Article 21 of Regulation (EC) No 718/2007 the beneficiary country has to designate bodies and authorities responsible for implementation of the IPARD Programme: the Competent Accrediting Officer, the National Authorising Officer, the National Fund, the Managing Authority, the IPARD Agency and the Audit Authority.
- (10) The Government of the former Yugoslav Republic of Macedonia has appointed the National Fund, a central treasury body within the Ministry of Finance, acting as the National Fund, which will execute the functions and responsibilities as defined in Annex I to the Sectoral Agreement.
- (11) The Government of the former Yugoslav Republic of Macedonia has appointed the Agency for Financial Support in Agriculture and Rural Development, to act as the IPARD Agency, which will execute the functions and responsibilities as defined in Annex I to the Sectoral Agreement.
- (12) The Government of the former Yugoslav Republic of Macedonia has appointed the Managing Authority, within the Ministry of Agriculture, Forestry and Water Economy, to act as the Managing Authority, which will execute the functions and responsibilities as defined in Annex I to the Sectoral Agreement.
- (13) The Competent Accrediting Officer notified the European Commission on 18 March 2009 of the accreditation of the National Authorising Officer and the National Fund in accordance with Article 12(3) of Regulation (EC) No 718/2007.
- (14) The National Authorising Officer notified the European Commission on 18 March 2009 of the accreditation of the operating structure in charge of the management and implementation of the IPA Component V — Rural Development, in accordance with Article 13(3) of Regulation (EC) No 718/2007.
- (15) The Agency for Financial Support in Agriculture and Rural Development, acting as the IPARD Agency, and the Managing Authority, acting as the Managing Authority, will be responsible for implementing the three measures accredited by the National Authorising Officer out of four from the IPARD Programme: 101 'Investments in agriculture holdings to restructure and to upgrade to Community standards', 103 'Investments in the processing and marketing of agricultural and fishery products to restructure these activities and to upgrade them to Community standards' and 302 'Diversification and development of rural economic activities' as defined in the Programme.
- (16) On 22 October 2008 and on 24 February 2009 the National Authorities submitted to the Commission the list of eligible expenditure in conformity with Article 32(3) of the Sectoral Agreement. The Commission approved this list on 17 April 2009.
- (17) In order to take into account the requirements of Article 19(1) of the Framework Agreement the expenditure pursuant to this Decision shall be eligible for Community co-finance only if not paid earlier than the date of conferral decision, with the exception of general costs referred to in Article 172(3)(c) of Regulation (EC) No 718/2007. Expenditure shall be eligible if it is in accordance with the principles of sound financial management and, in particular, of economy and cost-effectiveness.
- (18) Regulation (EC) No 718/2007 provides that the ex-ante approval requirement referred to in Article 18(2) of Regulation (EC) No 718/2007 may be waived on the basis of a case-by-case analysis of effective functioning of the management and control system concerned and provides for detailed rules for the carrying out of the said analysis.
- (19) Pursuant to Articles 14 and 18 of Regulation (EC) No 718/2007, the accreditations referred to in Articles 11, 12 and 13 of Regulation (EC) No 718/2007 have been reviewed; and the procedures and structures of the bodies and authorities concerned, as set out in the application submitted by the National Authorising Officer, have been examined, including by on-the-spot verifications.
- (20) Nonetheless the verifications carried out by the Commission for measure 101 'Investments in agriculture holdings to restructure and to upgrade to Community standards', measure 103 'Investments in the processing and marketing of agricultural and fishery products to restructure these activities and to upgrade them to Community standards' and measure 302 'Diversification and development of rural economic activities' are based on a system that is operational, but not yet operating, with regard to all relevant elements.
- (21) Although the Audit Authority is not itself part of this Decision, its level of readiness to operate as a functionally independent audit body by the time of submission to the Commission of the accreditation package for the conferral of management has been evaluated by on-the-spot verifications.
- (22) The former Yugoslav Republic of Macedonia's compliance with the requirements of Article 56(2) of the Financial Regulation and Articles 11, 12 and 13 of Regulation (EC) No 718/2007 has been assessed by on-the-spot verifications.
- (23) The assessment has shown that the former Yugoslav Republic of Macedonia complies with the requirements for measures 101, 103 and 302.

- (24) It is therefore appropriate to waive the ex ante approval requirements referred to in Article 18(1) of Regulation (EC) No 718/2007 and Article 165 of the Financial Regulation and to confer on the National Authorising Officer, on the National Fund, on the IPARD Agency and on the Managing Authority, the management powers relating to the measures 101, 103 and 302 of the Programme for the former Yugoslav Republic of Macedonia on a decentralised basis,

HAS ADOPTED THIS DECISION:

Article 1

1. The management of assistance provided for under IPA — Component V as regards Agriculture and Rural Development of the Instrument for Pre-Accession Assistance (IPA) is conferred on the concerned bodies under the conditions laid down in this Decision.

2. The requirement for ex ante approval by the Commission of managing, paying and implementing functions for measure 101 'Investments in agriculture holdings to restructure and to upgrade to Community standards', measure 103 'Investments in the processing and marketing of agricultural and fishery products to restructure these activities and to upgrade them to Community standards' and measure 302 'Diversification and development of rural economic activities' by the former Yugoslav Republic of Macedonia for in Article 18 of Regulation (EC) No 718/2007, is hereby waived.

Article 2

This Decision shall apply on the basis of the following structures, bodies and authorities designated by the former Yugoslav Republic of Macedonia for the management of measures 101, 103 and 302 of the Programme provided for under IPA — Component V:

- (a) the National Authorising Officer;
- (b) the National Fund;
- (c) the Operating Structure for IPA — Component V:
 - the Managing Authority,
 - the IPARD Agency.

Article 3

1. The management powers are conferred on the structures, bodies and authorities as specified in Article 2 of this Decision.

2. The national authorities shall carry out further verifications with regard to the structures, bodies and authorities set out in Article 2 of this Decision, in order to ensure that the management and control system operates satisfactorily. Verifications shall be carried out before the submission of the first Declaration of Expenditure requesting the reimbursement related to measures stated in Article 1(2) above.

Article 4

1. Expenditure paid earlier than the date of this Decision shall in no case be eligible with the exception of general costs referred to in Article 172(3)(c) of Regulation (EC) No 718/2007.

2. Expenditure shall be eligible if it is in accordance with the principles of sound financial management and, in particular, of economy and cost-effectiveness.

Article 5

Without prejudice to any decisions granting aid under the IPARD Programme to individual beneficiaries, the rules for eligibility of expenditure proposed by the former Yugoslav Republic of Macedonia by letter No 08-44/82 of 22 October 2008 and letter No 08-77/16 of 24 February 2009, registered in the Commission respectively on 21 November 2008 under No A/31025 and on 24 March 2009 under No A/7937, shall apply.

Article 6

1. The Commission shall monitor compliance with the requirements for the conferral of management powers as laid down in Article 17 of Regulation (EC) No 718/2007.

2. At any time during the implementation of this Decision, should the Commission consider that the obligations of the former Yugoslav Republic of Macedonia under this Decision are no longer met, the Commission may decide to withdraw or suspend the conferral of management powers.

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

COMMISSION DECISION**of 18 December 2009****designating the Community Fisheries Control Agency as the body to carry out certain tasks under Council Regulation (EC) No 1005/2008***(notified under document C(2009) 10155)**(2009/988/EU)*

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the European Union and to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing ⁽¹⁾, and in particular Articles 11(3), 20(4), 25(2), 48(4), 48(5) thereof,

Whereas:

- (1) Articles 11(3), 20(4), 25(2), 48(4), 48(5) of Regulation (EC) No 1005/2008 empower the Commission to designate a body for the purposes determined in those Articles.
- (2) Pursuant to Article 3 of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy ⁽²⁾ the missions of the Community Fisheries Control Agency (CFCA) are, inter alia, to coordinate the operations to combat illegal, unreported and unregulated fishing in conformity with rules of the European Union.
- (3) The CFCA should therefore be designated as the body referred to in Articles 11(3), 20(4), 25(2), 48(4), 48(5) of Regulation (EC) No 1005/2008,

HAS ADOPTED THIS DECISION:

Article 1

The Community Fisheries Control Agency (CFCA) shall be the body designated to:

- (a) transmit notifications, with copy to the Commission, on denials of landing or transshipment authorisations by third country vessels to flag State(s) and, if appropriate copies of these notifications, to Regional Fisheries Management

Organisations in accordance with Article 11(3) of Regulation (EC) No 1005/2008;

- (b) upon request from the Commission, provide for the conduct of on-the-spot audits, alone or in cooperation with the Commission, to verify the effective implementation of agreed cooperation arrangements with third countries in accordance with Article 20(4), second subparagraph (c) of Regulation (EC) No 1005/2008;
- (c) communicate to Member States and flag States, with copy to the Commission, additional information submitted by the Member States to the Commission which is relevant for the establishment of the European Union IUU vessel list in accordance with Article 25(2) of Regulation (EC) No 1005/2008;
- (d) transmit sightings reports to all Member States, with copy to the Commission, and, if appropriate, to the Executive Secretary of the relevant Regional Fisheries Management Organisation in accordance with Article 48(4) of Regulation (EC) No 1005/2008;
- (e) transmit to the Executive Secretary of the relevant Regional Fisheries Management Organisation, with copy to the Commission, information from a Member State in response to a sighting report on one of its vessels from a contracting party to that Regional Fisheries Management Organisation in accordance with Article 48(5) of Regulation (EC) No 1005/2008.

Article 2

This decision is addressed to the Community Fisheries Control Agency.

Done at Brussels, 18 December 2009.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 286, 29.10.2008, p. 1.

⁽²⁾ OJ L 128, 21.5.2005, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1050/2009 of 28 October 2009 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, acetamiprid, clomazone, cyflufenamid, emamectin benzoate, famoxadone, fenbutatin oxide, flufenoxuron, fluopicolide, indoxacarb, ioxynil, mepanipyrim, prothioconazole, pyridalyl, thiacloprid and trifloxystrobin in or on certain products

(Official Journal of the European Union L 290 of 6 November 2009)

In the Annex to Regulation (EC) No 1050/2009:

— under point (1) referring to Annex II to Regulation (EC) No 396/2005, under the combinations:

Azoxystrobin — code number 0244000:

for: ‘ ’,

read: ‘0,2’;

Azoxystrobin — code number 0255000:

for: ‘ ’,

read: ‘0,2’;

Indoxacarb as sum of the isomers S and R (F) — code number 0255000:

for: ‘ ’,

read: ‘0,02 (*)’;

Ioxynil, including its esters expressed as ioxynil (F) — code number 0211000:

for: ‘ ’,

read: ‘0,05 (*)’;

Thiacloprid (F) — code number 0255000

for: ‘ ’,

read: ‘0,02 (*)’;

— under point (2)(a)(i) referring to Part A of Annex III to Regulation (EC) No 396/2005, under the combinations:

Fluopicolide — code number 0152000:

for: ‘ ’,

read: ‘0,01 (*)’;

Fluopicolide — code number 0211000:

for: ‘ ’,

read: ‘0,02’;

Fluopicolide — code number 0232990:

for: ‘ ’,

read: ‘0,01 (*)’;

Fluopicolide — code number 0234000:

for: ‘ ’,

read: ‘0,01 (*)’;

Fluopicolide — code number 0244000:

for: ‘ ’,

read: ‘0,01 (*)’;

— under point (2)(b) referring to Part B of Annex III to Regulation (EC) No 396/2005:

for: 'Famoxadone';

read: 'Fenbutatin oxide (F)';

for: 'Fenbutatin oxide (F)',

read: 'Famoxadone';

under the combination Trifloxystrobin — code number 0154080:

for: '0,02 (*)',

read: '2'.

Commission Regulation (EU) No 1263/2009 of 18 December 2009 on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat	79
Commission Regulation (EU) No 1264/2009 of 18 December 2009 on the issue of import licences for applications lodged during the first seven days of December 2009 under the tariff quota opened by Regulation (EC) No 1384/2007 for poultrymeat originating in Israel	81
★ Commission Directive 2009/160/EU of 17 December 2009 amending Council Directive 91/414/EEC to include 2-phenylphenol as active substance ⁽¹⁾	83
★ Commission Directive 2009/161/EU of 17 December 2009 establishing a third list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Commission Directive 2000/39/EC ⁽¹⁾	87
★ Council Decision 2009/981/CFSP of 18 December 2009 amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar	90
2009/982/CFSP:	
★ Political and Security Committee Decision EUJUST LEX/2/2009 of 15 December 2009 concerning the appointment of the Head of Mission for the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX	92

ACTS WHOSE PUBLICATION IS NOT OBLIGATORY

2009/983/EU:	
★ Council Decision of 16 December 2009 on the granting of State aid by the authorities of the Republic of Lithuania for the purchase of State-owned agricultural land between 1 January 2010 and 31 December 2013	93
2009/984/EU:	
★ Commission Decision of 17 December 2009 laying down the final balance to be paid or recovered at programme closure in the field of transitional rural development programmes financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) by the Czech Republic, Hungary and Slovenia (notified under document C(2009) 10032)	95
2009/985/EU:	
★ Commission Decision of 18 December 2009 appointing members of the Scientific Committee for Occupational Exposure Limits to Chemical Agents for a new term of office	98



⁽¹⁾ Text with EEA relevance

2009/986/EU:

- ★ **Commission Decision of 18 December 2009 establishing the group of experts for technical advice on the School Fruit Scheme** 99

2009/987/EU:

- ★ **Commission Decision of 18 December 2009 conferring on the former Yugoslav Republic of Macedonia management of aid relating to the Component V — Agriculture and Rural Development of the Instrument for Pre-Accession Assistance (IPA) for pre-accession measures 101, 103 and 302 in the pre-accession period** 101

2009/988/EU:

- ★ **Commission Decision of 18 December 2009 designating the Community Fisheries Control Agency as the body to carry out certain tasks under Council Regulation (EC) No 1005/2008 (notified under document C(2009) 10155)**..... 104

Corrigenda

- ★ **Corrigendum to Commission Regulation (EC) No 1050/2009 of 28 October 2009 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, acetamiprid, clomazone, cyflufenamid, emamectin benzoate, famoxadone, fenbutatin oxide, flufenoxuron, fluopicolide, indoxacarb, ioxynil, mepanipyrim, prothioconazole, pyridalyl, thiacloprid and trifloxystrobin in or on certain products (OJ L 290, 6.11.2009)** 105

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