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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 157/2005
of 31 January 2005
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 31 January 2005 establishing the 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	052	105,5
	204	75,1
	212	176,1
	624	163,5
	999	130,1
0707 00 05	052	157,0
	999	157,0
0709 90 70	052	183,9
	204	226,7
	624	56,7
	999	155,8
0805 10 20	052	43,6
	204	44,5
	212	59,6
	220	37,2
	421	38,1
	448	35,4
	624	44,6
	999	43,3
0805 20 10	204	62,8
	624	75,9
	999	69,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	61,9
	204	87,2
	400	78,4
	464	138,7
	624	68,3
	662	36,0
	999	78,4
0805 50 10	052	63,4
	999	63,4
0808 10 80	400	89,6
	404	83,0
	720	61,8
	999	78,1
0808 20 50	388	83,2
	400	89,3
	528	79,2
	720	36,8
	999	72,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 158/2005**of 31 January 2005****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

to the Commission Regulation of 31 January 2005 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	A00	EUR/t	0
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	A00	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	A00	EUR/t	0
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	A00	EUR/t	0
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	0	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	A00	EUR/t	0				

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

COMMISSION REGULATION (EC) No 159/2005
of 31 January 2005
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which an application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1)(c) of Regulation (EEC) No 1766/92⁽³⁾. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

⁽³⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

ANNEX

to the Commission Regulation of 31 January 2005 fixing the corrective amount applicable to the refund on cereals

Product code	Destination	(EUR/t)						
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	A00	0	0	0	0	0	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	A00	0	0	0	0	0	—	—
1002 00 00 9000	A00	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	0	—	—
1101 00 15 9130	A00	0	0	0	0	0	—	—
1101 00 15 9150	A00	0	0	0	0	0	—	—
1101 00 15 9170	A00	0	0	0	0	0	—	—
1101 00 15 9180	A00	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended. The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 160/2005
of 31 January 2005
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾.
- (3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(1)(c) of Regulation (EC) No 1784/2003 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

to the Commission Regulation of 31 January 2005 fixing the export refunds on malt

Product code	Destination	Unit of measurement	Amount of refunds
1107 10 19 9000	A00	EUR/t	0,00
1107 10 99 9000	A00	EUR/t	0,00
1107 20 00 9000	A00	EUR/t	0,00

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

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

COMMISSION REGULATION (EC) No 161/2005
of 31 January 2005
fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organization of the market in cereals⁽¹⁾, and in particular Article 15(2),

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾ allows for the fixing of a corrective amount for the malt referred

to in Article 1(1)(c) of Regulation (EEC) No 1766/92⁽³⁾. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 15(3) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

⁽³⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

ANNEX

to the Commission Regulation of 31 January 2005 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

(EUR/t)

Product code	Destination	6th period 8	7th period 9	8th period 10	9th period 11	10th period 12	11th period 1
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

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

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

COMMISSION REGULATION (EC) No 162/2005**of 31 January 2005****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾ and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽²⁾ and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽³⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined.
- (3) The general and implementing rules provided for in Article 13 of Regulation (EC) No 1784/2003 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 31 January 2005 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	0,00
1003 00 90 9000	0,00
1005 90 00 9000	0,00
1006 30 92 9100	0,00
1006 30 92 9900	0,00
1006 30 94 9100	0,00
1006 30 94 9900	0,00
1006 30 96 9100	0,00
1006 30 96 9900	0,00
1006 30 98 9100	0,00
1006 30 98 9900	0,00
1006 30 65 9900	0,00
1007 00 90 9000	0,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	0,00
1102 20 10 9200	52,47
1102 20 10 9400	44,98
1103 11 10 9200	0,00
1103 13 10 9100	67,46
1104 12 90 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

COMMISSION REGULATION (EC) No 163/2005**of 31 January 2005****fixing the production refund on white sugar used in the chemical industry for the period from 1 to 28 February 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the fifth indent of Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of

Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry⁽²⁾ provides that these refunds shall be determined according to the refund fixed for white sugar.

- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 38,519 EUR/100 kg net for the period from 1 to 28 February 2005.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 164/2005
of 31 January 2005
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most

favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 17,560 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 165/2005**of 31 January 2005****fixing the import duties in the cereals sector applicable from 1 February 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from
1 February 2005**

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	6,58
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	38,38
1005 10 90	Maize seed other than hybrid	56,23
1005 90 00	Maize other than seed ⁽²⁾	56,23
1007 00 90	Grain sorghum other than hybrids for sowing	38,38

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3/t, where the port of unloading is on the Mediterranean Sea, or
- EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

period from 14.1.2005-28.1.2005

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	110,53 (***)	59,58	154,48	144,48	124,48	92,18
Gulf premium (EUR/t)	39,44	14,74	—			—
Great Lakes premium (EUR/t)	—	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 29,32 EUR/t; Great Lakes–Rotterdam: — EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 166/2005

of 31 January 2005

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations

without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 to the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1(1) of Regulation (EC) No 1785/2003, exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, are fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 2005.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 31 January 2005.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 31 January 2005 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	3,748	3,748
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	0,751	0,751
	– – in other cases	3,748	3,748
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	2,811	2,811
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	0,563	0,563
	– – in other cases	2,811	2,811
	– where goods falling within subheading 2208 ⁽³⁾ are exported	0,751	0,751
	– other (including unprocessed)	3,748	3,748
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	3,379	3,379
	– where goods falling within subheading 2208 ⁽³⁾ are exported	0,751	0,751
	– in other cases	3,748	3,748

(*) The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall in under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

**COMMISSION REGULATION (EC) No 167/2005
of 31 January 2005**

**fixing the rates of refunds applicable to certain products from the sugar sector exported in the form
of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar⁽¹⁾, and in particular Article 27(5)(a) and (15),

Whereas:

- (1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex V to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds⁽²⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.

- (3) Article 27(3) of Regulation (EC) No 1260/2001 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) and (2) of Regulation (EC) No 1260/2001, and exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

ANNEX

Rates of refunds applicable from 31 January 2005 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	white sugar	39,76	39,76

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 168/2005**of 31 January 2005****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1(1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75.

- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.
- (3) Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

ANNEX

Rates of the refunds applicable from 31 January 2005 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	6,00
		03	25,00
		04	3,00
	(b) On exportation of other goods	01	3,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption: not sweetened	01	40,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid: not sweetened	01	20,00
ex 0408 19 89	– – – – Frozen: not sweetened	01	20,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption: not sweetened	01	75,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption: not sweetened	01	19,00

⁽¹⁾ The destinations are as follows:

01 Third countries, except Bulgaria as from 1 October 2004. For Switzerland and Lichtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported with effect from 1 February 2005,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 All destinations except Switzerland, Bulgaria as from 1 October 2004 and those falling within 02 and 03.

COMMISSION REGULATION (EC) No 169/2005

of 31 January 2005

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e) and (g) of that Regulation and prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.
- (4) However in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.
- (5) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to Regulation (EC) No 1520/2000 or to assimilated products.
- (6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (7) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999 shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 2005.

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

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

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

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

Done at Brussels, 31 January 2005.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 1 February 2005 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	26,53	28,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	33,12	35,31
	(b) on exportation of other goods	65,70	70,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	42,55	46,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	128,43	138,25
	(c) on exportation of other goods	121,18	131,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 170/2005

of 31 January 2005

fixing the aid for tomatoes for processing for the 2005/06 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

No 2201/96 and Regulation (EC) No 1535/2003 by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union⁽³⁾.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) Article 3(3) of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for the implementation of Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables⁽²⁾ stipulates that the Commission is to publish the amount of the aid for tomatoes for processing before 31 January.

(2) For the Member States of the Community as constituted on 30 April 2004, compliance with the national and Community thresholds for processing tomatoes referred to in Article 5(1) of Regulation (EC) No 2201/96 is examined on the basis of the quantities aided in the three preceding marketing years for which definitive data are available for all the Member States in question.

(3) In the case of the Member States which acceded to the European Union on 1 May 2004, compliance with national and Community thresholds for tomatoes for processing is examined on the basis of the quantities for which aid applications for the 2004/05 marketing year were submitted under Article 4 of Regulation (EC) No 416/2004 of 5 March 2004 laying down transitional measures for the application of Council Regulation (EC)

(4) The quantity of tomatoes processed under the aid scheme to be considered when examining compliance with the national and Community thresholds is 128 640 tonnes above the Community threshold. In the case of those Member States which have exceeded their processing threshold, the aid for tomatoes for processing for the 2005/06 marketing year must thus be adjusted in relation to the level set in Article 4(2) of Regulation (EC) No 2201/96, in accordance with Article 5(2) and (4) of that Regulation and Article 3(2) of Regulation (EC) No 416/2004.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2005/06 marketing year, the aid for tomatoes under Article 2 of Regulation (EC) No 2201/96 shall be:

(a) in Greece, France, Portugal, Italy, Czech Republic, Cyprus, Hungary, Malta, Poland and Slovakia, EUR 34,50 per tonne;

(b) in Spain:

(i) EUR 34,50 per tonne for tomatoes for processing into whole peeled tomatoes,

(ii) EUR 31,29 per tonne for tomatoes intended for other processing.

Article 2

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 218, 30.8.2003, p. 14. Regulation as last amended by Regulation (EC) No 2169/2004 (OJ L 371, 18.12.2004, p. 18).

⁽³⁾ OJ L 68, 6.3.2004, p. 12.

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

Done at Brussels, 31 January 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COUNCIL REGULATION (EC) No 171/2005**of 31 January 2005****amending and suspending the application of Regulation (EC) No 2193/2003 establishing additional customs duties on imports of certain products originating in the United States of America**

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

1. Regulation (EC) No 2193/2003 shall be applicable again with effect from 1 January 2006 or 60 days after the confirmation by the Dispute Settlement Body of the WTO, whichever date is later, that certain aspects of the American Jobs Creation Act of 2004 of the United States of America are inconsistent with the United States' WTO obligations.

Having regard to the proposal from the Commission,

2. Before the expiry of the above deadline, the Commission shall publish a notice in the *Official Journal of the European Union* that such confirmation has been given.

Whereas:

Article 3

(1) On 7 May 2003, the Community was authorised by the Dispute Settlement Body of the World Trade Organisation (WTO) to impose countermeasures up to a level of USD 4,043 million in the form of additional 100 % *ad valorem* duties on certain products originating in the United States of America. Consequently, on 8 December 2003 the Community adopted Council Regulation (EC) No 2193/2003 ⁽¹⁾ establishing additional customs duties on imports of certain products originating in the United States of America.

1. Article 2(1) of Regulation (EC) No 2193/2003 shall be replaced as follows:

'1. A 14% *ad valorem* duty additional to the customs duty applicable under Regulation (EEC) No 2913/92 shall be imposed on the products originating in the United States of America listed in the Annex to this Regulation.'

(2) It is considered that, following the adoption of the American Jobs Creation Act of 2004, the application of additional duties should be suspended and only take effect again on 1 January 2006 or 60 days after the Dispute Settlement Body of the WTO confirms, whichever date is later, the incompatibility of certain aspects of the abovementioned Act with WTO law,

2. The Annex to Regulation (EC) No 2193/2003 shall be replaced by the Annex set out in the Annex to this Regulation.

Article 4

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

HAS ADOPTED THIS REGULATION:

With the exception of Article 3, it shall apply with effect from 1 January 2005.

Article 1

The application of Regulation (EC) No 2193/2003 is hereby suspended.

Article 3 shall apply with effect from the date Regulation (EC) No 2193/2003 becomes applicable again in accordance with Article 2(1).

⁽¹⁾ OJ L 328, 17.12.2003, p. 3.

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

Done at Brussels, 31 January 2005.

For the Council

The President

J. ASSELBORN

ANNEX

'ANNEX

The products on which additional duties are to apply are identified by their eight-digit CN codes. The two-digit CN Chapters are given for information purposes only. The description of these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾.

CN Chapters	Description chapter				
1					
	0101 90 19	0106 12 00	0106 31 00	0106 39 90	
	0106 11 00	0106 19 90	0106 32 00	0106 90 00	
2					
	0203 22 11	0203 29 90	0208 30 00	0208 90 40	
	0203 29 55	0204 43 10	0208 40 90	0208 90 95	
	0203 29 59		0208 50 00	0210 19 81	
4					
		0404 10 02	0406 90 69	0408 11 80	
	0402 21 19	0406 10 20	0406 90 81	0408 91 80	
	0403 10 91	0406 20 90	0406 90 86	0409 00 00	
	0403 90 91	0406 90 21	0406 90 87	0410 00 00	
5					
	0501 00 00	0504 00 00	0505 90 00	0509 00 10	
	0502 10 00	0505 10 10	0507 90 00	0511 91 10	
	0502 90 00	0505 10 90	0508 00 00	0511 99 10	
7					
	0702 00 00	0709 40 00	0710 21 00	0710 90 00	
	0703 10 19	0709 59 10	0710 22 00	0711 40 00	0712 90 30
	0706 10 00	0709 59 90	0710 29 00	0711 59 00	0713 10 90
	0706 90 90	0709 60 10	0710 80 51	0711 90 80	0713 20 00
	0708 10 00	0709 60 99	0710 80 59	0712 31 00	0713 31 00
	0708 20 00		0710 80 85	0712 32 00	0714 10 99
	0709 20 00	0709 90 90	0710 80 95	0712 33 00	
8					
	0801 11 00	0804 30 00	0807 20 00	0811 10 11	0813 10 00
	0801 19 00	0804 40 00	0809 10 00	0811 10 90	0813 40 95
	0801 21 00		0809 20 05	0811 20 31	0813 50 99
	0801 32 00		0809 30 10	0811 90 50	
	0803 00 19		0809 30 90	0811 90 70	
	0803 00 90	0805 90 00	0809 40 05	0811 90 80	
	0804 20 90	0807 19 00	0810 40 30	0812 10 00	
10					
	1008 10 00	1008 20 00	1008 30 00		
11					
	1102 30 00	1106 20 90	1107 10 99		
	1103 20 40	1106 30 10	1108 19 90		

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1989/2004 (OJ L 344, 20.11.2004, p. 5).

CN Chapters	Description chapter				
12					
	1205 10 90	1207 99 20		1212 99 80	
	1205 90 00	1207 99 98	1211 10 00	1213 00 00	
	1207 10 90	1209 10 00	1211 20 00	1214 10 00	
	1207 20 90	1209 22 80	1211 30 00	1214 90 90	
	1207 40 90	1209 23 11	1211 40 00		
	1207 60 90	1209 26 00			
15					
	1501 00 11	1507 10 90	1513 19 30	1515 40 00	1521 10 00
	1502 00 90	1507 90 90	1513 19 99	1515 50 19	1522 00 99
	1504 10 10	1508 10 90	1514 19 90	1515 50 99	
	1504 10 99	1511 10 10	1514 99 90	1515 90 40	
	1505 00 10	1511 90 99	1515 30 10	1515 90 91	
	1505 00 90	1512 11 91	1515 30 90	1520 00 00	
16					
	1602 31 19	1604 14 11	1605 20 10	1605 40 00	
	1602 41 10	1604 14 16	1605 20 91	1605 90 30	
	1603 00 10	1604 30 10	1605 20 99		
17					
	1701 11 90	1702 40 10	1704 90 65	1704 90 81	
	1701 99 10	1702 90 99	1704 90 71	1704 90 99	
	1702 20 90	1704 10 19	1704 90 75		
19					
	1901 10 00	1902 20 99	1904 30 00	1905 31 91	1905 90 20
	1901 20 00	1902 30 10	1904 90 80	1905 31 99	1905 90 30
	1901 90 91	1902 30 90	1905 10 00	1905 32 11	1905 90 45
	1902 19 10	1904 10 10	1905 31 11	1905 32 19	
	1902 19 90	1904 10 90	1905 31 19	1905 32 99	
	1902 20 91	1904 20 99	1905 31 30	1905 90 10	
20					
	2001 10 00	2005 60 00	2007 99 39	2009 41 10	2009 80 38
	2001 90 70	2005 70 10	2007 99 93	2009 41 99	2009 80 71
	2002 10 10	2005 70 90	2009 31 11	2009 49 30	2009 80 97
	2002 10 90	2005 90 50	2009 31 19	2009 49 99	
	2003 10 30	2005 90 70	2009 31 99	2009 71 99	
	2004 10 99	2005 90 80	2009 39 31	2009 79 19	
	2005 59 00	2006 00 38	2009 39 39	2009 79 99	
21					
	2101 11 11	2102 20 11	2104 20 00	2106 90 20	
	2101 11 19	2102 30 00	2105 00 10	2106 90 59	
	2102 10 90	2103 90 10	2105 00 91		

CN Chapters	Description chapter				
23					
	2301 10 00	2305 00 00	2306 41 00	2306 60 00	
	2301 20 00		2306 49 00	2307 00 90	
	2303 10 90	2306 30 00	2306 50 00	2309 90 41	
33					
	3301 23 10	3301 29 31	3307 41 00		
34					
	3401 20 10	3406 00 11	3406 00 19	3406 00 90	
35					
	3501 10 50	3501 10 90	3501 90 90	3503 00 80	3507 10 00
41					
	4104 41 19	4106 32 10	4107 19 10	4107 99 90	4114 10 90
	4104 49 19	4106 32 90	4107 19 90	4112 00 00	4114 20 00
	4105 10 90	4107 11 19	4107 91 10	4113 10 00	4115 10 00
	4105 30 99	4107 11 90	4107 91 90	4113 20 00	4115 20 00
	4106 31 10	4107 12 19		4113 90 00	
	4106 31 90		4107 99 10	4114 10 10	
42					
	4201 00 00	4202 22 10	4202 91 80	4203 29 10	4205 00 00
	4202 11 10	4202 29 00	4202 92 11	4203 29 91	4206 10 00
	4202 11 90	4202 31 00	4202 92 15	4203 29 99	4206 90 00
	4202 12 91	4202 32 10	4202 92 98	4203 30 00	
	4202 19 90	4202 32 90	4203 10 00	4203 40 00	
	4202 21 00	4202 91 10	4203 21 00	4204 00 10	
43					
	4303 90 00				
44					
	4401 10 00	4407 10 38	4408 39 31	4411 29 90	4418 20 10
	4401 21 00	4407 10 91	4408 39 35	4412 22 10	4418 20 50
	4401 22 00	4407 24 90	4408 39 55	4412 22 91	4418 20 80
	4401 30 10	4407 26 90	4408 39 85	4412 22 99	4418 30 10
	4401 30 90	4407 29 05	4408 39 95	4412 23 00	4418 30 91
	4402 00 00	4407 29 69	4409 10 11	4412 29 20	4418 30 99
	4403 10 00	4407 29 83	4409 10 18	4412 29 80	4418 50 00
	4403 20 31	4407 29 85	4409 20 11	4412 92 10	4418 90 10
	4403 20 39	4407 29 95	4409 20 91	4412 92 91	4418 90 90
	4403 20 99	4407 91 31	4409 20 98	4412 92 99	4419 00 90
	4403 41 00	4407 92 00	4410 21 00	4412 99 20	4420 10 11
	4403 49 10	4407 99 30	4410 29 00	4412 99 80	4420 90 91
	4403 49 95	4407 99 50	4410 31 00	4414 00 10	4420 90 99
	4403 92 10	4407 99 96	4410 32 00	4414 00 90	4421 10 00
	4403 99 51	4408 10 15	4410 33 00	4415 10 90	4421 90 91
	4404 20 00	4408 31 21	4410 39 00	4415 20 20	
	4407 10 15	4408 31 25	4411 11 10	4415 20 90	
	4407 10 31	4408 31 30	4411 19 10	4418 10 50	
	4407 10 33	4408 39 21	4411 21 10	4418 10 90	

CN Chapters	Description chapter				
48					
	4801 00 00	4804 21 10	4806 10 00	4810 29 80	4816 90 00
	4802 40 10	4804 21 90	4806 20 00	4810 31 00	4818 10 90
	4802 40 90	4804 29 10	4806 40 10	4810 92 10	4818 40 11
	4802 61 80	4804 29 90	4806 40 90	4810 92 90	4818 40 13
	4803 00 10	4804 41 10	4808 10 00	4810 99 90	4818 40 19
	4804 11 90	4805 12 00	4809 20 10	4811 10 00	4820 10 10
	4804 19 11	4805 19 10	4809 20 90	4813 10 00	4820 20 00
	4804 19 15	4805 19 90	4809 90 00	4814 30 00	4820 40 10
	4804 19 19	4805 24 00	4810 14 20	4814 90 90	
	4804 19 31	4805 25 00	4810 14 80	4816 20 00	
	4804 19 90	4805 93 20	4810 19 10	4816 30 00	
49					
	4907 00 10				
52					
	5207 90 00				
54					
	5406 10 00				
57					
	5701 10 10	5702 10 00	5702 41 00	5702 92 10	5703 90 10
	5701 10 90	5702 31 10	5702 42 00	5702 92 90	5703 90 90
	5701 31 80	5702 32 10	5702 51 00	5702 99 00	5704 90 00
	5701 90 10	5702 32 90	5702 59 00	5703 10 00	5705 00 10
	5701 90 90	5702 39 00	5702 91 00	5703 20 19	5705 00 90
61					
	6101 10 90	6104 12 00	6104 49 00	6108 11 00	6114 10 00
	6101 20 10	6104 13 00	6104 51 00	6108 21 00	6115 20 19
	6101 20 90	6104 19 00	6104 52 00	6108 29 00	6115 20 90
	6101 90 10	6104 21 00	6104 53 00	6108 31 00	6115 91 00
	6101 90 90	6104 22 00	6104 59 00	6108 92 00	6116 91 00
	6102 10 10	6104 23 00	6104 61 00	6111 20 90	6116 92 00
	6102 20 90	6104 29 00	6105 90 90	6111 30 90	6117 10 00
	6103 11 00	6104 31 00	6106 20 00	6111 90 00	6117 20 00
	6103 31 00	6104 32 00	6106 90 90	6112 11 00	6117 80 10
	6103 32 00	6104 39 00	6107 12 00	6112 12 00	6117 80 90
	6103 39 00	6104 41 00	6107 19 00	6112 19 00	6117 90 00
	6103 41 00	6104 42 00	6107 21 00	6112 31 90	
	6104 11 00	6104 44 00	6107 92 00	6112 49 90	
62					
	6201 11 00	6203 29 90	6204 23 80	6206 90 10	6211 31 00
	6201 19 00	6203 31 00	6204 32 90	6206 90 90	6211 32 41
	6201 91 00	6203 32 10	6204 33 10	6207 11 00	6211 33 42
	6201 99 00	6203 32 90	6204 39 19	6207 19 00	6211 39 00
	6202 12 10	6203 33 10	6204 39 90	6207 21 00	6211 41 00
	6202 12 90	6203 33 90	6204 41 00	6207 22 00	6212 30 00
	6202 13 10	6203 41 10	6204 49 90	6207 91 00	6213 20 00
	6202 13 90	6203 41 90	6204 51 00	6208 11 00	6214 10 00
	6202 19 00	6203 42 33	6204 52 00	6208 21 00	6214 20 00
	6202 91 00	6203 42 59	6204 53 00	6208 22 00	6214 30 00
	6202 92 00	6203 43 31	6204 59 10	6208 29 00	6214 40 00
	6202 99 00	6203 49 19	6204 59 90	6208 92 00	6214 90 10
	6203 12 00	6203 49 90	6204 61 10	6208 99 00	6214 90 90
	6203 19 10	6204 11 00	6204 62 33	6209 20 00	6215 20 00
	6203 19 90	6204 12 00	6204 69 50	6209 30 00	6215 90 00
	6203 22 10	6204 13 00	6205 10 00	6209 90 00	6217 90 00
	6203 22 80	6204 19 90	6205 90 10	6210 20 00	
	6203 23 10	6204 21 00	6205 90 90	6211 11 00	
	6203 23 80	6204 22 10	6206 10 00	6211 12 00	
	6203 29 11	6204 22 80	6206 20 00	6211 20 00	

CN Chapters	Description chapter				
63					
	6301 20 90	6302 39 90	6303 11 00	6304 93 00	6306 19 00
	6301 90 90	6302 40 00	6303 12 00	6304 99 00	6306 21 00
	6302 10 00	6302 51 00	6303 91 00	6305 20 00	6306 22 00
	6302 21 00	6302 53 90	6303 92 10	6305 32 89	6306 49 00
	6302 22 90	6302 59 00	6303 92 90	6305 32 90	6306 91 00
	6302 29 90	6302 91 00	6303 99 90	6305 33 99	6306 99 00
	6302 31 00	6302 93 10	6304 19 10	6305 90 00	6309 00 00
	6302 32 10	6302 93 90	6304 19 90	6306 11 00	6310 90 00
	6302 32 90	6302 99 00	6304 92 00	6306 12 00	
64					
	6401 92 10	6402 91 00	6403 59 11	6405 20 91	6406 99 10
	6401 92 90	6402 99 31	6403 59 50	6405 20 99	
	6401 99 00	6402 99 91	6403 59 91	6406 10 11	
	6402 12 10	6403 12 00	6403 91 96	6406 10 19	
	6402 12 90	6403 20 00	6403 99 96	6406 10 90	
	6402 20 00	6403 30 00	6404 20 10	6406 20 10	
	6402 30 00	6403 40 00	6404 20 90	6406 20 90	
69					
	6902 10 00	6905 90 00	6911 90 00	6912 00 90	6914 10 00
	6902 20 91	6906 00 00	6912 00 10	6913 10 00	6914 90 10
	6904 10 00	6910 10 00	6912 00 30	6913 90 10	
	6904 90 00	6910 90 00	6912 00 50	6913 90 93	
70					
	7002 10 00		7010 90 51	7013 29 51	
	7003 19 90		7010 90 53	7013 29 59	7018 10 11
	7003 30 00	7005 30 00	7010 90 55	7013 29 91	7018 10 19
	7004 20 99	7007 19 20	7010 90 57	7013 29 99	7018 10 30
	7004 90 10		7010 90 61	7013 31 10	7018 10 51
	7004 90 92	7008 00 81	7010 90 67	7013 31 90	7018 10 59
	7004 90 98	7008 00 89	7010 90 71	7013 32 00	7018 10 90
	7005 10 25	7010 10 00	7011 20 00	7013 39 10	7018 90 90
	7005 10 30	7010 20 00	7013 10 00	7013 39 91	7019 31 00
	7005 10 80	7010 90 41	7013 21 11	7013 39 99	7019 90 30
	7005 21 30	7010 90 43	7013 21 19	7013 91 90	7020 00 30
	7005 21 80	7010 90 45	7013 21 91	7015 90 00	
		7010 90 47	7013 21 99	7016 10 00	
71					
	7101 21 00	7105 90 00	7113 20 00	7116 20 90	7118 90 00
	7101 22 00	7106 92 20	7114 19 00		
	7103 10 00	7108 13 80	7115 10 00	7117 19 99	
	7103 91 00	7110 19 80	7116 10 00	7117 90 00	
	7103 99 00	7111 00 00	7116 20 11	7118 10 10	
	7104 90 00	7113 11 00	7116 20 19	7118 10 90	

CN Chapters	Description chapter				
72					
	7202 29 10				
	7202 29 90				
	7202 30 00				
	7202 49 10				
	7202 49 50				
	7202 50 00				
	7202 60 00				
	7202 80 00				
	7202 91 00				
	7202 92 00				
	7202 93 00				
	7202 99 30				
	7202 99 80				
73					
	7302 10 21	7305 31 00	7308 90 10	7315 82 90	7322 19 00
	7302 10 23	7305 39 00	7310 21 11	7316 00 00	7323 10 00
	7303 00 10	7306 10 11	7310 21 91	7317 00 20	7323 91 00
	7303 00 90	7306 30 21	7310 21 99	7317 00 61	7323 92 00
	7304 10 10	7306 30 59	7312 10 79	7318 11 00	7323 94 10
	7304 10 30	7306 30 71	7312 10 82	7318 12 90	7323 94 90
	7304 39 59	7306 30 90	7312 10 84	7318 13 00	7323 99 10
	7304 39 91	7306 50 99	7312 10 86	7319 10 00	7323 99 91
	7304 39 93	7306 60 32	7312 10 88	7319 20 00	7324 21 00
	7304 39 99	7306 60 34	7314 20 90	7320 90 10	7325 10 50
	7304 49 10	7306 60 91	7314 31 00	7321 11 10	7325 10 92
	7304 51 12	7306 60 99	7314 39 00	7321 12 00	7326 11 00
	7304 51 91	7306 90 00	7314 41 10	7321 81 10	7326 19 10
	7304 59 32	7307 23 10	7314 41 90	7321 81 90	7326 20 30
	7304 59 93	7307 93 11	7315 20 00	7321 82 90	
	7305 11 00	7307 93 19	7315 81 00	7321 83 00	
	7305 19 00	7308 40 10	7315 82 10	7321 90 00	
74					
	7401 10 00	7403 21 00	7407 21 10	7409 11 00	7415 21 00
	7403 11 00	7403 22 00	7407 22 10	7409 21 00	7415 29 00
	7403 12 00	7403 23 00	7407 22 90	7411 10 19	7418 19 00
	7403 13 00	7405 00 00	7408 11 00	7411 21 90	7419 10 00
	7403 19 00	7407 10 00	7408 19 90	7411 29 00	7419 91 00
76					
	7601 20 10	7604 29 10	7607 19 10		7615 20 00
	7601 20 99	7605 11 00	7608 20 30	7614 10 00	
	7602 00 11		7608 20 91	7614 90 00	
	7602 00 19	7606 11 93	7610 10 00	7615 11 00	
	7604 10 90	7606 12 10	7612 10 00	7615 19 10	
	7604 21 00	7607 11 10	7612 90 10	7615 19 90	
82					
	8201 10 00	8202 39 00	8207 50 30	8211 91 80	8215 20 10
	8201 20 00	8205 10 00	8207 60 30	8211 92 00	8215 20 90
	8201 30 00	8205 30 00	8207 80 11	8211 94 00	8215 91 00
	8201 40 00	8205 51 00	8207 90 10	8214 10 00	8215 99 10
	8201 50 00	8205 59 10	8210 00 00	8214 20 00	8215 99 90
	8201 90 00	8207 40 10	8211 10 00	8215 10 20	
	8202 31 00	8207 40 90	8211 91 30	8215 10 30	

CN Chapters	Description chapter				
83					
	8301 10 00	8303 00 90	8306 10 00	8309 10 00	
	8301 30 00	8305 10 00	8306 21 00	8309 90 10	
	8303 00 30	8305 90 00	8306 29 10		
84					
	8402 12 00	8419 40 00	8432 21 00	8450 11 19	8462 39 91
	8403 10 10	8419 81 91	8432 29 30	8451 21 10	8462 91 10
	8403 10 90	8419 89 27	8433 30 90	8451 30 30	8464 10 90
	8407 32 10	8420 10 10	8434 20 00	8451 40 00	8464 20 20
	8407 32 90	8420 91 10	8437 80 00	8451 80 10	8464 20 95
	8407 33 10	8421 91 30	8437 90 00	8452 10 19	8464 90 20
	8407 34 91	8422 11 00	8438 30 00	8452 10 90	8465 91 10
	8408 10 11	8422 90 10	8438 40 00	8452 21 00	8465 93 00
	8408 10 19	8423 10 10	8440 10 20	8452 29 00	8465 95 00
	8408 10 24	8423 81 10	8440 10 30	8453 10 00	8465 99 10
	8408 10 28	8423 81 30	8440 10 40	8453 20 00	8466 10 10
	8408 10 39	8423 81 50	8441 10 30	8454 30 10	8466 20 91
	8408 10 49	8423 81 90	8441 10 40	8455 10 00	8466 91 20
	8408 10 91	8423 82 10	8441 30 00	8455 22 00	8467 22 10
	8408 10 99	8423 82 90	8442 50 29	8455 30 10	8467 29 10
	8408 20 31	8424 30 05	8443 12 00	8456 30 11	8468 10 00
	8408 20 35	8424 30 90	8443 19 10	8456 30 19	8469 12 00
	8408 20 51	8424 81 91	8443 19 31	8457 30 90	8469 20 00
	8408 20 55	8425 11 90	8443 19 35	8458 19 20	8469 30 00
	8408 90 36	8425 19 91	8443 19 39	8458 19 40	8470 21 00
	8408 90 99	8426 11 00	8443 21 00	8458 19 80	8470 29 00
	8410 90 10	8426 19 00	8443 90 10	8458 91 20	8470 30 00
	8412 80 10	8426 20 00	8444 00 10	8458 91 80	8470 40 00
	8413 70 40	8426 30 00	8445 11 00	8458 99 00	8472 10 00
	8413 70 50	8426 91 10	8445 13 00	8459 10 00	8473 21 90
	8413 70 70	8426 99 90	8445 30 90	8459 21 00	8474 20 10
	8413 70 80	8427 10 10	8445 40 00	8459 31 00	8474 32 00
	8414 20 91	8427 10 90	8446 10 00	8459 39 00	8475 10 00
	8414 60 00	8427 20 11	8446 21 00	8459 40 10	8477 30 00
	8416 10 10	8427 20 19	8446 29 00	8459 40 90	8477 80 19
	8416 30 00	8427 20 90	8446 30 00	8459 51 00	8479 89 30
	8418 10 99	8428 20 30	8447 12 10	8459 59 00	8479 89 60
	8418 21 51	8428 39 91	8447 12 90	8459 61 10	8480 10 00
	8418 21 59	8428 40 00	8448 11 00	8459 69 10	8480 30 90
	8418 21 91	8428 50 00	8448 19 00	8460 29 11	8480 50 00
	8418 21 99	8428 60 00	8448 31 00	8460 29 19	8480 60 10
	8418 22 00	8428 90 79	8448 33 10	8460 31 00	8480 60 90
	8418 29 00	8429 52 10	8448 33 90	8460 39 00	8480 71 10
	8418 30 91	8430 10 00	8448 42 00	8460 90 90	8481 80 11
	8418 40 91	8430 69 00	8448 49 00	8461 30 90	8485 90 10
	8418 50 11	8431 10 00	8448 51 10	8461 40 11	
	8418 50 19	8431 39 10	8448 51 90	8461 40 71	
	8418 50 99	8432 10 10	8448 59 00	8461 50 11	
	8419 11 00	8432 10 90	8450 11 11	8461 50 19	

CN Chapters	Description chapter				
85					
	8502 20 92	8516 10 11	8519 21 00	8527 13 91	8528 12 95
	8504 34 00	8516 10 19	8519 31 00	8527 19 00	8528 12 98
	8505 30 00	8516 21 00	8519 39 00	8527 21 70	8529 90 51
	8506 10 91	8516 29 10	8519 40 00	8527 21 98	8536 61 10
	8506 10 95	8516 29 50	8519 92 00	8527 31 11	8539 32 10
	8506 30 90	8516 32 00	8519 93 39	8527 31 19	8539 32 50
	8506 40 90	8516 40 10	8519 93 89	8527 31 98	8543 40 00
	8506 60 90	8516 40 90	8519 99 12	8527 32 90	8543 89 15
	8506 80 11	8516 50 00	8520 10 00	8527 39 20	8544 59 20
	8506 80 15	8516 60 10	8520 20 00	8527 39 80	8545 19 10
	8507 30 93	8516 60 51	8520 32 11	8527 90 92	8546 20 91
	8507 40 90	8516 60 59	8520 32 19	8528 12 20	8548 10 21
	8507 90 91	8516 60 70	8520 32 30	8528 12 54	8548 10 29
	8509 10 90	8516 60 80	8520 32 99	8528 12 56	8548 10 99
	8509 40 00	8516 60 90	8520 33 11	8528 12 58	
	8509 90 90	8516 71 00	8520 33 19	8528 12 62	
	8510 10 00	8516 72 00	8520 33 90	8528 12 66	
	8512 10 00	8516 79 20	8521 10 30	8528 12 70	
	8514 20 80	8516 79 70	8522 90 93	8528 12 81	
	8515 29 10	8517 19 10	8523 20 10	8528 12 90	
	8515 39 18	8517 22 00	8525 40 19	8528 12 91	
	8515 80 91	8518 10 20	8527 12 90	8528 12 94	
95					
	9501 00 10	9503 30 30	9503 80 90	9504 90 10	9506 51 00
	9501 00 90	9503 30 90	9503 90 10		9506 59 00
	9502 10 10	9503 49 10	9503 90 32		9506 62 10
	9502 10 90	9503 49 30	9503 90 34	9505 10 10	9506 62 90
	9502 91 00	9503 49 90	9503 90 35	9505 10 90	9506 69 10
	9502 99 00	9503 50 00	9503 90 37	9505 90 00	9506 70 10
	9503 10 10	9503 60 10		9506 12 00	9506 70 30
	9503 10 90	9503 60 90		9506 19 00	9506 99 10
	9503 20 90	9503 70 00	9503 90 51	9506 40 10	9507 20 10
	9503 30 10	9503 80 10	9503 90 55	9506 40 90	9507 30 00

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 January 2005

amending Decision 98/695/EC laying down special conditions governing imports of fishery and aquaculture products originating in Mexico, as regards the designation of the competent authority and the model of health certificate

(notified under document number C(2004) 4564)

(Text with EEA relevance)

(2005/70/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

(1) In Commission Decision 98/695/EC⁽²⁾, the 'Dirección General de Control Sanitario de Productos y Servicios (DGCSPS) de la Secretaría de Salud' is identified as the competent authority in Mexico for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

(2) Following a restructuring of the Mexican administration, the competent authority has changed to the 'Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)'. This new authority is capable of effectively verifying the application of the rules in force.

(3) The CFPRS has provided official assurances on compliance with the standards for health controls and monitoring of fishery and aquaculture products as set out in Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down in that Directive.

(4) Decision 98/695/EC should therefore be amended accordingly.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 98/695/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The "Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)" shall be the competent authority in Mexico for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 332, 8.12.1998, p. 9. Decision as amended by Decision 2001/819/EC (OJ L 307, 24.11.2001, p. 22).

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

‘2. Certificates must bear the name, capacity and signature of the representative of the CFPRS and the latter’s official stamp in a colour different from that of other endorsements.’

3. Annex A is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 17 March 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 January 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

'ANNEX A

HEALTH CERTIFICATE

for fishery products from Mexico and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: MEXICO

Competent authority: Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)

I. Details identifying the fishery products

- Description of fishery/aquaculture products ⁽¹⁾
- species (scientific name):
- presentation of product and type of treatment ⁽²⁾
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the CFPRS for export to the EC:

.....

III. Destination of products

The products are dispatched:

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

IV. Health attestation

— The official inspector hereby certifies that the fishery or aquaculture products specified above:

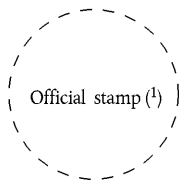
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 98/695/EC.

Done at, on

(Place)

(Date)



Signature of official inspector (1)

(Name in capital letters, capacity and qualifications of person signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

COMMISSION DECISION

of 26 January 2005

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Antigua and Barbuda, Hong Kong, El Salvador and Slovakia

(notified under document number C(2004) 4608)

(Text with EEA relevance)

(2005/71/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 of June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Decision 97/296/EC of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption⁽²⁾, lists the countries and territories from which import of fishery products for human consumption is authorised. Part I of the Annex to that Decision lists the countries and territories covered by a specific decision under Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽³⁾, and part II of that Annex lists the countries and territories meeting the conditions set out in Article 2(2) of Decision 95/408/EC.
- (2) Commission Decisions 2005/72/EC⁽⁴⁾, 2005/73/EC⁽⁵⁾ and 2005/74/EC⁽⁶⁾ provide for specific import conditions for fishery products originating in Antigua and Barbuda, Hong Kong and El Salvador which should therefore be included in the list in Part I of the Annex to Decision 97/296/EC.
- (3) The list set out in Part I of the Annex to Decision 97/296/EC includes Slovakia. Since that country is now a Member State its name should be deleted from that list.

- (4) In the interests of clarity the lists concerned should be replaced in their entirety.
- (5) Decision 97/296/EC should therefore be amended accordingly.
- (6) This Decision should apply from the same day as Decisions 2005/72/EC, 2005/73/EC and 2005/74/EC as regards the import of fishery products from Antigua and Barbuda, Hong Kong and El Salvador.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 97/296/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 17 March 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 26 January 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 243, 11.10.1995, p. 17. Decision as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33; corrected in OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 122, 14.5.1997, p. 21. Decision as last amended by Decision 2004/359/EC (OJ L 113, 20.4.2004, p. 45).

⁽³⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽⁴⁾ See page 49 of this Official Journal.

⁽⁵⁾ See page 54 of this Official Journal.

⁽⁶⁾ See page 59 of this Official Journal.

ANNEX

'ANNEX

List of countries and territories from which importation of fishery products in any form intended for human consumption is authorised*I. Countries and territories covered by a specific decision under Council Directive 91/493/EEC*

AE — UNITED ARAB EMIRATES
AG — ANTIGUA AND BARBUDA
AL — ALBANIA
AN — NETHERLANDS ANTILLES
AR — ARGENTINA
AU — AUSTRALIA
BD — BANGLADESH
BG — BULGARIA
BR — BRAZIL
BZ — BELIZE
CA — CANADA
CH — SWITZERLAND
CI — IVORY COAST
CL — CHILE
CN — CHINA
CO — COLOMBIA
CR — COSTA RICA
CS — SERBIA and MONTENEGRO ⁽¹⁾
CU — CUBA
CV — CAPE VERDE
EC — ECUADOR
EG — EGYPT
FK — FALKLAND ISLANDS
GA — GABON
GH — GHANA
GL — GREENLAND
GM — GAMBIA
GN — GUINEA CONAKRY
GT — GUATEMALA
GY — GUYANA
HK — HONG KONG
HN — HONDURAS
HR — CROATIA
ID — INDONESIA

⁽¹⁾ Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

IN — INDIA
IR — IRAN
JM — JAMAICA
JP — JAPAN
KE — KENYA
KR — SOUTH KOREA
KZ — KAZAKHSTAN
LK — SRI LANKA
MA — MOROCCO
MG — MADAGASCAR
MR — MAURITANIA
MU — MAURITIUS
MV — MALDIVES
MX — MEXICO
MY — MALAYSIA
MZ — MOZAMBIQUE
NA — NAMIBIA
NC — NEW CALEDONIA
NG — NIGERIA
NI — NICARAGUA
NZ — NEW ZEALAND
OM — OMAN
PA — PANAMA
PE — PERU
PG — PAPUA NEW GUINEA
PH — PHILIPPINES
PF — FRENCH POLYNESIA
PM — ST PIERRE & MIQUELON
PK — PAKISTAN
RO — ROMANIA
RU — RUSSIA
SC — SEYCHELLES
SG — SINGAPORE
SN — SENEGAL
SR — SURINAME
SV — EL SALVADOR
TH — THAILAND
TN — TUNISIA
TR — TURKEY
TW — TAIWAN
TZ — TANZANIA
UG — UGANDA

UY — URUGUAY
VE — VENEZUELA
VN — VIETNAM
YE — YEMEN
YT — MAYOTTE
ZA — SOUTH AFRICA
ZW — ZIMBABWE

II. *Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC*

AM — ARMENIA ⁽¹⁾
AO — ANGOLA
AZ — AZERBAIJAN ⁽²⁾
BJ — BENIN
BS — BAHAMAS
BY — BELARUS
CG — REPUBLIC OF CONGO ⁽³⁾
CM — CAMEROON
DZ — ALGERIA
ER — ERITREA
FJ — FIJI
GD — GRENADA
IL — ISRAEL
MM — MYANMAR
SB — SOLOMON ISLANDS
SH — ST HELENA
TG — TOGO
US — UNITED STATES OF AMERICA

⁽¹⁾ Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.

⁽²⁾ Authorised only for imports of caviar.

⁽³⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

COMMISSION DECISION**of 28 January 2005****laying down special conditions for imports of fishery products from Antigua and Barbuda***(notified under document number C(2004) 4609)***(Text with EEA relevance)**

(2005/72/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Antigua and Barbuda to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Antigua and Barbuda on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Fisheries Division of the Ministry of Agriculture, Lands and Fisheries (FD)', is capable of effectively verifying the implementation of the rules in force.
- (4) The FD has provided official assurances on compliance with the standards for health controls and monitoring of live crustaceans as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Antigua and Barbuda, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC⁽²⁾. Those lists should be drawn up on the basis of a communication from the FD to the Commission.

(7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The 'Fisheries Division of the Ministry of Agriculture, Lands and Fisheries (FD)', shall be the competent authority in Antigua and Barbuda identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Antigua and Barbuda shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Fishery products shall be live crustaceans.
2. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.
3. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.
4. The health certificate shall bear the name, capacity and signature of the representative of the FD, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, cold stores, factory vessels or from registered freezer vessels listed in Annex II.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

Article 5

All packages shall bear the words 'ANTIGUA AND BARBUDA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 6

This Decision shall apply from 17 March 2005.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Antigua and Barbuda and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: ANTIGUA AND BARBUDA

Competent authority: 'Fisheries Division of the Ministry of Agriculture, Land and Fisheries (FD)'

I. Details identifying the fishery products

- Description of fishery/aquaculture⁽¹⁾ products:
- Species (scientific name):
- Presentation of product:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by FD for export to the EC:

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

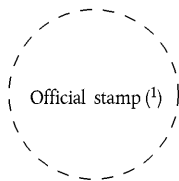
IV. Health attestation

— The official inspector hereby certifies that the fishery products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 2005/72/EC.

Done at, on.....
(Place) (Date)



Signature of official inspector (1)

(Name in capital letters, capacity and qualifications of person signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
L-001	Caribbean Seafood	St. John's — Antigua		PP
L-002	White's Fish Market	St. John's — Antigua		PP
L-003	Lincoln Burton	Codrington — Barbuda		PP
L-004	Eric Burton	Codrington Village — Barbuda		PP
L-008	Reginald Nicholas	St. Mary's — Antigua		PP
L-009	The Lobster Shack	St. John's — Antigua		PP
L-010	A. B. Supply Sales & Support Service	St. John's — Antigua		PP
L-013	Premier Seafood Ltd.	Codrington — Barbuda		PP
L-014	St. John's Fisherman Cooperative	St. John's — Antigua		PP
L-015	Wesley Beazer	Codrington Village — Barbuda		PP

Category Legend:

PP Processing plant/Établissement.

COMMISSION DECISION

of 28 January 2005

laying down special conditions for imports of fishery products from Hong Kong

(notified under document number C(2004) 4612)

(Text with EEA relevance)

(2005/73/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Hong Kong to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Hong Kong on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Food and Environmental Hygiene Department (FEHD)', is capable of effectively verifying the implementation of the rules in force.
- (4) The FEHD has provided official assurances on compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Hong Kong, in accordance with Directive 91/493/EEC.

(6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC⁽²⁾. Those lists should be drawn up on the basis of a communication from the FEHD to the Commission.

(7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The 'Food and Environmental Hygiene Department (FEHD)', shall be the competent authority in Hong Kong identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from Hong Kong shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

3. The health certificate shall bear the name, capacity and signature of the representative of the FEHD, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

Article 5

All packages shall bear the word 'HONG KONG' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 17 March 2005.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from Hong Kong and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: HONG KONG

Competent authority: 'Food and Environmental Hygiene Department (FEHD)'

I. Details identifying the fishery products

- Description of fishery/aquaculture ⁽¹⁾ products:
- Species (scientific name):
- Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by FEHD for export to the EC:

.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

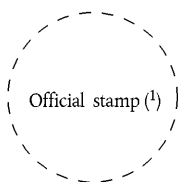
IV. Health attestation

— The official inspector hereby certifies that the fishery products specified above:

- 1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
- 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
- 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
- 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
- 5. do not come from toxic species or species containing biotoxins;
- 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 2005/73/EC.

Done at, on
(Place) (Date)



Signature of official inspector (1)
(Name in capital letters, capacity and qualifications of person signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
08	Lee Kum Kee (Hong Kong) Foods Limited CONDEMAR S.A.	Tai Po, N.T		PP

Categorie Legend:

PP Processing plant/Etablissement.

COMMISSION DECISION

of 27 January 2005

laying down special conditions for imports of fishery products from El Salvador

(notified under document number C(2004) 4613)

(Text with EEA relevance)

(2005/74/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in El Salvador to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of El Salvador on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Dirección General de Sanidad Vegetal y Animal del Ministerio de Agricultura y Ganadería (DGSVA)', is capable of effectively verifying the implementation of the rules in force.
- (4) The DGSVA has provided official assurances on compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from El Salvador, in accordance with Directive 91/493/EEC.

- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC⁽²⁾. Those lists should be drawn up on the basis of a communication from the DGSVA to the Commission.
- (7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The 'Dirección General de Sanidad Vegetal y Animal del Ministerio de Agricultura y Ganadería (DGSVA)', shall be the competent authority in El Salvador identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products imported into the Community from El Salvador shall meet the requirements set out in Articles 3, 4 and 5.

Article 3

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 187, 7.7.1992, p. 41.

3. The health certificate shall bear the name, capacity and signature of the representative of the DGSVA, and the latter's official stamp in a colour different from that of the endorsements.

Article 4

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

Article 5

All packages shall bear the words 'EL SALVADOR' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

Article 6

This Decision shall apply from 17 March 2005.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 27 January 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

HEALTH CERTIFICATE

for fishery products from El Salvador and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: EL SALVADOR

Competent authority: 'Dirección General de Sanidad Vegetal y Animal (DGSVA)'

I. Details identifying the fishery products

- Description of fishery/aquaculture⁽¹⁾ products:
- Species (scientific name):
- Presentation of product and type of treatment⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by by DGSVA for export to the EC:

.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

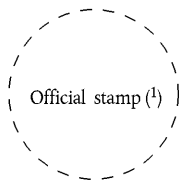
IV. Health attestation

— The official inspector hereby certifies that the fishery products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 2005/74/EC.

Done at, on.....
(Place) (Date)



Signature of official inspector (1)

(Name in capital letters, capacity and qualifications of person signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX II

LIST OF ESTABLISHMENTS AND VESSELS

N° d'agrément/ Approval No	Nom/Name	Ville/City Région/Region	Date limite d'agrément/ Approval limit	Catégorie/ Category
47	Productos Pesqueros Veralmar	Departamento de La Union		PP
49	Productos Pesqueros Calvo Conservas El Salvador	Departamento de La Union		PP
1A	Cámara N° 1 de almacena- miento — Calvo Conservas El Salvador	Departamento de La Union		PP
1B	Cámara N° 2 de almacena- miento — Calvo Conservas El Salvador	Departamento de La Union		PP
1	Montelucia (Calvo Pesca El Salvador, S.A. de CV)			ZV
2	Monterocio (Calvo Pesca El Salvador, S.A. de CV)			ZV

Categorie Legend:

PP Processing plant/Établissement.

ZV Freezer Vessel/Bateau Congélateur.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 2258/2004 of 28 December 2004 fixing the Community withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2005 fishing year**

(Official Journal of the European Union L 389 of 30 December 2004)

On page 5, in recital 2, the second sentence should read as follows:

The guide prices for the 2005 fishing year were fixed for all the products concerned by Council Regulation (EC) No 2132/2004 ⁽²⁾.

⁽²⁾ OJ L 369, 16.12.2004, p. 1.

Corrigendum to Commission Regulation (EC) No 2259/2004 of 28 December 2004 fixing the Community selling price for the fishery products listed in Annex II to Council Regulation (EC) No 104/2000 for the 2005 fishing year

(Official Journal of the European Union L 389 of 30 December 2004)

On page 13, recital 2, should read as follows:

'Council Regulation (EC) No 2132/2004 ⁽²⁾ fixes the guide prices for the 2005 fishing year for all the products concerned.

⁽²⁾ OJ L 369, 16.12.2004, p. 1.