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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 520/2005 of 1 April 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 521/2005 of 1 April 2005 concerning the permanent authorisation of an additive and the provisional authorisation of new uses of certain additives already authorised in feedingstuffs ⁽¹⁾	3
★ Commission Regulation (EC) No 522/2005 of 1 April 2005 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds	8
★ Commission Regulation (EC) No 523/2005 of 1 April 2005 initiating a 'new exporter' review of Council Regulation (EC) No 1467/2004 imposing definitive anti-dumping duties on imports of polyethylene terephthalate (PET) originating, <i>inter alia</i>, in the People's Republic of China, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration	9
Commission Regulation (EC) No 524/2005 of 1 April 2005 fixing the definitive rate of refund and the percentage of system B export licences to be issued in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)	12
Commission Regulation (EC) No 525/2005 of 1 April 2005 on the issuing of system A3 export licences in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)	14
Commission Regulation (EC) No 526/2005 of 1 April 2005 fixing the maximum export refund on wholly milled and parboiled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 2032/2004	16
Commission Regulation (EC) No 527/2005 of 1 April 2005 concerning tenders submitted under tendering procedure for the refund on consignment of husked long grain B rice to the island of Réunion referred to in Regulation (EC) No 2033/2004	17

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

Commission Regulation (EC) No 528/2005 of 1 April 2005 concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled and medium and long grain A rice issued in Regulation (EC) No 2031/2004.....	18
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II Acts whose publication is not obligatory

Council

2005/269/EC:

- ★ **Council Decision of 28 February 2005 on the conclusion of the Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Chile, of the other part** 19
 - ★ **Information relating to the entry into force of the Agreement establishing an association between the European Community and its Member States and the Republic of Chile** 21
-

Corrigenda

- ★ **Corrigendum to Commission Regulation (EC) No 495/2005 of 30 March 2005 derogation from Regulation (EC) No 824/2000 as regards the period for delivering cereals into intervention in some Member States in the 2004/2005 marketing year (OJ L 82, 31.3.2005)** 22

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 520/2005**of 1 April 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 2 April 2005.

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

Done at Brussels, 1 April 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 1 April 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	107,2
	204	53,4
	212	144,6
	624	129,4
	999	108,7
0707 00 05	052	154,9
	066	73,3
	068	95,9
	096	39,9
	204	59,9
	220	155,5
	999	96,6
0709 10 00	220	141,9
	999	141,9
0709 90 70	052	107,0
	204	46,3
	999	76,7
0805 10 20	052	55,3
	204	51,3
	212	50,7
	220	50,1
	400	60,3
	512	118,1
	624	59,5
	999	63,6
0805 50 10	052	58,5
	400	72,9
	624	64,3
	999	65,2
0808 10 80	388	77,2
	400	115,4
	404	120,2
	508	62,3
	512	74,3
	524	56,0
	528	70,0
	720	74,2
	999	81,2
0808 20 50	388	66,3
	508	129,9
	512	67,9
	528	57,1
	720	52,2
	999	74,7

⁽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 521/2005

of 1 April 2005

concerning the permanent authorisation of an additive and the provisional authorisation of new uses of certain additives already authorised in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, and in particular Articles 3, 9d(1) and 9e(1) thereof,Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽²⁾, and in particular Article 25 thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition.
- (2) Article 25 of Regulation (EC) No 1831/2003 lays down transitional measures for applications for the authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of Regulation (EC) No 1831/2003.
- (3) The applications for authorisation of the additives listed in the Annexes to this Regulation were submitted before the date of application of Regulation (EC) No 1831/2003.
- (4) Initial comments on those applications, as provided for in Article 4(4) of Directive 70/524/EEC, were forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Those applications are therefore to continue to be treated in accordance with Article 4 of Directive 70/524/EEC.

- (5) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase produced by *Trichoderma longibrachiatum* (ATCC 2106), endo-1,4-beta-xylanase produced by *Trichoderma longibrachiatum* (ATCC 2105) and subtilisin produced by *Bacillus subtilis* (ATCC 2107) was provisionally authorised for the first time for chickens for fattening, by Commission Regulation (EC) No 1636/1999⁽³⁾. New data were submitted in support of an application for authorisation without a time limit of that enzyme preparation. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that enzyme preparation as specified in Annex I, should be authorised without a time limit.
- (6) The use of the enzyme preparation of 6-phytase produced by *Aspergillus oryzae* (DSM 14223) was authorised without a time limit for chickens for fattening, laying hens, turkeys for fattening, piglets, pigs for fattening and sows by Commission Regulation (EC) No 255/2005⁽⁴⁾. New data were submitted in support of an application to extend the authorisation of the use of that enzyme preparation to salmonids. The European Food Safety Authority (EFSA) has delivered an opinion on the use of that preparation which concludes that it does not present a risk to salmonids under the conditions set out in Annex II to this Regulation. The assessment shows that the conditions laid down in Article 9e(1) of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that enzyme preparation as specified in Annex II, should be provisionally authorised for four years.
- (7) The use of the micro-organism preparation of *Enterococcus faecium* (DSM 7134) was provisionally authorised, for the first time, for piglets and pigs for fattening by Commission Regulation (EC) No 666/2003⁽⁵⁾. New data were submitted in support of an application to extend the authorisation of the use of that micro-organism preparation to chickens for fattening. The EFSA has delivered a favourable opinion on 28 October 2004 on the safety of that additive when used in the animal category chickens for fattening, under the conditions of use set out in Annex III to this Regulation. The assessment shows that the conditions laid down in Article 9e(1) of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that micro-organism preparation as specified in Annex III, should be provisionally authorised for four years.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 1800/2004 (OJ L 317, 16.10.2004, p. 37).

⁽²⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽³⁾ OJ L 194, 27.7.1999, p. 17.

⁽⁴⁾ OJ L 45, 16.2.2005, p. 3.

⁽⁵⁾ OJ L 96, 12.4.2003, p. 11.

- (8) The assessment of those applications shows that certain procedures should be required to protect workers from exposure to the additives set out in the Annexes. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation belonging to the group 'Enzymes', as specified in Annex I, is authorised for use without a time limit as an additive in animal nutrition under the conditions laid down in that Annex.

Article 2

The preparation belonging to the group 'Enzymes', as specified in Annex II, is provisionally authorised for four years as an additive in animal nutrition under the conditions laid down in that Annex.

Article 3

The preparation belonging to the group 'Micro-organisms', as specified in Annex III, is authorised provisionally for four years as an additive in animal nutrition under the conditions laid down in that Annex.

Article 4

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

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

Done at Brussels, 1 April 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 183, 29.6.1989, p. 1. Directive as amended by Regulation (EC) No 1882/2003 of the Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedstuff	kg of complete feedstuff			
Enzymes									
E 1623	endo-1,3(4)-beta-glucanase EC 3.2.1.6 endo-1,4-beta-xylanase EC 3.2.1.8 Subtilisin EC 3.4.21.62	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106), endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) and subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107) having a minimum activity of: Endo-1,3(4)-beta-glucanase: 100 U ⁽¹⁾ /g Endo-1,4-beta-xylanase: 2 500 U ⁽²⁾ /g Subtilisin: 800 U ⁽³⁾ /g	Chickens for fattening	—	endo-1,3(4)-beta-glucanase: 25 U endo-1,4-beta-xylanase: 625 U subtilisin: 200 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedstuff: endo-1,3(4)-beta-glucanase: 25-100 U endo-1,4-beta-xylanase: 625-2 500 U Subtilisin: 200-800 U. 3. For use in compound feed e.g. containing more than 30 % wheat and 10 % barley.	Without a time limit	
⁽¹⁾ 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C. ⁽²⁾ 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C. ⁽³⁾ 1 U is the amount of enzyme which liberates 1 microgram of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.									

ANNEX II

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedstuff				
50	6-phytase EC 3.1.3.26	Preparation of 6-phytase produced by <i>Aspergillus oryzae</i> (DSM 14223) having a minimum activity of: Liquid form: 20 000 FYT ⁽¹⁾ /g	Salmonids	—	500 FYT	—	—	1. In the directions for use of the additive, indicate the storage temperature and storage life 2. Recommended dose per kg of complete feedstuff: 500-2 000 FYT. 3. For use in compound feed rich in phytin-bound phosphorus.	5.4.2009

Enzymes

⁽¹⁾ 1 FYT is the amount of enzyme which liberates 1 micromole of inorganic phosphate per minute from sodium phytate at pH 5,5 and 37 °C.

ANNEX III

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedstuff	CFU/kg of complete feedstuff			
Micro-organisms									
22	<i>Enterococcus faecium</i> DSM 7134	Preparation of <i>Enterococcus faecium</i> containing a minimum of: Powder: 1×10^{10} CFU/g additive Granules (micro-encapsulated form): 1×10^{10} CFU/g additive	Chickens for fattening	—	$0,2 \times 10^9$	2×10^9		In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.	5.4.2009 ¹

COMMISSION REGULATION (EC) No 522/2005
of 1 April 2005
amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification
scheme for the international trade in rough diamonds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 1

Having regard to the Treaty establishing the European Community,

The heading 'Numbering' of Annex IV to Regulation (EC) No 2368/2002 is amended as follows:

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds⁽¹⁾, and in particular Article 19(6) thereof,

(a) In the fourth indent

(i) in the first line the text '(fluorescing to green under UV light)' is deleted;

(ii) the third sub-indent is deleted.

Whereas:

(b) The fifth indent is replaced by 'Second = 8 digit sequential invisible printed numbering (matching above), fluorescing under UV light'.

In order to improve the functionality of the Community certificate certain technical characteristics laid out in Annex IV to Regulation (EC) No 2368/2002 should be amended,

Article 2

HAS ADOPTED THIS REGULATION:

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

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

Done at Brussels, 1 April 2005.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 358, 31.12.2002, p. 28. Regulation as last amended by Commission Regulation (EC) No 1474/2004 (OJ L 271, 18.8.2004, p. 29).

COMMISSION REGULATION (EC) No 523/2005

of 1 April 2005

initiating a 'new exporter' review of Council Regulation (EC) No 1467/2004 imposing definitive anti-dumping duties on imports of polyethylene terephthalate (PET) originating, *inter alia*, in the People's Republic of China, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

D. GROUNDS FOR THE REVIEW

Having regard to the Treaty establishing the European Community,

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

After consulting the Advisory Committee,

Whereas:

A. REQUESTS FOR A REVIEW

- (1) The Commission has received an application for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation. The application was lodged by Jiangyin Chengsheng New Packaging Material Co., Ltd (the applicant). The applicant is an exporting producer in the People's Republic of China (the country concerned).

B. PRODUCT

- (2) The product under review is polyethylene terephthalate (PET) having a viscosity number of 78 ml/g or higher, according to the ISO Standard 1628-5, classified under CN code 3907 60 20 and originating in the People's Republic of China (the product concerned).

C. EXISTING MEASURES

- (3) The measures currently in force are definitive anti-dumping duties imposed by Council Regulation (EC) No 1467/2004⁽²⁾ under which imports into the Community of the product concerned originating in the People's Republic of China, and produced by the applicant, are subject to definitive anti-dumping duties of EUR 184 per tonne with the exception of several companies specially mentioned which are subject to individual duty rates.

- (4) The applicant alleges that it operates under market economy conditions as defined in Article 2(7)(c) of the basic Regulation, that it did not export the product concerned to the Community during the period of investigation on which the anti-dumping measures were based, i.e. the period from 1 April 2002 to 31 March 2003 (the original investigation period) and that it is not related to any of the exporting producers of the product concerned which are subject to the abovementioned anti-dumping measures.

- (5) The applicant further alleges that it has begun exporting the product concerned to the Community after the end of the original investigation period.

E. PROCEDURE

- (6) Community producers known to be concerned have been informed of the above application and have been given an opportunity to comment. No comments have been received.

- (7) Having examined the evidence available, the Commission concludes that there is sufficient evidence to justify the initiation of a 'new exporter' review, pursuant to Article 11(4) of the basic Regulation, with a view to determine whether the applicant operates under market economy conditions as defined in Article 2(7)(c) of the basic Regulation or alternatively whether the applicant fulfils the requirements to have an individual duty established in accordance with Article 9(5) of the basic Regulation and, if so, the applicant's individual margin of dumping and, should dumping be found, the level of the duty to which its imports of the product concerned into the Community should be subject.

(a) Questionnaires

- (8) In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the applicant.

(b) Collection of information and holding of hearings

- (9) All interested parties are hereby invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing showing that there are particular reasons why they should be heard.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 271, 19.8.2004, p. 1.

(c) Market economy status

- (10) In the event that the applicant provides sufficient evidence that it operates under market economy conditions, i.e. that it meets the criteria laid down in Article 2(7)(c) of the basic Regulation, normal value will be determined in accordance with Article 2(7)(b) of the basic Regulation. For this purpose, duly substantiated claims must be submitted within the specific time limit set in Article 4(3) of this Regulation. The Commission will send claim forms to the applicant, as well as to the authorities of the People's Republic of China.

(d) Selection of the market economy country

- (11) In the event that the applicant is not granted market economy status but fulfils the requirements to have an individual duty established in accordance with Article 9(5) of the basic Regulation, an appropriate market economy country will be used for the purpose of establishing normal value in respect of the People's Republic of China in accordance with Article 2(7)(a) of the basic Regulation. The Commission envisages using the United States of America (USA) again for this purpose as was done in the investigation which led to the imposition of measures on imports of the product concerned from the People's Republic of China. Interested parties are hereby invited to comment on the appropriateness of this choice within the specific time limit set in Article 4(2) of this Regulation.
- (12) Furthermore, in the event that the applicant is granted market economy status, the Commission may, if necessary, also use findings concerning the normal value established in an appropriate market economy country, e.g. for the purpose of replacing any unreliable cost or price elements in the People's Republic of China which are needed in establishing the normal value, if reliable required data are not available in the People's Republic of China. The Commission envisages using the United States of America (USA) also for this purpose.

F. REPEAL OF THE DUTY IN FORCE AND REGISTRATION OF IMPORTS

- (13) Pursuant to Article 11(4) of the basic Regulation, the anti-dumping duties in force should be repealed with regard to imports of the product concerned which are produced and sold for export to the Community by the applicant. At the same time, such imports should be made subject to registration in accordance with Article 14(5) of the basic Regulation, in order to ensure that, should the review result in a finding of dumping in respect of the applicant, anti-dumping duties can be levied retroactively from the date of the initiation of this review. The amount of the applicant's possible future liabilities cannot be estimated at this stage of the proceeding.

G. TIME LIMITS

- (14) In the interest of sound administration, time limits should be stated within which:
- interested parties may make themselves known to the Commission, present their views in writing and submit the replies to the questionnaire mentioned in recital 8 of this Regulation or provide any other information to be taken into account during the investigation,
 - interested parties may make a written request to be heard by the Commission,
 - interested parties may comment on the appropriateness of the USA which, in the event that the applicant will not be granted market economy status, is envisaged as a market-economy country for the purpose of establishing normal value in respect of the People's Republic of China,
 - the applicant should submit duly substantiated claims for market economy status.

H. NON-COOPERATION

- (15) In cases in which any interested party refuses access to or otherwise does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.
- (16) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party does not cooperate, or cooperates only partially, and use of the facts available is made, the result may be less favourable to that party than if it had cooperated.

HAS ADOPTED THIS REGULATION:

Article 1

A review of Regulation (EC) No 1467/2004 is hereby initiated pursuant to Article 11(4) of Regulation (EC) No 384/96 in order to determine if and to what extent the imports of polyethylene terephthalate (PET) falling within CN code 3907 60 20 originating in the People's Republic of China, produced and sold for export to the Community by Jiangyin Chengsheng New Packaging Material Co., Ltd (TARIC additional code A510) should be subject to the anti-dumping duties imposed by Regulation (EC) No 1467/2004.

Article 2

The anti-dumping duties imposed by Regulation (EC) No 1467/2004 are hereby repealed with regard to the imports identified in Article 1 of the present Regulation.

Article 3

The customs authorities are hereby directed, pursuant to Article 14(5) of Regulation (EC) No 384/96, to take the appropriate steps to register the imports identified in Article 1 of this Regulation. Registration shall expire nine months following the date of entry into force of this Regulation.

Article 4

1. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known to the Commission, present their views in writing and submit questionnaire replies or any other information, unless otherwise specified, within 40 days of the entry into force of this Regulation. Attention is drawn to the fact that the exercise of most procedural rights set out in Regulation (EC) No 384/96 depends on the party's making itself known within the aforementioned period.

Interested parties may also apply in writing to be heard by the Commission within the same 40-day time limit.

2. Parties to the investigation may wish to comment on the appropriateness of the USA which is envisaged as a market-economy country for the purpose of establishing normal value in respect of the People's Republic of China. These comments must reach the Commission within 10 days of the entry into force of this Regulation.

3. Duly substantiated claims for market economy status must reach the Commission within 15 days of the entry into force of this Regulation.

4. All submissions and requests made by interested parties must be made in writing (not in electronic format, unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax, and/or telex numbers of the interested party. All written submissions, including the information requested in this Regulation, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited'⁽¹⁾ and, in accordance with Article 19(2) of Regulation (EC) No 384/96, shall be accompanied by a non-confidential version, which will be labelled 'FOR INSPECTION BY INTERESTED PARTIES'.

Any information relating to the matter and/or any request for a hearing should be sent to the following address:

European Commission
Directorate-General for Trade
Directorate B
J-79 5/16
B-1049 Brussels
Fax (32-2) 295 65 05
Telex COMEU B 21877.

Article 5

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

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

Done at Brussels, 1 April 2005.

For the Commission
Peter MANDELSON
Member of the Commission

⁽¹⁾ This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EC) No 384/96 and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

COMMISSION REGULATION (EC) No 524/2005**of 1 April 2005****fixing the definitive rate of refund and the percentage of system B export licences to be issued in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables⁽²⁾, and in particular Article 6(7) thereof,

Whereas:

(1) Commission Regulation (EC) No 2127/2004⁽³⁾ fixed the indicative quantities for the issue of B system export licences.

(2) The definitive rate of refund for tomatoes, oranges, lemons and apples covered by licences applied for under system B between 15 January 2005 to 15 March 2005, should be fixed at the indicative rate, and the percentage of licences to be issued for the quantities applied for should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

For applications for system B export licences submitted pursuant to Article 1 of Regulation (EC) No 2127/2004 between 15 January 2005 and 15 March 2005, the percentages of licences to be issued and the rates of refund applicable are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 April 2005.

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

Done at Brussels, 1 April 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 1).

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as amended by Regulation (EC) No 1176/2002 (OJ L 170, 29.6.2002, p. 69).

⁽³⁾ OJ L 368, 15.12.2004, p. 14.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 15 January 2005 to 15 March 2005 (tomatoes, oranges, lemons and apples)

Product	Rate of refund (EUR/t net)	Percentages of licences to be issued for the quantities applied for
Tomatoes	30	100 %
Oranges	24	100 %
Lemons	43	100 %
Apples	28	100 %

COMMISSION REGULATION (EC) No 525/2005**of 1 April 2005****on the issuing of system A3 export licences in the fruit and vegetables sector (tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 350/2005⁽²⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences, which may be issued, other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.

- (3) In the case of tomatoes, oranges, lemons and apples, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of tomatoes, oranges, lemons and apples, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 350/2005 shall be fixed in the Annex.

Article 2

This Regulation shall enter into force on 2 April 2005.

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

Done at Brussels, 1 April 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 55, 1.3.2005, p. 26.

ANNEX

Issuing of system A3 export licences in the fruit and vegetable sector (tomatoes, oranges, lemons and apples)

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Tomatoes	45	100 %
Oranges	50	100 %
Lemons	70	100 %
Apples	55	100 %

COMMISSION REGULATION (EC) No 526/2005**of 1 April 2005****fixing the maximum export refund on wholly milled and parboiled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 2032/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2032/2004⁽²⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75⁽³⁾ allows the Commission to fix, in accordance with the procedure laid down in Article 26(2) of Regulation (EC) No 1785/2003 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 14(4) of Regulation (EC) No 1785/2003 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(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 maximum export refund on wholly milled and parboiled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2032/2004 is hereby fixed on the basis of the tenders submitted from 28 to 31 March 2005 at 57,00 EUR/t.

Article 2

This Regulation shall enter into force on 2 April 2005.

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

Done at Brussels, 1 April 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 353, 27.11.2004, p. 6.

⁽³⁾ OJ L 61, 7.3.1975, p. 25. Regulation as last amended by Regulation (EC) No 1948/2002 (OJ L 299, 1.11.2002, p. 18).

COMMISSION REGULATION (EC) No 527/2005**of 1 April 2005****concerning tenders submitted under tendering procedure for the refund on consignment of husked long grain B rice to the island of Réunion referred to in Regulation (EC) No 2033/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion⁽²⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2033/2004⁽³⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to decide, in accordance with the procedure laid down in Article 2b(2) of Regulation (EC) No 1785/2003 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed.

(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

No action shall be taken on the tenders submitted from 28 to 31 March 2005 in response to the invitation to tender referred to in Regulation (EC) No 2033/2004 for the subsidy on exports to Réunion of husked long grain B rice falling within CN code 1006 20 98.

Article 2

This Regulation shall enter into force on 2 April 2005.

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

Done at Brussels, 1 April 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

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

⁽³⁾ OJ L 353, 27.11.2004, p. 9.

COMMISSION REGULATION (EC) No 528/2005**of 1 April 2005****concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled and medium and long grain A rice issued in Regulation (EC) No 2031/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2031/2004⁽²⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75⁽³⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 26(2) of Regulation (EC) No 1785/2003 and on the basis of the tenders submitted, to make no award.

- (3) On the basis of the criteria laid down in Article 14(4) of Regulation (EC) No 1785/2003, a maximum refund should not be fixed.

- (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

No action shall be taken on the tenders submitted from 28 to 31 March 2005 in response to the invitation to tender for the export refund on wholly milled and medium and long grain A rice to certain third European countries issued in Regulation (EC) No 2031/2004.

Article 2

This Regulation shall enter into force on 2 April 2005.

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

Done at Brussels, 1 April 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 353, 27.11.2004, p. 3.

⁽³⁾ OJ L 61, 7.3.1975, p. 25. Regulation as last amended by Regulation (EC) No 1948/2002 (OJ L 299, 1.11.2002, p. 18).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 February 2005

on the conclusion of the Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Chile, of the other part

(2005/269/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310 thereof in conjunction with Article 300(2), first subparagraph, second sentence, and Article 300(3), second subparagraph thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, (hereinafter referred to as the Association Agreement) was signed on behalf of the Community, in Brussels on 18 November 2002.
- (2) The Association Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, together with the Annexes and protocols attached thereto and the declarations made by the Community unilaterally or jointly with the other Party that are attached to the Final Act are hereby approved on behalf of the Community.

⁽¹⁾ European Parliament assent of 12 February 2003.

2. The texts of the Association Agreement, Annexes, Protocols, and the Final Act are attached to this Decision ⁽²⁾.

Article 2

1. The position to be taken by the Community within the Association Council and the Association Committee established by the Association Agreement shall be adopted by the Council, on a proposal from the Commission, in accordance with the corresponding provisions of the Treaty.

2. A representative of the Council shall preside over the Association Council and present the position of the Community. A representative of the Commission shall preside over the Association Committee and present the position of the Community.

3. The Community shall be represented by the Commission in the Special Committees established by the Agreement or set up by the Association Council in accordance with Article 7 thereof.

Article 3

1. For the purpose of applying Article 29(2) of Annex V of the Association Agreement, the Commission is hereby authorised, in accordance with the procedure referred to in Article 75 of Regulation (EC) No 1493/1999 ⁽³⁾, to conclude the instruments required to amend the Agreement.

⁽²⁾ OJ L 352, 30.12.2002, p. 3 and OJ L 332, 19.12.2003, p. 64.

⁽³⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Commission Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

2. For the purpose of applying Article 16(2) of Annex VI of the Association Agreement the Commission is hereby authorised, in accordance with the procedure referred to in Article 15 of Regulation (EEC) No 1576/89⁽¹⁾, to conclude the instruments required to amend the Agreement.

Article 4

The President of the Council shall give the notification provided for in Article 198(1) of the Agreement on behalf of the Community.

Done at Brussels, 28 February 2005.

For the Council
The President
F. BODEN

⁽¹⁾ OJ L 160, 12.6.1989, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

Information relating to the entry into force of the Agreement establishing an association between the European Community and its Member States and the Republic of Chile

The Agreement establishing an association between the European Community and its Member States and the Republic of Chile⁽¹⁾ entered into force on 1 March 2005, the procedures provided for in Article 198 of the Agreement having been completed on 28 February 2005.

⁽¹⁾ OJ L 352, 30.12.2002, p. 3 and OJ L 332, 19.12.2003, p. 64.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 495/2005 of 30 March 2005 derogation from Regulation (EC) No 824/2000 as regards the period for delivering cereals into intervention in some Member States in the 2004/2005 marketing year

(Official Journal of the European Union L 82 of 31 March 2005)

On page 5, in Article 1, sixth line:

for: '... the end of the sixth month following ...',

read: '... the end of the seventh month following ...'.
