

Official Journal

of the European Union

L 185

Volume 48

16 July 2005

English edition

Legislation

Contents	I Acts whose publication is obligatory	
	Commission Regulation (EC) No 1137/2005 of 15 July 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
	★ Commission Regulation (EC) No 1138/2005 of 15 July 2005 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar for the 2005/2006 marketing year	3
	★ Commission Regulation (EC) No 1139/2005 of 15 July 2005 concerning the classification of certain goods in the Combined Nomenclature	8
	Commission Regulation (EC) No 1140/2005 of 15 July 2005 fixing the minimum selling prices for butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	10
	Commission Regulation (EC) No 1141/2005 of 15 July 2005 fixing the maximum aid for cream, butter and concentrated butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	12
	Commission Regulation (EC) No 1142/2005 of 15 July 2005 fixing the maximum aid for concentrated butter for the 339th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	14
	Commission Regulation (EC) No 1143/2005 of 15 July 2005 fixing the minimum selling price for butter for the 23rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999	15
	Commission Regulation (EC) No 1144/2005 of 15 July 2005 fixing the minimum selling price for skimmed-milk powder for the 22nd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001	16
	Commission Regulation (EC) No 1145/2005 of 15 July 2005 suspending the buying-in of butter in certain Member States	17
	Commission Regulation (EC) No 1146/2005 of 15 July 2005 fixing the minimum selling price for skimmed-milk powder for the 86th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999	18

★ Commission Regulation (EC) No 1147/2005 of 15 July 2005 prohibiting fishing for sandeel with certain fishing gears in the North Sea and the Skagerrak	19
★ Commission Regulation (EC) No 1148/2005 of 15 July 2005 amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin, as regards penethamate ⁽¹⁾	20
Commission Regulation (EC) No 1149/2005 of 15 July 2005 on the issue of licences for the import of garlic in the quarter from 1 September to 30 novembre 2005	22
Commission Regulation (EC) No 1150/2005 of 15 July 2005 fixing the import duties in the cereals sector applicable from 16 July 2005	24
★ Council Regulation (EC) No 1151/2005 of 15 July 2005 amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products	27

II Acts whose publication is not obligatory

Council

2005/507/EC:

★ Council Decision of 12 July 2005 appointing an alternate United Kingdom member of the Committee of the Regions	30
---	----

2005/508/EC:

★ Council Decision of 12 July 2005 appointing a United Kingdom member of the Committee of the Regions	31
--	----

2005/509/EC:

★ Council Decision of 12 July 2005 appointing a German alternate member of the Committee of the Regions	32
--	----

Commission

2005/510/Euratom:

★ Commission Decision of 14 June 2005 concerning the accession of the European Atomic Energy Community to the 'Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management' (notified under document number C(2005) 1729)	33
--	----

Acts adopted under Title VI of the Treaty on European Union

2005/511/JHA:

★ Council Decision 2005/511/JHA of 12 July 2005 on protecting the euro against counterfeiting, by designating Europol as the Central Office for combating euro counterfeiting	35
--	----



⁽¹⁾ Text with EEA relevance

Corrigenda

Corrigendum to Commission Regulation (EC) No 1098/2005 of 13 July 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 (OJ L 183, 14.7.2005)	37
★ Corrigendum to Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef (OJ L 68, 16.3.2000)	37

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1137/2005**of 15 July 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 16 July 2005.

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

Done at Brussels, 15 July 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 15 July 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	74,2
	096	43,7
	999	59,0
0707 00 05	052	68,2
	999	68,2
0709 90 70	052	76,0
	999	76,0
0805 50 10	388	64,8
	524	71,9
	528	55,5
	999	64,1
0808 10 80	388	81,5
	400	92,1
	404	59,2
	508	70,1
	512	74,6
	528	56,3
	720	73,3
	804	87,2
	999	74,3
0808 20 50	388	86,4
	512	73,3
	528	57,5
	800	31,4
	999	62,2
0809 10 00	052	161,6
	999	161,6
0809 20 95	052	292,1
	400	309,8
	999	301,0
0809 30 10, 0809 30 90	052	85,0
	999	85,0
0809 40 05	528	109,1
	624	111,4
	999	110,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1138/2005

of 15 July 2005

on a standing invitation to tender to determine levies and/or refunds on exports of white sugar for the 2005/2006 marketing year

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 Articles 22(2), 27(5) and (15) and 33(3) thereof,

Whereas:

- (1) In view of the situation on the Community and world sugar markets, a standing invitation to tender should be issued as soon as possible for the export of white sugar in respect of the 2005/2006 marketing year which, having regard to possible fluctuations in world prices for sugar, must provide for the determination of export levies and/or export refunds.
- (2) The general rules governing invitations to tender for the purpose of determining export refunds for sugar established by Article 28 of Regulation (EC) No 1260/2001 should be applied.
- (3) In view of the specific nature of the operation, appropriate provisions should be laid down with regard to export licences issued in connection with the standing invitation to tender and there should be a derogation from Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector ⁽²⁾. However, Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for

agricultural products ⁽³⁾ and Commission Regulation (EEC) No 120/89 of 19 January 1989 laying down common detailed rules for the application of the export levies and charges on agricultural products ⁽⁴⁾ must continue to apply.

- (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

1. A standing invitation to tender shall be issued in order to determine export levies and/or export refunds on white sugar covered by CN code 1701 99 10 for all destinations excluding Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro ⁽⁵⁾ and the former Yugoslav Republic of Macedonia. During the period of validity of this standing invitation, partial invitations to tender shall be issued.
2. The standing invitation to tender shall be open until 27 July 2006.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Article 28 of Regulation (EC) No 1260/2001 and with this Regulation.

Article 3

1. The Member States shall establish a notice of invitation to tender. The notice of invitation to tender shall be published in the *Official Journal of the European Union*. Member States may also publish the notice, or have it published, elsewhere.
2. The notice shall indicate, in particular, the terms of the invitation to tender.

⁽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 144, 28.6.1995, p. 14. Regulation as last amended by Regulation (EC) No 96/2004 (OJ L 15, 22.1.2004, p. 4).

⁽³⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) 636/2004 (OJ L 100, 6.4.2004, p. 25).

⁽⁴⁾ OJ L 16, 20.1.1989, p. 19. Regulation as last amended by Regulation (EC) No 910/2004 (OJ L 163, 30.4.2004, p. 63).

⁽⁵⁾ Including Kosovo as defined in United Nations Security Council Resolution 1244 of 10 June 1999.

3. The notice may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

- (a) shall begin on 22 July 2005;
 - (b) shall end on Thursday 28 July 2005 at 10.00, Brussels local time.
2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:
- (a) shall begin on the first working day following the end of the preceding period;
 - (b) shall end at 10.00, Brussels local time:
 - 11 and 25 August 2005,
 - 8, 15, 22 and 29 September 2005,
 - 6, 13, 20 and 27 October 2005,
 - 10 and 24 November 2005,
 - 8 and 22 December 2005,
 - 5 and 19 January 2006,
 - 2 and 16 February 2006,
 - 2, 16 and 30 March 2006,
 - 6 and 20 April 2006,
 - 4 and 18 May 2006,
 - 1, 8, 15, 22, and 29 June 2006,
 - 13 and 27 July 2006.

Article 5

1. Tenders in connection with this tendering procedure:

- (a) must be in writing and must be delivered by hand to the competent authority in a Member State, against a receipt; or
- (b) must be addressed to that authority either by registered letter or telegram;

(c) must be addressed to that authority by telex, fax or electronic mail, where the authority accepts such forms of communication..

2. Tenders shall be valid only if the following conditions are met:

- (a) tenders shall contain:
 - (i) the procedure to which the tender relates;
 - (ii) the name and address of the tenderer;
 - (iii) the quantity of white sugar to be exported;
 - (iv) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in euro to three decimal places;
 - (v) the amount of the security to be lodged covering the quantity of sugar indicated in (iii), expressed in the currency of the Member State in which the tender is submitted.
- (b) the quantity to be exported is not less than 250 tonnes of white sugar;
- (c) proof is furnished before expiry of the time-limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (d) tenders include a declaration by the tenderer that if their tender is successful they will, within the period laid down in the second subparagraph of Article 12(2), apply for an export licence or licences in respect of the quantities of white sugar to be exported;
- (e) tenders include a declaration by the tenderer that if their tender is successful they will:
 - (i) where the obligation to export resulting from the export licence referred to in Article 12(2) is not fulfilled, supplement the security by payment of the amount referred to in Article 13(4);
 - (ii) within 30 days following the expiry of the export licence in question, notify the authority which issued the licence of the quantity or quantities in respect of which the licence was not used.

3. A tender may stipulate that it is to be regarded as having been submitted only if one or both of the following conditions is/are met:

- (a) the minimum export levy or, where applicable, the maximum export refund is fixed on the day of the expiry of the period for the submission of the tenders in question;
- (b) the tender, if successful, relates to all or a specified part of the tendered quantity.

4. A tender which is not submitted in accordance with paragraphs 1 and 2, or which contains conditions other than those indicated in the present invitation to tender, shall not be considered.

5. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of EUR 11 per 100 kilograms of white sugar to be exported under this invitation to tender must be lodged by each tenderer.

Without prejudice to Article 13(4), where a tender is successful this security shall become the security for the export licence at the time of the application referred to in Article 12(2).

2. The security referred to in paragraph 1 may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure*, the security referred to in paragraph 1 shall be released:

- (a) to unsuccessful tenderers in respect of the quantity for which no award has been made;
- (b) to successful tenderers who have not applied for the relevant export licence within the period referred to in the second subparagraph of Article 12(2), to the extent of EUR 10 per 100 kilograms of white sugar;
- (c) to successful tenderers for the quantity for which they have fulfilled, within the meaning of Articles 31(b) and 32(1)(b)(i) of Regulation (EC) No 1291/2000 the export obligation resulting from the licence referred to under Article 12(2) in accordance with the terms of Article 35 of that Regulation.

In the case referred to under (b) of the first subparagraph, the releasable part of the security shall be reduced, as applicable, by:

- (a) the difference between the maximum amount of the export refund fixed for the partial invitation concerned and the maximum amount of the export refund fixed for the following partial invitation, when the latter amount is higher than the former;
- (b) the difference between the minimum amount of the export levy fixed for the partial invitation concerned and the minimum amount of the export levy fixed for the following partial invitation, when the latter amount is lower than the former.

The part of the security or the security which is not released shall be forfeit in respect of the quantity of sugar for which the corresponding obligations have not been fulfilled.

4. In cases of *force majeure*, the competent authority of the Member State concerned shall take such action for the release of the security as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. The persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders submitted shall be communicated to the Commission by the Member States without the tenderers being mentioned by name and must be received by the Commission within one hour and thirty minutes of the expiry of the deadline for the weekly submission of tenders stipulated in the notice of invitation to tender.

Where no tenders are submitted, the Member States shall notify the Commission of this within the same time-limit.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for the partial invitation concerned.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

(a) a minimum export levy, or

(b) a maximum export refund.

2. Without prejudice to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Without prejudice to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender and if a minimum export levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest export levy; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of export levies quoted until the entire maximum quantity has been accounted for.

Where a maximum quantity has been fixed for a partial invitation to tender and if a maximum export refund is fixed, contracts shall be awarded in accordance with the first subparagraph; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, awards shall be made to tenderers quoting an export refund in ascending order of export refunds quoted until the entire maximum quantity has been accounted for.

2. Where an award to a particular tenderer in accordance with paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where offers quote the same export levy or refund and would, if accepted for the full quantity in respect of which they have been submitted, cause the maximum quantity to be exceeded, awards will be made:

(a) by division among the tenderers concerned in proportion to the total quantities in each of their tenders, or

(b) by apportionment among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or

(c) or by drawing lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. It shall also send statements of award to the successful tenderers.

2. Statements of award shall indicate at least:

(a) the procedure to which the tender relates,

(b) the quantity of white sugar to be exported;

(c) the amount, expressed in euro, of the export levy to be charged, or where applicable of the export refund to be granted per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

1. Every successful tenderer shall have the right to receive, in the circumstances referred to in paragraph 2, an export licence covering the quantity awarded, indicating the export levy or refund quoted in the tender, as the case may be.

2. Every successful tenderer shall be obliged to lodge, in accordance with the relevant provisions of Regulation (EC) No 1291/2000, an application for an export licence in respect of the quantity that has been awarded to him, the application not being revocable in derogation from Article 12 of Regulation (EEC) No 120/89.

The application shall be lodged not later than:

(a) the last working day preceding the date of the partial invitation to tender to be held the following week;

(b) if no partial invitation to tender is due to be held that week, the last working day of the following week.

3. Every successful tenderer shall be obliged to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13(4).

4. The rights and obligations referred to in paragraphs 1, 2 and 3 shall not be transferable.

Article 13

1. The period for the issue of export licences referred to in Article 9(1) of Regulation (EC) No 1464/95 shall not apply to the white sugar to be exported under this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However, export licences issued in respect of the partial invitations held after 1 May 2006 will be valid only until 30 September 2006.

Should technical difficulties arise which prevent export being carried out by the expiry date referred to in the second subparagraph above, the competent authorities in the Member State which issued the export licence may, at the written request of the holder of that licence, extend its validity to 15 October 2006 at the latest, provided that export is not subject to the rules laid down in Articles 4 or 5 of Council Regulation (EEC) No 565/80 ⁽¹⁾.

3. The export licences issued in respect of the partial invitations held between 28 July 2005 and 30 September 2005 will be usable only from 1 October 2005.

4. Except in cases of *force majeure*, the holder of the licence shall pay the competent authority a specific amount in respect of the quantity for which the obligation to export resulting from the export licence referred to in Article 12(2) has not been fulfilled, if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence, less the levy referred to in the second subparagraph of Article 33(1) of Regulation (EC) No 1260/2001 in force on the last day of validity of the said licence;
- (b) the sum of the export levy indicated on the licence and the refund referred to in Article 28(2) of Regulation (EC) No 1260/2001 in force on the last day of validity of the said licence;
- (c) the export refund referred to in Article 28(2) of Regulation (EC) No 1260/2001 in force on the last day of validity of the licence, less the refund indicated on the said licence.

The amount to be paid referred to in the first paragraph shall be equal to the difference between the result of the valuation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6(1).

Article 14

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

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

Done at Brussels, 15 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 62, 7.3.1980, p. 5.

COMMISSION REGULATION (EC) No 1139/2005
of 15 July 2005
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to the said general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3.

(4) It is appropriate to provide that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the twentieth 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, 15 July 2005.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
<p>Non-woven sheet measuring approximately 0,60 m × 0,96 m, coated on one side with a mixture of aromatic herbs (rosemary 30 %, oregano 15 %, sage 15 %, basil 20 %, thyme 20 %)</p> <p>The non-woven sheet is placed in a container before cooking certain dishes (pâtés, hams, etc.). The aromatic herbs impregnate the preparation during cooking</p> <p>The non-woven sheet does not serve as the final wrapping of the cooked dishes</p>	2106 90 92	<p>Classification is determined by the General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1 to Chapter 9, Note 1 (a) to Chapter 56 and by the wording of CN codes 2106, 2106 90, 2106 90 92</p> <p>The product cannot be classified as a non-woven fabric of Chapter 56 because the non-woven sheet is present merely as a carrying medium (Note 1 (a) to Chapter 56)</p> <p>The mixture of aromatic herbs consists of parts of plants of heading 0910 (thyme, 20 %) and heading 1211 (other plants, 80 %)</p> <p>Such mixtures are not covered by heading 0910 and heading 1211 (Note 1 to Chapter 9 and HSEN to heading 1211, paragraph 7)</p> <p>Being a simple mixture of aromatic herbs without any additional ingredient, it is not considered to be mixed condiments or mixed seasonings of heading 2103</p> <p>It is classified in heading 2106 as indicated by HSEN to heading 1211, paragraph 7</p>

COMMISSION REGULATION (EC) No 1140/2005**of 15 July 2005****fixing the minimum selling prices for butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices of butter from intervention stocks and processing securities applying for the 167th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

ANNEX

to the Commission Regulation of 15 July 2005 fixing the minimum selling prices for butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B		
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers	
Minimum selling price	Butter ≥ 82 %	Unaltered	206	210	—	—
		Concentrated	204,1	—	—	—
Processing security		Unaltered	79	79	—	—
		Concentrated	79	—	—	—

**COMMISSION REGULATION (EC) No 1141/2005
of 15 July 2005**

fixing the maximum aid for cream, butter and concentrated butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 167th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

ANNEX

to the Commission Regulation of 15 July 2005 fixing the maximum aid for cream, butter and concentrated butter for the 167th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter \geq 82 %	41	37,5	41	37
	Butter < 82 %	39	36,1	—	36,1
	Concentrated butter	49	45,1	49	45
	Cream	—	—	20	16
Processing security	Butter	45	—	45	—
	Concentrated butter	54	—	54	—
	Cream	—	—	22	—

COMMISSION REGULATION (EC) No 1142/2005**of 15 July 2005****fixing the maximum aid for concentrated butter for the 339th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 339th tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 the maximum aid and the end-use security are fixed as follows:

- | | |
|---------------------|----------------|
| — maximum aid: | 48 EUR/100 kg, |
| — end-use security: | 53 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 45, 21.2.1990, p. 8. Regulation as last amended by Commission Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 1143/2005**of 15 July 2005****fixing the minimum selling price for butter for the 23rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 23rd individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 12 July 2005, the minimum selling price for butter is fixed at 265 EUR/100 kg.

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 1144/2005**of 15 July 2005****fixing the minimum selling price for skimmed-milk powder for the 22nd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 214/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 22nd individual invitation to tender pursuant to Regulation (EC) No 214/2001, in respect of which the time limit for the submission of tenders expired on 12 July 2005, the minimum selling price for skimmed milk is fixed at 196,24 EUR/100 kg.

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 37, 7.2.2001, p. 100. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 1145/2005
of 15 July 2005
suspending the buying-in of butter in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 1038/2005 ⁽³⁾ establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by the Czech Republic, Germany, France, Ireland, Italy, Latvia, Poland, Portugal, Slovakia, Finland and Sweden pursuant to Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1038/2005 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, the Czech Republic, Denmark, Germany, France, Ireland, Italy, Cyprus, Latvia, Hungary, Malta, Greece, Luxembourg, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland, Sweden and the United Kingdom.

Article 2

Regulation (EC) No 1038/2005 is hereby repealed.

Article 3

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

⁽³⁾ OJ L 171, 2.7.2005, p. 25.

COMMISSION REGULATION (EC) No 1146/2005

of 15 July 2005

fixing the minimum selling price for skimmed-milk powder for the 86th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.
- (2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum selling price.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 86th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 12 July 2005, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | 194,24 EUR/100 kg, |
| — processing security: | 35,00 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 340, 31.12.1999, p. 3. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 1147/2005**of 15 July 2005****prohibiting fishing for sandeel with certain fishing gears in the North Sea and the Skagerrak**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 27/2005 of 22 December 2004 fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽¹⁾, and in particular Article 12(6) thereof,

Whereas:

- (1) The Community's fishing effort for vessels fishing for sandeel in the North Sea and Skagerrak is laid down provisionally in Annex V to Regulation (EC) No 27/2005.
- (2) Pursuant to point 6(c) of this Annex the Commission shall revise the fishing effort for 2005 based on advice from the Scientific, Technical and Economic Committee for Fisheries (STECF) on the size of the 2004 year class of North Sea sandeel. Where STECF estimates the size of the 2004 year class of North Sea sandeel to be below 300 000 million individuals at age 0, fishing with demersal trawl, seine or similar towed gears with a

mesh size of less than 16 mm shall be prohibited for the remaining of 2005.

- (3) STECF has estimated the strength of the 2004 year-class to 150 000 million individuals at age 0.
- (4) As the STECF estimate of the 2004 year-class of North Sea sandeel is below the threshold of 300 000 million individuals at age 0, the fishery has to be prohibited for the remainder of 2005,

HAS ADOPTED THIS REGULATION:

Article 1

Fishing for sandeel in the North Sea and Skagerrak (ICES Subdivisions IIa, IIIa and Sub-area IV) ⁽²⁾ with demersal trawl, seine or similar towed gears with a mesh size of less than 16 mm shall be prohibited from the date of entry into force fixed by Article 2 until 31 December 2005.

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*.

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

Done at Brussels, 15 July 2005.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 12, 14.1.2005, p. 1. Regulation as last amended by Regulation (EC) No 860/2005 (OJ L 144, 8.6.2005, p. 1).

⁽²⁾ EC waters excluding waters within six miles of the UK baselines at Shetland, Fair Isle and Foula.

COMMISSION REGULATION (EC) No 1148/2005

of 15 July 2005

amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin, as regards penethamate

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, and in particular Article 2 thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) All pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals should be evaluated in accordance with Regulation (EEC) No 2377/90.
- (2) Penethamate has been included in Annex I to Regulation (EEC) No 2377/90 for bovine and porcine for muscle, fat, liver and kidney and for milk but only for bovine. That entry should be extended to all mammalian food-producing species.

- (3) Regulation (EEC) No 2377/90 should be amended accordingly.

- (4) An adequate period should be allowed before the applicability of this Regulation in order to enable Member States to make any adjustment which may be necessary in the light of this Regulation to the marketing authorisations granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2377/90 are amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from 14 September 2005.

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

Done at Brussels, 15 July 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 869/2005 (OJ L 145, 9.6.2005, p. 19).

⁽²⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

ANNEX

The following substance is inserted in Annex I to Regulation (EEC) No 2377/90:

1. Anti-infectious agents
 - 1.2. Antibiotics
 - 1.2.1. Penicillins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
'Penethamate	Benzylpenicillin	All mammalian-food producing species	50 µg/kg 50 µg/kg 50 µg/kg 50 µg/kg 4 µg/kg	Muscle Fat Liver Kidney Milk'

COMMISSION REGULATION (EC) No 1149/2005
of 15 July 2005
on the issue of licences for the import of garlic in the quarter from 1 September to 30 novembre 2005

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 565/2002 of 2 April 2002 establishing the method for managing the tariff quotas and introducing a system of certificates of origin for garlic imported from third countries ⁽²⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) The quantities for which licence applications have been lodged by traditional importers and by new importers on 11 and 12 July 2005, pursuant to Article 5(2) of Regulation (EC) No 565/2002 exceed the quantities available for products originating in China and all third countries other than China and Argentina.
- (2) It is now necessary to establish the extent to which the licence applications sent to the Commission on 14 July 2005 can be met and to fix, for each category

of importer and product origin, the dates until which the issue of certificates must be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged pursuant to Article 3(1) of Regulation (EC) No 565/2002, on 11 and 12 July 2005 and sent to the Commission on 14 July 2005, shall be met at a percentage rate of the quantities applied for as set out in Annex I hereto.

Article 2

For each category of importer and the origin involved, applications for import licences pursuant to Article 3(1) of Regulation (EC) No 565/2002 relating to the quarter from 1 September 2005 to 30 November 2005 and lodged after 12 July 2005 but before the date in Annex II hereto, shall be rejected.

Article 3

This Regulation shall enter into force on 16 July 2005.

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

Done at Brussels, 15 July 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 86, 3.4.2002, p. 11. Regulation as last amended by Regulation (EC) No 537/2004 (OJ L 86, 24.3.2004, p. 9).

ANNEX I

Origin of the products	Percentage allocations		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	13,088 %	100 %	X
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	0,629 %	47,812 %	X

'X': No quota for this origin for the quarter in question.

'—': No application for a licence has been sent to the Commission.

ANNEX II

Origin of the products	Dates		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	30.11.2005	—	—
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	30.11.2005	3.10.2005	—

COMMISSION REGULATION (EC) No 1150/2005**of 15 July 2005****fixing the import duties in the cereals sector applicable from 16 July 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 16 July 2005.

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

Done at Brussels, 15 July 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
16 July 2005**

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
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	33,95
1005 10 90	Maize seed other than hybrid	54,86
1005 90 00	Maize other than seed ⁽²⁾	54,86
1007 00 90	Grain sorghum other than hybrids for sowing	38,94

⁽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 1.7.2005-14.7.2005

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	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	122,45 (***)	77,73	176,22	166,22	146,22	92,18
Gulf premium (EUR/t)	—	8,81	—			—
Great Lakes premium (EUR/t)	26,13	—	—			—

(*) 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: 20,62 EUR/t; Great Lakes–Rotterdam: 30,89 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).

COUNCIL REGULATION (EC) No 1151/2005**of 15 July 2005****amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 20 December 1996 the Council adopted Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products⁽¹⁾. Community demand for the products in question should be met under the most favourable conditions. For that purpose new Community tariff quotas should be opened at reduced or zero rates of duty for appropriate volumes while avoiding any disturbance to the markets for these products.
- (2) The quota amount for certain autonomous Community tariff quotas is insufficient to meet the needs of the Community industry for the current quota period. Consequently, these quota amounts should be increased.
- (3) Regulation (EC) No 2505/96 should therefore be amended accordingly.

(4) Having regard to the economic importance of this Regulation, it is necessary to rely on the grounds of urgency provided for in point I.3 of the Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Community on the role of national parliaments in the European Union.

(5) Since this Regulation is to apply from 1 July 2005, it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The quotas listed in the Annex to this Regulation shall be added to Annex I to Regulation (EC) No 2505/96 with effect from 1 July 2005.

Article 2

For the quota period from 1 January to 31 December 2005, in Annex I to Regulation (EC) No 2505/96, the quota amount of tariff quota 09.2626 is fixed at 1 600 000 units.

Article 3

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

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

Done at Brussels, 15 July 2005.

For the Council

The President

I. LEWIS

⁽¹⁾ OJ L 345, 31.12.1996, p. 1. Regulation as last amended by Regulation (EC) No 2243/2004 (OJ L 381, 28.12.2004, p. 1).

ANNEX

Order No	CN code	Taric sub-division	Description	Quota volume	Quota duty %	Quota period
09.2002	2928 00 90	30	Phenylhydrazine	300 tonnes	0	1.7.-31.12.2005
09.2003	8543 89 95	63	Voltage controlled frequency generator, consisting of active and passive elements mounted on a printed circuit, contained in a housing whose exterior dimensions do not exceed 30 × 30 mm	700 000 units	0	1.7.-31.12.2005
09.2004	2926 10 00	10	Acrylonitrile	40 000 tonnes	0	1.7.-31.12.2005
09.2009	8504 90 11	30	Ferrite cores with the following dimensions: — an inner diameter at the top of 48 mm and a height of 42 mm; — an inner diameter at the top of 48 mm and a height of 44 mm; — an inner diameter at the top of 49 mm and a height of 42 mm; — an inner diameter at the top of 51 mm and a height of 40 mm for use in the manufacture of deflection yokes ⁽⁶⁾	650 000 units	0	1.7.-31.12.2005
09.2018	2932 11 00	10	Tetrahydrofuran, containing not more than 40 mg per litre in total of tetrahydro-2-methylfuran and tetrahydro-3-methylfuran, for the manufacture of α -4-hydroxybutyl- ω -hydroxypoly(oxytetramethylene) ⁽⁶⁾	30 000 tonnes	0	1.7.-31.12.2005
09.2026	2903 30 80	70	1,1,1,2 Tetrafluoroethane, certified odourless containing a maximum: — 600 ppm by weight of 1,1,2,2-Tetrafluoroethane — 2 ppm by weight of pentafluoroethane — 2 ppm by weight of chlorodifluoromethane — 2 ppm by weight of chloropentafluoroethane — 2 ppm by weight of dichlorodifluoromethane For use in the manufacture of pharmaceutical grade propellant for medical metered dose inhalers ⁽⁶⁾	2 000 tonnes	0	1.7.-31.12.2005

Order No	CN code	Taric sub-division	Description	Quota volume	Quota duty %	Quota period
09.2028	8545 19 90	10	Carbon rods (carbon electrodes) for use in the manufacture of zinc-carbon batteries ^(a)	400 000 000 units	0	1.7.-31.12.2005
09.2030	2926 90 95	74	Chlorothalonil	350 tonnes	0	1.7.-31.12.2005
09.2976	ex 8407 90 10	10	Four-stroke petrol engines of a cylinder capacity not exceeding 250 cm ³ for use in the manufacture of lawnmowers of subheading 8433 11 ^(a) or mowers with motor of subheading 8433 20 10 ^(a)	750 000 units	0	1.7.2005-30.6.2006

^(a) Checks on this prescribed end use shall be carried out pursuant to the relevant Community provisions.*

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 July 2005

appointing an alternate United Kingdom member of the Committee of the Regions

(2005/507/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the United Kingdom Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions for the period 26 January 2002 to 25 January 2006.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the expiry of the mandate of Mr William SPEECHLEY,

HAS DECIDED AS FOLLOWS:

Article 1

Mr David PARSONS, Councillor, Leicestershire County Council is hereby appointed an alternate member of the Committee of the Regions in place of Mr William SPEECHLEY for the remainder of his term of office, which runs until 25 January 2006.

Article 2

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

It shall take effect on the date of its adoption.

Done at Brussels, 12 July 2005.

For the Council
The President
G. BROWN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 12 July 2005
appointing a United Kingdom member of the Committee of the Regions
(2005/508/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the United Kingdom Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions for the period 26 January 2002 to 25 January 2006.
- (2) A seat as a member of the Committee of the Regions has become vacant following the death of Mr Brian SMITH,

HAS DECIDED AS FOLLOWS:

Article 1

Mr William John WILLIAMS, Councillor, Cyngor Sir Ynys Môn, is hereby appointed a member of the Committee of the Regions in place of Mr Brian SMITH for the remainder of his term of office, which runs until 25 January 2006.

Article 2

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

It shall take effect on the date of its adoption.

Done at Brussels, 12 July 2005.

For the Council
The President
G. BROWN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 12 July 2005
appointing a German alternate member of the Committee of the Regions
(2005/509/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions for the period 26 January 2002 to 25 January 2006 ⁽¹⁾.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the expiry of the mandate of Ms Barbara BRÜNING, of which the Council was informed on 19 April 2005,

HAS DECIDED AS FOLLOWS:

Article 1

Mr. Stefan KRAXNER, Mitglied der Hamburgischen Bürgerschaft (Member of the Hamburg Parliament), is hereby appointed an alternate member of the Committee of the Regions in place of Ms Barbara BRÜNING for the remainder of her term of office, which runs until 25 January 2006.

Article 2

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

It shall take effect on the date of its adoption.

Done at Brussels, 12 July 2005.

For the Council
The President
G. BROWN

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COMMISSION

COMMISSION DECISION

of 14 June 2005

concerning the accession of the European Atomic Energy Community to the 'Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management'

(notified under document number C(2005) 1729)

(2005/510/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 1

Having regard to the Treaty establishing the European Atomic Energy Community and in particular the second paragraph of Article 101 thereof,

Accession to the Joint Convention is hereby approved on behalf of the European Atomic Energy Community.

Having regard to the Council Decision 2005/84/Euratom ⁽¹⁾ of 24 January 2005 approving the accession of the European Atomic Energy Community to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Joint Convention thereafter),

The text of the Joint Convention and the declaration by the European Atomic Energy Community according to the provisions of Article 39(4)(iii) of the Joint Convention are attached to this Decision.

Article 2

Whereas:

The declaration attached to this Decision shall be deposited with the Director-General of the International Atomic Energy Agency, depositary of the Joint Convention, as soon as possible after the adoption of this Decision by letter signed by the Head of Delegation of the European Commission to the International Organisations in Vienna.

(1) Twenty-two Member States are contracting parties to the Joint Convention.

(2) The European Atomic Energy Community shall accede to the Joint Convention,

Done at Brussels, 14 June 2005.

HAS ADOPTED THIS DECISION:

For the Commission
Andris PIEBALGS
Member of the Commission

⁽¹⁾ OJ L 30, 3.2.2005, p. 10.

Declaration by the European Atomic Energy Community according to the provisions of Article 39(4)(iii) of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

The following States are presently members of the European Atomic Energy Community: the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

The Community declares that Articles 1 to 16, 18, 19, 21 and 24 to 44 of the Joint Convention apply to it.

The Community possesses competences, shared with the abovementioned Member States, in the fields covered by Articles 4, 6 to 11, 13 to 16, 19 and 24 to 28 of the Joint Convention as provided by the Treaty establishing the European Atomic Energy Community in Article 2(b) and the relevant Articles of Title II, Chapter 3, entitled 'Health and Safety'.

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

COUNCIL DECISION 2005/511/JHA

of 12 July 2005

on protecting the euro against counterfeiting, by designating Europol as the Central Office for combating euro counterfeiting

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 30(1)(b) and 34(2)(c) thereof,

Having regard to the initiative of the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Italian Republic and the United Kingdom of Great Britain and Northern Ireland ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) As the legal currency of 12 Member States, the euro has increasingly become a global currency and has therefore become a high-priority target of international counterfeiting organisations in the European Union and third countries.
- (2) A further increase in the number of counterfeit euro, which would jeopardise the free circulation of euro banknotes and coins, is to be prevented.
- (3) Cooperation among the Member States themselves and between the Member States and Europol needs to be stepped up in order to strengthen the system for the protection of the euro outside the European Union territory.
- (4) The International Convention for the Suppression of Counterfeiting Currency agreed on 20 April 1929 in Geneva (hereinafter referred to as the Geneva Convention), should be applied more effectively under the conditions of European integration.
- (5) Third countries need a central contact for information on counterfeit euro and all information on counterfeit euro should be brought together at Europol for purposes of analysis.
- (6) In view of Council Framework Decision 2000/383/JHA of 29 May 2000 on increasing protection by criminal

penalties and other sanctions against counterfeiting in connection with the introduction of the euro ⁽³⁾, the Council considers it appropriate for all Member States to become contracting parties to the Geneva Convention and to set up central offices within the meaning of Article 12 of that Convention.

- (7) The Council considers it appropriate to designate Europol as the central office for combating euro counterfeiting within the meaning of Article 12 of the Geneva Convention,

HAS DECIDED AS FOLLOWS:

Article 1

1. For the Member States which are Contracting Parties to the Geneva Convention, Europol shall, in accordance with the Declaration in the Annex (hereinafter referred to as the Declaration), act as the central office for combating euro counterfeiting within the meaning of the first sentence of Article 12 of the Geneva Convention. For counterfeiting of all other currencies and for central office functions not delegated to Europol pursuant to the Declaration, the existing competencies of the national central offices shall remain in effect.

2. The governments of the Member States which are Contracting Parties to the Geneva Convention shall issue the Declaration and commission the representative of the Federal Republic of Germany to forward the Declarations to the Secretary-General of the United Nations.

Article 2

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

Done at Brussels, 12 July 2005.

For the Council
The President
G. BROWN

⁽¹⁾ OJ C 317, 22.12.2004, p. 10.

⁽²⁾ Opinion delivered on 12 April 2005 (not yet published in the Official Journal).

⁽³⁾ OJ L 140, 14.6.2000, p. 1. Framework Decision as amended by Framework Decision 2001/888/JHA (OJ L 329, 14.12.2001, p. 3).

ANNEX

Declaration of ... to designate Europol as the central office for combating euro counterfeiting

..., a Member State of the European Union, has given the European Police Office (hereinafter referred to as Europol) a mandate to combat euro counterfeiting.

In order for the Geneva Convention of 1929 to function more effectively,... shall in future fulfil its obligations as follows:

1. With regard to euro counterfeiting, Europol shall perform — in the framework of its objective according to the Council Act of 26 July 1995 on the establishment of a European Police Office (Europol Convention) ⁽¹⁾ — the following central office functions within the meaning of Articles 12 to 15 of the Geneva Convention of 1929.
 - 1.1. Europol shall centralise and process, in accordance with the Europol Convention, all information of a nature to facilitate the investigation, prevention and combating of euro counterfeiting and shall forward this information without delay to the national central offices of the Member States.
 - 1.2. In accordance with the Europol Convention, in particular in accordance with Article 18 thereof and the Council Act of 12 March 1999 adopting the rules governing the transmission of personal data by Europol to third States and third bodies ⁽²⁾, Europol shall correspond directly with the central offices of third countries to fulfil the tasks set down in points 1.3, 1.4 and 1.5 of this Declaration.
 - 1.3. Europol shall, insofar as it considers it expedient, forward to the central offices of third countries a set of specimens of actual euro.
 - 1.4. Europol shall regularly notify the central offices of third countries, giving all necessary particulars, of new currency issued and the withdrawal of currency from circulation.
 - 1.5. Except in cases of purely local interest, Europol shall, insofar as it considers it expedient, notify the central offices of third countries of:
 - any discovery of counterfeit or falsified Euro currency. Notification of the counterfeit or falsification shall be accompanied by a technical description of the counterfeit, to be provided solely by the institution whose notes have been counterfeited. A photographic reproduction or, if possible, a specimen counterfeited note should be transmitted. In urgent cases, a notification and a brief description made by the police authorities may be discreetly communicated to the central offices interested, without prejudice to the notification and technical description mentioned above;
 - details of discoveries of counterfeiting, stating whether it has been possible to seize all the counterfeit currency put into circulation.
 - 1.6. As central office for the Member States, Europol shall participate in conferences dealing with euro counterfeiting within the meaning of Article 15 of the Geneva Convention.
 - 1.7. Where Europol is unable to carry out the tasks specified in points 1.1. to 1.6. in accordance with the Europol Convention, the national central offices of the Member States shall retain competence.
2. With regard to the counterfeiting of all other currencies and for central office functions not delegated to Europol in accordance with point 1, the existing competencies of the national central offices shall remain in effect.

Name of Representative..., this... day of...

⁽¹⁾ OJ C 316, 27.11.1995, p. 1.

⁽²⁾ OJ C 88, 30.3.1999 p. 1. Council Act as amended by Council Act of 28 February 2002 (OJ C 76, 27.3.2002, p. 1).

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1098/2005 of 13 July 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**

(Official Journal of the European Union L 183 of 14 July 2005)

On page 46, in the Annex, after destination code 04 in the footnote to the table:

for: '04 all destinations except Switzerland and those of 02 and 03.'

read: '04 all destinations except Switzerland, Bulgaria with effect from 1 October 2004 and those of 02 and 03.'

Corrigendum to Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef

(Official Journal of the European Communities L 68 of 16 March 2000)

On page 43, Annex VII, point II. 3:

for: 'The location of pallets and cages must be shown on a storage plant.'

read: 'The location of pallets and cages must be shown on a storage plan.'
