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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1752/2005**  
**of 26 October 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<sup>(1)</sup>, 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 27 October 2005.

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

Done at Brussels, 26 October 2005.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

## ANNEX

**to Commission Regulation of 26 October 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	45,9
	096	27,7
	204	38,1
	999	37,2
0707 00 05	052	93,6
	999	93,6
0709 90 70	052	97,2
	204	46,1
	999	71,7
0805 50 10	052	63,1
	388	59,4
	524	66,9
	528	66,3
	999	63,9
0806 10 10	052	106,3
	400	283,5
	508	232,4
	512	92,7
	999	178,7
0808 10 80	052	57,2
	388	91,0
	400	128,3
	404	89,2
	512	75,0
	720	54,4
	800	193,7
	804	99,1
999	98,5	
0808 20 50	052	95,6
	720	64,0
	999	79,8

<sup>(1)</sup> 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 1753/2005****of 26 October 2005****establishing a prohibition of fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45° W,  
and Mediterranean by vessels flying the flag of France**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy <sup>(1)</sup>, and in particular Article 26(4) thereof,Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) 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 <sup>(3)</sup>, lays down quotas for 2005.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2005.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2005 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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, 26 October 2005.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

<sup>(3)</sup> OJ L 12, 14.1.2005, p. 1. Regulation as last amended by Regulation (EC) No 1300/2005 (OJ L 207, 10.8.2005, p. 1).

## ANNEX

Member State	France
Stock	BFT/AEO45W
Species	Bluefin tuna ( <i>Thunnus thynnus</i> )
Zone	Atlantic Ocean, east of longitude 45° W, and Mediterranean
Date	17 October 2005

**COMMISSION REGULATION (EC) No 1754/2005****of 26 October 2005****derogating from Regulation (EC) No 796/2004 as regards the application of Article 21 in the French Overseas Departments in 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001<sup>(1)</sup>, and in particular Article 145(c) thereof,

Whereas:

- (1) Article 21 of Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers<sup>(2)</sup>, provides for reductions to be applied in the case of late submission of an aid application.
- (2) The French authorities have informed the Commission that in the four French Overseas Departments the information on areas that the farmers need in order to prepare their single application for the year 2005 in accordance with Article 11 of Regulation (EC) No 796/2004 were not made available to the farmers in due time. Consequently, the farmers were not able to

submit their single application by 15 May 2005 as provided for.

- (3) It is therefore appropriate not to apply the reductions provided for in Article 21 of Regulation (EC) No 796/2004 in respect of farmers in the French Overseas Departments who submitted their application at the latest one month after the information was made available to them.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduction of 1 % per working day provided for in paragraphs 1 and 2 of Article 21 of Regulation (EC) No 796/2004 shall not apply to single applications or amendments thereto submitted until:

- 6 June 2005 to the competent authorities for French Guiana,
- 19 June 2005 to the competent authorities for Martinique,
- 24 June 2005 to the competent authorities for Réunion,
- 27 June 2005 to the competent authorities for Guadeloupe.

*Article 2*

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

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

Done at Brussels, 26 October 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 118/2005 (OJ L 24, 27.1.2005, p. 15).

<sup>(2)</sup> OJ L 141, 30.4.2004, p. 18. Regulation as last amended by Regulation (EC) No 436/2005 (OJ L 72, 18.3.2005, p. 4).

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 19 October 2005

**on the appointment of the members of the European Group on Ethics in Science and New Technologies for its third mandate**

(2005/754/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

members are eligible for re-election <sup>(3)</sup> and nine of these wish to be considered.

Having regard to the Commission Decision dated 16 December 1997 (SEC(97) 2404) creating the European Group on Ethics in Science and New Technologies (EGE) and authorising the President of the European Commission to appoint the members,

(3) It is necessary to ensure an appropriate range of professional skills and experience in the EGE membership.

Having regard to the Commission Decision dated 26 March 2001 (C(2001) 691) concerning the amendment to the remit of the European Group on Ethics in Science and New Technologies,

(4) Members are appointed *ad personam* for their personal competences and qualities,

HAS DECIDED AS FOLLOWS:

*Article 1*

Having regard to Commission Decision 2005/383/EC of 11 May 2005 <sup>(1)</sup> on the renewal of the mandate of the European Group on Ethics in Science and New Technologies,

The appointment of the following outgoing EGE members is renewed for a period of four years:

Having regard to the open call for expressions of interest launched on the EGE Website on 20 May 2005 with a closing date of 20 June 2005,

1. Rafael Capurro

2. Inez de Beaufort

Whereas:

3. Göran Hermerén

(1) The EGE is an independent and multidisciplinary consultative body to the European Commission, composed of 15 members.

4. Linda Nielsen

(2) Some 38 applications were received following the call for expressions of interest <sup>(2)</sup>. Ten of the previous EGE

5. Pere Puigdomenech Rosell

6. Günter Virt.

<sup>(1)</sup> OJ L 127, 20.5.2005, p. 17.

<sup>(2)</sup> See the fifth bullet of Article 3(2) of Decision 2005/383/EC: 'The identification and selection of the EGE members will be made on the basis of an open call for expressions of interest.'

<sup>(3)</sup> See the third bullet of Article 3(2) of Decision 2005/383/EC: 'Each member of the EGE shall be appointed for a term of four years. Such appointment may be renewable for a maximum of two further terms.'

*Article 2*

The following individuals are appointed as EGE members for a period of four years:

1. Emmanuel Agius
2. Diána Bánáti
3. Anne Cambon-Thomsen
4. Carlo Casini
5. Jozef Glasa
6. Hille Haker
7. Julian Kinderlerer

8. Krzysztof Marczewski

9. Paula Martinho da Silva.

*Article 3*

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

Done at Brussels, 19 October 2005.

*For the Commission*  
José Manuel BARROSO  
*The President*

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**COMMISSION DECISION**  
**of 25 October 2005**  
**amending Decisions 2005/92/EC and 2005/93/EC concerning export to third countries of certain products**

(notified under document number C(2005) 4134)

(Text with EEA relevance)

(2005/755/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries <sup>(1)</sup>, and in particular Articles 12(12), and 13(6) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Directive 97/78/EC lays down requirements for veterinary checks on consignments of certain products of animal origin coming from a third country and provides, *inter alia*, for the storage in customs warehouses, free zones, free warehouses or premises of operators supplying cross-border means of sea transport for products which do not comply with Community animal health import conditions.
- (2) Council Directive 2002/99/EC provides that Member States are to take measures to ensure that from 1 January 2005 products of animal origin, intended for human consumption, are introduced from third countries only if they comply with the rules laid down in that Directive.
- (3) Commission Decision 2005/92/EC of 2 February 2005 as regards animal health conditions, certification and transitional provisions concerning the introduction and

storage period for consignments of certain products of animal origin in free zones, free warehouses and premises of operators supplying cross border means of sea transport in the Community <sup>(3)</sup> and Commission Decision 2005/93/EC of 2 February 2005 as regards transitional provisions concerning the introduction and the storage period for consignments of certain products of animal origin in customs warehouses in the Community <sup>(4)</sup> provide for the continued storage during a transitional period until 1 January 2006 of products not complying with Community animal health rules, that were introduced into the Community before 1 January 2005, until the products are sent to their final destination in a third country.

- (4) There is a real risk that products not complying with Community animal health conditions now stored in the Community may pose a significant animal health threat to both the Community and to neighbouring third countries, and, could be sent to third countries without the consent of the competent veterinary authority of the third country of destination or transit.
- (5) Decisions 2005/92/EC and 2005/93/EC provide that from 1 January 2006 any consignments of products covered by those Decisions remaining in storage, are to be destroyed. In order to safeguard both the Community and neighbouring third countries pending such destruction, tighter controls should be put in place to ensure that consignments, not fully complying with Community animal health rules, despatched from storage in the Community have the express consent of the third country of destination and of any third country of transit.
- (6) Decisions 2005/92/EC and 2005/93/EC should therefore be amended to only permit the movements of products covered by those Decisions to a third country of destination or transit through a third country, or to vessels acting as cross border sea transport, with the express written authorisation of the competent authority of those countries, or of a responsible officer on board the vessel.

<sup>(1)</sup> OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1). Corrected version: OJ L 191, 28.5.2004, p. 1.

<sup>(2)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(3)</sup> OJ L 31, 4.2.2005, p. 62.

<sup>(4)</sup> OJ L 31, 4.2.2005, p. 64.

- (7) It is appropriate to provide that the person responsible for the movements of the products concerned obtains and presents the necessary written authorisations to the competent authority of the Member State in which the products are stored, before the competent authority permits the exit of the products to the final destination or for transit to such destination.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 2005/92/EC is amended as follows:

1. the following Article 2a is inserted:

*'Article 2a*

Member States shall ensure that any consignment of products referred to in Article 1, not accompanied by the appropriate animal health certificate, and currently stored in a free zone, free warehouse or premises of an operator supplying cross-border means of sea transport in a Member State, are not released from storage for movement to a border inspection post of exit for further transport to a destination, unless the person responsible for any such consignment submits written authorisation confirming that the introduction of such products will be accepted through or onto its territory or onto the vessel from:

- (i) the competent authority of the third country of destination and of any third country of transit; or
- (ii) the responsible officer on the vessel being supplied.;
2. in Article 3, the second paragraph is replaced by the following:

'All costs of such destruction shall be chargeable to the person responsible for the consignment.'

*Article 2*

Decision 2005/93/EC is amended as follows:

1. the following Article 1a is inserted:

*'Article 1a*

Member States shall ensure that any consignment of products referred to in Article 1, not accompanied by the appropriate animal health certificate, and currently stored in a customs warehouse in a Member State, are not released from storage for movement to a border inspection post of exit for further transport to a destination, unless the person responsible for any such consignment submits written authorisation from the competent authority of the country of destination and of any third country of transit, confirming that the introduction of such products will be accepted through or onto its territory.;

2. in Article 2, the second paragraph is replaced by the following:

'All costs of such destruction shall be chargeable to the person responsible for the consignment.'

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 25 October 2005.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

**CORRIGENDA****Corrigendum to Commission Recommendation 2005/737/EC of 18 May 2005 on collective cross-border management of copyright and related rights for legitimate online music services**

*(Official Journal of the European Union L 276 of 21 October 2005)*

On the cover page, in the contents, on page 54 in the title and on page 57 in the signature:

*for:* '18 May 2005',

*read:* '18 October 2005'.

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**Corrigendum to Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species**

*(Official Journal of the European Union L 193 of 20 July 2002)*

On page 3, Article 4(4):

*for:* '4. In the case of a genetically modified variety within the meaning of Article 2(1) and (2) of Directive 90/220/EEC the deliberate release into the environment of the variety shall be accepted only if all appropriate measures have been taken to avoid adverse effects on human health and the environment.'

*read:* '4. In the case of a genetically modified variety within the meaning of Article 2(1) and (2) of Directive 90/220/EEC, the variety shall be accepted only if all appropriate measures have been taken to avoid adverse effects on human health and the environment.';

on page 8, second subparagraph of Article 23(3)

*for:* 'The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at one month.'

*read:* 'The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.'

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