

# Official Journal

## of the European Union

L 16

Volume 48

20 January 2005

English edition

### Legislation

Contents

#### I Acts whose publication is obligatory

Commission Regulation (EC) No 76/2005 of 19 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables .....	1
★ <b>Commission Regulation (EC) No 77/2005 of 13 January 2005 amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community .....</b>	<b>3</b>
★ <b>Commission Regulation (EC) No 78/2005 of 19 January 2005 amending Regulation (EC) No 466/2001 as regards heavy metals <sup>(1)</sup> .....</b>	<b>43</b>
★ <b>Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation <sup>(1)</sup> .....</b>	<b>46</b>
★ <b>Commission Regulation (EC) No 80/2005 of 19 January 2005 repealing Regulation (EEC) No 1517/77 fixing the list of the various groups of hop varieties cultivated in the Community .....</b>	<b>51</b>
★ <b>Commission Regulation (EC) No 81/2005 of 19 January 2005 amending Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries .....</b>	<b>52</b>
Commission Regulation (EC) No 82/2005 of 19 January 2005 on the issue of import licences for sugar and sugar and cocoa mixtures with ACP/OCT or EC/OCT cumulation of origin .....	55

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

(Continued overleaf)

II Acts whose publication is not obligatory

**Council**

2005/30/EC, Euratom:

- ★ **Council Decision of 24 September 2004 appointing a United Kingdom member of the Economic and Social Committee** ..... 56

2005/31/EC:

- ★ **Council Decision of 24 September 2004 appointing a Netherlands member and a Netherlands alternate member of the Committee of the Regions** ..... 57

2005/32/EC:

- ★ **Council Decision of 24 September 2004 appointing a German member of the Committee of the Regions** ..... 58

**Commission**

2005/33/EC:

- ★ **Commission Decision of 14 January 2005 amending Decision 2001/556/EC as regards the inclusion of establishments in India in provisional lists of third country establishments from which Member States are authorised to import gelatine intended for human consumption (notified under document number C(2004) 4543) <sup>(1)</sup>** ..... 59

2005/34/EC:

- ★ **Commission Decision of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (notified under document number C(2004) 4992) <sup>(1)</sup>** ..... 61



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

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 76/2005**  
**of 19 January 2005**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables<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 20 January 2005.

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

Done at Brussels, 19 January 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

---

<sup>(1)</sup> 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 19 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	105,6
	204	91,3
	212	176,1
	248	157,0
	999	132,5
0707 00 05	052	166,2
	220	229,0
	999	197,6
0709 90 70	052	169,9
	204	148,3
	999	159,1
0805 10 20	052	68,7
	204	45,4
	212	53,1
	220	49,6
	448	35,9
	999	50,5
0805 20 10	204	64,6
	999	64,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	74,1
	204	83,9
	400	76,6
	464	149,6
	624	59,2
	999	88,7
0805 50 10	052	49,5
	999	49,5
0808 10 80	400	91,3
	404	69,9
	720	75,1
	999	78,8
0808 20 50	400	90,1
	999	90,1

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

**COMMISSION REGULATION (EC) No 77/2005****of 13 January 2005****amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community<sup>(1)</sup>, and in particular Article 122 thereof,

Whereas:

- (1) Certain Member States or their competent authorities have requested amendments to the Annexes to Regulation (EEC) No 574/72, according to the procedure set out therein.
- (2) The proposed amendments derive from decisions taken by the Member States concerned or their competent authorities designating the authorities which are responsible for ensuring that social security legislation is implemented in accordance with Community law.

- (3) The schemes to be taken into consideration when calculating the average annual cost of benefits in kind, in accordance with Article 94 and Article 95 of Regulation (EEC) No 574/72 are listed in Annex 9.

- (4) The unanimous opinion of the Administrative Commission on Social Security for Migrant Workers has been obtained,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes 1 to 5, and Annexes 7, 9 and 10 to Regulation (EEC) No 574/72 are amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 20th 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, 13 January 2005.

*For the Commission*

Vladimir ŠPIDLA

*Member of the Commission*

---

<sup>(1)</sup> OJ L 74, 27.3.1972, p. 1. Regulation as last amended by Regulation (EC) No 631/2004 of the European Parliament and of the Council (OJ L 100, 6.4.2004, p. 1).

## ANNEX

**1. Annex 1 is amended as follows**

(a) Section 'F. GREECE' is amended as follows:

Points 1 and 2 are replaced by the following:

'1. Υπουργός Απασχόλησης και Κοινωνικής Προστασίας, Αθήνα (Minister for Employment and Social Protection, Athens).

2. Υπουργός Υγείας και Κοινωνικής Αλληλεγγύης, Αθήνα (Minister for Health and Social Solidarity, Athens).'

(b) Section 'P. MALTA' is replaced by the following:

'P. MALTA

1. Ministeru għall-Familja u Solidarjeta' Soċjali (Ministry for the Family and Social Solidarity

2. Ministeru tas-Sahha, l-Anzjani u Kura fil-Kommunita' (Ministry of Health, the Elderly and Community Care).'

(c) Section 'S. POLAND' is amended as follows:

Point 1 is replaced by the following:

'1. Minister Polityki Społecznej (Minister of Social Policy, Warszawa).'

**2. Annex 2 is amended as follows**

(a) Section 'B. CZECH REPUBLIC' is amended as follows:

(i) Point 1(b)(ii) is replaced by the following:

'(ii) for members of the armed forces:

— professional soldiers: Social Security Agency of the Ministry of Defence;

— members of the police and fire brigade: Social Security Agency of the Ministry of Interior;

— members of the prison service: Social Security Agency of the Ministry of Justice;

— members of the customs administration: Social Security Agency of the Ministry of Finance.'

(ii) Point 2(b)(ii) is replaced by the following:

'(ii) for members of the armed forces:

— professional soldiers: Social Security Agency of the Ministry of Defence;

— members of the police and fire brigade: Social Security Agency of the Ministry of Interior;

— members of the prison service: Social Security Agency of the Ministry of Justice;

— members of the customs administration: Social Security Agency of the Ministry of Finance.'

(iii) Point 3(b)(ii) is replaced by the following:

‘(ii) for members of the armed forces:

- professional soldiers: Social Security Agency of the Ministry of Defence;
- members of the police and fire brigade: Social Security Agency of the Ministry of Interior;
- members of the prison service: Social Security Agency of the Ministry of Justice;
- members of the customs administration: Social Security Agency of the Ministry of Finance.’;

(iv) Point 4 is replaced by the following:

‘4. Death Grants: State Social Support Bodies in accordance with persons residence/stay.’;

(v) Point 6 is replaced by the following:

‘6. Family benefits: State Social Support Bodies in accordance with persons residence/stay.’

(b) Section ‘D. GERMANY’ is amended as follows:

(i) Point 2(a)(i) is replaced by the following:

‘(i) If the last contribution was paid into the manual workers’ pension insurance scheme:

- if the person concerned is resident in the Netherlands or is a Netherlands national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Westfalen (Regional Insurance Office of Westphalia), Münster
- if the person concerned is resident in Belgium or Spain or is a Belgian or Spanish national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf
- if the person concerned is resident in Italy or Malta or is an Italian or Maltese national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg
- if the person concerned is resident in France or Luxembourg or is a French or Luxembourg national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer
- if the person concerned is resident in Denmark, Finland or Sweden or is a Danish, Finnish or Swedish national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck
- if the person concerned is resident in Estonia, Latvia or Lithuania or is an Estonian, Latvian or Lithuanian national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Mecklenburg-Vorpommern (Regional Insurance Office of Mecklenburg-Western Pomerania), Neubrandenburg

- if the person concerned is resident in Ireland or the United Kingdom or is an Irish or United Kingdom national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Freie und Hansestadt Hamburg (Regional Insurance Office of the Free and Hanseatic City of Hamburg), Hamburg
- if the person concerned is resident in Greece or Cyprus or is a Greek or Cypriot national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe
- if the person concerned is resident in Portugal or is a Portuguese national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Unterfranken (Regional Insurance Office of Lower Franconia), Würzburg
- if the person concerned is resident in Austria or is an Austrian national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München
- if the person concerned is resident in Poland or is a Polish national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Berlin (Regional Insurance Office of Berlin), Berlin
- if the person concerned is resident in Slovakia, Slovenia or the Czech Republic or is a Slovakian, Slovenian or Czech national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Niederbayern-Oberpfalz (Regional Insurance Office of Lower Bavaria-Oberpfalz), Landshut
- if the person concerned is resident in Hungary or is a Hungarian national resident in the territory of a non-member State:
  - Landesversicherungsanstalt Thüringen (Regional Insurance Office of Thuringia), Erfurt
- if, however, the last contribution was paid into:
  - the Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken, and the person concerned is resident in France, Italy or Luxembourg or is a French, Italian or Luxembourg national resident in the territory of a non-member State:
    - Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken
  - the Bahnversicherungsanstalt (Railways Insurance Office), Frankfurt am Main:
    - Bahnversicherungsanstalt (Railways Insurance Office), Frankfurt am Main
  - the Seekasse (Mariners' Insurance Fund), Hamburg, or if contributions were paid for at least 60 months into the Seekasse (Rentenversicherung der Arbeiter oder der Angestellten) (Mariners' Insurance Fund) (pension insurance scheme for manual workers or clerical staff), Hamburg:
    - Seekasse (Mariners' Insurance Fund), Hamburg.;

(ii) Point 2(b)(i) is replaced by the following:

'(i) if the last contribution under German legislation was paid into the manual workers' pension insurance scheme:

— if the last contribution under the legislation of another Member State was paid into a Netherlands pension insurance institution:

— Landesversicherungsanstalt Westfalen (Regional Insurance Office of Westphalia), Münster

— if the last contribution under the legislation of another Member State was paid into a Belgian or Spanish pension insurance institution:

— Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf

— if the last contribution under the legislation of another Member State was paid into an Italian or Maltese pension insurance institution:

— Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg

— if the last contribution under the legislation of another Member State was paid into a French or Luxembourg pension insurance institution:

— Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer

— if the last contribution under the legislation of another Member State was paid into a Danish, Finnish or Swedish pension insurance institution:

— Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck

— if the last contribution under the legislation of another Member State was paid into an Estonian, Latvian or Lithuanian pension insurance institution:

— Landesversicherungsanstalt Mecklenburg-Vorpommern (Regional Insurance Office of Mecklenburg-Western Pomerania), Neubrandenburg

— if the last contribution under the legislation of another Member State was paid into an Irish or United Kingdom pension insurance institution:

— Landesversicherungsanstalt Freie und Hansestadt Hamburg (Regional Insurance Office of the Free and Hanseatic City of Hamburg), Hamburg

— if the last contribution under the legislation of another Member State was paid into a Greek or Cypriot pension insurance institution:

— Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe

— if the last contribution under the legislation of another Member State was paid into a Portuguese pension insurance institution:

— Landesversicherungsanstalt Unterfranken (Regional Insurance Office of Lower Franconia), Würzburg

— if the last contribution under the legislation of another Member State was paid into an Austrian pension insurance institution:

— Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München

- if the last contribution under the legislation of another Member State was paid into a Polish pension insurance institution:
  - Landesversicherungsanstalt Berlin (Regional Insurance Office of Berlin), Berlin, or
  - in cases where only the Agreement of 9.10.1975 on pension and accident insurance is applicable: the locally competent Regional Insurance Office under German legislation
- if the last contribution under the legislation of another Member State was paid into a Slovakian, Slovenian or Czech pension insurance institution:
  - Landesversicherungsanstalt Niederbayern-Oberpfalz (Regional Insurance Office of Lower Bavaria-Oberpfalz), Landshut
- if the last contribution under the legislation of another Member State was paid into a Hungarian pension insurance institution:
  - Landesversicherungsanstalt Thüringen (Regional Insurance Office of Thuringia), Erfurt
- if, however, the person concerned is resident in the territory of Germany in the Saarland or if he is a German national resident in the territory of a non-Member State, if the last contribution under German legislation was paid into a pension insurance institution situated in the Saarland, if the last contribution under the legislation of another Member State was paid into a French, Italian or Luxembourg pension insurance institution:
  - Landesversicherungsanstalt für das Saarland (Regional Insurance Office for the Saarland), Saarbrücken;
- if, however, the last contribution under German legislation was paid into:
  - the Seekasse (Mariners' Insurance Fund), Hamburg,
- or if contributions by virtue of employment in the German navy or the navy of another country were paid for at least 60 months:
  - Seekasse (Mariners' Insurance Fund), Hamburg,
  - the Bahnversicherungsanstalt (Railways Insurance Office), Frankfurt am Main:
  - Bahnversicherungsanstalt (Railways Insurance Office), Frankfurt am Main;'

(c) Section 'E. ESTONIA' is amended as follows:

Point 5 is replaced by the following:

'5. Unemployment: Eesti Töötukassa (Estonian Unemployment Insurance Fund).'

(d) Section 'F. GREECE' is amended as follows:

(i) Point 1(a) is replaced by the following:

'(a) as a general rule:

- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens), or the insurance body with which the worker is or was insured;'

- (ii) Point 1(d)(i) is replaced by the following:
- ‘(i) civil servants:
- Οργανισμός Περιθαλψής Ασφαλισμένων Δημοσίου (ΟΠΑΔ), Αθήνα (Civil Servants’ Sickness Insurance Fund (OPAD), Athens;’
- (iii) Point 2(a) is replaced by the following:
- ‘(a) as a general rule:
- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens), or the insurance body with which the worker is or was insured;’
- (iv) Point 3(a) is replaced by the following:
- ‘(a) as a general rule:
- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens), or the insurance body with which the worker is or was insured;’
- (v) Point 4(a) is replaced by the following:
- ‘(a) as a general rule:
- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens), or the insurance body with which the worker is or was insured;’.
- (e) Section ‘G. SPAIN’ is amended as follows:
- (i) Point 1(b) is replaced by the following:
- ‘(b) for unemployment: Direcciones Provinciales del Servicio Público de Empleo Estatal. INEM (Provincial Directorates of the State Public Employment Service. INEM);’
- (ii) Point 3 is replaced by the following:
- ‘3. For non-contributory old-age and invalidity pensions: Instituto de Mayores y Servicios Sociales’.
- (f) Section ‘J. ITALY’ is replaced by the following:
- J. ITALY
1. Sickness (including tuberculosis) and maternity:
- A. Employed persons:
- (a) benefits in kind:
- (i) in general:
- ASL (the competent local health agency with which the person concerned is registered),
- Regione (Region),

(ii) for certain categories of civil servants, of persons employed in the private sector and persons treated as such, for pensioners and members of their families:

— SSN — MIN SALUTE (National Health System — Ministry of Health), Roma,

— Regione (Region);

(iii) for mariners and civil aircrew:

— SSN — MIN SALUTE (National Health System — Ministry of Health) (the relevant area health office for the merchant navy or civil aviation),

— Regione (Region);

(b) cash benefits:

(i) in general:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices,

(ii) for mariners and civil aircrew:

— IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector);

(c) certificates for periods of insurance:

(i) in general:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices,

(ii) for mariners and civil aircrew:

— IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector).

B. Self-employed persons:

(a) benefits in kind:

— ASL (the competent local health agency with which the person concerned is registered),

— Regione (Region).

2. Accidents at work and occupational diseases:

A. Employed persons:

(a) benefits in kind:

(i) in general:

— ASL (the competent local health agency with which the person concerned is registered),

— Regione (Region);

(ii) for mariners and civil aircrew:

— SSN — MIN SALUTE (National Health System — Ministry of Health) (the relevant area health office for the merchant navy or civil aviation),

— Regione (Region);

(b) prostheses and major appliances, medical-legal benefits and related examinations and certificates:

(i) in general:

— Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices,

(ii) for mariners and civil aircrew:

— IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector);

(c) cash benefits:

(i) in general:

— Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices,

(ii) for mariners and civil aircrew:

— IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector),

(iii) also for agricultural and forestry workers if required

— Ente nazionale di previdenza e assistenza per gli impiegati agricoli (National Welfare and Assistance Office for Agricultural Workers).

B. *Self-employed persons* (for medical radiologists only):

(a) benefits in kind:

— ASL (the competent local health agency with which the person concerned is registered),

— Regione (Region);

(b) prostheses and major appliances, medico-legal benefits and related examinations and certificates

— Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices;

(c) cash benefits: Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices.

3. Invalidation, old-age, survivors' pensions:

A. Employed persons:

(a) in general:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;

(b) for workers in the entertainment business:

— Ente nazionale di previdenza e assistenza per i lavoratori dello spettacolo (National Welfare and Assistance Office for Workers in the Entertainment Business), Roma;

(c) for supervisory staff in industrial undertakings:

- Istituto nazionale di previdenza per i dirigenti di aziende industriali (National Welfare Institution for Supervisory Staff in Industry), Roma;

(d) for journalists:

- Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (G. Amendola National Welfare Institution for Italian Journalists), Roma.

B. Self-employed persons:

(a) for medical practitioners:

- Ente nazionale di previdenza ed assistenza medici (National Welfare and Assistance Office for Medical Practitioners);

(b) for pharmacists:

- Ente nazionale di previdenza ed assistenza farmacisti (National Welfare and Assistance Office for Pharmacists);

(c) for veterinarians:

- Ente nazionale di previdenza ed assistenza veterinari (National Welfare and Assistance Office for Veterinarians);

(d) for nurses, medical auxiliaries, children's nurses:

- Cassa nazionale di previdenza ed assistenza a favore degli infermieri professionali, assistenti sanitari, vigilatrici d'infanzia (IPASVI);

(e) for engineers and architects:

- Cassa nazionale di previdenza ed assistenza per gli ingegneri ed architetti liberi professionisti;

(f) for surveyors:

- Cassa italiana di previdenza dei geometri liberi professionisti;

(g) for solicitors and barristers:

- Cassa nazionale di previdenza ed assistenza forense;

(h) for economists:

- Cassa nazionale di previdenza ed assistenza a favore dei dottori commercialisti (National Welfare and Assistance Fund for Economists);

(i) for accountants:

- Cassa nazionale di previdenza ed assistenza a favore dei ragionieri e periti commerciali (National Welfare and Assistance Fund for Accountants);

(j) for employment experts:

- Ente nazionale di previdenza ed assistenza per i consulenti del lavoro (National Welfare and Assistance Office for Employment Experts);

- (k) for notaries:
  - Cassa nazionale notariato (National Fund for Notaries);
- (l) for customs agents:
  - Fondo nazionale di previdenza per i lavoratori delle imprese di spedizione corrieri e delle Agenzie marittime raccomandatarie e mediatori marittimi (FASC);
- (m) for biologists:
  - Ente nazionale di previdenza ed assistenza a favore dei biologi;
- (n) for agricultural technicians and scientists:
  - Ente nazionale di previdenza per gli addetti e per gli impiegati in agricoltura;
- (o) for sales representatives:
  - Ente nazionale di assistenza per gli agenti e rappresentanti di commercio;
- (p) for industrial technicians:
  - Ente nazionale di previdenza dei periti industriali;
- (q) for actuaries, chemists, agronomists, foresters, geologists:
  - Ente nazionale di previdenza ed assistenza pluricategoriale degli agronomi e forestali, degli attuari, dei chimici e dei geologi.

#### 4. Death grants:

- Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices,
- Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices,
- IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector).

#### 5. Unemployment (for employed persons):

- (a) in general:
  - Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;
- (b) for journalists:
  - Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (G. Amendola National Welfare Institution for Italian Journalists), Roma.

6. Family allowances (employed persons):

(a) in general:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices;

(b) for journalists:

— Istituto nazionale della previdenza per i giornalisti italiani "G. Amendola" (G. Amendola National Welfare Institution for Italian Journalists), Roma.

7. Pensions for civil servants:

— INPDAP (Istituto nazionale di previdenza per i dipendenti delle amministrazioni pubbliche) (National Welfare Institute for those dependent on the public administration), Roma.'

(g) Section 'M. LITHUANIA' is amended as follows:

Point 6 is replaced by the following:

'6. Unemployment: Lietuvos darbo birža (Lithuanian Labour Exchange).'

(h) Section 'S. POLAND' is amended as follows:

(i) Point 1(a) is replaced by the following:

'(a) benefits in kind: Narodowy Fundusz Zdrowia (National Health Fund), Warszawa.;

(ii) Points 2(a),(b),(c),(d) and (e) are replaced by the following:

'(a) for persons who have been recently employed or self-employed excluding self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in subpoints (c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):

1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed:

(a) exclusively Polish periods of insurance, residing in the territory of: Spain, Portugal, Italy, Greece, Cyprus or Malta;

(b) Polish and foreign periods of insurance, including periods completed lately in: Spain, Portugal, Italy, Greece, Cyprus or Malta;

2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: the Czech Republic or Slovakia;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: the Czech Republic or Slovakia;
  3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of Germany;
    - (b) Polish and foreign periods of insurance, including periods completed lately in Germany;
  4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
  5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Tarnów — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: Austria, Hungary or Slovenia;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: Austria, Hungary or Slovenia;
  6. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom;
- (b) for persons who have been recently self-employed farmers and who have not completed periods of service mentioned in subpoints (c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):
1. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Warsaw — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: Austria, Denmark, Finland or Sweden;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: Austria, Denmark, Finland or Sweden;

2. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Tomaszów Mazowiecki — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: Spain, Italy or Portugal;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: Spain, Italy or Portugal;
  3. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Częstochowa — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: France, Belgium, Luxembourg or the Netherlands;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: France, Belgium, Luxembourg or the Netherlands;
  4. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Nowy Sącz — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: the Czech Republic, Estonia, Latvia, Hungary, Slovenia, Slovakia or Lithuania;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: the Czech Republic, Estonia, Latvia, Hungary, Slovenia, Slovakia or Lithuania;
  5. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Poznań — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of: the United Kingdom, Ireland, Greece, Malta or Cyprus;
    - (b) Polish and foreign periods of insurance, including periods completed lately in: the United Kingdom, Ireland, Greece, Malta or Cyprus;
  6. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Ostrów Wielkopolski — for persons who have completed:
    - (a) exclusively Polish periods of insurance, residing in the territory of Germany;
    - (b) Polish and foreign periods of insurance, including periods completed lately in Germany;
- (c) for professional soldiers:
- (i) in the case of invalidity pension, if the last period has been the period of military service,

- (ii) in the case of old-age pension, if the period of service, mentioned in sub points (c) to (e), amounts in total to at least:
  - 10 years for dismissed from service before 1 January 1983, or
  - 15 years for dismissed from service after 31 December 1982;
- (iii) in the case of pension for survivor, if the condition of subpoint (c)(i) or (c)(ii) is satisfied:
  - Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw);
- (d) for Police officers, State Protection Office officers, Internal Security Agency officers, Foreign Intelligence Agency officers (public security services), Border Guard officers, Government Security Bureau officers and National Fire Brigades officers:
  - (i) in the case of invalidity pension, if the last period has been the period of service in one of the listed formations;
  - (ii) in the case of old-age pension, if the period of service, mentioned in sub points (c) to (e), amounts in total to at least:
    - 10 years for dismissed from service before 1 April 1983, or
    - 15 years for dismissed from service after 31 March 1983;
  - (iii) in the case of pension for survivor, if the condition of subpoint (d)(i) or (d)(ii) is satisfied:
    - Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw);
- (e) for Prison Guard officers:
  - (i) in the case of invalidity pension, if the last period has been the period of such service;
  - (ii) in the case of old-age pension, if the period of service, mentioned in sub points (c) to (e), amounts in total to at least:
    - 10 years for dismissed from service before 1 April 1983, or
    - 15 years for dismissed from service after 31 March 1983;
  - (iii) in the case of pension for survivor, if the condition of sub point (e)(i) or (e)(ii) is satisfied:
    - Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw).'
- (i) Section 'U. SLOVENIA' is amended as follows:

Point 1(d) is replaced by the following:

'(d) Family and maternity benefits: "Center za socialno delo Ljubljana Bežigrad — Centralna enota za starševsko varstvo in družinske prejemke (Centre for Social Work Ljubljana Bežigrad — Central Unit for Parental Protection and Family Benefits)."

(j) Section 'V. SLOVAKIA' is replaced by the following:

'1. Sickness and maternity:

A. Benefits in cash:

(a) in general:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of the armed forces of the Slovak Republic:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Rozpočtové a príspevkové organizácie Policajného zboru v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations of the Police Force within the framework of the Ministry of Interior of the Slovak Republic);

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava.

(h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

B. Benefits in kind: health insurance companies.

2. Invalidity, and old-age benefits, and survivors' benefits:

(a) in general:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of the armed forces of the Slovak Republic and Railway troops:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Ministerstvo vnútra Slovenskej republiky (Ministry of Interior of the Slovak Republic), Bratislava

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava.

(h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

3. Accidents at work, and occupational diseases:

A. Benefits in cash:

(a) in general:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of armed forces of the Slovak Republic and Railway troops:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Rozpočtové a príspevkové organizácie Policajného zboru v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations of the Police Force within the framework of the Ministry of Interior of the Slovak Republic);

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava.

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava.

(h) or members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

B. Benefits in kind: health insurance companies.

Sociálna poisťovňa (Social Insurance Agency), Bratislava.

4. Death grants:

(a) funeral allowance in general:

— Úrady práce, sociálnych vecí a rodiny (Offices of Labour, Social Affairs and Family);

(b) for professional soldiers of the armed forces of the Slovak Republic:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Rozpočtové a príspevkové organizácie v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations within the framework of the Ministry of Interior of the Slovak Republic).

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava.

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava.

(h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

5. Unemployment:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava.

6. Family benefits:

— Úrady práce, sociálnych vecí a rodiny (Offices of Labour, Social Affairs and Family).'

(k) Section 'X. SWEDEN' is amended as follows:

(i) Points 1(b) and (c) are replaced by the following:

'(b) For mariners not resident in Sweden:

Försäkringskassan i Västra Götaland, sjöfartskontoret (National Social Insurance Agency, seafarer's division),

- (c) For the purpose of applying Articles 35 to 59 of the implementing Regulation for persons not resident in Sweden:

Gotlands läns allmänna försäkringskassa, utlandskontoret (National Social Insurance Agency, local office of Gotland, international division);

- (ii) Point 2 is replaced by the following:

‘2. For unemployment benefits:

— Inspektionen för arbetslöshetsförsäkringen, IAF (The Unemployment Insurance Board)’.

### 3. Annex 3 is amended as follows

- (a) Section ‘B. CZECH REPUBLIC’ is amended as follows:

Point 2(e) is replaced by the following:

‘(e) family and other benefits:

— State Social Support Bodies in accordance with persons residence/stay.’

- (b) Section ‘D. GERMANY’ is amended as follows:

Point 3 is replaced by the following:

‘3. Pension insurance

- (a) Pension insurance for manual workers

(i) dealings with Belgium and Spain:

— Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf

(ii) dealings with France:

— Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer, or,

— as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken

## (iii) dealings with Italy:

- Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg, or,
- as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken

## (iv) dealings with Luxembourg:

- Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer, or,
- as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken

## (v) dealings with Malta:

- Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg

## (vi) dealings with the Netherlands:

- Landesversicherungsanstalt Westfalen (Regional Insurance Office of Westphalia), Münster

## (vii) dealings with Denmark, Finland and Sweden:

- Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck

## (viii) dealings with Estonia, Latvia and Lithuania:

- Landesversicherungsanstalt Mecklenburg-Vorpommern (Regional Insurance Office of Mecklenburg-Western Pomerania), Neubrandenburg

## (ix) dealings with Ireland and the United Kingdom:

- Landesversicherungsanstalt Freie und Hansestadt Hamburg (Regional Insurance Office of the Free and Hanseatic City of Hamburg), Hamburg

## (x) dealings with Greece and Cyprus:

- Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe

## (xi) dealings with Portugal:

- Landesversicherungsanstalt Unterfranken (Regional Insurance Office of Unterfranken), Würzburg

## (xii) dealings with Austria:

- Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München

## (xiii) dealings with Poland:

- Landesversicherungsanstalt Berlin (Regional Insurance Office of Berlin), Berlin, or
- in cases where only the Agreement of 9.10.1975 on pension and accident insurance is applicable: the locally competent Regional Insurance Office under German legislation

(xiv) dealings with Slovakia, Slovenia and the Czech Republic:

— Landesversicherungsanstalt Niederbayern-Oberpfalz (Regional Insurance Office of Lower Bavaria-Oberpfalz), Landshut

(xv) dealings with Hungary:

— Landesversicherungsanstalt Thüringen (Regional Insurance Office of Thuringia), Erfurt.'

(c) Section 'E. ESTONIA' is replaced by the following:

'E. ESTONIA

1. Sickness and maternity:

— Eesti Haigekassa (Estonian Health Insurance Fund);

2. Invalidity, old-age and survivors' pensions, death grants, family and parental benefits:

— Sotsiaalkindlustusamet (Social Insurance Board);

3. Unemployment:

— Tööhõiveamet (the local employment office of the place of residence or stay of the person concerned).'

(d) Section 'F. GREECE' is amended as follows:

Point 2 is replaced by the following:

'2. Other benefits:

— Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).'

(e) Section 'G. SPAIN' is amended as follows:

Point 2(c) is replaced by the following:

'(c) unemployment, with the exception of mariners: Direcciones Provinciales del Servicio Público de Empleo Estatal. INEM (Provincial Directorates of the State Public Employment Service. INEM).'

(f) Section 'M. LITHUANIA' is amended as follows:

Point 6 is replaced by the following:

'6. Unemployment: Teritorinės darbo biržos (Local Labour Exchanges).'

(g) Section 'S. POLAND' is amended as follows:

(i) Point 1(a) is replaced by the following:

'(a) benefits in kind:

— Narodowy Fundusz Zdrowia — Oddział Wojewódzki (National Health Fund — Regional Branch) of the region where the person concerned resides or stays.'

(ii) Point 2 is replaced by the following:

2. Invalidation, old-age and death (pensions):

- (a) for persons who have been recently employed or self-employed excluding self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in subpoints (c), (d), (e):
1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Spain, Portugal, Italy, Greece, Cyprus or Malta;
  2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: the Czech Republic or Slovakia;
  3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Germany;
  4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
  5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Tarnów — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Austria, Hungary or Slovenia;
  6. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom;
- (b) for persons who have been recently self-employed farmers and who have not been professional soldiers or officers mentioned in subpoints (c), (d), (e):
1. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Warsaw — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Austria, Denmark, Finland or Sweden;
  2. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Tomaszów Mazowiecki — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: Spain, Italy or Portugal;
  3. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Częstochowa — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: France, Belgium, Luxembourg or the Netherlands;
  4. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Nowy Sącz — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: the Czech Republic, Estonia, Latvia, Hungary, Slovenia, Slovakia or Lithuania;
  5. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Poznań — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in: the United Kingdom, Ireland, Greece, Malta or Cyprus;
  6. Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) — Regional Branch in Ostrów Wielkopolski — for persons who have completed Polish and foreign periods of insurance, including periods completed lately in Germany;

- (c) for professional soldiers in the case of Polish periods of service and foreign periods of insurance: Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(2)(c);
- (d) for Police officers, State Protection Office officers, Internal Security Agency officers, Foreign Intelligence Agency officers (public security services), Border Guard officers, Government Security Bureau officers and National Fire Brigades officers, in the case of Polish periods of service and foreign periods of insurance: Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in annex 2 point 2 sub point (d);
- (e) for Prison Guard officers in the case of Polish periods of service and foreign periods of insurance: Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw) if it is the competent institution mentioned in Annex 2(2)(e);
- (f) for judges and prosecutors: specialised entities of the Ministry of Justice;
- (g) for persons who have completed exclusively foreign periods of insurance:
1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Łódź — for persons who have completed foreign periods of insurance, including periods completed lately in: Spain, Portugal, Italy, Greece, Cyprus or Malta;
  2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Nowy Sącz — for persons who have completed foreign periods of insurance, including periods completed lately in: the Czech Republic or Slovakia;
  3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Opole — for persons who have completed foreign periods of insurance, including periods completed lately in Germany;
  4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Szczecin — for persons who have completed foreign periods of insurance, including periods completed lately in: Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;
  5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — Branch Office in Tarnów — for persons who have completed foreign periods of insurance, including periods completed lately in: Austria, Hungary or Slovenia;
  6. Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) — I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch in Warsaw — Central Bureau for International Agreements) — for persons who have completed foreign periods of insurance, including periods completed lately in: Belgium, France, the Netherlands, Luxembourg, Ireland or the United Kingdom.;
- (iii) Point 3 is replaced by the following:
3. Accidents at work and occupational diseases:
- (a) benefits in kind: Narodowy Fundusz Zdrowia — Oddział Wojewódzki (National Health Fund — Regional Branch) of the region where the person concerned resides or stays;
- (b) cash benefits:
- (i) in case of sickness:
- field offices of Zakład Ubezpieczeń Społecznych (Social Insurance Institution — ZUS) with territorial jurisdiction over the place of residence or stay;
  - regional branches of Kasa Rolniczego Ubezpieczenia Społecznego (Agricultural Social Insurance Fund — KRUS) with territorial jurisdiction over the place of residence or stay;

(ii) disability or death of main wage earner:

— for persons who have been recently employed or self-employed (excluding self-employed farmers):

units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(a);

— for persons who have been recently self-employed farmers:

units of Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in point 2(b);

— for professional soldiers in the case of Polish periods of military service, if the last period has been the period of mentioned service and foreign periods of insurance:

Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(3)(b)(ii) third indent;

— for officers, mentioned in point 2(d), in the case of Polish periods of military service, if the last period has been the period of service in one of the formations listed in point 2(d) and foreign periods of insurance:

Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in Annex 2(3)(b)(ii) fourth indent;

— for Prison Guard officers, in the case of Polish periods of military service, if the last period has been the period of mentioned service and foreign periods of insurance:

Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw), if it is the competent institution mentioned in Annex 2(3) subpoints (b)(ii) fifth indent;

— for judges and prosecutors:

specialised entities of the Ministry of Justice;

— for persons who have completed exclusively foreign periods of insurance:

units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(g).;

(iv) Points 4(c), (d) and (e) are replaced by the following:

'(c) for professional soldiers:

— specialised entities of the Ministry of National Defence;

(d) for Police officers, National Fire Brigades officers, Border Guard officers, Internal Security Agency and Foreign Intelligence Agency officers and Government Security Bureau officers:

— specialised entities of the Ministry of Internal Affairs and Administration;

(e) for Prison Guard officers:

— specialised entities of the Ministry of Justice.'

(v) Point 4(g) is replaced by the following:

'(g) for pensioners who are entitled to benefits from social insurance system for employed and self-employed, excluding self-employed farmers:

— units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(a);

- for pensioners who are entitled to benefits from social insurance system for farmers:
  - units of Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in point 2(b);
- for pensioners who are entitled to benefits from pension protection system for professional soldiers:
  - Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw),
- for pensioners who are entitled to benefits from pension protection system for officers, mentioned in point 2(d):
  - Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw),
- for pensioners who are entitled to benefits from pension protection system for Prison Guard officers:
  - Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw);
- for pensioners who are entitled to benefits from pension protection system for judges and prosecutors:
  - specialised entities within the Ministry of Justice,
- for persons who are receiving exclusively foreign pensions:
  - units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in point 2(g).;

(vi) Point 5(a) is replaced by the following:

- '(a) benefits in kind: Narodowy Fundusz Zdrowia — Oddział Wojewódzki (National Health Fund — Regional Branch) of the region where the person concerned resides or stays.;

(vii) Point 6 is replaced by the following:

- '6. Family benefits: regional center of social policy competent in respect of the place of residence or stay for person entitled to benefits.'

(h) Section 'U. SLOVENIA' is amended as follows:

Point 1(d) is replaced by the following:

'(d) Family and maternity benefits:

- Center za socialno delo Ljubljana Bežigrad — Centralna enota za starševsko varstvo in družinske prejemke (Centre for Social Work Ljubljana Bežigrad — Central Unit for Parental Protection and Family Benefits)'

(i) Section 'V. SLOVAKIA' is replaced by the following:

V. SLOVAKIA

1. Sickness and maternity, and Invalidity:

A. Benefits in cash:

(a) in general:

Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of the armed forces of the Slovak Republic:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Rozpočtové a príspevkové organizácie Policajného zboru v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations of the Police Force within the framework of the Ministry of Interior of the Slovak Republic);

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava;

(h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

B. Benefits in kind:

health insurance companies.

2. Old-age benefits, and Survivors' benefits:

(a) in general:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of the armed forces of the Slovak Republic and Railway troops:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

— Ministerstvo vnútra Slovenskej republiky (Ministry of Interior of the Slovak Republic), Bratislava;

(d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

(g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava;

(h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

### 3. Accidents at work and occupational diseases:

#### A. Benefits in cash:

(a) in general:

Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(b) for professional soldiers of the armed forces of the Slovak Republic and Railway troops:

Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

(c) for members of the Police Force:

Rozpočtové a príspevkové organizácie Policajného zboru v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations of the Police Force within the framework of the Ministry of Interior of the Slovak Republic);

(d) for members of the Railway Police:

Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

(e) for members of the Slovak Information Service:

Slovenská informačná služba (Slovak Information Service), Bratislava;

(f) for members of the Judiciary Guards and Prison Wardens Corps:

Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

(g) for customs officers:

Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava;

(h) for members of the National Security Office:

Národný bezpečnostný úrad (National Security Office), Bratislava.

#### 4. Death grants:

##### (a) funeral allowance in general:

— Úrady práce, sociálnych vecí a rodiny (Offices of Labour, Social Affairs and Family) competent according to the place of residence or stay of the deceased person;

##### (b) for professional soldiers of the armed forces of the Slovak Republic:

— Vojenský úrad sociálneho zabezpečenia (Social Security Office of the Armed Forces), Bratislava;

##### (c) for members of the Police Force:

— Rozpočtové a príspevkové organizácie v rámci Ministerstva vnútra Slovenskej republiky (Budgetary and contributory organisations within the framework of the Ministry of Interior of the Slovak Republic);

##### (d) for members of the Railway Police:

— Generálne riaditeľstvo Železničnej polície (Railway Police Directorate General), Bratislava;

##### (e) for members of the Slovak Information Service:

— Slovenská informačná služba (Slovak Information Service), Bratislava;

##### (f) for members of the Judiciary Guards and Prison Wardens Corps:

— Generálne riaditeľstvo Zboru väzenskej a justičnej stráže, Útvar sociálneho zabezpečenia zboru (Directorate General of the Judiciary Guards and Prison Wardens Corps, Department of Social Security of the Corps), Bratislava;

##### (g) for customs officers:

— Colné riaditeľstvo Slovenskej republiky (Customs Directorate of the Slovak Republic), Bratislava;

##### (h) for members of the National Security Office:

— Národný bezpečnostný úrad (National Security Office), Bratislava.

#### 5. Unemployment:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

#### 6. Family benefits:

— Úrady práce, sociálnych vecí a rodiny (Offices of Labour, Social Affairs and Family) competent according to the place of residence or stay of the claimant.

#### 4. Annex 4 is amended as follows

##### (a) Section 'D. GERMANY' is amended as follows:

Point 3(b) is replaced by the following:

'(b) for the purposes of applying Articles 51 and 53 (1) of the implementing Regulation, and under the heading "Paying body" referred to in Article 55 of the implementing Regulation:

##### (i) dealings with Belgium and Spain:

— Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf;

- (ii) dealings with Denmark, Finland and Sweden:
  - Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck;
- (iii) dealings with Estonia, Latvia and Lithuania:
  - Landesversicherungsanstalt Mecklenburg-Vorpommern (Regional Insurance Office of Mecklenburg-Western Pomerania), Neubrandenburg;
- (iv) dealings with France:
  - Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer, or,
  - as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken;
- (v) dealings with Greece and Cyprus:
  - Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe;
- (vi) dealings with Italy:
  - Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg, or,
  - as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken;
- (vii) dealings with Luxembourg:
  - Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer, or,
  - as a competent institution under Annex 2, Landesversicherungsanstalt für das Saarland (Regional Insurance Office of the Saarland), Saarbrücken;
- (viii) dealings with Malta:
  - Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg;
- (ix) dealings with the Netherlands:
  - Landesversicherungsanstalt Westfalen (Regional Insurance Office of Westphalia), Münster;
- (x) dealings with Ireland and the United Kingdom:
  - Landesversicherungsanstalt Freie und Hansestadt Hamburg (Regional Insurance Office of the Free and Hanseatic City of Hamburg), Hamburg;
- (xi) dealings with Poland:
  - Landesversicherungsanstalt Berlin (Regional Insurance Office of Berlin), Berlin;
- (xii) dealings with Portugal:
  - Landesversicherungsanstalt Unterfranken (Regional Insurance Office of Lower Franconia), Würzburg;

(xiii) dealings with Austria:

— Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München;

(xiv) dealings with Slovakia, Slovenia and the Czech Republic:

— Landesversicherungsanstalt Niederbayern-Oberpfalz (Regional Insurance Office of Lower Bavaria-Oberpfalz), Landshut;

(xv) dealings with Hungary:

— Landesversicherungsanstalt Thüringen (Regional Insurance Office of Thuringia), Erfurt.'

(b) Section 'E. ESTONIA' is replaced by the following:

'E. ESTONIA

1. Sickness and maternity: Eesti Haigekassa (Estonian Health Insurance Fund).

2. Invalidity, old-age and survivors' pensions, death grants, family and parental benefits:

— Sotsiaalkindlustusamet (Social Insurance Board).

3. Unemployment:

— Eesti Töötukassa (Estonian Unemployment Insurance Fund).'

(c) Section 'F. GREECE' is amended as follows:

Point 1 is replaced by the following:

'1. In general:

— Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM)', Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).'

(d) Section 'G. SPAIN' is amended as follows:

Points 3 and 4 are replaced by the following:

'3. For unemployment benefits, with the exception of mariners:

— Servicio Público de Empleo Estatal. INEM, Madrid (State Public Employment Service. INEM, Madrid).

4. For non-contributory old-age and invalidity pensions:

— Instituto de Mayores y Servicios Sociales, Madrid (Elderly and Social Services Institute, Madrid).'

(e) Section 'H. FRANCE' is replaced by the following:

'H. FRANCE

For all branches and risks:

— Centre des Liaisons Européennes et Internationales de Sécurité Sociale — Centre for European and International Liaison on Social Security (formerly Centre de Sécurité Sociale des Travailleurs Migrants — Centre for the Social Security of Migrant Workers), Paris.'

(f) Section 'M. LITHUANIA' is amended as follows:

Points 4, 5, and 6 are replaced as follows:

- '4. Death grant: Valstybinio socialinio draudimo fondo valdyba (State Social Insurance Fund Board);
5. Unemployment: Lietuvos darbo birža (Lithuanian Labour Exchange);
6. Family benefits: Valstybinio socialinio draudimo fondo valdyba (State Social Insurance Fund Board).'

(g) Section 'S. POLAND' is replaced by the following:

'S. POLAND

1. Benefits in kind: Narodowy Fundusz Zdrowia (National Health Fund), Warszawa.
2. Cash benefits:
  - (a) for sickness, maternity, disability, old-age, death, accidents at work and occupational diseases:
    - Zakład Ubezpieczeń Społecznych — Centrala (Social Insurance Institution — ZUS-Main Headquarters), Warszawa,
    - Kasa Rolniczego Ubezpieczenia Społecznego — Centrala (Agricultural Social Insurance Fund — KRUS — Main Headquarters), Warszawa,
    - Zakład Emerytalno-Rentowy Ministerstwa Spraw Wewnętrznych i Administracji (Pension Office of the Ministry of Internal Affairs and Administration), Warszawa;
  - (b) for unemployment:
    - Ministerstwo Gospodarki i Pracy (Ministry of the Economy and Labour), Warszawa;
  - (c) family benefits and other non-contributory benefits:
    - Ministerstwo Polityki Społecznej (Ministry of Social Policy), Warszawa.'

(h) Section 'V. SLOVAKIA' is replaced by the following:

'V. SLOVAKIA

1. Benefits in cash:
  - (a) Sickness and maternity:
    - Sociálna poisťovňa (Social Insurance Agency), Bratislava;
  - (b) Invalidity benefits:
    - Sociálna poisťovňa (Social Insurance Agency), Bratislava;
  - (c) Old-age benefits:
    - Sociálna poisťovňa (Social Insurance Agency), Bratislava;
  - (d) Survivors' benefits:
    - Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(e) Accidents at work and occupational diseases:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(f) Death grants:

— Ústredie práce, sociálnych vecí a rodiny (Central Office of Labour, Social Affairs and Family), Bratislava;

(g) Unemployment:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava;

(h) Family benefits:

— Ústredie práce, sociálnych vecí a rodiny (Central Office of Labour, Social Affairs and Family), Bratislava.

2. Benefits in kind:

— Úrad pre dohľad nad zdravotnou starostlivosťou, Bratislava.

(i) Section 'X. SWEDEN' is replaced by the following:

'X. SWEDEN

1. For all contingencies except unemployment benefits:

Försäkringskassan (National Social Insurance Agency);

2. For unemployment benefits: Inspektionen för arbetslöshetsförsäkringen, IAF (The Unemployment Insurance Board).'

#### 5. Annex 5 is amended as follows

(a) Section '9. BELGIUM — ITALY' is amended as follows:

the following point (f) is added:

'(f) Agreement of 21.11.2003 on the terms for settling reciprocal claims under Articles 94 and 95 of Regulation 574/72.'

(b) Section '102. ESTONIA — NETHERLANDS' is replaced by the following:

'102. ESTONIA — NETHERLANDS

None.'

(c) Section '82 GERMANY — NETHERLANDS' is amended as follows:

Points (g) and (h) are replaced by the following:

'(g) Articles 2 to 8 of the Agreement on the implementation of the Social Security Treaty of 18 April 2001.'

(d) Section '87. GERMANY — SLOVAKIA' is replaced by the following:

'87. GERMANY — SLOVAKIA

None.'

(e) Section '126. GREECE — SLOVAKIA' is replaced by the following:

'126. GREECE — SLOVAKIA  
No convention.'

(f) Section '144. SPAIN — SLOVAKIA' is replaced by the following:

'144. SPAIN — SLOVAKIA  
None.'

(g) Section '242. LUXEMBOURG — SLOVAKIA' is replaced by the following:

'242. LUXEMBOURG — SLOVAKIA  
None.'

(h) Section '276. AUSTRIA — SLOVAKIA' is replaced by the following:

'276. AUSTRIA — SLOVAKIA  
None.'

#### 6. Annex 7 is amended as follows

Section 'V. SLOVAKIA' is replaced by the following:

'V. SLOVAKIA: Národná banka Slovenska (National Bank of Slovakia), Bratislava. Štátna pokladnica (State Treasury), Bratislava.'

#### 7. Annex 9 is amended as follows

(a) Section 'E. ESTONIA' is replaced by the following:

'E. ESTONIA

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided in accordance with Health Insurance Act, Health Services Organisation Act and Art.12 of Social Welfare Act (provision of prosthetic, orthopaedic and other appliances)';

(b) Section 'F. GREECE' is replaced by the following:

'F. GREECE

The general social security scheme administered by the Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ) (Social Insurance Institute — Unified Insurance Fund for Employees (ΙΚΑ — ΕΤΑΜ)) shall be taken into consideration when calculating the average annual cost of benefits in kind.'

#### 8. Annex 10 is amended as follows

(a) Section 'E. ESTONIA' is replaced by the following:

'E. ESTONIA

1. For the purpose of applying Articles 14c, 14d(3) and 17 of the Regulation and Articles 6(1), 10b, 11(1), 11a(1), 12a, 13(2), 13(3), 14(1), 14(2), 14(3), 17, 38(1), 70(1), 82(2), 86(2) of the implementing Regulation:

— Sotsiaalkindlustusamet (Social Insurance Board).

2. For the purpose of applying Articles 8 and 113(2) of the implementing Regulation:

— Eesti Haigekassa (Estonian Health Insurance Fund).

3. For the purpose of applying Article 80(2) and 81 of the implementing Regulation:
    - Eesti Töötukassa (Estonian Unemployment Insurance Fund).
  4. For the purpose of applying Article 102(2) of the implementing Regulation:
    - (a) Sickness, maternity, work accidents and occupational diseases:
      - Eesti Haigekassa (Estonian Health Insurance fund);
    - (b) Unemployment:
      - Eesti Töötukassa (Estonian Unemployment Insurance Fund).
  5. For the purpose of applying Article 109 of the implementing Regulation:
    - Maksuamet (Tax Board).
  6. For the purpose of applying Article 110 of the implementing Regulation:

Respective competent institution.'
- (b) Section 'F. GREECE' is amended as follows:
- (i) Point 1 is replaced by the following:
    - '1. For the purposes of applying Article 6(1) of the implementing Regulation:
      - Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';
  - (ii) Point 2(b)(i) is replaced by the following:
    - '(i) in general: Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';
  - (iii) Point 3(a)(b)(c)(i) is replaced by the following:
    - '(i) in general: Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';
  - (iv) Point 4(a) is replaced by the following:
    - '(a) in general: Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';
  - (v) Point 6 is replaced by the following:
    - '6. For the purposes of applying Article 81 of the implementing Regulation:
      - Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';
  - (vi) Points 7(c)(i) and (ii) are replaced by the following:
    - '(i) for the employed, self-employed and local government employees:
      - Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (IKA — ETAM), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens),

(ii) for civil servants:

- Οργανισμός Περιθαλψής Ασφαλισμένων Δημοσίου (ΟΠΑΔ), Αθήνα (Civil Servants' Sickness Insurance Fund (OPAD), Athens.);

(vii) Point 8(c) is replaced by the following:

'(c) other benefits:

- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).';

(viii) Point 9 (b) is replaced by the following:

'(b) other benefits:

- Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ), Αθήνα (Social Insurance Institute — Unified Insurance Fund for Employees (IKA — ETAM), Athens).'

(c) Section 'G. SPAIN' is amended as follows:

Points 5 and 6 are replaced by the following:

'5. For the purposes of applying Article 102(2) in respect of unemployment benefits:

- Servicio Público de Empleo Estatal. INEM, Madrid (State Public Employment Service. INEM, Madrid).

6. For the purposes of applying Article 80(2), Article 81 and Article 82(2) of the implementing Regulation, in respect of unemployment benefits except for mariners:

- Direcciones Provinciales del Servicio Público de Empleo Estatal. INEM (Provincial Directorates of the State Public Employment Service. INEM).'

(d) Section 'H. FRANCE' is amended as follows:

(i) Point 5 is replaced by the following:

'5. For the purposes of applying Article 14(1)(b), Article 14a(1)(b) and Article 17 of the Regulation:

- Centre des liaisons européennes et internationales de sécurité sociale (Centre for European and International Liaison on Social Security) (formerly the Centre de sécurité sociale des travailleurs migrants — Centre for the Social Security of Migrant Workers), Paris.;

(ii) Points 8 and 9 are replaced by the following:

'8. For the purposes of applying jointly Articles 36 and 63 of the Regulation and Article 102 of the implementing Regulation:

- Centre des liaisons européennes et internationales de sécurité sociale (Centre for European and International Liaison on Social Security) (formerly the Centre de sécurité sociale des travailleurs migrants — Centre for the Social Security of Migrant Workers), Paris.

9. For the purposes of applying Article 113(2) of the implementing Regulation:

- Centre des liaisons européennes et internationales de sécurité sociale (Centre for European and International Liaison on Social Security) (formerly the Centre de sécurité sociale des travailleurs migrants — Centre for the Social Security of Migrant Workers), Paris.'

(e) Section 'J. ITALY' is amended as follows:

Point 2 is replaced by the following:

'2. (a) For the purposes of applying Article 17 of the Regulation:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), regional offices.;

(b) For the purposes of applying Articles 11(1), 13(2) and (3) and 14(1), (2) and (3) of the implementing Regulation:

— Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices.'

(f) Section 'M. LITHUANIA' is amended as follows:

(i) Point 3 is replaced by the following:

'3. For the purposes of applying Articles 80(2), 81 and 82(2) of the implementing Regulation:

— Lietuvos darbo birža (Lithuanian Labour Exchange).;

(ii) Point 4(b) is replaced by the following:

'(b) refunds in pursuance of Article 70(2):

— Lietuvos darbo birža (Lithuanian Labour Exchange).;

(iii) Point 5(c) is replaced by the following:

'(c) cash benefits in pursuance of Chapter 6 of Title III of the Regulation:

— Lietuvos darbo birža (Lithuanian Labour Exchange).'

(g) Section 'S. POLAND' is amended as follows:

(i) Point 3(a) is replaced by the following:

'(a) benefits in kind:

— Narodowy Fundusz Zdrowia (National Health Fund), Warszawa.;

(ii) Point 4(a) is replaced by the following:

'(a) benefits in kind:

— Narodowy Fundusz Zdrowia (National Health Fund), Warszawa.;

(iii) Point 5 is replaced by the following:

'5. For the purposes of applying Article 38(1) of the implementing Regulation:

(a) for persons who have been recently employed or self-employed with the exception of self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):

— units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in Annex 3(2)(a);

- (b) for persons who have been recently self-employed farmers and who have not completed periods of service mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):
- units of Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in Annex 3(2)(b);
- (c) for professional soldiers:
- Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(2)(c);
- (d) for Police officers, State Protection Office officers, Internal Security Agency officers, Foreign Intelligence Agency officers (public security services), Border Guard officers, Government Security Bureau officers and National Fire Brigades officers:
- Zakład Emerytalno — Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in Annex 2(2)(d);
- (e) for Prison Guard officers:
- Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw), if it is the competent institution mentioned in Annex 2(2)(e);
- (f) for judges and prosecutors:
- specialised entities of the Ministry of Justice.
- (g) for persons who have completed exclusively foreign periods of insurance:
- units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in Annex 3(2)(g);
- (iv) Point 6 is replaced by the following:
- ‘6. For the purposes of applying Article 70(1) of the implementing Regulation:
- (a) long-term benefits:
- (i) for persons who have been recently employed or self-employed excluding self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):
- units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in Annex 3(2)(a);
- (ii) for persons who have been recently self-employed farmers and who have not completed periods of service mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):
- units of Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in Annex 3(2)(b);
- (iii) for professional soldiers:
- Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(2)(c);
- (iv) officers mentioned in point 5(d):
- Zakład Emerytalno — Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in Annex 2(2)(d);
- (v) for Prison Guard officers:
- Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw), if it is the competent institution mentioned in Annex 2(2)(e);

(vi) for judges and prosecutors:

specialised entities of the Ministry of Justice;

(vii) for persons who have completed exclusively foreign periods of insurance:

units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in Annex 3(2)(g).;

(v) Point 7 is replaced by the following:

'7. For the purposes of applying Article 80(2), Article 81, Article 82(2), Article 83(1), Article 84(2) and Article 108 of the implementing Regulation:

Wojewódzkie urzędy pracy (voivodeship labour offices) with territorial jurisdiction over the place of residence or stay.;

(vi) Point 9 is replaced by the following:

'9. For purposes of applying Article 86(2) of the implementing Regulation:

Regional center of social policy competent in respect of the place of residence or stay for person entitled to benefits.;

(vii) Point 10 is replaced by the following:

'10. For the purposes of applying Article 91(2) of the implementing Regulation:

(a) for the purposes of applying Article 77 of the Regulation:

— Regional center of social policy competent in respect of the place of residence or stay for person entitled to benefit;

(b) for the purposes of applying Article 78 of the Regulation:

(i) for persons who have been recently employed or self-employed with the exception of self-employed farmers and for professional soldiers and officers who have completed periods of service other than mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):

units of Social Insurance Institution (Zakład Ubezpieczeń Społecznych) listed in Annex 3(2)(a);

(ii) for persons who have been recently self-employed farmers and who have not completed periods of service mentioned in Annex 2(2)(c)(i), (c)(ii), (d)(i), (d)(ii), (e)(i), (e)(ii):

units of Agricultural Social Insurance Fund (Kasa Rolniczego Ubezpieczenia Społecznego) listed in Annex 3(2)(b);

(iii) for professional soldiers:

Wojskowe Biuro Emerytalne w Warszawie (Military Pension Office in Warsaw), if it is the competent institution mentioned in Annex 2(2)(c);

(iv) for officers mentioned in point 5(d):

Zakład Emerytalno — Rentowy Ministerstwa Spraw Wewnętrznych i Administracji w Warszawie (Pension Office of the Ministry of Internal Affairs and Administration in Warsaw), if it is the competent institution mentioned in Annex 2(2)(d);

(v) for Prison Guard officers:

Biuro Emerytalne Służby Więziennej w Warszawie (Pension Office of Prison Service in Warsaw), if it is the competent institution mentioned in Annex 2(2)(e).

(vi) for former judges and prosecutors:

specialised entities of the Ministry of Justice.;

(viii) Point 11 is replaced by the following:

‘11. For the purposes of applying Articles 36 and 63 of the Regulation and Article 102(2) of the implementing Regulation:

— Narodowy Fundusz Zdrowia (National Health Fund), Warszawa.’

(h) Section ‘V. SLOVAKIA’ is amended as follows:

(i) Points 4(b) and (c) are replaced by the following:

‘(b) Family benefits:

— Úřady práce, sociálních věcí a rodiny (Offices of Labour, Social Affairs and Family) competent according to the place of residence or stay of the claimant;

(c) Unemployment benefits:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava.’

(ii) Point 8 is replaced by the following:

‘8. For the purposes of applying Articles 80(2), 81 and 82(2) of the implementing Regulation:

— Sociálna poisťovňa (Social Insurance Agency), Bratislav.;

(iii) Point 11 is replaced by the following:

‘11. For the purposes of applying Article 91(2) of the implementing Regulation (in connection with paying benefits according to Articles 77 and 78 of the Regulation):

— Úřady práce, sociálních věcí a rodiny (Offices of Labour, Social Affairs and Family) competent according to the place of residence or stay of the claimant.;

(iv) Point 12 is replaced by the following:

‘12. For the purposes of applying Article 102(2) of the implementing regulation:

(a) with respect to reimbursements referred to in Articles 36 and 63 of the Regulation:

Úrad pre dohľad nad zdravotnou starostlivosťou, Bratislava

(b) in connection with the reimbursement according to Article 70 of the Regulation:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava.;

(v) Point 13(c) is replaced by the following:

‘(c) unemployment benefits:

— Sociálna poisťovňa (Social Insurance Agency), Bratislava.’

(i) Section 'X. SWEDEN' is amended as follows:

(i) Point 3 is replaced by the following:

'3. For the purpose of applying Articles 14b (1) and (2) in cases when a person is posted to Sweden for a period longer than 12 months:

Försäkringskassan i Västra Götaland, sjöfartskontoret (National Social Insurance Agency, local office of Västra Götaland, seafarer's division).';

(ii) Point 6(b) is replaced by the following:

'(b) Försäkringskassan (National Social Insurance Agency).';

(iii) Point 7(b) is replaced by the following:

'(b) Inspektionen för arbetslöshetsförsäkringen, IAF (The Unemployment Insurance Board).'

---

**COMMISSION REGULATION (EC) No 78/2005**  
**of 19 January 2005**  
**amending Regulation (EC) No 466/2001 as regards heavy metals**  
**(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 315/93 of 8 February 1993 laying down Community procedures for contaminants in food<sup>(1)</sup>, and in particular Article 2(3) thereof,

After consulting the Scientific Committee on Food and the European Food Safety Authority,

Whereas:

- (1) Commission Regulation (EC) No 466/2001<sup>(2)</sup> sets maximum levels for certain contaminants in foodstuffs. These measures, as specifically amended by Commission Regulation (EC) No 221/2002<sup>(3)</sup>, include maximum levels for the heavy metals lead, cadmium and mercury.
- (2) It is essential, in order to protect public health, to keep contaminants at levels which do not cause health concerns. Maximum levels for lead, cadmium and mercury must be safe and as low as reasonably achievable (ALARA) based upon good manufacturing and agricultural/ fishery practices. On the basis of new

information on the achievability of maximum levels in certain aquatic species it is necessary to revise the relevant provisions of Annex I to Regulation (EC) No 466/2001 for these contaminants in certain foods. The revised provisions maintain a high level of consumer health protection.

- (3) Regulation (EC) No 466/2001 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 466/2001 is amended as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 20th 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, 19 January 2005.

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

<sup>(1)</sup> OJ L 37, 13.2.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

<sup>(2)</sup> OJ L 77, 16.3.2001, p. 1. Regulation as amended by Regulation (EC) No 684/2004 (OJ L 106, 15.4.2004, p. 6).

<sup>(3)</sup> OJ L 37, 7.2.2002, p. 4.

## ANNEX

Section 3 of Annex I to Regulation (EC) No 466/2001 is modified as follows:

1. As regards Lead (Pb), points 3.1.4, 3.1.4.1 and 3.1.5 are replaced by the following points:

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
3.1.4. Muscle meat of fish <sup>(1)</sup> <sup>(2)</sup> , excluding species listed in 3.1.4.1.	0,20	Directive 2001/22/EC	Directive 2001/22/EC
3.1.4.1. Muscle meat of the following fish <sup>(1)</sup> <sup>(2)</sup> : common two-banded seabream ( <i>Diplodus vulgaris</i> ) eel ( <i>Anguilla anguilla</i> ) grey mullet ( <i>Mugil labrosus labrosus</i> ) grunt ( <i>Pomadasys benneti</i> ) horse mackerel or scad ( <i>Trachurus species</i> ) sardine ( <i>Sardina pilchardus</i> ) sardinops ( <i>Sardinops species</i> ) spotted seabass ( <i>Dicentrarchus punctatus</i> ) wedge sole ( <i>Dicologlossa cuneata</i> )	0,40	Directive 2001/22/EC	Directive 2001/22/EC
3.1.5. Crustaceans, excluding brown meat of crab and excluding head and thorax meat of lobster and similar large crustaceans ( <i>Nephropidae</i> and <i>Palinuridae</i> )	0,50	Directive 2001/22/EC	Directive 2001/22/EC

<sup>(1)</sup> Where fish are intended to be eaten whole, the maximum level shall apply to the whole fish.

<sup>(2)</sup> Fish as defined in the category (a) of the list of Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22).'

2. As regards Cadmium (Cd), points 3.2.5 and 3.2.5.1 are replaced by the following and a new point 3.2.5.2 is inserted:

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
3.2.5. Muscle meat of fish <sup>(1)</sup> <sup>(2)</sup> , excluding species listed in 3.2.5.1 and 3.2.5.2.	0,05	Directive 2001/22/EC	Directive 2001/22/EC
3.2.5.1. Muscle meat of the following fish <sup>(1)</sup> <sup>(2)</sup> : anchovy ( <i>Engraulis species</i> ) bonito ( <i>Sarda sarda</i> ) common two-banded seabream ( <i>Diplodus vulgaris</i> ) eel ( <i>Anguilla anguilla</i> ) grey mullet ( <i>Mugil labrosus labrosus</i> ) horse mackerel or scad ( <i>Trachurus species</i> ) louvar or luvar ( <i>Luvarus imperialis</i> ) sardine ( <i>Sardina pilchardus</i> ) sardinops ( <i>Sardinops species</i> ) tuna ( <i>Thunnus species</i> , <i>Euthynnus species</i> , <i>Katsuwonus pelamis</i> ) wedge sole ( <i>Dicologlossa cuneata</i> )	0,10	Directive 2001/22/EC	Directive 2001/22/EC
3.2.5.2. Muscle meat of swordfish ( <i>Xiphias gladius</i> )	0,30	Directive 2001/22/EC	Directive 2001/22/EC

<sup>(1)</sup> Where fish are intended to be eaten whole, the maximum level shall apply to the whole fish.

<sup>(2)</sup> Fish as defined in the category (a) of the list of Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22).'

3. As regards Mercury (Hg), points 3.3.1 and 3.3.1.1 are replaced by the following points:

Product	Maximum level (mg/kg wet weight)	Performance criteria for sampling	Performance criteria for methods of analysis
3.3.1. Fishery products and muscle meat of fish <sup>(1)</sup> <sup>(3)</sup> , excluding species listed in 3.3.1.1.	0,50	Directive 2001/22/EC	Directive 2001/22/EC
3.3.1.1. Muscle meat of the following fish <sup>(1)</sup> <sup>(2)</sup> : anglerfish ( <i>Lophius species</i> ) atlantic catfish ( <i>Anarhichas lupus</i> ) bonito ( <i>Sarda sarda</i> ) eel ( <i>Anguilla species</i> ) emperor, orange roughy, rosy soldierfish ( <i>Hoplostethus species</i> ) grenadier ( <i>Coryphaenoides rupestris</i> ) halibut ( <i>Hippoglossus hippoglossus</i> ) marlin ( <i>Makaira species</i> ) megrim ( <i>Lepidorhombus species</i> ) mullet ( <i>Mullus species</i> ) pike ( <i>Esox lucius</i> ) plain bonito ( <i>Orcynopsis unicolor</i> ) poor cod ( <i>Tricopterus minutus</i> ) portuguese dogfish ( <i>Centroscymines coelolepis</i> ) rays ( <i>Raja species</i> ) redfish ( <i>Sebastes marinus</i> , <i>S. mentella</i> , <i>S. viviparus</i> ) sail fish ( <i>Istiophorus platypterus</i> ) scabbard fish ( <i>Lepidopus caudatus</i> , <i>Aphanopus carbo</i> ) seabream, pandora ( <i>Pagellus species</i> ) shark (all species) snake mackerel or butterfish ( <i>Lepidocybium flavobrunneum</i> , <i>Ruvettus pretiosus</i> , <i>Gempylus serpens</i> ) sturgeon ( <i>Acipenser species</i> ) swordfish ( <i>Xiphias gladius</i> ) tuna ( <i>Thunnus species</i> , <i>Euthynnus species</i> , <i>Katsuwonus pelamis</i> )	1,0	Directive 2001/22/EC	Directive 2001/22/EC

<sup>(1)</sup> Where fish are intended to be eaten whole, the maximum level shall apply to the whole fish.

<sup>(2)</sup> Fish as defined in the category (a) of the list of Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22).

<sup>(3)</sup> Fish and fishery products as defined in the category (a), (c) and (f) of the list of Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22).'

## COMMISSION REGULATION (EC) No 79/2005

of 19 January 2005

**implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption<sup>(1)</sup>, and in particular Article 6 (2) (i) thereof,

Whereas:

- (1) Regulation (EC) No 1774/2002 lays down the public and animal health rules for the collection, transport, storage, handling, processing and use or disposal of animal by-products in order to prevent those products from presenting a risk to public or animal health.
- (2) Regulation (EC) No 1774/2002 lays down rules for the use of certain animal by-products derived from the production of products intended for human consumption and former foodstuffs of animal origin, falling within the definition of Category 3 material in that Regulation, including milk and milk-based products no longer intended for human consumption. Regulation (EC) No 1774/2004 also provides for the possibility to use Category 3 material in other ways, in accordance with the procedure laid down in that Regulation and after consultation of the appropriate scientific committee.
- (3) According to opinions of the Scientific Steering Committee of 1996, 1999 and 2000, there is no evidence that milk transmits bovine spongiform encephalopathy (BSE) and any risk from milk is considered to be negligible. In its state of affairs report of 15 March 2001, the TSE/BSE *ad hoc* Group upheld that advice.
- (4) On the basis of those opinions, milk, milk-based products and colostrum are derogated from the prohibition on the feeding of animal protein to farmed

animals, which are kept, fattened or bred for the production of food, in accordance with Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies<sup>(2)</sup>.

- (5) Regulation (EC) No 1774/2002 does not apply to liquid milk and colostrum disposed of or used on the farm of origin. That Regulation also permits the application to land of milk and colostrum as a fertiliser or soil improver, if the competent authority does not consider them to present a risk of spreading any serious transmissible disease, given that farmed animals could have access to such land and therefore could be exposed to such a risk.
- (6) Under Regulation (EC) No 1774/2002, Category 3 material is to be used in accordance with strict conditions and the feeding of such material to farmed animals is allowed only after processing in an approved Category 3 processing plant.
- (7) Animal by-products derived from the production of dairy products intended for human consumption and former dairy foodstuffs are generally produced in establishments approved in accordance with Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products<sup>(3)</sup>. Ready-to-use dairy products are generally wrapped and, therefore, the possibility for subsequent contamination of the product is minimal.
- (8) The Commission is to seek the advice of the European Food Safety Authority on the possibility to feed to farmed animals, and under the required conditions to minimise risks, ready-to-use milk, milk-based products and milk-derived products, falling within the definition of Category 3 material in Regulation (EC) No 1774/2002, (the products), without further treatment.

<sup>(1)</sup> OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 668/2004 (OJ L 112, 19.4.2004, p. 1).

<sup>(2)</sup> OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 1993/2004 (OJ L 344, 20.11.2004, p. 12).

<sup>(3)</sup> OJ L 268, 14.9.1992, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

- (9) Pending that advice and in the light of the current scientific opinions and of the Scientific Committee on Animal Health and Animal Welfare report on the strategy for emergency vaccination against foot-and-mouth disease of 1999, it is appropriate to lay down, on a provisional basis, specific measures for the collection, transportation, processing, and use of these products.
- (10) Appropriate control systems should be put in place in the Member States to ensure compliance with this Regulation and to take appropriate actions in case of non-compliance. Member States should also take into account their risk assessment for the best and worst case scenarios carried out in preparation of their contingency plans for epizootic diseases, when deciding on the number of registered holdings that may be authorised to use the products concerned.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

#### Article 1

##### General authorisation by Member States

Member States shall authorise the collection, transportation, processing, use and storage of milk, milk-based products and milk-derived products, falling within the definition of Category 3 material, as referred to in Articles 6(1)(e), 6(1)(f) and 6(1)(g) of Regulation (EC) No 1774/2002, that have not been processed in accordance with Chapter V of Annex VII to that Regulation (the products), provided that these activities and products comply with the requirements set out in this Regulation.

#### Article 2

##### Use as feed of processed products and whey and unprocessed products

1. Processed products and whey, as referred to in Annex I, may be used as feed in accordance with the requirements laid down in that Annex.
2. Unprocessed products and other products, as referred to in Annex II, may be used as feed in accordance with the requirements laid down in that Annex.

#### Article 3

##### Collection, transportation and storage

1. The products shall be collected, transported and identified in accordance with the requirements set out in Annex II to Regulation (EC) No 1774/2002.

However, the first subparagraph shall not apply to operators of milk-processing establishments approved in accordance with Article 10 of Directive 92/46/EEC when collecting and returning to their establishment products which they have previously delivered to their customers.

2. The storage of the products shall take place at an appropriate temperature to avoid any risk to public or animal health, either:

(a) in a dedicated storage plant approved for that purpose in accordance with Article 11 of Regulation (EC) No 1774/2002; or

(b) in a dedicated, separate storage area in an establishment approved in accordance with Article 10 of Directive 92/46/EEC.

3. Samples of the final products taken during storage or at the time of withdrawal from storage, shall at least comply with the microbiological standards set out in Chapter I(D)(10) of Annex VII to Regulation (EC) No 1774/2002.

#### Article 4

##### Authorisation, registration and control measures

1. The milk processing establishments approved in accordance with Article 10 of Directive 92/46/EEC and the holdings, which are authorised as provided for in the Annexes to this Regulation, shall be registered by the competent authority for that purpose.

2. The competent authority shall take the necessary measures to control compliance by operators of registered establishments and holdings with the requirements set out in this Regulation.

*Article 5***Suspension of authorisation and registration in case of non-compliance**

Any authorisation and registration issued by the competent authority in accordance with this Regulation shall be immediately suspended if the requirements of this Regulation are no longer fulfilled.

The authorisation and registration may be reinstated only after appropriate corrective measures have been taken as instructed by the competent authority.

*Article 6***Review**

The Commission shall review the provisions of this Regulation and adapt them as appropriate in the light of the opinion of the European Food Safety Authority.

*Article 7***Entry into force**

This Regulation shall enter into force on the 20th 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, 19 January 2005.

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

---

## ANNEX I

**OTHER USE OF PROCESSED PRODUCTS AND WHEY, AS PROVIDED FOR IN ARTICLE 6(2)(i) OF  
REGULATION (EC) No 1774/2002**

## CHAPTER I

## A. Products concerned

The products, including cleaning water that have been in contact with raw milk and/or milk pasteurised in accordance with Chapter I(A)(4)(a) of Annex C to Directive 92/46/EEC, subjected to at least one of the following treatments:

- (a) 'ultra high temperature' (UHT) in accordance with Chapter I(A)(4)(b) of Annex C to Directive 92/46/EEC;
- (b) sterilisation whereby either an  $F_c$  value equal to or greater than 3 is achieved, or which was carried out in accordance with Chapter I(A)(4)(c) of Annex C to Directive 92/46/EEC at a temperature of at least 115°C for 20 minutes or equivalent;
- (c) pasteurisation in accordance with Chapter I, A, 4(a) or sterilisation, other than that referred to in paragraph (b) of this Section, in accordance with Chapter I(A)(4)(c) of Annex C to Directive 92/46/EEC, followed by:
  - (i) in the case of dried milk or dried milk products, a drying process; or
  - (ii) in the case of an acidified milk product, a process by which the pH is reduced and kept for at least one hour at a level below 6.

## B. Use

The products, referred to in Section A, may be used as feed material in the Member State concerned, and may be used in cross-border areas where the Member States concerned have a mutual agreement to that effect. The establishment concerned must ensure traceability of the products.

## CHAPTER II

## A. Products concerned

1. the products, including cleaning water that has been in contact with milk that has only been pasteurised in accordance with Chapter I(A)(4)(a) of Annex C to Directive 92/46/EEC; and
2. whey produced from non heat-treated milk-based products, which must be collected at least 16 hours after milk clotting and where the pH must be recorded as  $< 6,0$  before being sent directly to authorised animal holdings.

## B. Use

The products and whey, referred to in Section A, may be used as feed material in the Member State concerned subject to the following conditions:

- (a) they are sent from an establishment approved in accordance with Article 10 of Directive 92/46/EEC, which guarantees the traceability of those products; and
  - (b) they are sent to a limited number of authorised animal holdings, fixed on the basis of the risk assessment for the best and worst case scenarios carried out by the Member State concerned in preparation of the contingency plans for epizootic diseases, in particular foot-and-mouth disease.
-

## ANNEX II

**OTHER USES OF UNPROCESSED PRODUCTS AND OTHER PRODUCTS**

## A. Products concerned:

Raw products, including cleaning water that has been in contact with raw milk, and other products for which the treatments referred to in the Chapters I and II of Annex I cannot be ensured.

## B. Use

The products referred to in Section A, may be used as feed material in the Member State concerned subject to the following conditions:

- (a) they are sent from an establishment approved in accordance with Article 10 of Directive 92/46/EEC, which guarantees the traceability of those products; and
  - (b) they are sent to a limited number of authorised animal holdings, fixed on the basis of the risk assessment for the best and worst case scenarios carried out by the Member State concerned in preparation of the contingency plans for epizootic diseases, in particular foot-and-mouth disease, and provided that the animals present in the authorised animal holdings can only be moved:
    - (i) either directly to a slaughterhouse located in the same Member State; or
    - (ii) to another holding in the same Member State, for which the competent authority guarantees that animals susceptible to foot-and-mouth disease may leave the holding only:
      - (a) either in accordance with point (i); or
      - (b) if the animals have been dispatched to a holding not feeding the products referred to in this Annex, after a 21-day standstill period has elapsed from the introduction of the animals.
-

**COMMISSION REGULATION (EC) No 80/2005****of 19 January 2005****repealing Regulation (EEC) No 1517/77 fixing the list of the various groups of hop varieties cultivated in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organisation of the market in hops<sup>(1)</sup>, and in particular Article 12(8) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1517/77<sup>(2)</sup> establishes groups of hop varieties. The amount of production aid for hops differed according to those varieties. This aid scheme was replaced by identical per hectare aid for all varieties, in accordance with Article 12 of Regulation (EEC) No 1696/71.

- (2) Regulation (EEC) No 1517/77 has accordingly ceased to be relevant and should be repealed.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Hops,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1517/77 is hereby repealed.

*Article 2*

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

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

Done at Brussels, 19 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> OJ L 175, 4.8.1971, p. 1. Regulation as last amended by Regulation (EC) No 2320/2003 (OJ L 345, 31.12.2003, p. 18).

<sup>(2)</sup> OJ L 169, 7.7.1977, p. 13. Regulation as last amended by Regulation (EC) No 1159/98 (OJ L 160, 4.6.1998, p. 18).

**COMMISSION REGULATION (EC) No 81/2005****of 19 January 2005****amending Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organisation of the market in hops<sup>(1)</sup>, and in particular Article 5(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3077/78<sup>(2)</sup> lays down for non-member countries the agencies which are authorised to issue the attestations accompanying hop products imported from non-member countries recognised as equivalent to the certificate laid down in Article 2 of Regulation (EEC) No 1696/71.
- (2) Following the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union, the agencies of these new Member States should no longer

appear on the list in the Annex to Regulation (EEC) No 3077/78.

- (3) Regulation (EEC) No 3077/78 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Hops,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 3077/78 is hereby replaced by the text in the Annex to this Regulation.

*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, 19 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> OJ L 175, 4.8.1971, p. 1. Regulation as last amended by Regulation (EC) No 2320/2003 (OJ L 345, 31.12.2003, p. 18).

<sup>(2)</sup> OJ L 367, 28.12.1978, p. 28. Regulation as last amended by Regulation (EC) No 539/98 (OJ L 70, 10.3.1998, p. 3).

## ANNEX

## ORGANISATIONS AUTHORISED TO ISSUE ATTESTATIONS IN RESPECT OF

**Hop cones** CN code: ex 1210  
**Hop powders** CN code: ex 1210  
**Saps and extracts of hops** CN code: 1302 13 00

Country of origin	Organisations authorised	Address	Code	Telephone	Fax
Australia	Quarantine and Quality Assurance Branch Department of Primary Industry and Fisheries	GPO Box 192B Hobart TAS 7001	+61.02.	33-8011	34-6785
	Ovens Research Station Department of Agriculture	PO Box 235 Myrtleford, Victoria 3737	+61.57.	51-1311	51-1702
Bulgaria	Institute of Brewing and Hop Production	Gorubljanе Sofia 1738	+359.2.	75-4153	75-6194
Canada	Plant Protection Division Animal and Plant Health Directorate Food Production and Inspection Branch Agriculture and Agri-food Canada	Floor 2, West Wing 59, Camelot Drive Napean, Ontario, Canada K1A 0Y9	+1.613	952-8000	991-5612
People's Republic of China	China Tianjin Import & Export Commodity Inspection Bureau	33, Youyi Road Tianjin 300201	+86.22.	432-4143	832-0842
	China Xinjiang Import & Export Commodity Inspection Bureau	Fu 6, Beijing Nan Lu Wulumuqi 830011	+86.991.	484-2708	484-0050
	China Neimenggu Import & Export Commodity Inspection Bureau	Zhaowuda Road Huhehaote 010010	+86.471.	45-1156	45-1163
New Zealand	Ministry of Agriculture and Fisheries	PO Box 2526 Wellington	+64.4.	472-0367	474-424 472-9071
	Gawthorn Institute	Private Bag Nelson	+64.3.	548-2319	546-9464
Romania	Cluj-Napoca University of Agricultural Sciences	Strada Manastur no. 3 Cluj-Napoca	+406.	419-8792	419-3792
	Bucharest Institute of Food Chemistry	Strada Garlei no. 1 Sector 1 Bucharest	+40.1.	230-5090	230-0311
Federal Republic of Yugoslavia (Serbia and Montenegro)	Institut za Ratarstvo I Povrtlarstvo/Zavod sa Hmelj	Yu-21470 Backi Petrovac	+381.21.	780-365	621-212
South Africa	CSIR Food Science and Technology	PO Box 395 0001 Pretoria	+27.12	841-3172	841-3594
Switzerland	Versuchsstation Schweizerischer Brauereien (VSB)	Engimattstrasse 11 8059 Zürich	+41.1.	201-4244	201-4249
Ukraine	Productional-Technical Centre (PTZ) Ukrhmel	Hlebnaja 27 262028 Zhitomie	+7.0412	37-2111	36-7331

Country of origin	Organisations authorised	Address	Code	Telephone	Fax
United States of America	Washington Department of Agriculture State Chemical and Hop Lab	2017 South First Street Yakima, WA	+1.509.	575-2759	454-7699
	Idaho Department of Agriculture Hop Inspection Lab	2270 Old Penitentiary Road PO Box 790 Boise, ID 83701	+1.208	334-2623	334-2170
	Oregon Department of Agriculture Commodity Inspection Division	635 Capital Street NE Salem, OR 97310	+1.503.	986-4620	373-1479
	USDA, GIPSA, FGIS	1100 NW Front Avenue PO Box 3837 Portland, OR 97208	+1.503.	231-2056	231-6199
	USDA, GIPSA, FGIS Commodity Testing Laboratory	Building 306, Room 209 BARC-East Beltsville, MD 20705-2325	+1.301	504-9328	504-9200
Zimbabwe	Standards Association of Zimbabwe	Northern Close Northbridge Park PO Box 2259-Borrowdale Harare	+263.4.	88-2021/2	88-2020

**COMMISSION REGULATION (EC) No 82/2005****of 19 January 2005****on the issue of import licences for sugar and sugar and cocoa mixtures with ACP/OCT or EC/OCT cumulation of origin**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community<sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 192/2002 of 31 January 2002 laying down detailed rules for issuing import licences for sugar and sugar and cocoa mixtures with ACP/OCT or EC/OCT cumulation of origin<sup>(2)</sup>, and in particular Article 6(3) thereof,

Whereas:

- (1) Article 6(4) of Annex III to Decision 2001/822/EC allows ACP/EC-OCT cumulation of origin in the case of products falling within Chapter 17 and tariff headings 1806 10 30 and 1806 10 90 up to an annual quantity of 28 000 tonnes of sugar.

- (2) Applications have been submitted to the national authorities in accordance with Regulation (EC) No 192/2002 for the issue of import licences for a total quantity of 112 000 tonnes, exceeding the quantity laid down in Decision 2001/822/EC.

- (3) The Commission must therefore set the reducing coefficient for the issue of import licences and suspend the submission of further licence applications for 2005,

HAS ADOPTED THIS REGULATION:

*Article 1*

Import licences covered by applications submitted by 7 January 2005 under Article 6 of Regulation (EC) No 192/2002 shall be issued for 25 % of the quantity applied for.

*Article 2*

The submission of further applications for 2005 is hereby suspended.

*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, 19 January 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 314, 30.11.2001, p. 1.

<sup>(2)</sup> OJ L 31, 1.2.2002, p. 55. Regulation as last amended by Regulation (EC) No 96/2004 (OJ L 15, 22.1.2004, p. 3).

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 24 September 2004

**appointing a United Kingdom member of the Economic and Social Committee**

(2005/30/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to the Council Decision 2002/758/EC, Euratom of 17 September 2002 appointing the members of the Economic and Social Committee for the period from 21 September 2002 to 20 September 2006 <sup>(1)</sup>,

Whereas a member's seat on that Committee has fallen vacant, following the resignation of Mr David FEICKERT, of which the Council was informed on 22 July 2003;

Having regard to the nomination submitted by the Government of the United Kingdom,

Having obtained the opinion of the Commission of the European Union,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mr Peter COLDRICK is hereby appointed a member of the Economic and Social Committee in place of Mr David FEICKERT for the remainder of the latter's term of office, which runs until 20 September 2006.

Done at Brussels, 24 September 2004.

*For the Council*

*The President*

L. J. BRINKHORST

---

<sup>(1)</sup> OJ L 253, 21.9.2002, p. 9.

**COUNCIL DECISION**  
**of 24 September 2004**  
**appointing a Netherlands member and a Netherlands alternate member of the Committee of the Regions**  
(2005/31/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 Netherlands Government,

Whereas:

- (1) on 22 January 2002 the Council adopted a Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions<sup>(1)</sup>.
- (2) a seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Wim VAN GELDER and a seat as an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Onno HOES, notified to the Council on 6 September 2004,

HAS DECIDED AS FOLLOWS:

*Sole Article*

(a) Mr Onno HOES,

Gedeputeerde van de provincie Noord-Brabant,

is hereby appointed a member in place of Mr Wim VAN GELDER

(b) Mr Wim VAN GELDER,

Commissaris van de Koningin in de provincie Zeeland

is hereby appointed a member in place of Mr Onno HOES,

for the remainder of their terms of office, which run until 25 January 2006.

Done at Brussels, 24 September 2004.

*For the Council*  
*The President*  
L. J. BRINKHORST

---

<sup>(1)</sup> OJ L 24, 26.1.2002, p. 38.

**COUNCIL DECISION**  
**of 24 September 2004**  
**appointing a German member of the Committee of the Regions**  
(2005/32/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 a Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions<sup>(1)</sup>.
- (2) A seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Hans KAISER, notified to the Council on 6 September 2004,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mr Gerold WUCHERPFENNIG, Minister für Bundes- und Europaangelegenheiten und Chef der Thüringer Staatskanzlei, is hereby appointed a member of the Committee of the Regions in place of Mr Hans KAISER for the remainder of his term of office, which runs until 25 January 2006.

Done at Brussels, 24 September 2004.

*For the Council*

*The President*

L. J. BRINKHORST

---

<sup>(1)</sup> OJ L 24, 26.1.2002, p. 38.

# COMMISSION

## COMMISSION DECISION

of 14 January 2005

### amending Decision 2001/556/EC as regards the inclusion of establishments in India in provisional lists of third country establishments from which Member States are authorised to import gelatine intended for human consumption

(notified under document number C(2004) 4543)

(Text with EEA relevance)

(2005/33/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs<sup>(1)</sup>, and in particular Article 2(4) thereof,

Whereas:

- (1) Commission Decision 2001/556/EC of 11 July 2001 drawing up provisional lists of third country establishments from which Member States authorise imports of gelatine intended for human consumption<sup>(2)</sup> sets out provisional lists of establishments in third countries from which the Member States are authorised to import gelatine intended for human consumption.
- (2) India has provided a list of establishments producing gelatine intended for human consumption for which the responsible authorities certify that the establishments comply with Community rules.
- (3) Accordingly, those establishments should be included in the lists set out in Decision 2001/556/EC.
- (4) As on the spot inspections of the concerned establishments have not yet been carried out, imports from them should not be eligible for reduced physical checks pursuant 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>(3)</sup>.

- (5) Decision 2001/556/EC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

#### Article 1

The Annex to Decision 2001/556/EC is amended in accordance with the Annex to this Decision.

#### Article 2

This Decision shall apply from 23 January 2005.

#### Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 January 2005.

For the Commission  
Markos KYPRIANOU  
Member of the Commission

<sup>(1)</sup> OJ L 243, 11.10.1995, p. 17. Decision as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33).

<sup>(2)</sup> OJ L 200, 25.7.2001, p. 23. Decision as last amended by the 2003 Act of Accession (OJ L 236, 23.9.2003, p. 381).

<sup>(3)</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).

## ANNEX

The following text is inserted in the Annex in accordance with the alphabetical order of the ISO code:

**País: India/Země: Indie/Land: Indien/Land: Indien/Riik: India/Χώρα: Ινδία/Country: India/Pays: Inde/Paese: India/Valsts: Indija/Šalis: Indija/Ország: India/Pajjiz: Indja/Land: Indië/Państwo: Indie/País: Índia/Krajina: India/Država: Indija/Maa: Intia/Land: Indien**

1	2	3	4
CAPEXIL/WR/PLANT REGN./ O&G/2001-2002/01	Narmada Gelatines Ltd	Jabalpur	Madhya Pradesh
CAPEXIL/SR/PLANT REGN./ O&G/2002-2003/01	Kerala Chemicals & Proteins Ltd, Gelatine Division	Kochi	Kerala
CAPEXIL/WR/PLANT REGN./ O&G/2002-2003/02	Sterling Gelatine	Village Karakhadi	Gujarat
CAPEXIL/WR/PLANT REGN./ O&G/2002-2003/03	Raymon Patel Gelatine Pvt. Ltd	Vasad	Gujarat'

## COMMISSION DECISION

of 11 January 2005

**laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries**

(notified under document number C(2004) 4992)

(Text with EEA relevance)

(2005/34/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 4(5) and 17(7) thereof,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, and in particular Articles 11(4) and 63(1)(e) thereof,

Whereas:

- (1) Directive 97/78/EC requires that each consignment imported from third countries shall be subject to veterinary controls. These checks may include analytical tests for residues of pharmacologically active substances in order to verify whether the consignments fulfil the requirements of Community legislation.
- (2) The maximum residue limits (MRL) to be applied in food control according to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC<sup>(2)</sup>, have been established for pharmacologically active substances by 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<sup>(3)</sup>. MRLs are applicable to imported consignments.

- (3) However, Regulation (EEC) No 2377/90 does not provide MRLs for all substances and in particular not for those substances whose use is prohibited or not authorised in the Community. For those substances, the presence of any residue may present grounds to reject or destroy the relevant consignment at import.
- (4) It is appropriate that the Community should establish a harmonised approach for the control in imported consignments of residues of substances prohibited or not authorised in the Community.
- (5) The minimum required performance limits (MRPLs) set according to Commission Decision 2002/657/EC of 12 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results<sup>(4)</sup> have been adopted as the standard of performance ensuring effective control of Community legislation when testing official samples for the presence of certain prohibited or unauthorised substances; the MRPL correspond to the average limit above which the detection of a substance or its residues can be construed as methodologically meaningful.
- (6) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(5)</sup>, in line with the Codex alimentarius *Working Principles for Risk Analysis*<sup>(6)</sup>, requires food law to be based on factors legitimate to the matter under consideration, such as feasibility of controls.
- (7) Therefore, the isolated detection of residues of a substance below the MRPLs set by Decision 2002/657/EC should be construed as not of immediate concern but to be monitored by Member States and the MRPLs should be employed where they exist, as the reference point for action to ensure a harmonised implementation of Directive 97/78/EC.

<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).

<sup>(2)</sup> OJ L 125, 23.5.1996, p. 10. Directive as last amended by Regulation (EC) No 882/2004.

<sup>(3)</sup> OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 2232/2004 (OJ L 379, 24.12.2004, p. 71).

<sup>(4)</sup> OJ L 221, 17.8.2002, p. 8. Decision as last amended by Decision 2004/25/EC (OJ L 6, 10.1.2004, p. 38).

<sup>(5)</sup> OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4).

<sup>(6)</sup> Available on [ftp://ftp.fao.org/codex/alnorm03/Al03\\_33e.pdf](ftp://ftp.fao.org/codex/alnorm03/Al03_33e.pdf)

- (8) Where the results of analytical tests indicate the presence of residues of a substance for which MRPLs have been established in accordance with Decision 2002/657/EC, and pending the implementation of Regulation (EC) No 882/2004 on 1 January 2006, it is appropriate to clarify the action to be taken, taking into consideration the seriousness of the threat which the consignment may represent to human health, and the provisions laid down in Directives 96/23/EC and 97/78/EC and in Regulation (EC) No 178/2002.
- (9) Member States should in particular monitor the import situation for any evidence of a recurrent problem, since such a finding could suggest a pattern of misuse of a particular substance, or a disregard for guarantees provided by third countries concerning the production of food intended for import into the Community. Member States should notify the Commission of recurring problems.
- (10) The measures provided for by this Decision are in conformity with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

#### Article 1

##### Scope of the Decision

1. This Decision lays down the reference points for action for residues of substances for which MRPLs have been established in accordance with Decision 2002/657/EC when analytical tests carried out pursuant to Directive 97/78/EC on imported consignments of products of animal origin confirm the presence of such residues, and the action to be undertaken after such confirmation.
2. This Decision applies whether analytical tests are carried out routinely, under reinforced checks procedures or under a safeguard measure on consignments of products of animal origin imported from third countries.

#### Article 2

##### Reference points for action

For the purpose of control of residues of certain substances whose use is prohibited or not authorised in the Community, the minimum required performance limits (MRPLs) laid down in Annex II to Decision 2002/657/EC shall be used as reference points for action irrespective of the matrix tested.

#### Article 3

##### Action in case of confirmed presence of a prohibited or non-authorised substance

1. Where results of analytical tests are at or above the MRPLs laid down in Decision 2002/657/EC, the consignment concerned shall be considered non-compliant with Community legislation.
  2. Pending the application from 1 January 2006 of Articles 19 to 22 of Regulation (EC) No 882/2004, the competent authorities of the Member States shall place under official detention non-compliant consignments from third countries, and having heard the food business operators responsible for the consignment, shall take the following measures:
    - (a) order that such consignments be destroyed or re-dispatched outside the Community in accordance with paragraph 3;
    - (b) if the consignments have already been placed on the market, recall the consignments before taking one of the measures referred to above.
  3. The competent authorities shall allow re-dispatch of consignments only if:
    - (a) the destination has been agreed with the feed or food business operator responsible for the consignment; and
    - (b) the food business operator has first informed the competent authority of the third country of origin or third country of destination, if different, of the reasons and circumstances preventing the placing on the market of the consignments concerned within the Community; and
    - (c) when the third country of destination is not the third country of origin, the competent authority of the third country of destination has notified the competent authority of its preparedness to accept the consignments.
  4. Without prejudice to the national rules of Member States concerning the review of administrative decisions, a re-dispatch shall take place no more than 60 days after the day on which the competent authority decided on the destination of the consignment, unless legal action has been undertaken. If, after the expiry of the 60-day period, re-dispatch does not take place, the consignment shall be destroyed, unless the competent authority is satisfied that a delay is justified.

5. Where the results of analytical tests on products are below the MRPLs laid down in Decision 2002/657/EC, the products will not be prohibited from entering the food chain. The competent authority shall retain a record of the findings in case of recurrence. Where the results of analytical tests on products from the same origin show a recurrent pattern indicating a potential problem related to one or several prohibited or unauthorised substances, including for instance the recording of four or more confirmed results below the reference points for action for the same substance in imports from a particular origin within a period of six months, the competent authority shall inform the Commission and the other Member States in the Standing Committee on the Food Chain and Animal Health. The Commission shall bring the matter to the attention of the competent authority of the country or countries of origin and shall make appropriate proposals.

6. The feed or food business operator responsible for the consignment or its representative shall be liable for the costs

incurred by competent authorities for the activities referred to in paragraph 1 to 4 of this Article.

*Article 4*

This Decision shall apply from 19 February 2005.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 11 January 2005.

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

---