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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 254/2005
of 15 February 2005
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 February 2005.

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

Done at Brussels, 15 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 15 February 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	128,5
	204	86,4
	624	230,6
	628	104,0
	999	137,4
0707 00 05	052	184,8
	068	111,6
	204	95,7
	999	130,7
0709 10 00	220	39,4
	999	39,4
0709 90 70	052	195,6
	204	233,7
	999	214,7
0805 10 20	052	41,7
	204	47,4
	212	46,1
	220	38,1
	448	35,8
	624	49,2
	999	43,1
0805 20 10	204	87,5
	624	75,1
	999	81,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	55,7
	204	89,7
	400	77,8
	464	47,5
	624	67,4
	662	53,5
	999	65,3
0805 50 10	052	50,4
	999	50,4
0808 10 80	400	87,0
	404	86,6
	528	87,5
	720	59,0
	999	80,0
0808 20 50	388	76,3
	400	88,4
	512	70,8
	528	76,1
	720	55,6
	999	73,4

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

COMMISSION REGULATION (EC) No 255/2005
of 15 February 2005
concerning the permanent authorisations of certain additives in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, and in particular Articles 3 and 9d(1) thereof,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽²⁾, and in particular Article 25 thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition in the European Union.
- (2) Article 25 of Regulation (EC) No 1831/2003 lays down the transitional measures for applications for authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of that Regulation.
- (3) The applications for authorisation of additives listed in the annexes to this Regulation were submitted before the date of application of Regulation (EC) No 1831/2003.
- (4) Initial comments by Member States on these applications were issued under Article 4(4) of Directive 70/524/EEC have been forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Such applications therefore shall continue to be treated in accordance with Article 4 of Directive 70/524/EEC.
- (5) The use of the micro-organism preparation of *Bacillus cereus* var. *toyoi* (NCIMB 40112/CNCM I-1012) was provisionally authorised, for the first time, for cattle for fattening by Commission Regulation (EC) No 1411/1999⁽³⁾.

- (6) The use of the micro-organism preparation of *Enterococcus faecium* (DSM 10663/NCIMB 10415) was provisionally authorised, for the first time, for calves by Commission Regulation (EC) No 1636/1999⁽⁴⁾.
- (7) New data were submitted in support of these applications for authorisation without a time limit of those two micro-organism preparations specified in Annex I to this Regulation. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied.
- (8) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by *Aspergillus niger* (NRRL 25541) was provisionally authorised, for the first time, for laying hens, by Commission Regulation (EC) No 1436/98⁽⁵⁾.
- (9) New data were submitted in support of the application for authorisation without a time limit of this enzyme preparation.
- (10) The European Food Safety Authority (EFSA) delivered an opinion dated on 14 September 2004 about the efficacy of the use of this preparation for laying hens.
- (11) The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied.
- (12) The use of the enzyme preparation of 6-phytase produced by *Aspergillus oryzae* (DSM 11857) was provisionally authorised, for the first time, for chickens for fattening, laying hens, turkeys for fattening, piglets and pigs for fattening by Commission Regulation (EC) No 1353/2000⁽⁶⁾, and for sows by Commission Regulation (EC) No 261/2003⁽⁷⁾. The use of this enzyme preparation was authorised without a time limit for these animal categories by Commission Regulation (EC) No 1465/2004⁽⁸⁾.

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

⁽²⁾ OJ L 268, 18.10.2003, p. 29.

⁽³⁾ OJ L 164, 30.6.1999, p. 56.

⁽⁴⁾ OJ L 194, 27.7.1999, p. 17.

⁽⁵⁾ OJ L 191, 7.7.1998, p. 15.

⁽⁶⁾ OJ L 155, 28.6.2000, p. 15.

⁽⁷⁾ OJ L 37, 13.2.2003, p. 12.

⁽⁸⁾ OJ L 270, 18.8.2004, p. 11.

- (13) New data were submitted in support of the application for authorisation without a time limit of a preparation of the same enzyme preparation produced by the strain DSM 14223 of *Aspergillus oryzae* for the same animal categories.
- (14) The European Food Safety Authority (EFSA) has delivered an opinion on the use of this preparation when produced from *Aspergillus oryzae* strain DSM 14223 instead of strain DSM 11857 which concludes that this preparation does not present a risk to human health, the animal categories specified or the environment, under the conditions set out in the Annex II to this Regulation.
- (15) The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for an authorisation without a time limit of such preparation have been satisfied.
- (16) The use of the enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 270.95) was provisionally authorised, for the first time, for chickens for fattening, by Commission Regulation (EC) No 1436/98 and, for turkeys for fattening, by Commission Regulation (EC) No 654/2000⁽¹⁾.
- (17) New data were submitted in support of the application for authorisation without a time limit of this enzyme preparation.
- (18) The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied.
- (19) Accordingly, the use of those three enzyme preparations as specified in Annex II, should be authorised without a time limit.
- (20) The assessment of these applications shows that certain procedures should be required to protect workers from exposure to the additives set out in the Annexes. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽²⁾.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparations belonging to the group 'Micro-organisms' are authorised for use without a time limit as additives in animal nutrition under the conditions laid down in Annex I.

Article 2

The preparations belonging to the group 'Enzymes' are authorised for use without a time limit as additives in animal nutrition under the conditions laid down in Annex II.

Article 3

This Regulation shall enter into force on the third 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, 15 February 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 79, 30.3.2000, p. 26.

⁽²⁾ OJ L 183, 29.6.1989, p. 1.

ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedstuff	CFU/kg of complete feedstuff			
Micro-organisms									
E 1701	<i>Bacillus cereus</i> var. <i>Toyo</i> NCIMB 40112/CNCM I-1012	Preparation of <i>Bacillus cereus</i> var. <i>Toyo</i> containing a minimum of: 1×10^{10} CFU/g additive	Cattle for fattening	—	$0,2 \times 10^9$	$0,2 \times 10^9$	$0,2 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. The quantity of <i>Bacillus cereus</i> var. <i>Toyo</i> in the daily ration must not exceed 1×10^9 CFU for 100 kg body weight. Add $0,2 \times 10^9$ CFU for each additional 100 kg of body weight.	Without a time limit
E 1707	<i>Enterococcus faecium</i> DSM 10663/NCIMB 10415	Preparation of <i>Enterococcus faecium</i> containing a minimum of: Powder and granulated form: $3,5 \times 10^{10}$ CFU/g additive Coated form: $2,0 \times 10^{10}$ CFU/g additive Liquid form: 1×10^{10} CFU/ml additive	Calves	6 months	1×10^9	1×10^9	1×10^{10}	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.	Without a time limit

ANNEX II

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff				
Enzymes									
E 1601	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by <i>Aspergillus niger</i> (NRRL 25541) having a minimum activity of: Endo-1,3(4)-beta-glucanase: 1 100 U ⁽¹⁾ /g Endo-1,4-beta-xylanase: 1 600 U ⁽²⁾ /g	Laying hens	—	endo-1,3(4)-beta-glucanase: 138 U endo-1,4-beta-xylanase: 200 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedingsstuff: endo-1,3(4)-beta-glucanase: 138 U endo-1,4-beta-xylanase: 200 U. 3. For use in compound feeds rich in non-starch polysaccharides (mainly arabinoxylans and beta-glucans), for example mixed diets containing cereals (e.g. barley, wheat, rye, triticale).	Without a time limit	
	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of 6-phytase produced by <i>Aspergillus oryzae</i> (DSM 14223) having a minimum activity of: Solid form: 5 000 FYT ⁽³⁾ /g Liquid form: 20 000 FYT/ml	Chickens for fattening	—	250 FYT	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 500-1 000 FYT. 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus.	Without a time limit	

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff				
			Laying hens	—	300 FYT	—		<ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedingsstuff: 450-1 000 FYT. For use in compound feed containing more than 0,25 % phytin bound phosphorus. 	Without a time limit
			Turkeys for fattening	—	250 FYT	—		<ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedingsstuff: 500-1 000 FYT. For use in compound feed containing more than 0,25 % phytin bound phosphorus. 	Without a time limit
			Piglets	—	250 FYT	—		<ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedingsstuff: 500-1 000 FYT. For use in compound feed containing more than 0,25 % phytin bound phosphorus. For use in weaned piglets until approximately 35 kg. 	Without a time limit

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff				
			Pigs for fattening	—	250 FYT	—		<p>1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.</p> <p>2. Recommended dose per kg of complete feedingsstuff: 500-1 000 FYT.</p> <p>3. For use in compound feed containing more than 0,25 % phytin bound phosphorus.</p>	Without a time limit
			Sows	—	750 FYT	—		<p>1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.</p> <p>2. Recommended dose per kg of complete feedingsstuff: 750-1 000 FYT.</p> <p>3. For use in compound feed containing more than 0,25 % phytin bound phosphorus.</p>	Without a time limit

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff				
E 1618	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Aspergillus niger</i> (CBS 270.95) having a minimum activity of: Solid form: 28 000 EXU ⁽⁴⁾ /g Liquid form: 14 000 EXU/ml	Chickens for fattening	—	2 800 EXU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kg complete feedingsstuff: 2 800-5 600 EXU. 3. For the use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans) e. g. containing more than 50 % wheat.	Without a time limit	
			Turkeys for fattening	—	5 600 EXU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg complete feedingsstuff: 5 600 EXU 3. For the use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans) e.g. containing more than 30 % wheat and 30 % rye.	Without a time limit	

(1) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from oat beta-glucan per minute at pH 4,0 and 30 °C.

(2) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat xylan per minute at pH 4,0 and 30 °C.

(3) 1 FYT is the amount of enzyme which liberates 1 micromole of inorganic phosphate per minute from sodium phytate at pH 5,5 and 37 °C.

(4) 1 EXU is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from arabinoxylan per minute at pH 3,5 and 55 °C.

COMMISSION REGULATION (EC) No 256/2005**of 15 February 2005****fixing the import duties in the cereals sector applicable from 16 February 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 February 2005.

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

Done at Brussels, 15 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

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

ANNEX I

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

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	5,92
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	38,70
1005 10 90	Maize seed other than hybrid	59,51
1005 90 00	Maize other than seed ⁽²⁾	59,51
1007 00 90	Grain sorghum other than hybrids for sowing	38,70

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

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

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

ANNEX II

Factors for calculating duties

period from 1.2.2005-14.2.2005

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

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	110,84 (***)	59,98	155,96	145,96	125,96	93,18
Gulf premium (EUR/t)	47,52	12,39	—			—
Great Lakes premium (EUR/t)	—	—	—			—

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

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

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

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

Freight/cost: Gulf of Mexico–Rotterdam: 28,00 EUR/t; Great Lakes–Rotterdam: — EUR/t.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 December 2004

fixing the financial contribution from the Community towards the operational costs for the eradication of foot-and-mouth disease in the United Kingdom in 2001

(notified under document number C(2004) 5460)

(Only the English text is authentic)

(2005/130/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 3(3) and Article 11 thereof,

Whereas:

(1) An outbreak of foot-and-mouth disease occurred in the United Kingdom in 2001. The emergence of this disease represented a serious risk to the Community's livestock population.

(2) Under Commission Decisions 2001/654/EC⁽²⁾ and 2003/23/EC⁽³⁾, a Community financial contribution was granted towards the compensation of owners for value of animals compulsorily slaughtered under eradication measures relating to outbreaks of foot-and-mouth disease in 2001.

(3) Under Commission Decision 2003/676/EC⁽⁴⁾ an additional financial contribution by the Community to the operational and other costs for the eradication of foot-and-mouth disease in the United Kingdom in 2001 was authorised.

(4) Pursuant to Article 1 of this latter Decision an advance payment of EUR 40 million to the additional financial contribution has been made.

(5) According to this same Decision, the balance of the financial contribution by the Community was to be based on the claim submitted by the United Kingdom on 27 February 2003, on detailed documents confirming the figures in the claim, and on the results of the on-the-spot checks by the Commission.

(6) Having taken into account the abovementioned elements, the financial contribution from the Community towards the operational costs for the eradication of foot-and-mouth disease in the United Kingdom in 2001 should now be fixed.

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

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Directive 2003/99/EC of the European Parliament and of the Council (OJ L 325, 12.12.2003, p. 31).

⁽²⁾ OJ L 230, 28.8.2001, p. 16.

⁽³⁾ OJ L 8, 14.1.2003, p. 41.

⁽⁴⁾ OJ L 249, 1.10.2003, p. 45.

HAS DECIDED AS FOLLOWS:

Article 2

Article 1

The additional financial contribution by the Community towards the operational and other costs of the eradication of foot-and-mouth disease in the United Kingdom in 2001 covered by Decision 2003/676/EC is fixed at EUR 156 972 555.

Having regard to the already paid advance of EUR 40 million, a balance of EUR 116 972 555 shall be paid as soon as the necessary credits are made available.

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 30 December 2004.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION DECISION

of 7 February 2005

as regards Community financial aid for the year 2005, to certain Community reference laboratories in the veterinary public health field of biological risks

(notified under document number C(2005) 262)

(Only the Spanish, French, Dutch and English texts are authentic)

(2005/131/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, and in particular Article 28(2) thereof,

Whereas

(1) Decision 90/424/EEC provides that the Community is to contribute towards improving the efficiency of veterinary inspections by granting financial aid to reference laboratories. Any reference laboratory designated as such, in accordance with Community veterinary legislation may receive Community aid, subject to certain conditions.

(2) Commission Regulation (EC) No 156/2004 of 29 January 2004 on the Community's financial assistance to the Community reference laboratories pursuant to Article 28 of Decision 90/424/EEC⁽²⁾ provides that the financial contribution from the Community is to be granted if the approved work programmes are efficiently carried out and that the beneficiaries supply all the necessary information within certain time limits.

(3) The Commission has assessed the work programmes and corresponding budget estimates submitted by the Community reference laboratories for the year 2005.

(4) Accordingly, Community financial aid should be granted to the Community reference laboratories designated to carry out the functions and duties provided for in 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⁽³⁾, Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins⁽⁴⁾, Council Decision 1999/313/EC of 29 April 1999 on reference laboratories for monitoring bacteriological and viral contamination of bivalve molluscs⁽⁵⁾, 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⁽⁶⁾, and Commission Decision 2004/564/EC of 20 July 2004 concerning Community reference laboratories for the epidemiology of zoonoses and for salmonella and national reference laboratories for salmonella⁽⁷⁾.

(5) In addition to the financial aid from the Community, further aid should also be granted for the organisation of workshops in areas falling under the responsibility of the Community reference laboratories.

(6) Regulation (EC) No 156/2004 lays down eligibility rules for the workshops organised by the Community reference laboratories. It also limits the financial assistance to a maximum of 30 participants in workshops. Derogations to that limitation should be provided to one Community reference laboratory that needs support for attendance by more than 30 participants in order to achieve the best outcome of its workshops.

(7) Sound financial management requires that recurring difficulties which have occurred in the operation of one Community reference laboratory be taken into account when providing the Community financial aid to that laboratory, which should be audited in the course of the year to further verify compliance with the functions, duties and eligibility conditions laid down by Community rules.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Directive 2003/99/EC of the of the European Parliament and of the Council (OJ L 325, 12.12.2003, p. 31).

⁽²⁾ OJ L 27, 30.1.2004, p. 5.

⁽³⁾ 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).

⁽⁴⁾ OJ L 166, 8.7.1993, p. 31. Decision as last amended by the 2003 Act of Accession.

⁽⁵⁾ OJ L 120, 8.5.1999, p. 40.

⁽⁶⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 36/2005 (OJ L 10, 13.1.2005, p. 9).

⁽⁷⁾ OJ L 251, 27.7.2004, p. 14.

- (8) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy⁽¹⁾, the veterinary and plant health measures undertaken in accordance with Community rules are financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (9) 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

Financial aid to Spain for the functions and duties under Decision 93/383/EEC

1. The Community grants financial aid to Spain for the functions and duties provided for in Article 4 of Decision 93/383/EEC, to be carried out by the Laboratorio de Biotoxinas Marinas Area de Sanidad, Vigo, Spain, for the monitoring of marine biotoxins.

For the period from 1 January 2005 to 31 December 2005, that financial aid shall not exceed EUR 201 000.

2. In addition to the maximum amount provided for in paragraph 1, the Community grants financial aid to Spain for the organisation of a workshop by the laboratory referred to in paragraph 1. That aid shall not exceed EUR 30 000.

3. A technical and financial audit of the laboratory referred to in paragraph 1 shall be performed by the Commission before 30 June 2005.

Article 2

Financial aid to France for the functions and duties under Directive 92/46/EEC

1. The Community grants financial aid to France for the functions and duties provided for in Chapter II of Annex D to Directive 92/46/EEC, to be carried out by the Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agro-alimentaires, of the Agence française de sécurité sanitaire des aliments (formerly the Laboratoire d'études et de recherches sur l'hygiène et la qualité des aliments), Maisons-Alfort, France, for the analysis and testing of milk and milk products.

For the period from 1 January 2005 to 31 December 2005, that financial aid shall not exceed EUR 200 000.

2. In addition to the maximum amount provided for in paragraph 1, the Community grants financial aid to France for the organisation of a workshop by the laboratory referred to in paragraph 1. That aid shall not exceed EUR 27 000.

Article 3

Financial aid to the Netherlands for the functions and duties under Decision 2004/564/EC

1. The Community grants financial aid to the Netherlands for the functions and duties provided for in Decision 2004/564/EC, to be carried out by the Rijksinstituut voor Volksgezondheid en Milieu, Bilthoven, Netherlands, in respect of salmonella.

For the period from 1 January 2005 to 31 December 2005, that financial aid shall not exceed EUR 270 000.

2. In addition to the maximum amount provided for in paragraph 1, the Community grants financial aid to the Netherlands for the organisation of a workshop by the laboratory referred to in paragraph 1. That aid shall not exceed EUR 28 000.

Article 4

Financial aid to the United Kingdom for the functions and duties under Decision 1999/313/EC

1. The Community grants financial aid to the United Kingdom for the functions and duties provided for in Article 4 of Decision 1999/313/EC, to be carried out by the laboratory of the Centre for Environment, Fisheries and Aquaculture Science, Weymouth, United Kingdom, for the monitoring of viral and bacteriological contamination of bivalve molluscs.

For the period from 1 January 2005 to 31 December 2005, that financial aid shall not exceed EUR 248 000.

2. In addition to the maximum amount provided for in paragraph 1, the Community grants financial aid to the United Kingdom for the organisation of a workshop by the laboratory referred to in paragraph 1. That aid shall not exceed EUR 30 000.

Article 5

Financial aid to the United Kingdom for the functions and duties under Regulation (EC) No 999/2001

1. The Community grants financial aid to the United Kingdom for the functions and duties provided in Chapter B of Annex X to Regulation (EC) No 999/2001, to be carried out by the Veterinary Laboratories Agency, Addlestone, United Kingdom, for the monitoring of transmissible spongiform encephalopathies.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

For the period from 1 January 2005 to 31 December 2005, that financial aid shall not exceed EUR 500 000.

2. In addition to the maximum amount provided for in paragraph 1, the Community grants financial aid to the United Kingdom for the organisation of a workshop by the laboratory referred to in paragraph 1. That aid shall not exceed EUR 70 500.

3. By way of derogation from Article 4(1) of Regulation (EC) No 156/2004, the laboratory referred to in paragraph 1 shall be entitled to claim financial assistance for attendance by a maximum of 50 participants at one of its workshops referred to in paragraph 2 of this Article.

Article 6

Addresses

This Decision is addressed to the Kingdom of Spain, the French Republic, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 7 February 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

CORRIGENDA

Corrigendum to Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC

(Official Journal of the European Union L 145 of 30 April 2004)

On page 29, in Article 40(5), in the sixth line, after 'Directive 2003/71/EC of the European Parliament and of the Council of ...' the following date shall be inserted:

'4 November 2003';

and footnote 1 shall read as follows:

'⁽¹⁾ OJ L 345, 31.12.2003, p. 64.'

On page 38, in Article 65, the following dates shall be inserted in the relevant paragraphs as follows:

- paragraph 1: '30 April 2006',
- paragraph 2: '30 April 2007',
- paragraph 3: '30 October 2006',
- paragraph 4: '30 October 2006',
- paragraph 6: '30 April 2005'.

and footnotes (*), (**), (***) and (****) shall be deleted.

On page 38, in Article 66, and on page 39, in Article 67(1) and Article 68:

— the Directive with incomplete references shall read as follows:

'Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments (*).'

— footnote 1 is deleted and footnote (*) shall read as follows:

'(*) OJ L 145, 30.4.2004, p. 1.'

On page 39, in Article 69, on page 40, in the first subparagraph of Article 70, and in Article 71(1), (2), (3) and (4), the following date shall be inserted:

'30 April 2006',

and footnote (*) shall be deleted.

On page 40, in Article 71(5), sixth line:

for: '...', and provided that the request concerned is made within 18 months of the date referred to in Article 70.',

read: '...', and provided that the request concerned is made before 30 October 2007.'
