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Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 342/2005
of 28 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 1 March 2005.

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

Done at Brussels, 28 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 28 February 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	113,3
	204	63,7
	212	157,6
	624	152,4
	999	121,8
0707 00 05	052	173,3
	068	152,0
	204	116,1
	220	230,6
	999	168,0
0709 10 00	220	36,6
	999	36,6
0709 90 70	052	176,0
	204	166,7
	999	171,4
0805 10 20	052	51,9
	204	48,7
	212	51,5
	220	42,3
	421	41,3
	624	63,8
0805 50 10	999	49,9
0805 50 10	052	52,6
	999	52,6
0808 10 80		
	400	113,1
	404	96,0
	512	104,8
	524	56,8
	528	87,2
	720	56,4
0808 20 50	999	85,7
	388	76,0
	400	95,2
	512	49,0
0808 20 50	528	65,3
	999	71,4

⁽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 343/2005**of 28 February 2005****fixing the export refunds on malt**

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⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾.
- (3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(1)(c) of Regulation (EC) No 1784/2003 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

to the Commission Regulation of 28 February 2005 fixing the export refunds on malt

Product code	Destination	Unit of measurement	Amount of refunds
1107 10 19 9000	A00	EUR/t	0,00
1107 10 99 9000	A00	EUR/t	0,00
1107 20 00 9000	A00	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 344/2005**of 28 February 2005****fixing the corrective amount applicable to the refund on malt**

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 organization of the market in cereals⁽¹⁾, and in particular Article 15(2),

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾ allows for the fixing of a corrective amount for the malt referred

to in Article 1(1)(c) of Regulation (EEC) No 1766/92⁽³⁾. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 15(3) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

⁽³⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

ANNEX

to the Commission Regulation of 28 February 2005 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

(EUR/t)

Product code	Destination	6th period 9	7th period 10	8th period 11	9th period 12	10th period 1	11th period 2
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 345/2005
of 28 February 2005
amending the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 333/2005⁽²⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1784/2003 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 53, 26.2.2005, p. 18.

ANNEX

to the Commission Regulation of 28 February 2005 fixing the corrective amount applicable to the refund on cereals

(EUR/t)								
Product code	Destination	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	A00	0	0	0	0	0	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	-0,46	-0,92	-0,92	-10,00	—	—
1002 00 00 9000	A00	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	C02	0	-0,46	-0,92	-0,92	-20,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	C03	0	-0,46	-0,92	-0,92	-40,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-0,63	-1,26	-1,26	-15,00	—	—
1101 00 15 9130	C01	0	-0,59	-1,18	-1,18	-15,00	—	—
1101 00 15 9150	C01	0	-0,54	-1,09	-1,09	-15,00	—	—
1101 00 15 9170	C01	0	-0,50	-1,00	-1,00	-15,00	—	—
1101 00 15 9180	C01	0	-0,47	-0,94	-0,94	-15,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended. The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

C01: All third countries with the exception of Albania, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

C02: Algeria, Saudi Arabia, Bahrain, Egypt, United Arab Emirates, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Lybia, Morocco, Mauritania, Oman, Qatar, Syria, Tunisia and Yemen.

C03: All third countries with the exception of Bulgaria, Norway, Romania, Switzerland and Lichtenstein.

COMMISSION REGULATION (EC) No 346/2005
of 28 February 2005
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned

cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 19,129 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 347/2005**of 28 February 2005****fixing the production refund for olive oil used in the manufacture of certain preserved foods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats⁽¹⁾, and in particular Article 20a thereof,

Whereas:

- (1) Article 20a of Regulation No 136/66/EEC provides for the granting of a production refund for olive oil used in the preserving industry. Pursuant to paragraph 6 of that Article, and without prejudice to paragraph 3 thereof, the Commission shall fix this refund every two months.
- (2) By virtue of Article 20a(2) of the abovementioned Regulation, the production refund must be fixed on the basis of the gap between prices on the world market and on the Community market, taking account of the import charge applicable to olive oil falling within CN subheading 1509 90 00 and the factors used for fixing

the export refunds for those olive oils during the reference period. It is appropriate to take as a reference period the two-month period preceding the beginning of the term of validity of the production refund.

- (3) The application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of March and April 2005, the amount of the production refund referred to in Article 20a(2) of Regulation No 136/66/EEC shall be 44,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ 172, 30.9.1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 865/2004 (OJ L 161, 30.4.2004, p. 97).

COMMISSION REGULATION (EC) No 348/2005**of 28 February 2005****derogating from Regulation (EC) No 174/1999 as regards the term of validity of export licences
with advance fixing of the refund in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(14) thereof,

Whereas:

- (1) Article 6 of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽²⁾ lays down the terms of validity of export licences.
- (2) The reductions of the intervention prices for butter and skimmed milk powder as from 1 July 2005 are likely to lead to lower prices on the market for dairy products in the marketing year 2005/2006.
- (3) As a precautionary measure, with a view to protect the Community budget from unnecessary expenditures and

to avoid a speculative application of the export refund regime in the dairy sector, the validity of export licences with advance fixing of the refund should be limited until 30 June 2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 6 of Regulation (EC) No 174/1999, export licences with advance fixing of the refund in respect of the products referred to in points (a) to (d) of that Article for which the applications are submitted as from the date of entry into force of the present Regulation shall be valid until 30 June 2005.

Article 2

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

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

Done at Brussels, 28 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 349/2005**of 28 February 2005****laying down rules on the Community financing of emergency measures and of the campaign to combat certain animal diseases under Council Decision 90/424/EEC**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy⁽¹⁾, and in particular Article 3(4) thereof,

Whereas:

(1) Articles 3, 4, 6 and 11 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽²⁾ provide for Member States to benefit, subject to compliance with certain rules, from a Community financial contribution for the eradication of diseases, in the situations described in those Articles.

(2) In accordance with Article 6(3) and Article 11(5) of Decision 90/424/EEC, decisions relating to such financial contributions must set out the eligible costs, and Articles 4 and 11 refer to the provisions, particularly the procedural provisions, of Article 3.

(3) By virtue of Article 40a of Decision 90/424/EEC, expenditure subject to funding under the terms of that Decision is managed directly by the Commission, in accordance with Article 148 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽³⁾.

(4) However, Regulation (EC) No 1258/1999 does not include any rules on the management of such appropriations. Furthermore, Decision 90/424/EEC lays down eligibility conditions for Community financial contributions. Those conditions need to be clarified.

(5) With a view to achieving simplification and transparency in the financial management of these appropriations, ensuring equal treatment for Member States and avoiding the risk of overvaluing animals or products eligible for compensation, it would appear appropriate to provide detailed clarifications and to lay down rules

applicable to requests for reimbursement submitted by Member States, especially with regard to the period within which payment should be made to the owner of the animals or products, and the amounts eligible for Community financial support.

(6) In order to ensure sound financial management, rapid information on disease management is needed, and in particular regular estimates of the expenditure incurred by Member States.

(7) Under Article 3(2) of Regulation (EC) No 1258/1999, veterinary and plant health measures undertaken in accordance with Community rules must be financed by the Guarantee section of the European Agricultural Guidance and Guarantee Fund. Articles 8 and 9 of that Regulation apply for the purposes of financial control.

(8) In view of the special characteristics of equidae breeding and their consequences for the management of equidae diseases, it is necessary to exclude equidae from the scope of this Regulation, without prejudice to the provisions of Decision 90/424/EEC.

(9) It is necessary to specify the rate to be applied when converting requests for reimbursement submitted in national currencies within the meaning of Article 1(d) of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro⁽⁴⁾.

(10) The rules for the conduct of financial audits need to be specified.

(11) The Commission should have the possibility of adjusting the deadlines and reduction rates for eligible expenditure contained in this Regulation, where well-founded justifications are put forward by Member States, especially in connection with the adaptation of administrative provisions.

(12) The measures provided for in this Decision are in accordance with the opinion of the Committee of the European Agricultural Guidance and Guarantee Fund,

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽³⁾ OJ L 248, 16.9.2002, p. 1.

⁽⁴⁾ OJ L 349, 24.12.1998, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation applies to Community financial contributions granted to Member States in respect of eligible expenditure as defined in Articles 3, 4 and 5, for disease eradication measures in the situations referred to in Article 3(1) of Decision 90/424/EEC, with the exception of equidae diseases, and also in Article 4(1) and (2), Article 6(2), and Article 11(1) of that Decision.

2. Without prejudice to the adoption of additional eligibility criteria which may be laid down by decisions under Articles 3(4), 6(2) and (3) and 11(4) of Decision 90/424/EEC (hereinafter referred to as 'specific decisions'), application of this Regulation may be extended, through such decisions, to the financing of measures other than those referred to in paragraph 1 of this Article, and in particular:

(a) to compensation for losses referred to in point (a)(v) of Article 11(4) of Decision 90/424/EEC in the event of vaccination; and

(b) to operational expenditure associated with the measures referred to in Articles 3(2a) and 6(2) of Decision 90/424/EEC.

3. This Regulation shall not prejudice the principle that the eligibility of expenditure, incurred and covered by Member States, for a Community financial contribution is subject to compliance with Community rules.

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(a) 'swift and adequate compensation': payment, within 90 days of the slaughter of the animals, of compensation corresponding to the market value of the animals;

(b) 'market value': the price which the owner would normally have been able to obtain for the animal immediately before it became infected or was slaughtered, taking account of its fitness, quality and age;

(c) 'reasonable expenditure': costs incurred in purchasing equipment or services at prices that are disproportionate to the market value before diagnosis of the disease;

(d) 'necessary expenditure': costs incurred in purchasing equipment or services as referred to in Article 3(2) of Decision 90/424/EEC, or in points (a)(i) to (iv) and point (b) of Article 11(4) thereof, where their nature and direct link with eligible expenditure as defined in Article 3 of this Regulation have been shown;

(e) 'compulsory slaughter': compulsory slaughter in declared areas and preventive slaughter if explicitly ordered and carried out owing to a specific health risk (as a result of contact, adjacent location, suspicion or suppressive vaccination).

The definitions in points (a) to (d) shall also apply in the event of compulsory destruction of eggs.

Article 3

Expenditure eligible for Community financial support

Member States shall benefit from Community financial support in respect of the following:

(a) swift and adequate compensation to owners forced to slaughter their animals or, where applicable, to destroy eggs, in accordance with the first and seventh indents of Article 3(2) of Decision 90/424/EEC and point (a)(i) of Article 11(4) thereof;

(b) operational expenditure paid out in connection with the compulsory slaughter and destruction of animals and contaminated products, cleaning and disinfecting of buildings, and cleaning and disinfecting or, where necessary, destruction of contaminated equipment, in accordance with the first, second and third indents of Article 3(2), and points (a)(i) to (a)(iv) and (b) of Article 11(4) of Decision 90/424/EEC;

(c) expenditure paid out in connection with other measures capable of adoption in the context of, and in accordance with, the conditions laid down in specific decisions relating to the Community financial contribution to such measures, and in particular expenditure on any vaccination measures.

*Article 4***Calculation of the maximum eligible compensation per animal**

1. The unit value per animal or product taken into account in calculating Community financial support shall be restricted to an average unit value calculated on the basis of the total amount of compensation for the animals or products concerned, divided by the number of corresponding animals or products. The amount shall not exceed:

- (a) EUR 900 per bovine animal slaughtered;
- (b) EUR 125 per pig slaughtered;
- (c) EUR 100 per sheep or goat slaughtered;
- (d) EUR 2,20 per laying hen slaughtered; EUR 1,20 per broiler hen slaughtered;
- (e) EUR 0,20 per hatching egg destroyed; EUR 0,04 per table egg destroyed.

Where the average unit value calculated exceeds the maximum amounts stipulated in the first subparagraph, and where it is justified to do so on the basis of the market values communicated by Member States pursuant to Article 6(1) and the observations made in connection with the audits referred to in Article 10, the Commission shall take the calculated value as the basis for calculating the Community contribution.

2. The maximum amounts laid down in paragraph 1 shall be updated and supplemented by the Commission in respect of all or some of the animal categories or products, in order to take account of market trends and the inflation rate.

*Article 5***Calculation of Community support for operational expenditure**

1. Community financial support for the expenditure referred to in Article 3(b) and (c) shall cover only necessary and reasonable expenditure relating to the eligible items of expenditure set out in Annex I.

2. Calculation of the amount of Community financial support shall exclude expenditure presented by the Member State, and in particular:

- (a) value added tax and other taxes;
- (b) salaries of civil servants or public employees;

(c) expenditure arising from the use of public equipment, in particular means of transport, with the exception of consumables;

(d) compensation for non-compulsory slaughter;

(e) compensation paid in addition to other Community support, such as slaughter premiums, in contravention of Community rules;

(f) compensation linked to the destruction or renovation of farm buildings, infrastructure costs and costs linked to financial losses or unemployment associated with the presence of the disease or a ban on restocking.

*Article 6***Information required prior to the granting of Community financial support**

1. If one of the situations referred to in Article 1(1) is identified in the territory of a Member State, the Member State shall inform the Commission, within 30 days of official confirmation of the first outbreak, of the categories of animals or products concerned and the market values for each of those categories.

2. No later than two months after official confirmation of the first outbreak, and every two months thereafter, the Member State shall forward an electronic file in the format shown in Annex IIa containing the following core information on the cost of compensation: number of slaughtered animals per category; where applicable the number of eggs destroyed; and the total amount of compensation already granted for each category.

3. No later than three months after official confirmation of the first outbreak, and every two months thereafter, the Member State shall forward an electronic file in the format shown in Annex IIb containing the following core information on operational expenditure: amounts paid for slaughtered animals, transport and destruction of carcasses, eggs and milk, cleaning, disinfecting and disinsection of the holding, destruction of feedingstuffs and, where applicable, destruction of equipment.

*Article 7***Payment conditions and supporting documents**

1. The Community financial support referred to in Article 3 shall be paid on the basis of the following:

- (a) an official request for reimbursement, accompanied by a financial report in accordance with paragraph 2 of this Article;

- (b) the supporting documents listed in Annex V, showing the costs of the various measures for which a Community contribution is requested;
- (c) an epidemiological report on each holding where the animals have been slaughtered and destroyed;
- (d) the results of the audits referred to in Article 10, where applicable.

The supporting documents referred to in point (b), together with all relevant information, including commercial information, shall be made available to the Commission, on request, for on-the-spot audits which it has to carry out.

2. The 'adequate compensation' section of the financial report referred to in point (a) of paragraph 1 shall be submitted in the form of an electronic file in accordance with Annex III within 60 calendar days from the date of notification of the specific decision establishing financial support.

The 'operational expenditure' section of the financial report referred to in point (a) of paragraph 1 shall be submitted in the form of an electronic file in accordance with Annex IV within six months from the date of the last outbreak.

The Commission may extend the deadlines set out in the first and second subparagraphs where objective and well-founded justifications are put forward by Member States.

3. Member States shall, in accordance with national laws, regulations and administrative provisions, take the measures necessary to:

- (a) confirm the correctness and regularity of the operations financed for the purposes of disease eradication;
- (b) prevent and pursue irregularities;
- (c) recover sums lost as a result of irregularities or negligence;
- (d) provide swift and adequate compensation for owners referred to in point (a) of Article 3;
- (e) make advance arrangements for the use and public purchase of services and eligible equipment essential for crisis management, in particular for the slaughtering of animals, transport, destruction of carcasses, eggs and products, cleaning and disinfecting, in a manner which ensures the sound financial management of Member States' own expenditure.

Member States shall inform the Commission, at its request, of the measures adopted for these purposes.

4. Official requests for reimbursement shall in any event cite the status of national administrative and legal procedures relating to operations financed, in particular the cases still pending, and shall state the financial amounts concerned and the reasons for such procedures.

Article 8

Conversion rates

The conversion rate to be applied to reimbursement requests submitted in national currency within the meaning of point (d) of Article 1 of Regulation (EC) No 2799/98, in month 'n', shall be as on the 10th day of month 'n+1', or the closest preceding day for which a rate is available.

Article 9

Reductions in eligible expenditure

1. If the authorities concerned fail to comply with the deadlines laid down in Article 6, eligible expenditure may be reduced by up to 5 %, account being taken of the quality of the information collected and the extent of the declared epizootic disease.

2. Failure to meet the deadlines laid down in Article 7(2) shall result in a 25 % reduction in Community financial support per calendar month of delay.

3. Where the authorities concerned make compensation payments outside the period referred to in point (a) of Article 2, the following rules shall apply:

- (a) 25 % reduction in eligible expenditure for payments made between 91 and 105 days after the slaughter of animals and/or destruction of eggs;
- (b) 50 % reduction in eligible expenditure for payments made between 106 and 120 days after the slaughter of animals and/or destruction of eggs;
- (c) 75 % reduction in eligible expenditure for payments made between 121 and 135 days after the slaughter of animals and/or destruction of eggs;
- (d) 100 % reduction in eligible expenditure for payments made 135 days or more after the slaughter of animals and/or destruction of eggs.

However, the Commission may apply a different scale and/or lower, or zero, reduction rates where objective and well-founded justifications are put forward by Member States.

4. In the event of objections to the compensation on the part of recipients, the periods referred to in paragraph 3 shall be suspended in respect of the cases concerned.

Article 10

Audits

The Commission, acting in cooperation with the competent authorities, may carry out audits on the implementation of the measures referred to in Article 3 or Article 7(3) or the

eligibility of associated expenditure and on-the-spot audits in the Member State.

Audits may entail, *inter alia*, checks on documentation and verification of the consistency of financial files as regards prices, numbers, ages and weights of animals, laying date of eggs, recent invoices, registers of holdings, and removal and transport orders.

Article 11

Entry into force

This Regulation shall enter into force on the twentieth 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, 28 February 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

Eligible expenditure as referred to in Article 5(1)

1. Costs associated with the compulsory slaughter of animals:
 - (a) salaries and remunerations of personnel specifically employed for the slaughtering operation;
 - (b) consumables and specific equipment used for the slaughtering operation;
 - (c) purchases of services or hire of means of transport to take animals to the slaughtering location.
2. Costs associated with the destruction of carcasses and/or eggs:
 - (a) rendering: purchases of services or hire of means of transport to take carcasses and/or eggs to the rendering plant, processing of carcasses and/or eggs at the rendering plant, consumables and specific equipment used for the destruction of eggs, and destruction of meal;
 - (b) burial: personnel specifically employed, purchases of services or hire of means of transport and equipment for burying carcasses and/or eggs, and products used to disinfect the holding;
 - (c) incineration (where applicable on the spot): personnel specifically employed, fuel or other materials used, purchases of services or hire of means of transport for carcasses and/or eggs, and products used to disinfect the holding.
3. Costs associated with cleaning (*), disinfecting (*) and disinsectisation of holdings:
 - (a) products used for cleaning, disinfecting and disinsectisation;
 - (b) salaries and remunerations of personnel specifically employed.
4. Costs associated with the destruction of contaminated feedingstuffs (*) and/or milk (*):
 - (a) reimbursement of purchase price of feedingstuffs and/or milk;
 - (b) purchases of services or hire of means of transport and equipment for the destruction of feedingstuffs and/or milk.
5. Costs associated with the destruction of contaminated equipment, at market value (*).
6. In connection with vaccination, eligible expenditure may cover the salaries and fees of personnel specifically recruited, consumables and specific equipment used for vaccination and, where applicable, the purchase of the necessary vaccines for disease eradication by the Member State where the Community is not in a position to supply them.

(*) Not applicable in the case of bluetongue.

ANNEX IIa

Information required prior to the granting of Community financial support
(name of disease) (year) (Member State): compensation

Type of animal or product	Number	Compensation (in national currency)

ANNEX IIb

Information required prior to the granting of Community financial support
(name of disease) (year) (Member State): operational expenditure

Type of action	Amount (in national currency)
Slaughter	
Transport of:	
— carcasses
— eggs
— milk
Destruction of:	
— carcasses
— eggs
— milk
Destruction of feedingstuffs	
Destruction of equipment	
Cleaning	
Disinfecting/disinsectionisation	
Total	

ANNEX III

Request for contribution to compensation for the cost of animals compulsorily slaughtered and eggs compulsorily destroyed

[illegible][illegible]

(*) Specify cow category: dairy and/or beef.

[illegible][illegible]

[illegible][illegible][illegible][illegible]

[illegible]

[illegible]

ANNEX IV

Request for contribution to compensation for other costs

'Other costs' incurred, expressed in national currency, net of VAT (excluding compensation for the value of animals and/or eggs)						
Holding No	Type of action					
	Slaughter	Destruction of carcasses (transport and processing)	Destruction of eggs (transport and processing)	Cleaning and disinfecting/ disinsectisation (salaries and products)	Feedingstuffs and milk (compensation and destruction)	Equipment (compensation and destruction)
Total						

ANNEX V

Supporting documents to be produced, on request, by the competent authority

The following are to be regarded as supporting documents within the meaning of Article 7(1)(d) in connection with audits:

I. DOCUMENTS LINKED TO COMPENSATION FOR FARMERS

1. proof of payment to the recipient (payment record),
2. evaluation records for animals and products for which compensation has been paid,
3. official slaughter orders,
4. animal transport documents (derogation, categories transported, certificate of completion),
5. details of the constitution of the herd (bovine animals) on the date of slaughter, according to the system for the identification and registration of bovine animals (computerised listing),
6. sampling operations and laboratory results,
7. epidemiological surveys,
8. records of veterinary inspections during the weeks prior to slaughter,
9. slaughterhouse weight forms for animals,
10. weight forms for carcasses to be destroyed,
11. official certificates of destruction of animals and products for which compensation has been paid, together with corresponding invoices from the destroyer,
12. original holding registers,
13. where applicable, listings of all dispatches to market or dispatches due to an animal welfare problem during the epidemic,
14. copies of the recipient's requests for premiums for the marketing year in progress at the date of slaughter,
15. movement authorisations issued for animals from the holding during the six months prior to slaughter,
16. milk production records,
17. animal pedigrees (where applicable),
18. copies of invoices for the acquisition and replacement of slaughtered animals and copies of purchase or sales invoices during the three months prior to slaughter.

II. DOCUMENTS LINKED TO THE COSTS REFERRED TO IN ANNEX I

Supporting documents linked to operations and purchases of goods and services referred to in Annex I.

COMMISSION REGULATION (EC) No 350/2005**of 28 February 2005****opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables
(tomatoes, oranges, lemons and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ lays down the detailed rules of application for export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. These quantities must be allocated taking account of the perishability of the products concerned.

(4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges, lemons and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not count against the eligible quantities in the Annex hereto.

3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be two months.

Article 2

This Regulation shall enter into force on 9 March 2005.

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

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 537/2004 (OJ L 86, 24.3.2004, p. 9).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2180/2003 (OJ L 335, 22.12.2003, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 28 February 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

INVITATION TO TENDER FOR THE ALLOCATION OF A3 EXPORT LICENCES FOR FRUIT AND VEGETABLES (TOMATOES, ORANGES, LEMONS AND APPLES)

Tender submission period: 9 to 10 March 2005			
Product code ⁽¹⁾	Destination ⁽²⁾	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	30	7 647
0805 10 20 9100	A00	35	33 333
0805 50 10 9100	A00	55	16 667
0808 10 80 9100	F09	37	47 705

⁽¹⁾ The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

⁽²⁾ The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). The other destinations are defined as follows:

F03 All destinations except Switzerland.

F04 Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

F08 All destinations except Bulgaria.

F09 The following destinations:

- Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,
- African countries and territories except South Africa,
- destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

COMMISSION REGULATION (EC) No 351/2005**of 28 February 2005****fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip⁽¹⁾, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan,

Morocco and the West Bank and the Gaza Strip⁽²⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 March 2005.

It shall apply from 2 to 15 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 382, 31.12.1987, p. 22. Regulation as last amended by Regulation (EC) No 1300/97 (OJ L 177, 5.7.1997, p. 1).

⁽²⁾ OJ L 72, 18.3.1988, p. 16. Regulation as last amended by Regulation (EC) No 2062/97 (OJ L 289, 22.10.1997, p. 1).

ANNEX

to the Commission Regulation of 28 February 2005 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 2 to 15 March 2005

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	17,20	13,44	37,24	16,29
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	—	—
Morocco	—	—	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 352/2005**of 28 February 2005****fixing the production refund on white sugar used in the chemical industry for the period from 1 to 31 March 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular the fifth indent of Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of

Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry⁽²⁾ provides that these refunds shall be determined according to the refund fixed for white sugar.

- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 34,203 EUR/100 kg net for the period from 1 to 31 March 2005.

Article 2

This Regulation shall enter into force on 1 March 2005.

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

Done at Brussels, 28 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 353/2005**of 28 February 2005****fixing the import duties in the cereals sector applicable from 1 March 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 1 March 2005.

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

Done at Brussels, 28 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 1 March 2005

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	8,17
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	37,42
1005 10 90	Maize seed other than hybrid	56,64
1005 90 00	Maize other than seed ⁽²⁾	56,64
1007 00 90	Grain sorghum other than hybrids for sowing	37,42

⁽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 15.2.2005-25.2.2005

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)	109,29 (***)	61,02	152,92	142,92	122,92	93,67
Gulf premium (EUR/t)	48,80	13,44	—			—
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: 29,51 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).

COMMISSION DIRECTIVE 2005/13/EC**of 21 February 2005****amending Directive 2000/25/EC of the European Parliament and of the Council concerning the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors, and amending Annex I to Directive 2003/37/EC of the European Parliament and of the Council concerning the type-approval of agricultural or forestry tractors****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC⁽¹⁾, and in particular Articles 6 and 7 thereof,

Having regard to Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Council Directive 74/150/EEC⁽²⁾, and in particular Article 19(1)(a) thereof,

Whereas:

- (1) Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery⁽³⁾ as amended by Directive 2004/26/EC sets out more stringent emission requirements for engines installed in non-road mobile machinery, and introduces three new stages for emission limits.
- (2) Directive 2000/25/EC, which is one of the separate Directives in the framework of the type approval procedure under Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽⁴⁾, should be aligned with Directive 97/68/EC as amended by Directive 2004/26/EC, in particular as regards the introduction of the flexibility scheme provided for in the latter.

- (3) Annexes I and II to Directive 2000/25/EC need to be adapted, notably to take account of the introduction by Directive 97/68/EC as amended by Directive 2004/26/EC of new emission limits for combined emission of hydrocarbons and oxides of nitrogen. Other changes should be introduced in those annexes to ensure consistency between the provisions on information documents laid down in Directives 2000/25/EC, 97/68/EC and 2003/37/EC. In addition, Annex III to Directive 2000/25/EC needs to be adapted in order to add the alternative type-approvals to be recognised for the new stages III A, III B and IV.
- (4) It is also necessary to adapt Annex I to Directive 2003/37/EC in order to ensure consistency between the provisions on information documents laid down in Directives 2000/25/EC, 97/68/EC and 2003/37/EC. In particular, discrepancies in terminology should be eliminated in the interests of clarity.
- (5) Directives 2000/25/EC and 2003/37/EC should therefore be amended accordingly.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 20(1) of Directive 2003/37/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2000/25/EC is amended as follows:

1. In Article 1, the following indent is added:

— “replacement engine” means a newly built engine which replaces an engine in a machine and which has been supplied for this purpose only;

2. In Article 3, the following paragraph is added:

‘3. Replacement engines shall comply with the limit values that the engine to be replaced had to meet when originally placed on the market.

The text “REPLACEMENT ENGINE” shall be attached to a label on the engine or inserted into the owner’s manual;’

⁽¹⁾ OJ L 173, 12.7.2000, p. 1. Directive as amended by the Act of Accession of 2003.

⁽²⁾ OJ L 171, 9.7.2003, p. 1. Directive as amended by Council Directive 2004/66/EC (OJ L 168, 1.5.2004, p. 35).

⁽³⁾ OJ L 59, 27.2.1998, p. 1. Directive as last amended by Directive 2004/26/EC (OJ L 146, 30.4.2004, p. 1).

⁽⁴⁾ OJ L 84, 28.3.1974, p. 10. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

3. The following Article 3a is inserted:

'Article 3a

Flexibility Scheme

By way of derogation from Article 3(1) and (2), Member States shall provide that, at the request of the tractor manufacturer, and subject to permission being granted by the approval authority, the engine manufacturer may, during the period between two successive limit value stages, place on the market a limited number of engines that comply only with the emission limit value stage immediately preceding the currently applicable stage, or tractors with such engines, provided that he complies with the procedure set out in Annex IV.;

4. Article 4 is amended as follows:

(a) In paragraph 2, the following points (c), (d) and (e) are added:

'(c) in stage III A

- after 31 December 2005 for engines of categories H, I and K (power range as defined in Article 9(3a) of Directive 97/68/EC),
- after 31 December 2006 for engines of category J (power range as defined in Article 9(3a) of Directive 97/68/EC);

(d) in stage III B

- after 31 December 2009 for engines of category L (power range as defined in Article 9(3c) of Directive 97/68/EC),
- after 31 December 2010 for engines of categories M and N (power range as defined in Article 9(3c) of Directive 97/68/EC),
- after 31 December 2011 for engines of category P (power range as defined in Article 9(3c) of Directive 97/68/EC);

(e) in stage IV

- after 31 December 2012 for engines of category Q (power range as defined in Article 9(3d) of Directive 97/68/EC),

- after 30 September 2013 for engines of category R (power range as defined in Article 9(3d) of Directive 97/68/EC).;

(b) in paragraph 3, the following indents are added:

- '— after 31 December 2005 for engines of category H,*
- after 31 December 2006 for engines of categories I,*
- after 31 December 2006 for engines of categories K,*
- after 31 December 2007 for engines of category J,*
- after 31 December 2010 for engines of category L,*
- after 31 December 2011 for engines of categories M,*
- after 31 December 2011 for engines of categories N,*
- after 31 December 2012 for engines of category P,*
- after 31 December 2013 for engines of category Q,*
- after 30 September 2014 for engines of category R.;*

(c) paragraph 5 is replaced by the following:

'5. For engines of categories A to G Member States may postpone the dates laid down in paragraph 3 for two years with respect to engines with a production date prior to the said date. They may grant other exceptions under the conditions laid down in Article 10 of Directive 97/68/EC.;

(d) the following paragraphs 6, 7 and 8 are added:

'6. For engines of categories H to R, the dates laid down in paragraph 3 shall be postponed for two years with respect to engines with a production date prior to the said date.

7. For engine types or engine families meeting the limit values set out in the table in section 4.1.2.4, 4.1.2.5 and 4.1.2.6 of Annex I to Directive 97/68/EC before the dates laid down in paragraph 3 of this Article, Member States shall allow special labelling and marking to show that the equipment concerned meets the required limit values before the dates laid down.

8. In accordance with the procedure referred to in Article 20(2) of Directive 2003/37/EC, the Commission shall align the limit values and dates of stages IIIB and IV with the limit values and dates decided following the revision procedure provided for in Article 2(b) of Directive 2004/26/EC, with a view to the needs of agricultural or forestry tractors and, in particular, tractors of categories T2, T4.1 and C2.;

5. Annexes I, II and III are amended in accordance with Annex I to this Directive.

6. Annex IV, the text of which is set out in Annex II to this Directive, is added.

Article 2

Annex I to Directive 2003/37/EC is amended in accordance with Annex III to this Directive.

Article 3

1. Member States shall adopt and publish, by 31 December 2005 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 January 2006.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 21 February 2005.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX I

Annexes I, II and III to Directive 2000/25/EC are amended as follows:

1. Annex I is amended as follows:

(a) Appendix 1 is replaced by the following:

‘Appendix 1

Information document

concerning the EC type-approval of a parent engine type for use in a tractor as a separate technical unit, in terms of the pollutants emitted

The information set out below shall be supplied in triplicate and be accompanied by a list of enclosures. Any drawings needed shall be supplied to an appropriate scale and with sufficient details in A4 format or in a folder of this format. Photographs shall, where needed, show sufficient detail.

SECTION 1 GENERAL

1. **Parent engine/engine type** ⁽¹⁾ ⁽³⁾
 - 1.1. Make(s) (trade name of manufacturer):
 - 1.2. Type and commercial description of the parent and (if applicable) of the family of engine(s) ⁽¹⁾:
 - 1.3. Manufacturer's type coding as marked on the engine(s) and method of affixing:
 - 1.3.1. Location, coding and method of affixing of the type engine identification number:
 - 1.3.2. Location and method of affixing of the EC component type-approval mark:
 - 1.4. Name and address of manufacturer:
 - 1.5. Address(es) of assembly plant(s):

SECTION 2 ENGINE TYPE WITHIN THE FAMILY

2. **Essential characteristics of the family's parent engine** ⁽³⁾
 - 2.1. Description of the compression-ignition engine
 - 2.1.1. Manufacturer:
 - 2.1.2. Manufacturer's engine code as affixed to engines:
 - 2.1.3. Cycle: four stroke/two stroke ⁽¹⁾
 - 2.1.4. Bore: mm
 - 2.1.5. Stroke: mm
 - 2.1.6. Number and layout of cylinders:
 - 2.1.7. Swept volume: cm³

- 2.1.8. Rated speed: r/min
- 2.1.9. Peak-torque speed: r/min
- 2.1.10. Compression ratio (²):
- 2.1.11. Combustion system description:
- 2.1.12. Drawing(s) of combustion chamber and piston crown:
- 2.1.13. Minimum cross-sectional area of inlet and outlet ports:
- 2.1.14. Cooling system
- 2.1.14.1. Coolant
- 2.1.14.1.1. Nature of coolant:
- 2.1.14.1.2. Circulating pump(s): yes/no (¹)
- 2.1.14.1.3. Characteristics or make(s) and type(s) (if applicable):
- 2.1.14.1.4. Drive ratio(s) (if applicable):
- 2.1.14.2. Air
- 2.1.14.2.1. Blower: yes/no (¹)
- 2.1.14.2.2. Characteristics or make(s) and type(s) (if applicable):
- 2.1.14.2.3. Drive ratio(s) (if applicable):
- 2.1.15. Temperature permitted by the manufacturer:
- 2.1.15.1. Liquid cooling: maximum temperature at outlet: K
- 2.1.15.2. Air cooling: reference point:
- Maximum temperature at reference point: K
- 2.1.15.3. Maximum charge air temperature at the intercooler outlet (if applicable): K
- 2.1.15.4. Maximum exhaust temperature at the point in the exhaust pipe(s) adjacent to the outer flange(s) of the exhaust manifold(s): K
- 2.1.15.5. Lubricant temperature: minimum: K maximum: K
- 2.1.16. Pressure charger: yes/no (¹)
- 2.1.16.1. Make:
- 2.1.16.2. Type:
- 2.1.16.3. Description of the system (e.g. maximum charge pressure, waste-gate, if applicable):
- 2.1.16.4. Intercooler: yes/no (¹)
- 2.1.17. Intake system: maximum allowable intake depression at rated engine speed and at 100 % load: kPa
- 2.1.18. Exhaust system: maximum permissible exhaust back pressure at rated engine speed and at 100 % load: kPa

- 2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
Description and/or ⁽¹⁾ diagram(s):
- 2.3. Fuel feed
- 2.3.1. Feed pump
Pressure ⁽²⁾ or characteristic diagram: kPa
- 2.3.2. Injection system
- 2.3.2.1. Pump
- 2.3.2.1.1. Make(s):
- 2.3.2.1.2. Type(s):
- 2.3.2.1.3. Delivery: mm³ ⁽²⁾ per stroke or cycle at pump speed of: r/min (rated)
and r/min (maximum torque), respectively, or characteristic diagram
State which method is used: on engine/on pump bench ⁽¹⁾
- 2.3.2.1.4. Injection advance
- 2.3.2.1.4.1. Injection advance curve ⁽²⁾:
- 2.3.2.1.4.2. Timing ⁽²⁾:
- 2.3.2.2. Injection piping
- 2.3.2.2.1. Length: mm
- 2.3.2.2.2. Internal diameter: mm
- 2.3.2.3. Injector(s)
- 2.3.2.3.1. Make(s):
- 2.3.2.3.2. Type(s):
- 2.3.2.3.3. Opening pressure ⁽²⁾ or characteristic diagram:
- 2.3.2.4. Governor
- 2.3.2.4.1. Make(s):
- 2.3.2.4.2. Type(s):
- 2.3.2.4.3. Speed at which cut-off starts under full load ⁽²⁾: r/min
- 2.3.2.4.4. Maximum no-load speed ⁽²⁾: r/min
- 2.3.2.4.5. Idling speed ⁽²⁾: r/min
- 2.3.3. Cold-start system
- 2.3.3.1. Make(s):
- 2.3.3.2. Type(s):
- 2.3.3.3. Description:

- 2.4. Valve timing
- 2.4.1. Maximum lift and angles of opening and closing in relation to top dead centre or equivalent data:
- 2.4.2. Reference clearances and/or setting ranges ⁽¹⁾
- 2.4.3. Variable valve timing system (if applicable and where intake and/or exhaust):
- 2.4.3.1. Type: continuous or on/off
- 2.4.3.2. Cam phase shift angle:
- 2.5. Porting configuration
- 2.5.1. Position, size and number:
- 2.6. Electronic control functions
- If the engine features electronically controlled functions, the information concerning their performance must be provided including:
- 2.6.1. Make:
- 2.6.2. Type:
- 2.6.3. Part Number:
- 2.6.4. Location of engine electronic control unit:
- 2.6.4.1. What does it sense:
- 2.6.4.2. What does it control:

SECTION 3 COMPRESSION-IGNITION ENGINE FAMILY

3. Essential characteristics of the engine family

- 3.1. List of engine types within a family
- 3.1.1. Name of engine family:
- 3.1.2. Specification of engine types within this family:

					Parent engine
Engine type					
Number of cylinders					
Rated speed (r/min)					
Fuel delivery per stroke (mm ³) at rated speed					
Rated net power (kW)					
Maximum torque speed (r/min)					
Fuel delivery per stroke (mm ³) at maximum torque speed					
Maximum torque (Nm)					
Low idle speed (r/min)					
Cylinder swept volume as % of parent engine					100

SECTION 4 ENGINE TYPE

4. **Essential characteristics of the engine type**

4.1. Description of the engine

4.1.1. Manufacturer:

4.1.2. Manufacturer's engine code as affixed to engines:

4.1.3. Cycle: four stroke/two stroke⁽¹⁾

4.1.4. Bore: mm

4.1.5. Stroke: mm

4.1.6. Number and arrangement of cylinders:

4.1.7. Swept volume: cm³

4.1.8. Rated speed: r/min

4.1.9. Peak torque speed: r/min

4.1.10. Compression ratio⁽²⁾:

4.1.11. Combustion system:

4.1.12. Drawing(s) of combustion chamber and piston crown:

4.1.13. Minimum cross sectional area of inlet and outlet ports:

4.1.14. Cooling system

4.1.14.1. Coolant

4.1.14.1.1. Nature of coolant:

4.1.14.1.2. Circulating pump(s): yes/no⁽¹⁾

4.1.14.1.3. Characteristics or make(s) and type(s) (if applicable):

4.1.14.1.4. Drive ratio(s) (if applicable):

4.1.14.2. Air

4.1.14.2.1. Blower: yes/no⁽¹⁾

4.1.14.2.2. Characteristics or make(s) and type(s) (if applicable):

4.1.14.2.3. Drive ratio(s) (if applicable):

4.1.15. Temperature permitted by the manufacturer:

4.1.15.1. Liquid cooling: maximum temperature at outlet: K

4.1.15.2. Air cooling: reference point:

Maximum temperature at reference point: K

4.1.15.3. Maximum charge-air temperature at the intercooler outlet (if applicable): K

4.1.15.4. Maximum exhaust temperature at the point in the exhaust pipe(s) adjacent to the outer flange(s) of the exhaust manifold(s): K

- 4.1.15.5. Lubricant temperature: minimum: K maximum: K
- 4.1.16. Pressure charger: yes/no ⁽¹⁾
- 4.1.16.1. Make:
- 4.1.16.2. Type:
- 4.1.16.3. Description of the system (e.g. maximum charge pressure, waste-gate, if applicable):
- 4.1.16.4. Intercooler: yes/no ⁽¹⁾
- 4.1.17. Intake system: maximum allowable intake depression at rated engine speed and at 100 % load: kPa
- 4.1.18. Exhaust system: maximum permissible exhaust back pressure at rated engine speed and at 100 % load: kPa
- 4.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- Description and/or ⁽¹⁾ diagram(s):
- 4.3. Fuel feed
- 4.3.1. Feed pump
- Pressure ⁽²⁾ or characteristic diagram: kPa
- 4.3.2. Injection system
- 4.3.2.1. Pump
- 4.3.2.1.1. Make(s):
- 4.3.2.1.2. Type(s):
- 4.3.2.1.3. Delivery: mm³ ⁽²⁾ per stroke or cycle at pump speed of: r/min (rated) and r/min (maximum torque) respectively, or characteristic diagram
- State which method used: on engine/on pump bench ⁽¹⁾
- 4.3.2.1.4. Injection advance
- 4.3.2.1.4.1. Injection advance curve ⁽²⁾:
- 4.3.2.1.4.2. Timing ⁽²⁾:
- 4.3.2.2. Injection piping
- 4.3.2.2.1. Length: mm
- 4.3.2.2.2. Internal diameter: mm
- 4.3.2.3. Injector(s)
- 4.3.2.3.1. Make(s):
- 4.3.2.3.2. Type(s):
- 4.3.2.3.3. Opening pressure ⁽²⁾ or characteristic diagram ⁽¹⁾:
- 4.3.2.4. Governor(s)

- 4.3.2.4.1. Make(s):
- 4.3.2.4.2. Type(s):
- 4.3.2.4.3. Speed at which cut-off starts under full load ⁽²⁾: r/min
- 4.3.2.4.4. Maximum no-load speed ⁽²⁾: r/min
- 4.3.2.4.5. Idling speed ⁽²⁾: r/min
- 4.3.3. Cold-start system
- 4.3.3.1. Make(s):
- 4.3.3.2. Type(s):
- 4.3.3.3. Description:
- 4.4. Valve timing
- 4.4.1. Maximum lift and opening and closing angles in relation to top dead centre or equivalent data:
- 4.4.2. Reference clearances and/or setting ranges ⁽¹⁾:
- 4.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 4.4.3.1. Type: continuous or on/off
- 4.4.3.2. Cam phase shift angle:
- 4.5. Porting configuration
- 4.5.1. Position, size and number:
- 4.6. Electronic command functions
- If the engine features electronically controlled functions, information concerning their performance must be provided including:
- 4.6.1. Make:
- 4.6.2. Type:
- 4.6.3. Part number:
- 4.6.4. Location of engine electronic control unit:
- 4.6.4.1. What does it sense:
- 4.6.4.2. What does it control:';

(b) in Appendix 2, section II, subsection 2.4 is replaced by the following:

2.4. Test results

Measured in accordance with the requirements of Directive 97/68/EC

CO (g/kWh)	HC (g/kWh)	NOx (g/kWh)	HC + NOx (g/kWh)	Particulates (g/kWh)'

2. Annex II is amended as follows:

(a) Appendix 1 is amended as follows:

(i) section 2, subsections 2.1.17 and 2.1.18 are replaced by the following:

2.1.17. Intake system: maximum allowable intake depression at rated engine speed and at 100 % load: kPa

2.1.18. Exhaust system: maximum permissible exhaust back pressure at rated engine speed and at 100 % load: kPa';

(ii) the following is added:

‘2.6. Porting configuration

2.6.1. Position, size and number’;

(b) in Appendix 2, section 2, subsection 2.2.4, is replaced by the following:

‘2.2.4. Test results

Measured in accordance with the requirements of Directive 97/68/EC

CO (g/kWh)	HC (g/kWh)	NO _x (g/kWh)	HC + NO _x (g/kWh)	Particulates (g/kWh)

3. Annex III is replaced by the following:

‘ANNEX III

RECOGNITION OF ALTERNATIVE TYPE-APPROVALS

1. For stage I the following certificates of type-approvals are recognised to be equivalent for engines of categories A, B and C as defined in Directive 97/68/EC:

1.1. certificates of type-approvals according to Directive 97/68/EC;

1.2. certificates of type-approvals according to Directive 88/77/EEC, complying with the requirements of stage A or B regarding Article 2 and Annex I, Section 6.2.1 of Directive 88/77/EEC as amended by Directive 91/542/EEC, or UN-ECE Regulation 49.02 series of amendments corrigenda 1/2;

1.3. certificates of type-approvals according to UN-ECE Regulation 96.

2. For stage II the following certificates of type-approvals are recognised to be equivalent:

2.1. certificates of type-approvals according to Directive 97/68/EC, stage II for engines of categories D, E, F and G;

2.2. type-approvals to Directive 88/77/EEC as amended by Directive 99/96/EC which are in compliance with stages A, B1, B2 or C provided for in Article 2 and section 6.2.1 of Annex I;

2.3. UN-ECE Regulation 49.03 series of amendments;

2.4. UN-ECE Regulation 96 stage B approvals according to paragraph 5.2.1 of the 01 series of amendments of Regulation 96.

3. For stage III A the following certificates of type-approvals are recognised to be equivalent:

Certificates of type-approvals according to Directive 97/68/EC, stage III A for engines of categories H, I, J and K.

4. For stage III B the following certificates of type-approvals are recognised to be equivalent:

certificates of type-approvals according to Directive 97/68/EC, stage III B for engines of categories L, M, N and P.

5. For stage IV the following certificates of type-approvals are recognised to be equivalent:

certificates of type-approvals according to Directive 97/68/EC, stage IV for engines of categories Q and R.’

ANNEX II

The following Annex IV is added to Directive 2000/25/EC:

'ANNEX IV

PROVISIONS FOR TRACTORS AND ENGINES PLACED ON THE MARKET UNDER THE FLEXIBILITY SCHEME LAID DOWN IN ARTICLE 3A**1. ACTIONS BY THE ENGINE AND THE TRACTOR MANUFACTURERS**

- 1.1. A tractor manufacturer, who wishes to make use of the flexibility scheme, shall request permission from his approval authority to place or to source from his engine suppliers, in the period between two emissions stages, the quantities of engines described in section 1.2 and 1.3 that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.
- 1.2. The number of engines placed on the market under a flexibility scheme shall, in each engine category, not exceed 20 % of the tractor manufacturer's annual sales of tractors with engines in that engine category (calculated as the average of the latest 5 years sales on the EU market). In the case that a tractor manufacturer has marketed tractors in the EU for a period of less than five years the average will be calculated based on the period for which the tractor manufacturer has marketed tractors in the EU.
- 1.3. As an alternative option to section 1.2, the tractor manufacturer may seek permission for his engine suppliers to place on the market a fixed number of engines under the flexibility scheme. The number of engines in each engine category shall not exceed the following values:

Engine Category	Number of Engines
19-37 kW	200
37-75 kW	150
75-130 kW	100
130-560 kW	50

- 1.4. The tractor manufacturer shall include in his application to an approval authority the following information:
 - (a) a sample of the labels to be affixed to each tractor in which an engine placed on the market under the flexibility scheme will be installed. The labels shall bear the following text: "TRACTOR NO ... (sequence of tractors) OF ... (total number of tractors in respective power band) WITH ENGINE NO. ... WITH TYPE APPROVAL (Directive 2000/25/EC) NO ..."; and
 - (b) a sample of the supplementary label to be affixed on the engine bearing the text referred to in section 2.2 of this Annex.
 - 1.5. The tractor manufacturer shall provide the approval authority with any information connected with the implementation of the flexibility scheme that the approval authority may request necessary to make a decision.
 - 1.6. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress.
- 2. ACTIONS BY THE ENGINE MANUFACTURER**
- 2.1. An engine manufacturer may supply engines to a tractor manufacturer under a flexibility scheme covered by an approval in accordance with section 1 of this annex.
 - 2.2. The engine manufacturer must put a label on those engines with the following text: "Engine placed on the market under the flexibility scheme".

3. ACTIONS BY THE APPROVAL AUTHORITY

The approval authority shall evaluate the content of the flexibility scheme request and the enclosed documents. As a consequence it will inform the tractor manufacturer of its decision as to whether or not to allow use of the flexibility scheme.'

ANNEX III

In Annex I to Directive 2003/37/EC, Model A, section 3 'Engine', is replaced by the following:

'3. ENGINE

Part 1 — General

- 3.1. *Parent engine/engine type* ⁽¹⁾ ⁽³⁾ ⁽²¹⁾
- 3.1.1. Make(s) (trade name of manufacturer):
- 3.1.2. Type and commercial description of the parent and (if applicable) of the family of engine(s) ⁽¹⁾:
.....
- 3.1.3. Manufacturer's type coding as marked on the engine(s) and method of affixing:
.....
- 3.1.3.1. Location, coding and method of affixing of the engine type identification number:
.....
- 3.1.3.2. Location and method of affixing of the EC component type-approval mark:
- 3.1.4. Name and address of manufacturer:
- 3.1.5. Address(es) of assembly plant(s):
- 3.1.6. Operating principle:
— spark/compression ignition ⁽¹⁾
— direct/indirect injection ⁽¹⁾
— two-four-stroke ⁽¹⁾
- 3.1.7. Fuel
Diesel/petrol/LPB/other ⁽¹⁾

Part 2 — Engine type within the family

- 3.2. *Essential characteristics of the family's parent engine* ⁽³⁾
- 3.2.1. Description of the compression ignition engine
- 3.2.1.1. Manufacturer:
- 3.2.1.2. Manufacturer's engine code as affixed to engines:
- 3.2.1.3. Cycle: four stroke/two stroke ⁽¹⁾
- 3.2.1.4. Bore: mm
- 3.2.1.5. Stroke: mm
- 3.2.1.6. Number and layout of cylinders:
- 3.2.1.7. Swept volume: cm³
- 3.2.1.8. Rated speed: r/min

- 3.2.1.9. Peak-torque speed: r/min
- 3.2.1.10. Compression ratio ⁽²⁾:
- 3.2.1.11. Combustion system description:
- 3.2.1.12. Drawing(s) of combustion chamber and piston crown:
- 3.2.1.13. Minimum cross-sectional area of inlet and outlet ports:
- 3.2.1.14. Cooling system
- 3.2.1.14.1. Coolant
- 3.2.1.14.1.1. Nature of coolant:
- 3.2.1.14.1.2. Circulating pump(s): yes/no ⁽¹⁾
- 3.2.1.14.1.3. Characteristics or make(s) and type(s) (if applicable):
- 3.2.1.14.1.4. Drive ratio(s) (if applicable):
- 3.2.1.14.2. Air
- 3.2.1.14.2.1. Blower: yes/no ⁽¹⁾
- 3.2.1.14.2.2. Characteristics or make(s) and type(s) (if applicable):
- 3.2.1.14.2.3. Drive ratio(s) (if applicable):
- 3.2.1.15. Temperature permitted by the manufacturer
- 3.2.1.15.1. Liquid cooling: maximum temperature at outlet:
- 3.2.1.15.2. Air cooling: reference point:
- Maximum temperature at reference point: K
- 3.2.1.15.3. Maximum charge air temperature at the intercooler outlet (if applicable): K
- 3.2.1.15.4. Maximum exhaust temperature at the point in the exhaust pipe(s) adjacent to the outer flange(s) of the exhaust manifold(s): K
- 3.2.1.15.5. Lubricant temperature: minimum: K maximum: K
- 3.2.1.16. Pressure charger: yes/no ⁽¹⁾
- 3.2.1.16.1. Make:
- 3.2.1.16.2. Type:
- 3.2.1.16.3. Description of the system (e.g. maximum charge pressure, waste-gate, if applicable):
- 3.2.1.16.4. Intercooler: yes/no ⁽¹⁾
- 3.2.1.17. Intake system: maximum allowable intake depression at rated engine speed and at 100 % load: kPa
- 3.2.1.18. Exhaust system: maximum permissible exhaust back pressure at rated engine speed and at 100 % load: kPa
- 3.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- Description and/or ⁽¹⁾ diagram(s):

- 3.2.3. Fuel feed
- 3.2.3.1. Feed pump
Pressure⁽²⁾ or characteristic diagram: kPa
- 3.2.3.2. Injection system
- 3.2.3.2.1. Pump
- 3.2.3.2.1.1. Make(s):
- 3.2.3.2.1.2. Type(s):
- 3.2.3.2.1.3. Delivery: mm³ (2) per stroke or cycle at pump speed of: r/min (rated) and r/min (maximum torque), respectively, or characteristic diagram
State which method is used: on engine/on pump bench (1)
- 3.2.3.2.1.4. Injection advance
- 3.2.3.2.1.4.1. Injection advance curve (2):
- 3.2.3.2.1.4.2. Timing (2):
- 3.2.3.2.2. Injection piping
- 3.2.3.2.2.1. Length: mm
- 3.2.3.2.2.2. Internal diameter: mm
- 3.2.3.2.3. Injector(s)
- 3.2.3.2.3.1. Make(s):
- 3.2.3.2.3.2. Type(s):
- 3.2.3.2.3.3. Opening pressure (2) or characteristic diagram:
- 3.2.3.2.4. Governor
- 3.2.3.2.4.1. Make(s):
- 3.2.3.2.4.2. Type(s):
- 3.2.3.2.4.3. Speed at which cut-off starts under full load (2): r/min
- 3.2.3.2.4.4. Maximum no-load speed (2): r/min
- 3.2.3.2.4.5. Idling speed (2): r/min
- 3.2.3.3 Cold-start system
- 3.2.3.3.1. Make(s):
- 3.2.3.3.2. Type(s):
- 3.2.3.3.3. Description:
- 3.2.4. Valve timing
- 3.2.4.1. Maximum lift and angles of opening and closing in relation to top dead centre or equivalent data:
.....
- 3.2.4.2. Reference clearances and/or setting ranges (1)

- 3.2.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 3.2.4.3.1. Type: continuous or on/off
- 3.2.4.3.2. Cam phase shift angle:
- 3.2.5. Porting configuration
- 3.2.5.1. Position, size and numbering:
- 3.2.6. Electronic control functions
- If the engine features electronically controlled functions, the information concerning their performance must be provided including:
- 3.2.6.1. Make:
- 3.2.6.2. Type:
- 3.2.6.3. Part number:
- 3.2.6.4. Location of engine electronic control unit:
- 3.2.6.4.1. What does it sense:
- 3.2.6.4.2. What does it control:

Part 3 — Compression-ignition engine family

- 3.3. *Essential characteristics of the engine family*
- 3.3.1. List of engine types within a family
- 3.3.1.1. Name of engine family:
- 3.3.1.2. Specification of engine types within this family:

					Parent engine
Engine type					
Number of cylinders					
Rated speed (r/min)					
Fuel delivery per stroke (mm ³) at rated speed					
Rated net power (kW)					
Maximum torque speed (r/min)					
Fuel delivery per stroke (mm ³) at maximum torque speed					
Maximum torque (Nm)					
Low idle speed (r/min)					
Cylinder swept volume as % of parent engine					100

Part 4 — Engine type

- 3.4. *Essential characteristics of the engine type*
- 3.4.1. Description of the engine
- 3.4.1.1. Manufacturer:
- 3.4.1.2. Manufacturer's engine code as affixed to engines:
- 3.4.1.3. Cycle: four stroke/two stroke ⁽¹⁾
- 3.4.1.4. Bore: mm
- 3.4.1.5. Stroke: mm
- 3.4.1.6. Number and arrangement of cylinders:
- 3.4.1.7. Swept volume: cm³
- 3.4.1.8. Rated speed: r/min
- 3.4.1.9. Peak torque speed: r/min
- 3.4.1.10. Compression ratio ⁽²⁾:
- 3.4.1.11. Combustion system:
- 3.4.1.12. Drawing(s) of combustion chamber and piston crown:
- 3.4.1.13. Minimum cross sectional area of inlet and outlet ports:
- 3.4.1.14. Cooling system
- 3.4.1.14.1. Coolant
- 3.4.1.14.1.1. Nature of coolant:
- 3.4.1.14.1.2. Circulating pump(s): yes/no ⁽¹⁾
- 3.4.1.14.1.3. Characteristics or make(s) and type(s) (if applicable):
- 3.4.1.14.1.4. Drive ratio(s) (if applicable):
- 3.4.1.14.2. Air
- 3.4.1.14.2.1. Blower: yes/no ⁽¹⁾
- 3.4.1.14.2.2. Characteristics or make(s) and type(s) (if applicable):
- 3.4.1.14.2.3. Drive ratio(s) (if applicable):
- 3.4.1.15. Temperature permitted by the manufacturer:
- 3.4.1.15.1. Liquid cooling: maximum temperature at outlet: K
- 3.4.1.15.2. Air cooling: reference point:
- Maximum temperature at reference point:
- 3.4.1.15.3. Maximum charge-air temperature at the intercooler outlet (if applicable): K
- 3.4.1.15.4. Maximum exhaust temperature at the point in the exhaust pipe(s) adjacent to the outer flange(s) of the exhaust manifold(s): K
- 3.4.1.15.5. Lubricant temperature: minimum: K maximum: K

- 3.4.1.16. Pressure charger: yes/no ⁽¹⁾
- 3.4.1.16.1. Make:
- 3.4.1.16.2. Type:
- 3.4.1.16.3. Description of the system (e.g. maximum charge pressure, waste-gate, if applicable):
- 3.4.1.16.4. Intercooler: yes/no ⁽¹⁾
- 3.4.1.17. Intake system: maximum allowable intake depression at rated engine speed and at 100 % load:
..... kPa
- 3.4.1.18. Exhaust system: maximum permissible exhaust back pressure at rated engine speed and at 100 % load:
..... kPa ⁽²⁾
- 3.4.2. Additional anti-pollution devices (if any, and if not covered by another heading)
Description and/or diagram(s):
- 3.4.3. Fuel feed
- 3.4.3.1. Feed pump
Pressure ⁽²⁾ or characteristic diagram: kPa
- 3.4.3.2. Injection system
- 3.4.3.2.1. Pump
- 3.4.3.2.1.1. Make(s):
- 3.4.3.2.1.2. Type(s):
- 3.4.3.2.1.3. Delivery: and mm³ ⁽²⁾ per stroke or cycle at pump speed of:
..... r/min (rated) and r/min (maximum torque) respectively, or
characteristic diagram
State which method used: on engine/on pump bench ⁽¹⁾
- 3.4.3.2.1.4. Injection advance
- 3.4.3.2.1.4.1. Injection advance curve ⁽²⁾:
- 3.4.3.2.1.4.2. Timing ⁽²⁾:
- 3.4.3.2.2. Injection piping
- 3.4.3.2.2.1. Length: mm
- 3.4.3.2.2.2. Internal diameter: mm
- 3.4.3.2.3. Injector(s)
- 3.4.3.2.3.1. Make(s):
- 3.4.3.2.3.2. Type(s):
- 3.4.3.2.3.3. Opening pressure ⁽²⁾ or characteristic diagram ⁽¹⁾:

- 3.4.3.2.4. Governor(s)
- 3.4.3.2.4.1. Make(s):
- 3.4.3.2.4.2. Type(s):
- 3.4.3.2.4.3. Speed at which cut-off starts under full load ⁽²⁾: r/min
- 3.4.3.2.4.4. Maximum no-load speed ⁽²⁾: r/min
- 3.4.3.2.4.5. Idling speed ⁽²⁾: r/min
- 3.4.4. Cold-start system
- 3.4.4.1. Make(s):
- 3.4.4.2. Type(s):
- 3.4.4.3. Description:
- 3.4.5. Valve timing
- 3.4.5.1. Maximum lift and opening and closing angles in relation to top dead centre or equivalent data:
- 3.4.5.2. Reference clearances and/or setting ranges ⁽¹⁾:
- 3.4.5.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 3.4.5.3.1. Type: continuous or on/off
- 3.4.5.3.2. Cam phase shift angle:
- 3.4.6. Porting configuration
- 3.4.6.1. Position, size and number:
- 3.4.7. Electronic command functions
- If the engine features electronically controlled functions, information concerning their performance must be provided including:
- 3.4.7.1. Make:
- 3.4.7.2. Type:
- 3.4.7.3. Part number:
- 3.4.7.4. Location of engine electronic control unit:
- 3.4.7.4.1. What does it sense:
- 3.4.7.4.2. What does it control: '
-

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 February 2005

appointing two Belgian members and a Belgian alternate member of the Committee of the Regions

(2005/165/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 Belgian Government,

Whereas:

- (1) Council Decision 2002/60/EC of 22 January 2002 appoints the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) On that Committee, two members' seats have fallen vacant following the departure from office of Mr Jacques SIMONET and Mr Jos CHABERT and an alternate member's seat has fallen vacant following the departure from office of Mr Eric TOMAS, of which the Council was informed on 1 February 2005,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed to the Committee of the Regions:

(a) as members:

Mr Charles PICQUÉ,
Ministre-Président du Gouvernement de la Région de Bruxelles-Capitale, chargé des Pouvoirs locaux, de l'Aménagement du territoire, des Monuments et Sites, de la Rénovation urbaine, du Logement, de la Propreté publique, du Commerce extérieur et de la Coopération au développement
in place of Mr Jacques SIMONET,

Mr Jos CHABERT,
Vice-Voorzitter van het Brussels Hoofdstedelijk Parlement,
on the basis of his new office,

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

(b) as an alternate member:

Mr Benoît CEREXHE,
Ministre du Gouvernement de la Région de Bruxelles-Capitale, chargé de l'Économie, de l'Emploi, de la
Recherche scientifique, de la Lutte contre l'Incendie et l'Aide médicale urgente et de la Politique agricole,
in place of Mr Eric TOMAS,

for the remainder of the current term of office, ending on 25 January 2006.

Done at Brussels, 17 February 2005.

For the Council
The President
J.-C. JUNKER

COMMISSION

COMMISSION DECISION

of 10 February 2005

laying down rules implementing Decision No 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol

(notified under document number C(2005) 247)

(2005/166/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol⁽¹⁾, and in particular Articles 3(3), 4(2), 5(6) and 8(3) thereof,

Whereas:

- (1) The information reported annually to the Commission is necessary to enable the assessment of actual progress towards meeting the Community's and its Member States' commitments relating to the limitation or reduction of all greenhouse gas emissions under the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol and enable the preparation of annual reports by the Community in accordance with obligations under the UNFCCC and the Kyoto Protocol.
- (2) The Commission should review the elements listed in Article 4(1) of this Decision if additional elements are requested pursuant to the UNFCCC review of the Community inventory and adopt the necessary amendments in accordance with the procedure referred to in Article 9(2) of Decision No 280/2004/EC to require Member States to report on these elements in their subsequent reports pursuant to Article 3(1) of Decision No 280/2004/EC.
- (3) The information reported to the Commission every two years is necessary to enable the assessment of projected progress of the Community and its Member States towards fulfilling their commitments under the UNFCCC and the Kyoto Protocol.
- (4) The Commission should review Annex II and Annex III and adopt, by 1 January 2007, any necessary amendments in accordance with the procedure referred to in Article 9(2) of Decision No 280/2004/EC.
- (5) The Commission will prepare estimates for data missing in a Member State inventory, following consultation with the Member State concerned and in accordance with the principles set out in this Decision, to ensure completeness of that Member State's and the Community's inventory in accordance with the UNFCCC reporting guidelines for annual inventories and the revised 1996 IPCC guidelines for national greenhouse gas inventories.
- (6) The Member States and the Commission should prepare their reports on the demonstration of progress achieved by 2005 in accordance with the UNFCCC reporting guidelines for national communications and the guidelines under Article 7 of the Kyoto Protocol.
- (7) The Member States and the Commission should prepare their reports on the additional period set in the Marrakech Accords for fulfilling commitments upon the expiry of that period in accordance with the guidelines under Article 7 of the Kyoto Protocol.

⁽¹⁾ OJ L 49, 19.2.2004, p. 1.

- (8) The procedures and timescales for cooperation and coordination between Member States and the Community in relation to obligations under Decision No 280/2004/EC set out in this Decision will ensure the timely and effective implementation of these obligations.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 9 of Decision No 280/2004/EC,

HAS ADOPTED THIS DECISION:

CHAPTER I

Subject matter

Article 1

Subject matter

This Decision establishes rules implementing Decision No 280/2004/EC as regards the following:

- (a) the reporting of information referred to in Article 3(1) and (2) of Decision No 280/2004/EC, in accordance with Article 3(3) of that Decision;
- (b) the establishment of a Community inventory system in accordance with Article 4(2) of Decision No 280/2004/EC;
- (c) the requirements for reporting on the demonstration of progress as required by Article 3(2) of the Kyoto Protocol and for reporting in relation to the additional period set in the Marrakech Accords for fulfilling commitments in accordance with Article 5(6) of Decision No 280/2004/EC;
- (d) the procedures and timescales for the cooperation and coordination of the obligations listed in Article 8(1) of Decision No 280/2004/EC, in accordance with Article 8(3) of that Decision.

CHAPTER II

Reporting by Member States

Section 1

Annual reports

Article 2

Determination and reporting guidance

1. Member States shall determine the information reported pursuant to Article 3(1) of Decision No 280/2004/EC in accordance with:

(a) the revised 1996 Intergovernmental Panel on Climate Change (IPCC) guidelines for national greenhouse gas inventories, hereinafter referred to as 'the revised 1996 IPCC guidelines for national greenhouse gas inventories';

(b) the IPCC good practice guidance and uncertainty management in national greenhouse gas inventories, hereinafter referred to as 'the IPCC good practice guidance';

(c) the IPCC good practice guidance for land use, land-use change and forestry (LULUCF), hereinafter referred to as 'the IPCC good practice guidance for LULUCF'.

2. Member States shall report the information reported pursuant to Article 3(1) of Decision No 280/2004/EC to the Commission with a copy to the European Environment Agency in accordance with:

(a) the guidelines for the preparation of national communications by Parties included in Annex I to the Convention, part I: UNFCCC reporting guidelines on annual inventories, hereinafter referred to as 'the UNFCCC reporting guidelines for annual inventories';

(b) the guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol, hereinafter referred to as 'the guidelines under Article 7 of the Kyoto Protocol'.

3. The complete national inventory report referred to in Article 3(1) second subparagraph of Decision No 280/2004/EC, shall be drafted using the national inventory report structure set out in the UNFCCC reporting guidelines for annual inventories.

Article 3

Reporting under Article 3(1)(d) of Decision No 280/2004/EC

1. Member States shall, in accordance with Article 3(3) of the Kyoto Protocol and the relevant decisions adopted thereunder, for the purpose of Article 3(1)(d) of Decision No 280/2004/EC report their anthropogenic greenhouse gas emissions by sources and removals by sinks from land-use change and forestry activities under Article 3(3) of the Kyoto Protocol for the years between 1990 and the year before last.

Member States that elect forest management, cropland management, grazing land management or revegetation under Article 3(4) of the Kyoto Protocol shall in addition report anthropogenic greenhouse gas emissions by sources and removals by sinks for each elected activity for the years between 1990 and the year before last.

Member States shall clearly distinguish this information from estimates of anthropogenic emissions from the sources listed in Annex A to the Kyoto Protocol.

2. Member States shall provide the information in paragraph 1 in their reports submitted from 15 January 2010 onwards.

Article 4

Reporting under Article 3(1)(f) of Decision No 280/2004/EC

1. Member States shall for the purpose of Article 3(1)(f) of Decision No 280/2004/EC report:

- (a) a description of the Member State's institutional arrangements for inventory preparation and the process of inventory preparation;
- (b) a description of methodologies and data sources used, including information on methods used, and types of activity data and emission factors used for the Community's key sources as annually determined by the Commission by 31 October in accordance with Chapter 7 of the IPCC good practice guidance and Chapter 5 of the IPCC good practice guidance for LULUCF. Member States shall provide this information by referring to sections of the national inventory report or in the tabular format provided in Annex I to this Decision;
- (c) information on the Member State's quality assurance and quality control programme, including its quality objectives and inventory quality assurance and quality control plan;
- (d) a general uncertainty assessment;
- (e) a general assessment of completeness, addressing the geographical coverage of that Member State and any gaps in the inventory submission;
- (f) the comparison of the sectoral approach with the reference approach;
- (g) any responses to the UNFCCC review of previous national inventories received since the submission of the previous national inventory and information on any recalculations performed;

(h) the description and interpretation of past emission trends.

2. For the information to be provided pursuant to points (a) to (e) in paragraph 1, Member States may indicate that no changes occurred to those sections of the national inventory report.

Article 5

Reporting under Article 3(1)(g) of Decision No 280/2004/EC

The information from the national registry referred to in Article 3(1)(g) of Decision No 280/2004/EC shall include the information required pursuant to the guidelines under Article 7 of the Kyoto Protocol.

Article 6

Reporting under Article 3(1)(h) of Decision No 280/2004/EC

The information on legal entities referred to in Article 3(1)(h) of Decision No 280/2004/EC shall include a list of legal entities authorised by the Member State to hold assigned amount units (AAUs), removal units (RMUs), emission reduction units (ERUs) and certified emission reductions (CERs), including temporary CERs (tCERs) and long-term CERs (lCERs).

Article 7

Reporting under Article 3(1)(j) of Decision No 280/2004/EC

The information on indicators referred to in Article 3(1)(j) of Decision No 280/2004/EC:

- (a) shall include, by 15 January 2005 and each year thereafter, the values for the priority indicators listed in table II-1 in Annex II;
- (b) should include, by 15 January 2005, and shall include, by 15 January 2006 and each year thereafter, the values for the additional priority indicators listed in table II-2 in Annex II;
- (c) should include, by 15 January 2005 and each year thereafter, the values for the supplementary indicators listed in table II-3 in Annex II.

Section 2

Biennial reports*Article 8***Reporting guidance**

Member States shall report the information listed in Article 3(2) of Decision No 280/2004/EC in accordance with the guidelines for the preparation of national communications by Parties included in Annex I to the Convention, Part II: UNFCCC reporting guidelines on national communications, hereinafter referred to as 'the UNFCCC reporting guidelines for national communications', and the Guidelines under Article 7 of the Kyoto Protocol.

*Article 9***Reporting under Article 3(2)(a) of Decision No 280/2004/EC**

The information on national policies and measures referred to in Article 3(2)(a) of Decision No 280/2004/EC shall include:

- (a) a list of those policies and measures which expired or were repealed during the reporting period;
- (b) a description of the actual and expected interaction with other relevant policies and measures and with relevant Community policies and legislation;
- (c) indicators for projections for the years 2005, 2010, 2015 and 2020 as listed in Annex III to this Decision.

*Article 10***Reporting under Article 3(2)(b) of Decision No 280/2004/EC**

1. For the purpose of Article 3(2)(b) of Decision No 280/2004/EC Member States shall clearly identify their 'with measures' and 'with additional measures' projections and the policies and measures included therein.

A 'with measures' projection shall include implemented and adopted policies and measures. A 'with additional measures' projection shall include planned policies and measures.

Member States may include information on 'without measures' projections as part of their 'with measures' and 'with additional measures' projections. A 'without measures' projection shall exclude all policies and measures implemented, adopted or planned after the year chosen as the starting year for this projection.

2. The descriptions of methodologies, models, underlying assumptions and key input and output parameters referred to in Article 3(2)(b)(iv) of Decision No 280/2004/EC, shall include, if used, the mandatory parameters set out in point 1 of Annex IV to this Decision.

Member States are encouraged to report the parameters on projections included in the list of recommended parameters set out in point 2 of Annex IV to this Decision.

Member States shall undertake a sensitivity analysis of their projections, focused on the key input variables in their projection models.

Member States are encouraged to define a high, central and low scenario for the key input variables and to quantify projected emissions for these scenarios. Member States are furthermore encouraged to include a measure of robustness of their predictive model and its methods used for their assessments. Member States may consider the use of multi-variant scenarios, using combinations of input variables.

*Article 11***Reporting under Article 3(2)(a)(vi) and Article 3(2)(d) of Decision No 280/2004/EC**

Member States shall provide information on their use of joint implementation, the clean development mechanism and international emissions trading, pursuant to Articles 6, 12 and 17 of the Kyoto Protocol, to meet their quantified emission limitation or reduction commitments pursuant to Article 2 of Council Decision 2002/358/EC⁽¹⁾ and the Kyoto Protocol on the basis of the questionnaire set out in Annex V to this Decision. Member States are encouraged to provide this information on an annual basis as part of their report pursuant to Article 3(1) of Decision No 280/2004/EC.

Member States may limit this information to changes or additions to the information reported on the basis of the questionnaire for the previous year.

⁽¹⁾ OJ L 130, 15.5.2002, p. 1.

CHAPTER III

The Community inventory system

Section 1

The Community inventory system

Article 12

Quality and exchange of information and data in the Community inventory system

1. Member States shall ensure the quality of activity data, emission factors and other parameters used for their national greenhouse gas inventory in accordance with the IPCC good practice guidance and the IPCC good practice guidance for LULUCF.

2. Member States shall submit their annual inventory in an electronic format to the Commission and send a copy to the European Environment Agency.

Section 2

Estimates for data missing from a national inventory pursuant to Article 4(1) of Decision No 280/2004/EC

Article 13

Estimates for data missing from a national inventory pursuant to Article 4(1) of Decision No 280/2004/EC

If a Member State does not submit all data required pursuant to Article 3(1) of Decision No 280/2004/EC by 15 March of a reporting year, the Commission shall prepare estimates for data missing for that Member State to be included in the Community greenhouse gas inventory for that reporting year and source category, in accordance with the UNFCCC reporting guidelines for annual inventories and the revised 1996 IPCC guidelines for national greenhouse gas inventories.

Article 14

1. The Commission estimates for missing data shall be based on the principles set out in paragraphs 2, 3 and 4.

2. If a consistent time series of reported estimates for the relevant source category is available from the Member State for previous years that has not been subject to adjustments under Article 5(2) of the Kyoto Protocol, extrapolation of that time series shall be used to obtain the emission estimate.

For carbon dioxide emissions from the energy sector, extrapolation of emissions should be based on the percentage change of Eurostat carbon dioxide emission estimates.

3. If the estimate for the relevant source category was subject to adjustments under Article 5(2) of the Kyoto Protocol in previous years and the Member State has not submitted a revised estimate, the basic adjustment method used by the expert review team as set out in the technical guidance on methodologies for adjustments under Article 5(2) of the Kyoto Protocol, hereinafter referred to as 'the technical guidance for adjustments', shall be used, without application of the conservativeness factor defined in that guidance.

4. If a consistent time series of reported estimates for the relevant source category is not available and if the estimate of the source category has not been subject to adjustments under Article 5(2) of the Kyoto Protocol, the estimation shall be based on the technical guidance for adjustments, without application of the conservativeness factor defined in that guidance.

Article 15

The Commission shall prepare the estimates referred to in Article 14 by 31 March of the reporting year, following consultation with the Member State concerned, and communicate those estimates to the other Member States.

Article 16

The Member State concerned shall use the estimates referred to in Article 14 for its national submission to the UNFCCC to ensure consistency between the Community inventory and Member States' inventories.

CHAPTER IV

Reporting on the demonstration of progress by 2005 and the additional period for fulfilling commitments

Section 1

Reports on the demonstration of progress by 2005

Article 17

Member State reporting on the demonstration of progress achieved by 2005 under Article 5(4) of Decision No 280/2004/EC

1. Member States shall prepare the report on the demonstration of progress achieved by 2005 in accordance with the UNFCCC reporting guidelines for national communications and the Guidelines under Article 7 of the Kyoto Protocol. The report shall include:

- (a) a description of domestic measures, including any legal and institutional steps, adopted for the purpose of meeting that Member State's commitments pursuant to Article 2 of Decision 2002/358/EC and the Kyoto Protocol, and any programmes for domestic compliance and enforcement;
 - (b) information on trends in, and projections of, greenhouse gas emissions at national level, where the trends shall be based on the inventory data submitted by the Member States to the UNFCCC by 15 April 2005;
 - (c) an evaluation of how the domestic measures referred to in point (a), in the light of the trends and projections referred to in point (b), will contribute to the Member State meeting its commitments pursuant to Article 2 of Decision 2002/358/EC and the Kyoto Protocol;
 - (d) a description of the activities, actions and programmes undertaken by the Member State for the purpose of meeting its commitments under Articles 10 and 11 of the Kyoto Protocol.
2. Member States shall submit the report as a single document including four chapters containing the information listed in paragraph 1, points (a) to (d).

The information on projections referred to in paragraph 1(b) shall be consistent with the information submitted to the Commission by 15 June 2005 pursuant to Article 5(3) of Decision No 280/2004/EC.

Section 2

Reports upon expiration of the additional period for fulfilling commitments

Article 18

Member State reporting upon expiration of the additional period for fulfilling commitments under Article 5(5) of Decision No 280/2004/EC

Each Member State's report shall, in accordance with the modalities for the accounting of assigned amounts under Article 7(4) of the Kyoto Protocol, contain the following information:

- (a) for the current calendar year until the end of the additional period for fulfilling commitments (defined according to Greenwich Mean Time), the total quantity of:

- (i) ERUs, CERs (including ICERs and tCERs), AAUs and RMUs in each Member State holding, cancellation, replacement and retirement account and in all operator and person holding accounts on 1 January each year,
- (ii) AAUs issued on the basis of the assigned amount pursuant to Article 3(7) and 3(8) of the Kyoto Protocol,
- (iii) ERUs issued on the basis of projects undertaken pursuant to Article 6 of the Kyoto Protocol,
- (iv) ERUs, CERs (including ICERs and tCERs), AAUs and RMUs acquired from other registries and a separate list providing the identity of the transferring accounts and registries,
- (v) RMUs issued on the basis of each activity under Article 3(3) and (4) of the Kyoto Protocol,
- (vi) ERUs, CERs (including ICERs and tCERs), AAUs and RMUs transferred to other registries and a separate list providing the identity of the acquiring accounts and registries,
- (vii) ERUs, CERs, AAUs and RMUs cancelled on the basis of activities under Article 3(3) and (4) of the Kyoto Protocol,
- (viii) ERUs, CERs, AAUs and RMUs cancelled following determination by the Compliance Committee that the Member State is not in compliance with its commitment under Article 3(1) of the Kyoto Protocol,
- (ix) other ERUs, CERs (including ICERs and tCERs), AAUs and RMUs cancelled,
- (x) ERUs, CERs (including ICERs and tCERs), AAUs and RMUs retired,
- (xi) AAUs, CERs, ERUs, RMUs and tCERs transferred into the tCER replacement account for the commitment period,
- (xii) AAUs, CERs, ERUs, RMUs and ICERs transferred into the ICER replacement account for the first commitment period of the Kyoto Protocol;

(b) the total quantity and serial numbers of ERUs, AAUs, RMUs, CERs (including ICERs and tCERs) in the Member State's retirement account at the end of the reporting period;

(c) the total quantity and serial numbers of ERUs, CERs and AAUs which the Member State requests to be carried over to the subsequent commitment period.

That information shall only include ERUs, AAUs, RMUs, CERs (including ICERs and tCERs) valid for the commitment period in question. It shall be determined on the basis of the information made available pursuant to Article 9 of Commission Regulation (EC) No 2216/2004⁽¹⁾ and shall be submitted in electronic format.

Article 19

Community reporting upon expiration of the additional period for fulfilling commitments under Article 5(5) of Decision No 280/2004/EC

The Community report shall contain the following information:

(a) the total quantities of the units listed in Article 18(a) reported by the Member States and the total quantities of those units held in the Community registry;

(b) the total quantity and serial numbers of ERUs, AAUs, RMUs, CERs (including ICERs and tCERs) in Member States' and in the Community's retirement accounts at the end of the reporting period;

(c) the total quantity and serial numbers of ERUs, CERs and AAUs which each Member State and the Community request to be carried over to the subsequent commitment period in accordance with the modalities for the accounting of assigned amounts under Article 7(4) of the Kyoto Protocol.

CHAPTER V

Procedures and time scales for cooperation and coordination

Article 20

The compilation of the Community greenhouse gas inventory and inventory report pursuant to Article 8(1)(a) of Decision No 280/2004/EC

1. Member States shall use the ReportNet tools of the European Environment Agency, provided pursuant to Regu-

lation (EC) No 1641/2003 of the European Parliament and of the Council⁽²⁾, for the submission of annual information under Article 3(1) of Decision No 280/2004/EC.

2. Any updated data provided by Member States in accordance with Article 4(1) of Decision No 280/2004/EC shall be limited to providing missing data and removing inconsistencies.

3. The procedures and timetable for the compilation of the Community inventory and the inventory report are set out in Annex VI.

Article 21

The review, adjustment and compliance procedures under the UNFCCC and the Kyoto Protocol pursuant to Article 8(1)(b) and (c) of Decision No 280/2004/EC

1. If on 1 June a Member State has not submitted its annual inventory report to the UNFCCC, it shall immediately notify the Commission.

2. Member States shall notify the Commission within one week of receiving any of the following information from the UNFCCC:

(a) indications by an expert review team of problems related to the Member State's inventory which would need an adjustment;

(b) corrections to the inventory estimates applied in agreement between the Member State and the expert review team to the inventory submission concerned;

(c) adjusted estimates contained in a draft individual inventory review report applied where the Member State did not correct the problem to the satisfaction of the expert review team;

(d) questions of implementation that have been submitted to the Compliance Committee under the Kyoto Protocol, the notification by the Compliance Committee to proceed with a question of implementation, and all preliminary findings and decisions of the Compliance Committee and its branches concerning the Member State.

⁽¹⁾ OJ L 386, 29.12.2004, p. 1.

⁽²⁾ OJ L 245, 29.9.2003, p. 1.

With regard to point (a) the Member State shall notify the Commission on how it plans to address the problems identified by the expert review team.

With regard to point (c) the Member State shall notify the Commission whether it accepts or rejects the proposed adjustments.

The Commission shall inform the other Member States within one week of receipt of the information in points (a) to (d) from the Member State concerned.

3. The Commission shall inform all Member States within one week of the receipt of the following information from the UNFCCC:

- (a) indications by an expert review team of problems related to the Community's inventory which would need an adjustment;
- (b) corrections to the inventory estimates applied in agreement between the Community and the expert review team to the inventory submission concerned;
- (c) adjusted estimates contained in a draft individual inventory review report applied where the Community did not correct the problem to the satisfaction of the expert review team;
- (d) questions of implementation that have been submitted to the Compliance Committee under the Kyoto Protocol, the notification by the Compliance Committee to proceed with a question of implementation, and all preliminary findings and decisions of the Compliance Committee and its branches concerning the Community.

4. Member States shall coordinate their response to the review process in relation to obligations under Decision No 280/2004/EC with the Commission:

- (a) within the timeframes provided pursuant to the Kyoto Protocol, if the adjusted estimates in a single year or the cumulative adjustments in subsequent years of the commitment period for one or more Member States would imply adjustments of the Community inventory to an amount leading to a failure to meet the methodological and reporting requirements under Article 7(1) of the Kyoto Protocol for the purpose of the eligibility requirements as

set out in the guidelines under Article 7 of the Kyoto Protocol;

- (b) within two weeks prior to the submission to the relevant bodies under the Kyoto Protocol of the following:

- (i) a request to revise an adjustment;

- (ii) a request for reinstatement of eligibility;

- (iii) a response to a decision to proceed with a question of implementation or to preliminary findings of the Compliance Committee.

5. Member States shall inform the Commission and other Member States on adjustments calculated for their inventory estimates during the voluntary adjustment procedure applied pursuant to the technical guidance for adjustments.

Article 22

The preparation of the reports on demonstration of progress pursuant to Article 8(1)(d) of Decision No 280/2004/EC

1. The Commission draft report on the demonstration of progress achieved by 2005 by the Community shall be circulated to Member States by 30 July 2005. Member States shall provide any comments by 31 August 2005 at the latest.

2. Member States shall submit their reports on the demonstration of progress achieved by 2005 to the UNFCCC secretariat by 1 January 2006 and shall on the same date provide the Commission with an electronic copy of that submission.

Article 23

Reporting on the determination of the assigned amount pursuant to Article 8(1)(e) of Decision No 280/2004/EC

1. Each Member State shall, by 15 January 2006, submit the following information to the Commission:

- (a) the complete time series of inventories of anthropogenic emissions by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol as reported to the UNFCCC;

- (b) the identification of its selected base year for hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride as reported to the UNFCCC;
- (c) its proposal for its emission level in terms of tonnes of carbon dioxide equivalent pursuant to Article 3 of Decision 2002/358/EC and Article 3(7) and (8) of the Kyoto Protocol, following the establishment of definitive base-year emission figures and on the basis of the quantified emission limitation or reduction commitments set out in Annex II to Decision 2002/358/EC and the Kyoto Protocol, taking into account the methodologies for estimating anthropogenic emissions by sources and removals by sinks referred to in Article 5(2) of the Kyoto Protocol and the modalities for the calculation of assigned amount pursuant to Article 3(7) and (8) of the Kyoto Protocol.
- (d) the calculation of its commitment period reserve as 90 % of its proposed assigned amount or 100 % of five times its most recently reviewed inventory, whichever is the lowest;
- (e) the identification of its selection of single minimum values for tree crown cover, land area and tree height for use in accounting for its activities under Article 3(3) and (4) of the Kyoto Protocol, together with a justification of the consistency of those values with the information that has been historically reported to the Food and Agriculture Organisation of the United Nations or other international bodies, and in the case of difference, an explanation of why and how such values were chosen, in accordance with definitions, modalities, rules and guidelines relating to land use, land-use change and forestry activities under the Kyoto Protocol;
- (f) the identification of its election of activities under Article 3(4) for inclusion in its accounting for the first commitment period, together with information on how its national system under Article 5(1) of the Kyoto Protocol will identify land areas associated with the activities, in accordance with definitions, modalities, rules and guidelines relating to land use, land-use change and forestry activities under the Kyoto Protocol;
- (g) the identification of whether, for each activity under Article 3(3) and (4) of the Kyoto Protocol it intends to account annually or for the entire commitment period;
- (h) a description of its national system in accordance with Article 5(1) of the Kyoto Protocol, in accordance with the guidelines under Article 7 of the Kyoto Protocol;
- (i) a description of its national registry, in accordance with the guidelines under Article 7 of the Kyoto Protocol.

Member States not listed in Annex II to Decision 2002/358/EC shall submit this information by 15 June 2006.

2. The timetable for the preparation and submission of the reports referred to in Article 7(1) of Decision No 280/2004/EC and submitted in accordance with the modalities for the accounting of assigned amounts under Article 7(4) of the Kyoto Protocol is set out in Annex VII.

Article 24

Reporting in relation to the additional period for fulfilling commitments pursuant to Article 8(1)(f) of Decision No 280/2004/EC

1. The Member State reports upon expiration of the additional period for fulfilling commitments shall be submitted to the UNFCCC Secretariat and the Commission within one month after the expiration of the additional period for fulfilling commitments.

2. The Community report upon expiration of the additional period for fulfilling commitments shall be submitted to the UNFCCC Secretariat within one month after the receipt of the Member State reports referred to in paragraph 1.

CHAPTER VI

Final provisions

Article 25

Entry into force

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

Article 26

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 10 February 2005.

For the Commission

Stavros DIMAS

Member of the Commission

[illegible]

[illegible]

TABLE 1-2
Community summary report for methods, activity data and emission factors used (industrial processes)

[illegible]

[illegible]

TABLE I-3

[illegible]

TABLE I-4

GREENHOUSE GAS SOURCE AND SINK CATEGORIES				CO ₂				CH ₄				N ₂ O				
				Key source ⁽¹⁾	Method applied ⁽²⁾	Activity data ⁽³⁾	Emission factor ⁽⁴⁾	Key source ⁽¹⁾	Method applied ⁽²⁾	Activity data ⁽³⁾	Emission factor ⁽⁴⁾	Key source ⁽¹⁾	Method applied ⁽²⁾	Activity data ⁽³⁾	Emission factor ⁽⁴⁾	
5. Land-use, land-use change and forestry																
A. Forest land																
1. Forest land remaining forest lands																
2. Land converted to forest lands																
3. Cropland																
1. Cropland remaining cropland																
2. Land converted to cropland																
C. Grassland																
1. Grassland remaining grassland																
2. Land converted to grassland																
D. Wetlands																
1. Wetlands remaining wetlands																
2. Land converted to wetlands																
E. Settlements																
1. Settlements remaining settlements																
2. Land converted to settlements																
F. Other land																
1. Other land remaining other land																
2. Land converted to other land																

[illegible]

Legend for tables I-1 to I-4

(1) Key sources of the Community. To be completed by Commission/EEA with results from key category analysis from previous inventory submission.

(2) Use the following notation keys to specify the method applied:

D (IPCC default), RA (reference approach), T1 (IPCC Tier 1),	T1a, T1b, T1c (IPCC Tier 1a, Tier 1b and Tier 1c, respectively), T2 (IPCC Tier 2), T3 (IPCC Tier 3),	C (CORINAIR), CS (country specific), M (model)	COPERT X (Copert model X = Version)
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If using more than one method within one source category, enumerate the relevant methods. Explanations regarding country-specific methods or any modifications to the default IPCC methods, as well as information regarding the use of different methods per source category where more than one method is indicated, should be provided in the documentation box.

(3) Use the following notation keys to specify the sources of activity data used:

NS (national statistics), RS (regional statistics),	IS (international statistics), PS (plant specific data),	AS (associations, business organisations), Q (specific questionnaires, surveys)
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If keys above are not appropriate for national circumstances, use additional keys and explain those in the documentation box. Where a mix of AD sources has been used, use different notations in one and the same cells with further explanations in the documentation box.

(4) Use the following notation keys to specify the emission factor used:

D (IPCC default), C (CORINAIR),	CS (country specific), PS (plant specific).
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Where a mix of emission factors has been used, use different notations in one and the same cells with further explanations in the documentation box.

Documentation box:

- * The full information on methodological issues, such as methods, activity data and emission factors used, can be found in the relevant sector sections of chapter 5 of the NIR. If any additional information is needed to understand the content of this table, use this documentation box to provide references to the relevant section of the NIR where further details can be found.
- * Where a mix of methods/emission factors has been used within one source category, use this documentation box to specify those methods/emission factors for the various sub-sources where they have been applied (see also footnotes 2 to 4 to this table).

ANNEX II

LIST OF ANNUAL INDICATORS

TABLE II-1

List of priority indicators ⁽¹⁾

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions ⁽²⁾ ⁽³⁾
1	MACRO	Total CO ₂ intensity of GDP, t/Mio EUR	Total CO ₂ emissions, kt	Total CO ₂ emissions (excluding LUCF) as reported in the CRF
			GDP, Bio Euro (EC95)	Gross domestic product at constant 1995 prices (source: National Accounts)
2	MACRO B0	Energy related CO ₂ intensity of GDP, t/Mio EUR	CO ₂ emissions from energy consumption, kt	CO ₂ emissions from combustion of fossil fuels (IPCC source category 1A, sectoral approach)
			GDP, Bio Euro (EC95)	Gross domestic product at constant 1995 prices (source: National Accounts)
3	TRANSPORT C0	CO ₂ emissions from passenger cars, kt		CO ₂ emissions from the combustion of fossil fuels for all transport activity with passenger cars (automobiles designated primarily for transport of persons and having capacity of 12 persons or fewer; gross vehicle weight rating of 3 900 kg or less — IPCC source category 1A3bi)
		Number of kilometres by passenger cars, Mkm		Number of vehicle kilometres by passenger cars. (source: transport statistics)
4	INDUSTRY A1	Energy related CO ₂ intensity of industry, t/Mio EUR		Note: Activity data should be consistent with the emission data, if possible.
			CO ₂ emissions from industry, kt	Emissions from combustion of fossil fuels in manufacturing industries, construction and mining and quarrying (except coal mines and oil and gas extraction) including combustion for the generation of electricity and heat (IPCC source category 1A2). Energy used for transport by industry should not be included here but in the transport indicators. Emissions arising from off-road and other mobile machinery in industry should be included in this sector
			Gross value-added total industry, Bio Euro (EC95)	Gross value added at constant 1995 prices in manufacturing industries (NACE 15-22, 24-37), construction (NACE 45) and mining and quarrying (except coal mines and oil and gas extraction) (NACE 13-14) (source: National Accounts)

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions ⁽²⁾ ⁽³⁾
5	HOUSEHOLDS A.1	Specific CO ₂ emissions of households, t/dwelling	CO ₂ emissions from fossil fuel consumption households, kt	CO ₂ emissions from fossil fuel combustion in households (IPCC source category 1A4b)
			Stock of permanently occupied dwellings, 1 000	Stock of permanently occupied dwellings
6	SERVICES A0	CO ₂ intensity of the commercial and institutional sector, t/Mio EUR	CO ₂ emissions from fossil fuel consumption in commercial and institutional sector, kt	CO ₂ emissions from fossil fuel combustion in commercial and institutional buildings in the public and private sectors (IPCC source category 1A4a). Energy used for transport by services should not be included here but in the transport indicators
			Gross value-added services, Bio Euro (EC95)	Gross value added at constant 1995 prices in services (NACE 41, 50, 51, 52, 55, 63, 64, 65, 66, 67, 70, 71, 72, 73, 74, 75, 80, 85, 90, 91, 92, 93, 99) (source: National Accounts)
7	TRANSFORMATION B0	Specific CO ₂ emissions of public and autoproducer power plants, t/TJ	CO ₂ emissions from public and autoproducer thermal power stations, kt	CO ₂ emissions from all fossil fuel combustion for gross electricity and heat production by public and autoproducer thermal power and combined heat and power plants. Emissions from heat only plants are not included
			All products — output by public and autoproducer thermal power stations, PJ	Gross electricity produced and any heat sold to third parties (combined heat and power plants — CHP) by public and autoproducer thermal power and combined heat and power plants. Output from heat only plants is not included. Public thermal plants generate electricity (and heat) for sale to third parties, as their primary activity. They may be privately or publicly owned. Autoproducer thermal power stations generate electricity (and heat) wholly or partly for their use as an activity, which supports their primary activity. The gross electricity generation is measured at the outlet of the main transformers, i.e. the consumption of electricity in the plant auxiliaries and in transformers is included (source: energy balance)

⁽¹⁾ MS shall report numerator and denominator, if not included in the CRF.

⁽²⁾ MS should follow this guidance. If they cannot follow exactly this guidance or if numerator and denominator are not entirely consistent, MS should clearly indicate this.

⁽³⁾ The references to IPCC source categories refer to IPCC (1996) Revised 1996 IPCC Guidelines for National Greenhouse Gas Inventories.

TABLE II-2
List of additional priority indicators ⁽¹⁾

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions ⁽²⁾
1	TRANSPORT D0	CO ₂ emissions from freight transport on road, kt		CO ₂ emissions from the combustion of fossil fuel for all transport activity with light duty trucks (vehicles with a gross vehicle weight of 3 900 kg or less designated primarily for transportation of light-weight cargo or which are equipped with special features such as four-wheel drive for off-road operation — IPCC source category 1A3bii) and heavy duty trucks (any vehicle rated at more than 3 900 kg gross vehicle weight designated primarily for transportation of heavy-weight cargo — IPCC source category 1A3biii excluding buses)
		Freight transport on road, Mtkm		Number of tonne-kilometres transported in light and heavy duty trucks on road: one tonne-kilometre represents the transport of one tonne by road over one kilometre (source: transport statistics)
2	INDUSTRY A1.1			Note: Activity data should be consistent with the emission data, if possible.
		Total CO ₂ intensity — iron and steel industry, t/Mio EUR	Total CO ₂ emissions from iron and steel, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of iron and steel including combustion for the generation of electricity and heat (IPCC source category 1A2a), from the iron and steel production process (IPCC source category 2C1) and from ferroalloys production process (IPCC source category 2C2)
			Gross value-added — iron and steel industry, Bio Euro (EC95)	Gross value added at constant 1995 prices in manufacture of basic iron and steel and of ferro-alloys (NACE 27.1), manufacture of tubes (NACE 27.2), other first processing of iron and steel (NACE 27.3), casting of iron (NACE 27.51) and casting of steel (NACE 27.52) (source: National Accounts)
3	INDUSTRY A1.2	Energy related intensity — chemical industry, t/Mio EUR	Energy related CO ₂ emissions chemical industries, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of chemicals and chemical products including combustion for the generation of electricity and heat (IPCC source category 1A2c)
			Gross value-added chemical industry, Bio Euro (EC95)	Gross value added at constant 1995 prices in manufacture of chemicals and chemical products (NACE 24) (source: National Accounts)

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions ⁽²⁾
4	INDUSTRY A1.3	Energy related CO ₂ intensity — glass, pottery and building materials industry, t/Mio EUR	Energy related CO ₂ emissions glass, pottery and building materials, kt	CO ₂ emissions from combustion of fuels in manufacture of non-metallic mineral products (NACE 26) including combustion for the generation of electricity and heat
			Gross value-added — glass, pottery and buildings materials industry, Bio Euro (EC95)	Gross value added at constant 1995 prices in manufacture of non-metallic mineral products (NACE 26) (source: National Accounts)
5	INDUSTRY C0.1	Specific CO ₂ emissions of iron and steel industry, t/t	Total CO ₂ emissions from iron and steel, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of iron and steel including combustion for the generation of electricity and heat (IPCC source category 1A2a), from the iron and steel production process (IPCC source category 2C1) and from ferroalloys production process (IPCC source category 2C2)
			Production of oxygen steel, kt	Production of oxygen steel (NACE 27) (source: production statistics)
6	INDUSTRY C0.2	Specific energy related CO ₂ emissions of cement industry, t/t	Energy related CO ₂ emissions from glass, pottery and building materials, kt	CO ₂ emissions from combustion of fuels in manufacture of non-metallic mineral products (NACE 26) including combustion for the generation of electricity and heat
			Cement production, kt	Cement production (NACE 26) (source: production statistics)

⁽¹⁾ MS shall report numerator and denominator, if not included in the CRF.

⁽²⁾ MS should follow this guidance. If they cannot follow exactly this guidance or if numerator and denominator are not entirely consistent, MS should clearly indicate this.

TABLE II-3
List of supplementary indicators

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions
1	TRANSPORT B0	Specific diesel related CO ₂ emissions of passenger cars, g/100 km	CO ₂ emissions of diesel-driven passenger cars, kt	CO ₂ emissions from the combustion of diesel for all transport activity with passenger cars (automobiles designated primarily for transport of persons and having capacity of 12 persons or fewer; gross vehicle weight rating of 3 900 kg or less — IPCC source category 1A3bi only diesel)
			Number of kilometres of diesel-driven passenger cars, Mio km	Number of vehicle kilometres of total diesel-driven passenger cars licensed to use roads open to public traffic (source: transport statistics)
2	TRANSPORT B0	Specific petrol related CO ₂ emissions of passenger cars, g/100 km	CO ₂ emissions of petrol-driven passenger cars, kt	CO ₂ emissions from the combustion of petrol for all transport activity with passenger cars (automobiles designated primarily for transport of persons and having capacity of 12 persons or fewer; gross vehicle weight rating of 3 900 kg or less — IPCC source category 1A3bi only petrol)
			Number of kilometres of petrol-driven passenger cars, Mio km	Number of vehicle kilometres of total petrol-driven passenger cars licensed to use roads open to public traffic (source: transport statistics)
3	TRANSPORT C0	Specific CO ₂ emissions of passenger cars, t/pkm	CO ₂ emissions from passenger cars, kt	CO ₂ emissions from the combustion of fossil fuels for all transport activity with passenger cars (automobiles designated primarily for transport of persons and having capacity of 12 persons or fewer; gross vehicle weight rating of 3 900 kg or less — IPCC source category 1A3bi)
			Passenger transport by cars, Mpkm	Number of passenger-kilometres travelled in passenger cars; one passenger-kilometre is the transport of one passenger over one kilometre (source: transport statistics)
4	TRANSPORT E1	Specific air-transport emissions, t/passenger		Note: Activity data should be consistent with the emission data, if possible.
			CO ₂ emissions from domestic air transport, kt	CO ₂ emissions from domestic air transport (commercial, private, agricultural, etc.), including take-offs and landings (IPCC source category 1A3aii). Exclude use of fuel at airports for ground transport. Also exclude fuel for stationary combustion at airports
			Domestic air-passengers, Mio	Number of persons, excluding on-duty members of the flight and cabin crews, making a journey by air (domestic aviation only) (source: transport statistics)
				Note: Activity data should be consistent with the emission data, if possible.

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions
5	INDUSTRY A1.4	Energy related CO ₂ intensity — food, drink and tobacco industry, t/Mio EUR	Energy related CO ₂ emissions food industries, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of food products and beverages and tobacco products including combustion for the generation of electricity and heat (IPCC source category 1A2e)
			Gross value-added — food, drink and tobacco industry, Mio EUR (EC95)	Gross value added at constant 1995 prices in manufacture of food products and beverages (NACE 15) and tobacco products (NACE 16) (source: National Accounts)
6	INDUSTRY A1.5	Energy related CO ₂ intensity — paper and printing industry, t/Mio EUR	Energy related CO ₂ emissions paper and printing, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of pulp, paper and paper products and publishing, printing and reproduction of recorded media including emissions from combustion for the generation of electricity and heat (IPCC source category 1A2d)
			Gross value-added — paper and printing industry, Mio EUR (EC95)	Gross value added at constant 1995 prices in manufacture of pulp, paper and paper products (NACE 21) and publishing, printing and reproduction of recorded media (NACE 22) (source: National Accounts)
7	HOUSEHOLDS A0	Specific CO ₂ emissions of households for space heating, t/m ²	CO ₂ emissions for space heating in households, kt	CO ₂ emissions from fuel combustion for space heating in households
			Surface area of permanently occupied dwellings, Mio m ²	Total surface area of permanently occupied dwellings
8	SERVICES B0	Specific CO ₂ emissions of commercial and institutional sector for space heating, kg/m ²	CO ₂ emissions from space heating in commercial and institutional, kt	CO ₂ emissions from fossil fuel combustion for space heating in commercial and institutional buildings in the public and private sectors
			Surface area of services buildings, Mio m ²	Total surface area of services buildings (NACE 41, 50, 51, 52, 55, 63, 64, 65, 66, 67, 70, 71, 72, 73, 74, 75, 80, 85, 90, 91, 92, 93, 99)
9	TRANSFORMATION D0	Specific CO ₂ emissions of public power plants, t/TJ	CO ₂ emissions from public thermal power stations, kt	CO ₂ emissions from all fossil fuel combustion for gross electricity and heat production by public thermal power and combined heat and power plants (IPCC source categories 1A1ai and 1A1aii). Emissions from heat only plants are not included
			All products output by public thermal power stations, PJ	Gross electricity produced and any heat sold to third parties (combined heat and power plants — CHP) by public thermal power and combined heat and power plants. Output from heat only plants is not included. Public thermal plants generate electricity (and heat) for sale to third parties, as their primary activity. They may be privately or publicly owned. The gross electricity generation is measured at the outlet of the main transformers, i.e. the consumption of electricity in the plant auxiliaries and in transformers is included (source: energy balance)

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions
10	TRANSFORMATION E0	Specific CO ₂ emissions of autoproducer plants, t/TJ	CO ₂ emissions from autoproducers, kt	CO ₂ emissions from all fossil fuel combustion for gross electricity and heat production by autoproducer thermal power and combined heat and power plants
			All products output by autoproducer thermal power stations, PJ	Gross electricity produced and any heat sold to third parties (combined heat and power — CHP) by autoproducer thermal power and combined heat and power plants. Autoproducer thermal power stations generate electricity (and heat) wholly or partly for their use as an activity, which supports their primary activity. The gross electricity generation is measured at the outlet of the main transformers, i.e. the consumption of electricity in the plant auxiliaries and in transformers is included (source: energy balance)
11	TRANSFORMATION	Carbon intensity of total power generation, t/TJ	CO ₂ emissions from classical power production, kt	CO ₂ emissions from all fossil fuel combustion for gross electricity and heat production by public thermal power and combined heat and power plants and by autoproducer thermal power and combined heat and power plants. Emissions from heat only plants are not included
			All products output by public and autoproducer power stations, PJ	Gross electricity produced and any heat sold to third parties (combined heat and power — CHP) by public and autoproducer power and combined heat and power plants. Includes electricity production from renewable sources and nuclear power (source: energy balance)
12	TRANSPORT	Carbon intensity of transport, t/TJ	CO ₂ emissions from transport, kt	CO ₂ emissions from fossil fuels for all transport activity (IPCC source category 1A3)
			Total final energy consumption from transport, PJ	Includes total final energy consumption of transport from all energy sources (including biomass and electricity consumption) (source: energy balance)
13	INDUSTRY C0.3	Specific energy related CO ₂ emissions of paper industry, t/t	Energy related CO ₂ emissions paper and printing industries, kt	CO ₂ emissions from combustion of fossil fuels in manufacture of pulp, paper and paper products and publishing, printing and reproduction of recorded media including emissions from combustion for the generation of electricity and heat (IPCC source category 1A2d)
			Physical output of paper, kt	Physical output of paper (NACE 21) (source: production statistics)

No	Nomenclature in Eurostat energy efficiency indicators	Indicator	Numerator/denominator	Guidance/definitions
14	INDUSTRY	CO ₂ emissions from the industry sector, kt		Emissions from combustion of fossil fuels in manufacturing industries, construction and mining and quarrying (except coal mines and oil and gas extraction) including combustion for the generation of electricity and heat (IPCC source category 1A2). Energy used for transport by industry should not be included here but in the transport indicators. Emissions arising from off-road and other mobile machinery in industry should be included in this sector
		Total final energy consumption from industry, PJ		Includes total final energy consumption of industry from all energy sources (including biomass and electricity consumption) (source: energy balance)
15	HOUSEHOLDS	CO ₂ emissions from households, kt		CO ₂ emissions from fossil fuel combustion in households (IPCC source category 1A4b)
		Total final energy consumption from households, PJ		Includes total final energy consumption of households from all energy sources (including biomass and electricity consumption) (source: energy balance)

ANNEX III

Indicators for projections to monitor and evaluate progress with policies and measures ⁽¹⁾

No	Eurostat sectors	Indicator	Numerator/denominator
1	MACRO	CO ₂ intensity of GDP, t/EUR million	Total CO ₂ emissions, kt
			GDP, Bio Euro (EC95)
2	TRANSPORT C0	CO ₂ emissions from passenger cars, kt	
		Number of kilometres by passenger cars, Mkm	
3	TRANSPORT D0	CO ₂ emissions from freight transport (all modes), kt	
		Freight transport (all modes), Mtkm	
4	INDUSTRY A1	Energy related CO ₂ intensity of industry, t/EUR million	CO ₂ emissions from fossil fuel consumption industry, kt
			Gross value-added total industry, Bio Euro (EC95)
5	HOUSEHOLDS A1	Specific CO ₂ emissions of households, t/dwelling	CO ₂ emissions from fossil fuel consumption households, kt
			Stock of permanently occupied dwellings, 1 000
6	SERVICES A0	CO ₂ intensity of the services sector, t/EUR million	CO ₂ emissions from fossil fuel consumption services, kt
			Gross value-added — services, Bio Euro (EC95)
7	TRANSFORMATION B0	Specific CO ₂ emissions of public and autoproducer power plants, t/TJ	CO ₂ emissions from public and auto-producer thermal power stations, kt
			All products — output by public and autoproducer thermal power stations, PJ
8	AGRICULTURE	Specific N ₂ O emissions of fertiliser and manure use, kg/kg	N ₂ O emissions from synthetic fertiliser and manure use, kt
			Use of synthetic fertiliser and manure, kt nitrogen
9	AGRICULTURE	Specific CH ₄ emissions of cattle production, kg/head	CH ₄ emissions from cattle, kt
			Cattle population, 1 000 head
10	WASTE	Specific CH ₄ emissions from landfills, kt/kt	CH ₄ emissions from landfills, kt
			Municipal solid waste going to landfills, kt

⁽¹⁾ For more detailed guidance/definitions for indicators 1-7 see Annex II. Indicators 1-7 should be consistent with the equivalent indicators in Annex II, if possible; indicators 8-10 should be consistent with the information provided in the CRF.

ANNEX IV

LIST OF PARAMETERS ON PROJECTIONS

1. **Mandatory parameters on projections***Assumptions for general economic parameters*

- Gross Domestic Product (GDP) (value at given years or annual growth rate and base year)
- Population (value at given years or annual growth rate and base year)
- International coal prices at given years in euro per tonne or GJ (Gigajoule)
- International oil prices at given years in euro per barrel or GJ
- International gas prices at given years in euro per m³ or GJ

Assumptions for the energy sector

- Total gross inland consumption in Petajoule (PJ) (split by oil, gas, coal, renewables, nuclear, other)
- Total electricity production by fuel type (oil, gas, coal, renewables, nuclear, other)
- Energy demand by sector split by fuel (delivered) (suggested sectors are energy industries, industry, commercial or tertiary, residential and transport)
- Assumptions on weather parameters, especially heating or cooling degree days

Assumptions for the industry sector

For Member States using macroeconomic models:

- The share of the industrial sector in GDP and growth rate

For Member States using other models:

- The production index for industrial sector (suggested split is energy intensive industry based on physical production and manufacturing industry based on monetary value)

Assumptions for the transport sector

For Member States using macroeconomic models:

- The growth of transport relative to GDP

For Member States using other models:

- The growth of passenger person kilometres
- The growth of freight tonne kilometres

Assumptions for buildings (in residential and commercial or tertiary sector)

For Member States using macroeconomic models:

- The level of private consumption (excluding private transport)
- The share of the tertiary sector in GDP and the growth rate

For Member States using other models:

- The rate of change of floor space for tertiary buildings and dwellings
- The number of dwellings and number of employees in the tertiary sector

Assumptions in the agriculture sector

For Member States using macroeconomic models:

- The share of the agriculture sector in GDP and relative growth

For Member States using other models:

- The livestock numbers by animal type (for enteric fermentation beef, cattle and dairy cows, sheep, for manure management also pigs and poultry)
- The area of crops by crop type
- The emissions factors by type of livestock for enteric fermentation and manure management and by type of crop and the fertilizer use (tonnes)

Assumptions in the waste sector

- Waste generation per head of population or tonnes of municipal solid waste
- The organic fractions of municipal solid waste
- Municipal solid waste disposed to landfills, incinerated or composted (in tonnes or %)

Assumptions in the forestry sector

- Forest definitions
- Areas of:
 - managed forests
 - unmanaged forests

2. Recommended parameters on projections

Assumptions for general economic parameters

- GDP growth rates split by industrial sectors in relation to 2000
- Comparison projected data with official forecasts

Assumptions for the energy sector

- National coal, oil and gas energy prices per sector (including taxes) — suggested sectors are electricity and heat generation, industry, commercial, residential and transport. Constant prices should be quoted
- National electricity prices per sector as above (may be model output)
- Total production of district heating by fuel type

Assumptions for the industry sector

- Assumptions fluorinated gases:
 - Aluminium production and emissions factors
 - Magnesium production and emissions factors
 - Foam production and emissions factors
 - Stock of refrigerant and leakage rates

For Member States using macroeconomic models:

- Share of GDP for different sectors and growth rates
- Rate of improvement of energy intensity (1990 = 100)

For Member States using other models:

- Index of production for different sectors
- Rate of improvement or index of energy efficiency

Assumptions for buildings (in residential and commercial or tertiary sector)

For Member States using macroeconomic models:

- Share of tertiary and household sectors in GDP
- Rate of improvement of energy intensity

For Member States using other models:

- Number of households
- Number of new buildings
- Rate of improvement of energy efficiency (1990 = 100)

Assumptions for the transport sector

For Member States using econometric models:

- Growth of transport relative to GDP — split by passenger and freight
- Improvements in energy efficiency — split by vehicle type
- Improvements in energy efficiency — split by vehicle type, specify whether it applies to whole fleet or new cars
- Rate of change of modal split (passenger and freight)
- The growth of passenger road kilometres
- The growth of passenger rail kilometres
- The growth of passenger aviation kilometres
- The growth of freight tonne kilometres on the road
- The growth of freight tonne kilometres by rail
- The growth of freight tonne kilometres by navigation

Assumptions for the agriculture sector

For Member States using econometric models:

- Agricultural trade (import/export)
- Domestic consumption (e.g. milk/beef consumption)

For Member States using other models:

- Development of area of crops, grassland, arable, set-aside, conversion to forests etc
 - Macroeconomic assumptions behind projections of agricultural activity
 - Description of livestock (e.g. by input/nutrient balance, output/animal production, milk production quota/productivity of cattle)
 - Development of farming types (e.g. intensive conventional, organic farming)
 - Distribution of housing/grazing systems and housing/grazing period
 - Parameters of fertiliser regime:
 - Details of fertiliser use (type of fertiliser, timing of application, inorganic/organic ratio);
 - Volatilisation rate of ammonia, following spreading of manure on the soil;
 - Efficiency of manure use.
 - Parameters of manure management system:
 - Distribution of storage facilities (e.g. with or without cover):
 - Nitrogen excretion rate of manures
 - Methods of application of manure
 - Extent of introduction of control measures (storage systems, manure application), use of best available techniques
 - Parameters related to nitrous oxide emissions from agricultural soils (e.g., Nitrogen leaching fraction, emission factor for direct emissions, Nitrogen content in crop residues)
 - Amount of manure treatment
-

ANNEX V

Questionnaire on the use of the Kyoto Protocol mechanisms in meeting the 2008-2012 targets

1. Does your Member State intend to use joint implementation (JI), the clean development mechanism (CDM) and international emissions trading (IET) under the Kyoto Protocol (the Kyoto mechanisms) to meet its quantified emission limitation or reduction commitment pursuant to Article 2 of Decision 2002/358/EC and the Kyoto Protocol? If so, what progress has been made with the implementing provisions (operational programmes, institutional decisions) and any related domestic legislation?
2. Has your Member State established and notified to the UNFCCC a designated national authority for clean development mechanism projects and a designated focal point for joint implementation projects? If so, please provide details.
3. Which of the three Kyoto mechanisms is your Member State using or does it plan to use?
4. What quantitative contributions to the fulfilment of the quantified emission limitation or reduction commitment pursuant to Article 2 of Decision 2002/358/EC and the Kyoto Protocol does your Member State expect from the Kyoto mechanisms during the first quantified emission limitation and reduction commitment period, from 2008 to 2012 (please use Table 1)?

TABLE 1

Quantitative contribution of Kyoto mechanisms for the first commitment period

Kyoto mechanism	Total projected quantities for the first commitment period (Gg CO ₂ equivalent)
Total for all Kyoto mechanisms (*)	
<i>International emissions trading</i>	
<i>All project based activities</i>	
<i>joint implementation</i>	
<i>clean development mechanism</i>	

(*) If possible please disaggregate this data as suggested in *Italics*.

5. Specify the budget in euro for the total use of the Kyoto mechanisms and, where possible, per mechanism and initiative, programme or fund, including the time over which the budget will be spent.
6. With which countries has your Member State closed bilateral or multilateral agreements, or agreed memorandums of understanding or contracts for the implementation of project based activities?
7. For each planned, ongoing and completed clean development mechanism and joint implementation project activity in which your Member State participates, provide the following information:
 - (a) Project title and category (JI/CDM)
 - (b) Host country
 - (c) Financing: give a brief description of any financial involvement of the government and the private sector, using categories such as 'private', 'public', 'public-private partnership'.
 - (d) Project type: use a short description, for example:

Energy and power: Fuel-switching, renewable energy generation, improving energy efficiency, reduction of fugitive emissions from fuels, other (please specify)

Industrial processes: Material substitution, process or equipment change, waste treatment, recovery or recycling, other (please specify)

Land use, land-use change and forestry: Afforestation, reforestation, forest management, cropland management, grazing land management, revegetation

Transport:	Fuel-switching, improving fuel efficiency, other (please specify)
Agriculture:	Manure management, other (please specify)
Waste:	Solid-waste management, landfill methane recovery, waste-water management, other (please specify)
Other:	Please provide a short description of the other project type

(e) Status: use the following categories:

- Proposed,
- approved (approval of governments involved and feasibility studies completed),
- under construction (start-up or construction phase),
- in operation,
- completed,
- suspended.

(f) Lifetime: provide the following information:

- date of official approval (e.g. of the Executive Board for clean development mechanism projects, of the host country for joint implementation projects),
- date of project initiation (operation starts),
- expected date of project termination (lifetime),
- crediting period (for what years will ERUs or CERs be generated),
- date(s) of issue of emission reduction units (ERUs) (by host country) or certified emission reductions (CERs) (by CDM executive board).

(g) First or second track approval procedure (For joint implementation projects only).

(h) Projected total and annual emissions reductions that accrue until the end of the first commitment period.

(i) Amount of ERUs or CERS generated by the project that will be acquired by the Member State.

(j) Credits accrued until the end of reporting year: provide information on the number of credits (total and annual) obtained from joint implementation projects, clean development projects and credits resulting from land use, land-use change and forestry activities.

ANNEX VI

Procedures and time scales for the compilation of the Community greenhouse gas inventory and inventory report

Element	Who	When	What
1. Submission of annual inventories (complete Common Reporting Format (CRF) and elements of the national inventory report) by Member States under Decision No 280/2004/EC	Member States	Annually, by 15 January	Elements listed in Article 3(1) of Decision No 280/2004/EC as elaborated in Articles 2 to 7. Steps taken to improve estimates in areas that were previously adjusted under Article 5.2 of the Kyoto Protocol (for reporting under the Kyoto Protocol).
2. 'Initial check' of Member State submissions	Commission (incl. DG ESTAT (Eurostat), DG JRC (JRC)), assisted by European Environment Agency (EEA)	As soon as possible after receipt of Member State data, at the latest by 1 April	Initial checks and consistency checks (by EEA). Comparison of energy data provided by Member States on the basis of the IPCC Reference Approach with Eurostat energy data (by Eurostat and Member States) and check of Member States' agriculture and land use, land-use change and forestry (LULUCF) inventories by DG JRC (in consultation with Member States).
3. Compilation of draft Community inventory	Commission (incl. Eurostat, JRC), assisted by EEA	Up to 28 February	Draft Community inventory (by EEA), based on Member State inventories and additional information where needed.
4. Circulation of draft Community inventory	Commission assisted by EEA	28 February	Circulation of the draft Community inventory on 28 February to Member States. Member States check data.
5. Submission of updated or additional inventory data and complete national inventory reports by Member States	Member States	15 March	Updated or additional inventory data submitted by Member States (to remove inconsistencies or fill gaps) and complete final national inventory reports.
6. Estimates for data missing from a national inventory	Commission assisted by EEA	31 March	The Commission prepares estimates for missing data by 31 March of the reporting year, following consultation with the Member State concerned, and communicate these to the Member States.
7. Comments from Member States regarding the Commission estimates for missing data	Member States	8 April	Member States provide comments on the Commission estimates for missing data, for consideration by the Commission.
8. Final annual Community inventory (incl. Community inventory report)	Commission assisted by EEA	15 April	Submission to UNFCCC of the final annual Community inventory. This inventory will also be used to evaluate progress as part of the Monitoring Mechanism.

Element	Who	When	What
9. Circulation of initial check results of the Community submission to Member States	Commission assisted by EEA	As soon as possible after receipt of initial check results	Commission circulates the initial check results of the Community submission as soon as possible after their receipt to those Member States, which are affected by the initial checks.
10. Response of relevant Member State to initial check results of the Community submission	Member States	within one week from receipt of the findings	The Member States for which the initial check indicated problems or inconsistencies provide their responses to the initial check to the Commission.
11. Any resubmissions by Member States in response to the UNFCCC initial checks	Member States	For each Member State the same as under the UNFCCC initial checks phase Under the Kyoto Protocol: the resubmission should be provided to the Commission within five weeks of the submission due date	Member States provide to the Commission the resubmissions which they submit to the UNFCCC secretariat in response to the UNFCCC initial checks. The Member States should clearly specify which parts have been revised in order to facilitate the use for the Community resubmission. As the Community resubmission also has to comply with the deadlines specified in the guidelines under Article 8 of the Kyoto Protocol, the resubmission has to be sent to the Commission earlier than the period foreseen in the guidelines under Article 8 of the Kyoto Protocol, provided that the resubmission correct data or information that is used for the compilation of the Community inventory.
12. Submission of any other resubmission after the initial check phase	Member States	When additional resubmissions occur	Member States provide to the Commission any other resubmission (CRF or national inventory report) which they provide to the UNFCCC secretariat after the initial check phase.

ANNEX VII

Procedures and time scales for the determination of the assigned amounts of the Member States and the Community

When	What	Task of
15 January 2006	Submission of the draft Member State reports establishing their assigned amount to the Commission, pursuant to Article 23 by Member States listed in Annex II to Decision 2002/358/EC	Member States listed in Annex II to Decision 2002/358/EC
March 2006	Draft Commission Decision on determining the respective emission levels allocated to the Community and to each Member State listed in Annex II to Decision 2002/358/EC pursuant to Article 3 of Decision 2002/358/EC sent to the Climate Change Committee	Commission
April 2006	Opinion on the Draft Commission Decision on determining the respective emission levels allocated to the Community and to each Member State listed in Annex II to Decision 2002/358/EC pursuant to Article 3 of Decision 2002/358/EC	Climate Change Committee
15 June 2006	Submission of the draft Member State reports establishing their assigned amount to the Commission, pursuant to Article 23 by Member States not listed in Annex II to Decision 2002/358/EC	Member States not listed in Annex II to Decision 2002/358/EC
August 2006	Circulation to Member States of the draft report determining the Community assigned amount	Commission
September 2006	Comments to the Commission on the draft report determining the Community assigned amount	Member States
by 31 December 2006	Member State and Community reports on the determination of their assigned amount submitted to the UNFCCC	MS and Commission

COMMISSION DECISION

of 28 February 2005

concerning the financial contribution by the Community towards the publication in CD-ROM form of the proceedings of the OIE Global Conference on animal welfare held in February 2004

(2005/167/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 20 thereof,

Whereas:

- (1) Pursuant to Decision 90/424/EEC the Community is to undertake or assist the Member States in undertaking the technical and scientific measures necessary for the development of Community veterinary legislation and for the development of veterinary education or training.
- (2) The elaboration and dissemination by the Community of technical and scientific material related to the OIE Global Conference is to form part of the further development of Community veterinary legislation and veterinary education or training.
- (3) Commission Decision 2004/72/EC of 5 December 2003 concerning the financial contribution by the Community towards the OIE Global Conference on animal welfare in 2004⁽²⁾, approved the action to publish and disseminate the technical and scientific materials related to the OIE Conference on animal welfare in 2004 to be financed from budget line B1-331 of the budget of the European Union for 2003 to a maximum amount of EUR 40 000.
- (4) Although the hard copy version of the conference proceedings was produced and distributed during May

2004, the CD-ROM version is not expected to be available and invoiced for until February 2005.

- (5) The allocated non-dissociated payment credits for this action have expired on 31 December 2004.
- (6) It is therefore appropriate to finance the action to produce the CD-ROM version of the conference proceedings from budget line 17.04.02 of the budget of the European Union for 2005 to a maximum amount of EUR 25 000.
- (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,

HAS DECIDED AS FOLLOWS:

Sole Article

The appropriations from budget heading 17.04.02 of the budget of the European Union for 2005 may be used up to a maximum amount of EUR 25 000 to make the final payments in the framework of the action 'publishing and disseminating in CD-ROM form the technical and scientific materials related to the OIE Global Conference on animal welfare held in February 2004', approved by the Commission on 5 December 2003.

Done at Brussels, 28 February 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽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 16, 23.1.2004, p. 56.

**DECISION No 1/2003 OF THE ASSOCIATION COMMITTEE OF THE SPS AGREEMENT EU-CHILE
CALLED JOINT MANAGEMENT COMMITTEE**

of 24 October 2003

**concerning the rules of procedure of the Association Committee of the SPS Agreement EU-Chile
called Joint Management Committee (hereinafter called the JMC)**

(2005/168/EC)

Established in Article 89(3) of the Association Agreement between the European Community and its Member States of the one part and the Republic of Chile of the other part and referred to in Article 16 of the Agreement on Sanitary and Phytosanitary Measures Applicable to Trade in Animals and Animal Products, Plants, Plant Products and other Goods and Animal Welfare, which is attached as Annex IV to the Association Agreement and hereinafter referred to as the SPS Agreement.

Article 1

Chair

1. The JMC shall be chaired alternately for periods of 12 months by an official of the Commission of the European Community, on behalf of the Community and its Member States, and by an official of the Chilean Government, at senior official level.

2. The first Chair period shall begin on the date of the first Association Council meeting and end on 31 December of the same year. For that period and thereafter for each 12-month period, the JMC shall be chaired by the Party holding the Chair in the Association Council.

Article 2

Meetings

1. The meetings of the JMC shall be convened by the Party holding the Chair at a date and place agreed by both Parties with a frequency as established in accordance with the provisions of Article 16(1) of the SPS Agreement.

2. If agreed by both Parties the meetings of the JMC may be held by video or teleconference.

3. To enable the JMC to address issues out of session by correspondence the Parties shall so agree. Information exchange shall be made in accordance with the provisions of Article 12(5) of the SPS Agreement.

Article 3

Delegations

Before each meeting, the Chairperson of the JMC shall be informed of the intended composition of the other Party.

Article 4

Information exchange

All documents of the JMC provided for in Articles 6, 7 and 9 of these rules of procedure shall be forwarded to the Mission of Chile to the EU and the Delegation of the Commission to Chile and the Secretaries and the Chairperson of the Association Council.

Article 5

Publicity

Unless otherwise decided, the meetings of the JMC shall not be public.

Article 6

Agenda for the meeting

1. A provisional agenda for each meeting shall be drawn up by the Parties jointly. It shall be forwarded to the Chairperson no later than 15 days before the beginning of the meeting.

2. The agenda shall be adopted by the JMC at the beginning of each meeting.

3. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

4. The Chairperson in agreement with the other Party may ask experts to attend its meetings in order to provide information on particular subjects.

5. The Parties shall agree at the start of the meeting on the language arrangement for the meeting and for the minutes of the meeting.

Article 7

Minutes

1. Draft minutes of each meeting shall be drawn up jointly by the two Parties as soon as possible.

2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- (a) the documents submitted to the JMC,
- (b) any statement that a member of the JMC has asked to be entered,
- (c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.

3. The minutes shall also include a list of participants in the meeting.

4. The minutes shall be approved in writing by both Parties within two months of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the Chairperson and his/her counterpart of the other Party and one original copy shall be filed by each of the Parties. A copy of the minutes shall be forwarded to the Chairman and the Secretaries of the Association Council.

Article 8

Action plan

The JMC shall adopt an action plan reflecting the actions agreed upon by the Parties during the meeting. The implementation by the Parties of this action plan will be reviewed by the JMC in its next meeting.

Article 9

Decisions and recommendations

1. Where the JMC is empowered under Annex IV to the Association Agreement to adopt decisions or recommendations

such acts shall be entitled 'Decision' or 'Recommendation' respectively, and followed by a serial number, the date of their adoption and a description of their subject. Each Decision shall specify the date of its entry into force.

2. Whenever the JMC takes a Decision, Articles 10, 11 and 12 of the rules of procedures of the Association Council shall apply *mutatis mutandis*.

3. Decisions and Recommendations of the JMC shall be forwarded to the addresses referred to in Article 4(1).

Article 10

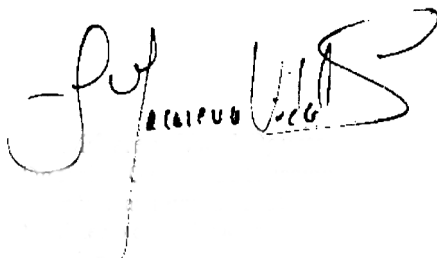
Expenses

1. The Republic of Chile and the European Community shall each meet any expenses incurred as a result of participating in the meetings of the JMC, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.

2. Expenditure in connection with the practical organisation of meetings, interpreting at meetings and reproduction of documents shall be borne by the Party hosting the meeting.

3. Expenditure in connection with interpreting at meetings and translation of documents into or from Spanish and English shall be borne by the Party hosting the meeting. Interpreting and translation into or from the other official languages of the Community shall be borne by the Community.

This Decision shall enter into force on the date of its adoption.



Macarena Vidal Ogueta
Dirección General de Relaciones
Económicas Internacionales
Ministerio de Relaciones Exteriores



Alejandro Checchi Lang
European Commission, DG SANCO
Food Safety, plant health, animal health
and welfare, international questions