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Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 850/2005

of 30 May 2005

amending Regulation (EC) No 2500/2001 to enable the implementation of Community assistance according to Article 54(2)(c) of Regulation (EC, Euratom) No 1605/2002

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 181a(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽¹⁾,

Whereas:

(1) Article 54(2) 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 ⁽²⁾ (Financial Regulation) allows for the implementation of the Community budget through centralised indirect management and sets specific requirements for implementation.

(2) In the area of pre-accession aid, centralised indirect management in the form set out in Article 54(2)(c) of the Financial Regulation has proved a valuable tool in the past, in particular concerning the operations of the Office for Technical Assistance and Information Exchange (TAIEX).

(3) Turkey has been a major user of TAIEX operations over the last years, and should be put in a position to continue using this instrument also according to the rules set up by the Financial Regulation.

(4) A harmonised approach in the area of pre-accession assistance is desirable and therefore the formula used should be identical to the one foreseen for Council Regulations (EEC) No 3906/89 (Phare) ⁽³⁾ and (EC) No 2666/2000 (CARDS) ⁽⁴⁾.

(5) Council Regulation (EC) No 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey ⁽⁵⁾ should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EC) No 2500/2001, the following Article shall be inserted:

'Article 6a

The Commission may, within the limits established in Article 54 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 ^(*), decide to entrust tasks of public authority, and in particular budget implementation tasks to the bodies listed in Article 54(2) of that Regulation. The bodies defined in Article 54(2)(c) of that Regulation may be entrusted with tasks of public authority if they are of recognised international standing, comply with internationally recognised systems of management and control, and are supervised by a public authority.

^(*) OJ L 248, 16.9.2002, p. 1.'

⁽¹⁾ Opinion delivered on 28 April 2005 (not yet published in the Official Journal).

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 375, 23.12.1989, p. 11. Regulation as last amended by Regulation (EC) No 2257/2004 (OJ L 389, 30.12.2004, p. 1).

⁽⁴⁾ OJ L 306, 7.12.2000, p. 1. Regulation as last amended by Regulation (EC) No 2257/2004.

⁽⁵⁾ OJ L 342, 27.12.2001, p. 1. Regulation as amended by Regulation (EC) No 769/2004 (OJ L 123, 27.4.2004, p. 1).

Article 2

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

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

Done at Brussels, 30 May 2005.

For the Council

The President

F. BODEN

COUNCIL REGULATION (EC) No 851/2005

of 2 June 2005

amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement as regards the reciprocity mechanism

THE COUNCIL OF THE EUROPEAN UNION,

States should automatically terminate the provisional restoration of a visa requirement decided by the Council.

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

(4) The amended solidarity mechanism aims at achieving full reciprocity in respect of all Member States and creating an effective and accountable mechanism in order to ensure it.

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

(5) Regulation (EC) No 539/2001 should be amended accordingly.

Whereas:

(1) The mechanism provided for in Article 1(4) of Council Regulation (EC) No 539/2001 ⁽²⁾ has proved unsuitable for dealing with situations of non-reciprocity in which a third country on the list in Annex II to that Regulation, i.e. a third country whose nationals are exempt from the visa requirement, maintains or introduces a visa requirement for nationals from one or more Member States. Solidarity with the Member States experiencing situations of non-reciprocity requires that the existing mechanism be adapted so as to make it effective.

(6) Transitional arrangements should be provided for where, when this Regulation comes into force, Member States are subject to a visa requirement by third countries listed in Annex II to Regulation (EC) No 539/2001.

(2) Given the seriousness of such situations of non-reciprocity, it is essential that they should be notified without fail by the Member State(s) concerned. To ensure that the third country in question again applies visa-free travel to nationals of the Member States concerned, a mechanism should be provided which will combine measures at variable levels and intensities that can be rapidly carried out. Thus the Commission should take steps with the third country without delay, report to the Council and be able at any moment to propose that the Council adopt a provisional decision restoring the visa requirement for nationals of the third country in question. Resorting to such a provisional decision should not make it impossible to transfer the third country in question to Annex I of Regulation (EC) No 539/2001. A temporal link should also be provided between the entry into force of the provisional measure and any proposal to transfer the country to Annex I.

(7) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis*, within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽³⁾, which fall within the area referred to in Article 1(B) of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement ⁽⁴⁾.

(8) The United Kingdom and Ireland are not bound by Regulation (EC) No 539/2001. They are therefore not taking part in the adoption of this Regulation and are not bound by it or subject to its application.

(3) A decision by a third country to introduce or reintroduce visa-free travel for nationals of one or more Member

(9) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁵⁾, which fall in the area referred to in Article 1(B) of Decision 1999/437/EC read in conjunction with Article 4(1) of Council Decision 2004/849/EC ⁽⁶⁾ and Article 4(1) of Council Decision 2004/860/EC ⁽⁷⁾,

⁽¹⁾ Opinion delivered on 28 April 2005 (not yet published in the Official Journal).

⁽²⁾ OJ L 81, 21.3.2001, p. 1.

⁽³⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁴⁾ OJ L 176, 10.7.1999, p. 31.

⁽⁵⁾ Council doc. 13054/04 accessible on <http://register.consilium.eu.int>

⁽⁶⁾ OJ L 368, 15.12.2004, p. 26.

⁽⁷⁾ OJ L 370, 17.12.2004, p. 78.

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EC) No 539/2001 is amended as follows:

1. Paragraph 4 shall be replaced by the following:

‘4. Where a third country listed in Annex II introduces a visa requirement for nationals of a Member State, the following provisions shall apply:

(a) within 90 days of such introduction, or its announcement, the Member State concerned shall notify the Council and the Commission in writing; the notification shall be published in the C series of the *Official Journal of the European Union*. The notification shall specify the date of implementation of the measure and the type of travel documents and visas concerned.

If the third country decides to lift the visa obligation before the expiry of this deadline, the notification becomes superfluous;

(b) the Commission shall immediately after publication of that notification and in consultation with the Member State concerned, take steps with the authorities of the third country in order to restore visa-free travel;

(c) within 90 days after publication of that notification, the Commission, in consultation with the Member State concerned, shall report to the Council. The report may be accompanied by a proposal providing for the temporary restoration of the visa requirement for nationals of the third country in question. The Commission may also present this proposal after deliberations in Council on its report. The Council shall act on such proposal by a qualified majority within three months;

(d) if it considers it necessary, the Commission may present a proposal for the temporary restoration of the visa requirement for nationals of the third country referred to in subparagraph (c) without a prior report. The procedure provided for in subparagraph (c) shall apply to that proposal. The Member State concerned may state whether it wishes the Commission to refrain from the temporary restoration of such visa requirement without a prior report;

(e) the procedure referred to in subparagraphs (c) and (d) does not affect the Commission's right to present a proposal amending this Regulation in order to transfer the third country concerned to Annex I. Where a temporary measure as referred to in subparagraphs (c) and (d) has been decided, the proposal amending this Regulation shall be presented by the Commission at the latest nine months after the entry into force of the temporary measure. Such a proposal shall also include provisions for lifting of temporary measures, which may have been introduced pursuant to the procedures referred to in subparagraphs (c) and (d). In the meantime the Commission will continue its efforts in order to induce the authorities of the third country in question to reinstall visa-free travel for the nationals of the Member State concerned;

(f) where the third country in question abolishes the visa requirement, the Member State shall immediately notify the Council and the Commission to that effect. The notification shall be published in the C series of the *Official Journal of the European Union*. Any temporary measure decided upon under subparagraph (d) shall terminate seven days after the publication in the *Official Journal*. In case the third country in question has introduced a visa requirement for nationals of two or more Member States the termination of the temporary measure will only terminate after the last publication.’

2. The following paragraph shall be added:

‘5. As long as visa exemption reciprocity continues not to exist with any third country listed in Annex II in relation to any of the Member States, the Commission shall report to the European Parliament and the Council before the 1 July of every even-numbered year on the situation of non-reciprocity and shall, if necessary, submit appropriate proposals.’

Article 2

Member States whose nationals on 24 June 2005 are subject to a visa requirement by a third country listed in Annex II to Regulation (EC) No 539/2001 shall notify the Council and the Commission in writing by 24 July 2005. The notification shall be published in the C series of the *Official Journal of the European Union*.

The provisions of Article 1(4)(b) to (f) of Regulation (EC) No 539/2001 shall apply.

Article 3

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 the Member States in accordance with the Treaty establishing the European Community.

Done at Luxembourg, 2 June 2005.

For the Council

The President

L. FRIEDEN

COMMISSION REGULATION (EC) No 852/2005**of 3 June 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 4 June 2005.

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

Done at Brussels, 3 June 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 3 June 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	77,8
	204	91,4
	999	84,6
0707 00 05	052	91,5
	999	91,5
0709 90 70	052	86,5
	624	107,4
	999	97,0
0805 50 10	052	88,7
	388	60,2
	508	50,9
	528	46,3
	624	63,9
	999	62,0
0808 10 80	204	70,2
	388	88,0
	400	144,7
	404	126,8
	508	66,5
	512	70,6
	524	63,6
	528	65,3
	624	173,6
	720	63,8
	804	96,7
	999	93,6
0809 10 00	052	252,7
	999	252,7
0809 20 95	052	296,9
	220	108,0
	400	466,8
	999	290,6

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

COMMISSION REGULATION (EC) No 853/2005**of 3 June 2005****amending for the 47th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freezing of funds and other financial resources in respect of the Taliban of Afghanistan, ⁽¹⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 1 June 2005, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended as set out in the Annex to this Regulation.

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

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

Done at Brussels, 3 June 2005.

For the Commission

Eneko LANDÁBURU

Director-General of External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Regulation (EC) No 757/2005 (OJ L 126, 19.5.2005, p. 38).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entry shall be added under the heading 'Legal persons, groups and entities':

Islamic Jihad Group (alias (a) Jama'at al-Jihad, (b) Libyan Society, (c) Kazakh Jama'at, (d) Jamaat Mojahedin, (e) Jamiyat, (f) Jamiat al-Jihad al-Islami, (g) Dzhamaat Modzhakhedov, (h) Islamic Jihad Group of Uzbekistan, (i) al-Djihad al-Islami).

COMMISSION DIRECTIVE 2005/37/EC

of 3 June 2005

amending Council Directives 86/362/EEC and 90/642/EEC as regards the maximum levels for certain pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on fixing of maximum levels for pesticide residues in and on certain products of plant origin including fruit and vegetables ⁽²⁾, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽³⁾, and in particular Article 4(1)(f) thereof,

Whereas:

- (1) The following existing active substances have been included in Annex I to Directive 91/414/EEC: maleic hydrazide by Commission Directive 2003/31/EC ⁽⁴⁾; propyzamide by Commission Directive 2003/39/EC ⁽⁵⁾; and mecoprop and mecoprop-p by Commission Directive 2003/70/EC ⁽⁶⁾.
- (2) The new active substances isoxaflutole, trifloxystrobin, carfentrazone-ethyl and fenamidone were included in Annex I to Directive 91/414/EEC by Commission Directive 2003/68/EC ⁽⁷⁾.
- (3) The inclusion in Annex I to Directive 91/414/EEC of the active substances concerned was based on the assessment of the information submitted concerning the proposed use. Information relating to this use has been submitted by certain Member States in accordance with Article 4(1)(f) of Directive 91/414/EEC. The information available has been reviewed and is sufficient to allow certain maximum residue levels (MRLs) to be fixed.

- (4) Where no Community MRL or provisional MRL exists, Member States are to establish a national provisional MRL in accordance with Article 4(1)(f) of Directive 91/414/EEC before plant protection products containing these active substances may be authorised.

- (5) Community MRLs and the levels recommended by the Codex Alimentarius are fixed and evaluated following similar procedures. There are a limited number of Codex MRLs for maleic hydrazide. There are already Community MRLs in Directive 90/642/EEC for: maleic hydrazide, (Council Directive 93/58/EC ⁽⁸⁾) and in Directives 86/362/EEC and 90/642/EEC for: propyzamide (Council Directives 96/32/EC ⁽⁹⁾ and 96/33/EC ⁽¹⁰⁾). These have been considered when setting the MRLs concerned by the adaptations made by this Directive. Codex MRLs that will be recommended for withdrawal in the near future were not taken into account. The MRLs based on Codex MRLs having been evaluated in the light of the risks for the consumers. No risk was established when using the toxicological end points based on the studies available to the Commission.

- (6) With respect to the inclusion in Annex I to Directive 91/414/EEC of the active substances concerned, the related technical and scientific evaluations were finalised in the form of Commission review reports. The assessment reports for those substances mentioned were finalised on the dates as mentioned in the Commission Directives cited in Recitals 1 and 2. These reports fixed the acceptable daily intake (ADI) and if necessary, the acute reference dose (ARfD) for the substances concerned. The exposure of consumers of food products treated with the active substance concerned has been assessed and evaluated in accordance with Community procedures. Account has also been taken of guidelines published by the World Health Organisation ⁽¹¹⁾ and the opinion of the Scientific Committee for Plants ⁽¹²⁾ on the methodology employed. It is concluded that MRLs proposed will not lead to those ADIs or ARfDs being exceeded.

⁽¹⁾ OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2004/61/EC (OJ L 127, 29.4.2004, p. 81).

⁽²⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Commission Directive 2004/115/EC (OJ L 374, 22.12.2004, p. 64).

⁽³⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2005/34/EC (OJ L 125, 18.5.2005, p. 5).

⁽⁴⁾ OJ L 101, 23.4.2003, p. 3.

⁽⁵⁾ OJ L 124, 20.5.2003, p. 30.

⁽⁶⁾ OJ L 184, 23.7.2003, p. 9.

⁽⁷⁾ OJ L 177, 16.7.2003, p. 12.

⁽⁸⁾ OJ L 211, 23.8.1993, p. 6.

⁽⁹⁾ OJ L 144, 18.6.1996, p. 12.

⁽¹⁰⁾ OJ L 144, 18.6.1996, p. 35.

⁽¹¹⁾ Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).

⁽¹²⁾ Opinion of the Scientific Committee on Plants regarding questions relating to amending the annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC (Opinion expressed by the Scientific Committee on Plants, 14 July 1998) (http://europa.eu.int/comm/food/fs/sc/index_en.html).

- (7) In order to ensure that the consumer is adequately protected from exposure to residues resulting from unauthorised uses of plant protection products, provisional MRLs should be set for the relevant product/pesticide combinations at the lower limit of analytical determination.
- (8) The setting at Community level of such provisional MRLs does not prevent the Member States from establishing provisional MRLs for the substances concerned in accordance with Article 4(1)(f) of Directive 91/414/EEC and Annex VI thereto. It is considered that a period of four years is sufficient to permit further uses of the active substance concerned. The provisional MRL should then become definitive.
- (9) It is therefore necessary to add or replace, all of the pesticide residues arising from the use of these plant protection products to the Annexes to Directives 86/362/EEC and 90/642/EEC to allow for proper surveillance and control of the prohibition of their uses and to protect the consumer. Where MRLs have already been defined in the annexes to those directives it is appropriate to modify them. Where MRLs have not been defined until now, it is appropriate to set them for the first time.
- (10) Directives 86/362/EEC and 90/642/EEC should therefore be amended accordingly.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 86/362/EEC is amended as follows:

- (a) in Part A of Annex II the maximum pesticide residue levels for isoxaflutole, trifloxystrobin, carfentrazone-ethyl, mecoprop, mecoprop-p, maleic hydrazide and fenamidone as shown in Annex I to this Directive are added;
- (b) in Part A of Annex II the maximum pesticide residue levels for propyzamide are replaced by those as shown in Annex II to this Directive.

Article 2

Directive 90/642/EEC is amended as follows:

- (a) in Annex II the maximum pesticide residue levels for isoxaflutole, trifloxystrobin, carfentrazone-ethyl, mecoprop, mecoprop-p and fenamidone as shown in Annex III to this Directive are added.
- (b) in Annex II the maximum pesticide residue levels for propyzamide and maleic hydrazide are replaced by those as shown in Annex IV to this Directive.

Article 3

1. Member States shall adopt and publish, by 4 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 4 December 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 text 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 twentieth 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, 3 June 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

Maximum levels (mg/kg)	
Pesticide residues	Individual products to which the MRLs apply
Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) ⁽¹⁾	0,05 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals
Trifloxystrobin	0,3 (p) Barley 0,05 (p) Rye 0,05 (p) Triticale, Wheat 0,02 (*) (p) other Cereals
Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	0,05 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals
Fenamidone	0,02 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals
Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)	0,05 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals
Maleic hydrazide	0,2 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals

⁽¹⁾ RPA 202248 is 2-cyano-3-cyclopropyl-1-(2-methylsulfonyl-4-trifluoromethylphenyl) propane-1,3-dione. RPA 203328 is 2-methanesulfonyl-4-trifluoromethylbenzoic acid.

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC: unless amended, this level will become definitive with effect from 24 June 2009.

ANNEX II

Maximum levels mg/kg	
Pesticide residues	Individual products to which the MRLs apply
Propyzamide	0,02 (*) (p) CEREALS Barley, Buckwheat, Maize, Millet, Oats, Rice, Rye, Sorghum, Triticale, Wheat, other Cereals

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC: unless amended, this level will become definitive with effect from 24 June 2009.

ANNEX III

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) (1)	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	0,05 (*) (p)		0,01 (*) (p)		0,05 (*) (p)
(i) CITRUS FRUIT		0,3 (p)		0,02 (*) (p)	
Grapefruit					
Lemons					
Limes					
Mandarins (including clementines and other hybrids)					
Oranges					
Pomelos					
Others					
(ii) TREE NUTS (shelled or unshelled)		0,02 (*) (p)		0,02 (*) (p)	
Almonds					
Brazil nuts					
Cashew nuts					
Chestnuts					
Coconuts					
Hazelnuts					
Macadamia					
Pecans					
Pine nuts					
Pistachios					
Walnuts					
Others					
(iii) POME FRUIT		0,5 (p)		0,02 (*) (p)	
Apples					
Pears					
Quinces					
Others					
(iv) STONE FRUIT				0,02 (*) (p)	
Apricots		1 (p)			
Cherries		1 (p)			

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) (1)	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
Peaches (including nectarines and similar hybrids)		1 (p)			
Plums					
Others		0,02 (*) (p)			
(v) BERRIES AND SMALL FRUIT					
(a) Table and wine grapes		5 (p)		0,5 (p)	
Table grapes					
Wine grapes					
(b) Strawberries (other than wild)		0,02 (*) (p)		0,02 (*) (p)	
(c) Cane fruit (other than wild)		0,02 (*) (p)		0,02 (*) (p)	
Blackberries					
Dewberries					
Loganberries					
Raspberries					
Others					
(d) Other small fruit and berries (other than wild)				0,02 (*) (p)	
Bilberries					
Cranberries					
Currants (red, black and white)		1 (p)			
Gooseberries		1 (p)			
Others		0,02 (*) (p)			
(e) Wild berries and wild fruit		0,02 (*) (p)		0,02 (*) (p)	
(vi) MISCELLANEOUS				0,02 (*) (p)	
Avocados					
Bananas		0,05 (p)			
Dates					
Figs					
Kiwi					
Kumquats					
Litchis					
Mangoes					
Olives					

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) (1)	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
Passion fruit					
Pineapples					
Papaya					
Others		0,02 (*) (p)			
2. Vegetables, fresh or uncooked, frozen or dry	0,05 (*) (p)		0,01 (*) (p)		0,05 (*) (p)
(i) ROOT AND TUBER VEGETABLES		0,02 (*) (p)		0,02 (*) (p)	
Beetroot					
Carrots					
Celeriac					
Horseradish					
Jerusalem artichokes					
Parsnips					
Parsley root					
Radishes					
Salsify					
Sweet potatoes					
Swedes					
Turnips					
Yam					
Others					
(ii) BULB VEGETABLES		0,02 (*) (p)		0,02 (*) (p)	
Garlic					
Onions					
Shallots					
Spring onions					
Others					
(iii) FRUITING VEGETABLES					
(a) Solanacea					
Tomatoes		0,5 (p)		0,5 (p)	
Peppers					
Aubergines					
Others		0,02 (*) (p)		0,02 (*) (p)	

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) (1)	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
(b) Cucurbits — edible peel		0,2 (p)		0,02 (*) (p)	
Cucumbers					
Gherkins					
Courgettes					
Others					
(c) Cucurbits — inedible peel					
Melons		0,3 (p)		0,1 (p)	
Squashes					
Watermelons					
Others		0,02 (*) (p)		0,02 (*) (p)	
(d) Sweet corn		0,02 (*) (p)		0,02 (*) (p)	
(iv) BRASSICA VEGETABLES		0,02 (*) (p)		0,02 (*) (p)	
(a) Flowering brassica					
Broccoli					
Cauliflower					
Others					
(b) Head brassica					
Brussels sprouts					
Head cabbage					
Others					
(c) Leafy brassica					
Chinese cabbage					
Kale					
Others					
(d) Kohlrabi					
(v) LEAF VEGETABLES AND FRESH HERBS		0,02 (*) (p)			
(a) Lettuce and similar				2 (p)	
Cress					
Lamb's lettuce					
Lettuce					
Scarole					
Others					

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) (1)	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
(b) Spinach and similar				0,02 (*) (p)	
Spinach					
Beet leaves (chard)					
Others					
(c) Watercress				0,02 (*) (p)	
(d) Witloof				0,02 (*) (p)	
(e) Herbs				0,02 (*) (p)	
Chervil					
Chives					
Parsley					
Celery leaves					
Others					
(vi) LEGUME VEGETABLES (fresh)		0,02 (*) (p)		0,02 (*) (p)	
Beans (with pods)					
Beans (without pods)					
Peas (with pods)					
Peas (without pods)					
Others					
(vii) STEM VEGETABLES (fresh)		0,02 (*) (p)		0,02 (*) (p)	
Asparagus					
Cardoons					
Celery					
Fennel					
Globe artichokes					
Leek					
Rhubarb					
Others					
(viii) FUNGI		0,02 (*) (p)		0,02 (*) (p)	
(a) Cultivated mushrooms					
(b) Wild mushrooms					
3. Pulses	0,05 (*) (p)	0,02 (*) (p)	0,01 (*) (p)	0,02 (*) (p)	0,05 (*) (p)
Beans					
Lentils					

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply	Isoxaflutole (sum of isoxaflutole, RPA 202248 and RPA 203328, expressed as isoxaflutole) ⁽¹⁾	Trifloxystrobin	Carfentrazone-ethyl (determined as carfentrazone and expressed as carfentrazone-ethyl)	Fenamidone	Mecoprop (sum of mecoprop-p and mecoprop expressed as mecoprop)
Peas					
Others					
4. Oil seed	0,1 (*) (p)	0,05 (*) (p)	0,02 (*) (p)	0,05 (*) (p)	0,05 (*) (p)
Linseed					
Peanuts					
Poppy seeds					
Sesame seeds					
Sunflower seed					
Rape seed					
Soya bean					
Mustard seed					
Cotton seed					
Others					
5. Potatoes	0,05 (*) (p)	0,02 (*) (p)	0,01 (*) (p)	0,02 (*) (p)	0,05 (*) (p)
Early potatoes					
Ware potatoes					
6. Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 (*) (p)	0,05 (*) (p)	0,02 (*) (p)	0,05 (*) (p)	0,1 (*) (p)
7. Hops (dried), including hop pellets and unconcentrated powder	0,1 (*) (p)	30 (p)	0,02 (*) (p)	0,05 (*) (p)	0,1 (*) (p)

⁽¹⁾ RPA 202248 is 2-cyano-3-cyclopropyl-1-(2-methylsulfonyl-4-trifluoromethylphenyl) propane-1,3-dione. RPA 203328 is 2-methanesulfonyl-4-trifluoromethylbenzoic acid.

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC: unless amended, this level will become definitive with effect from 24 June 2009.

ANNEX IV

Groups and examples of individual products to which the MRLs apply	Propyzamide	Maleic hydrazide
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	0,02 (*) (p)	0,2 (*) (p)
(i) CITRUS FRUIT		
Grapefruit		
Lemons		
Limes		
Mandarins (including clementines and other hybrids)		
Oranges		
Pomelos		
Others		
(ii) TREE NUTS (shelled or unshelled)		
Almonds		
Brazil nuts		
Cashew nuts		
Chestnuts		
Coconuts		
Hazelnuts		
Macadamia		
Pecans		
Pine nuts		
Pistachios		
Walnuts		
Others		
(iii) POME FRUIT		
Apples		
Pears		
Quinces		
Others		
(iv) STONE FRUIT		
Apricots		
Cherries		
Peaches (including nectarines and similar hybrids)		
Plums		
Others		
(v) BERRIES AND SMALL FRUIT		
(a) Table and wine grapes		
Table grapes		
Wine grapes		
(b) Strawberries (other than wild)		
(c) Cane fruit (other than wild)		
Blackberries		
Dewberries		
Loganberries		
Raspberries		
Others		

Groups and examples of individual products to which the MRLs apply	Propyzamide	Maleic hydrazide
(d) Other small fruit and berries (other than wild)		
Bilberries		
Cranberries		
Currants (red, black and white)		
Gooseberries		
Others		
(e) Wild berries and wild fruit		
(vi) MISCELLANEOUS		
Avocados		
Bananas		
Dates		
Figs		
Kiwi		
Kumquats		
Litchis		
Mangoes		
Olives		
Passion fruit		
Pineapples		
Papaya		
Others		
2. Vegetables, fresh or uncooked, frozen or dry		
(i) ROOT AND TUBER VEGETABLES	0,02 (*) (p)	0,2 (*) (p)
Beetroot		
Carrots		
Celeriac		
Horseradish		
Jerusalem artichokes		
Parsnips		
Parsley root		
Radishes		
Salsify		
Sweet potatoes		
Swedes		
Turnips		
Yam		
Others		
(ii) BULB VEGETABLES	0,02 (*) (p)	
Garlic		15 (p)
Onions		15 (p)
Shallots		15 (p)
Spring onions		
Others		0,2 (*) (p)

Groups and examples of individual products to which the MRLs apply	Propyzamide	Maleic hydrazide
(iii) FRUITING VEGETABLES	0,02 (*) (p)	0,2 (*) (p)
(a) Solanacea		
Tomatoes		
Peppers		
Aubergines		
Others		
(b) Cucurbits — edible peel		
Cucumbers		
Gherkins		
Courgettes		
Others		
(c) Cucurbits — inedible peel		
Melons		
Squashes		
Watermelons		
Others		
(d) Sweet corn		
(iv) BRASSICA VEGETABLES	0,02 (*) (p)	0,2 (*) (p)
(a) Flowering brassica		
Broccoli		
Cauliflower		
Others		
(b) Head brassica		
Brussels sprouts		
Head cabbage		
Others		
(c) Leafy brassica		
Chinese cabbage		
Kale		
Others		
(d) Kohlrabi		
(v) LEAF VEGETABLES AND FRESH HERBS		0,2 (*) (p)
(a) Lettuce and similar	1 (p)	
Cress		
Lamb's lettuce		
Lettuce		
Scarole		
Others		
(b) Spinach and similar	0,02 (*) (p)	
Spinach		
Beet leaves (chard)		
Others		
(c) Watercress	0,02 (*) (p)	
(d) Witloof	0,02 (*) (p)	
(e) Herbs	1 (p)	
Chervil		
Chives		
Parsley		
Celery leaves		
Others		

Groups and examples of individual products to which the MRLs apply	Propyzamide	Maleic hydrazide
(vi) LEGUME VEGETABLES (fresh)	0,02 (*) (p)	0,2 (*) (p)
Beans (with pods)		
Beans (without pods)		
Peas (with pods)		
Peas (without pods)		
Others		
(vii) STEM VEGETABLES (fresh)	0,02 (*) (p)	0,2 (*) (p)
Asparagus		
Cardoons		
Celery		
Fennel		
Globe artichokes		
Leek		
Rhubarb		
Others		
(viii) FUNGI	0,02 (*) (p)	0,2 (*) (p)
(a) Cultivated mushrooms		
(b) Wild mushrooms		
3. Pulses	0,02 (*) (p)	0,2 (*) (p)
Beans		
Lentils		
Peas		
Others		
4. Oil seed	0,05 (*) (p)	0,5 (*) (p)
Linseed		
Peanuts		
Poppy seeds		
Sesame seeds		
Sunflower seed		
Rape seed		
Soya bean		
Mustard seed		
Cotton seed		
Others		
5. Potatoes	0,02 (*) (p)	50 ⁽¹⁾
Early potatoes		
Ware potatoes		
6. Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,05 (*) (p)	0,5 (*) (p)
7. Hops (dried), including hop pellets and unconcentrated powder	0,05 (*) (p)	0,5 (*) (p)

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC: unless amended, this level will become definitive with effect from 24 June 2009.

⁽¹⁾ Potato MRL subject to review of outstanding data requirements 18 months from the date of publication.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 May 2005

amending Decisions 2004/696/EC and 2004/863/EC on the Community's financial contribution to the TSE eradication and monitoring programmes for 2005

(notified under document number C(2005) 1550)

(2005/413/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

first case of BSE in a small ruminant under natural conditions.

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 24(5) and (6) thereof,

(4) In its statement of 28 January 2005, the Scientific Panel on Biological Hazards of the European Food Safety Authority (EFSA) stressed that the significance of that single case of BSE infection in a goat in France is yet to be assessed. In order to do so, the EFSA indicated that the results of an increased monitoring of TSEs in goats are essential.

Whereas:

(1) Commission Decision 2004/696/EC of 14 October 2004 on the list of programmes for the eradication and the monitoring of certain TSEs qualifying for a financial contribution from the Community in 2005 ⁽²⁾ sets out the list of such programmes, as well as the proposed rate and amount of the contribution for each programme.

(2) Commission Decision 2004/863/EC of 30 November 2004 approving the TSE eradication and monitoring programmes of certain Member States for 2005 and fixing the level of the Community's financial contribution ⁽³⁾.

(3) On 28 January 2005, a Community expert panel, chaired by the Community Reference laboratory for TSEs (CRL), confirmed the detection of bovine spongiform encephalopathy (BSE) in a goat slaughtered in France. It was the

(5) In response to that statement, Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽⁴⁾, as amended by Commission Regulation (EC) No 214/2005 ⁽⁵⁾, introduced a new programme for the monitoring of TSE in caprine animals starting from 11 February 2005. Under that new monitoring programme, the numbers of healthy slaughter and dead-on-farm caprine animals to be tested have been substantially increased.

(6) Due to the particularities of the goat meat sector, the limited value of goats above 18 months of age for slaughter purposes, and in the light of the importance of an effective implementation of the increased monitoring to assess the prevalence of BSE in caprine animals, it is appropriate to increase the amount per test to be reimbursed to the Member States by the Community up to a maximum amount of EUR 30 per rapid test performed in caprine animals.

⁽¹⁾ 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).

⁽²⁾ OJ L 316, 15.10.2004, p. 91.

⁽³⁾ OJ L 370, 17.12.2004, p. 82.

⁽⁴⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) 260/2005 (OJ L 46, 17.2.2005, p. 9).

⁽⁵⁾ OJ L 37, 10.2.2005, p. 9.

- (7) In addition, Regulation (EC) 999/2001, as amended Commission Regulation (EC) No 36/2005⁽¹⁾ sets out the compulsory systematic discriminatory testing to differentiate BSE from scrapie in all TSE cases detected in ovine and caprine animals to apply from 14 January 2005. That measure should be considered as eligible for the Community's financial contribution to the TSE monitoring and eradication programmes in the Member States.
- (8) In the light of the importance to assess the prevalence of BSE in small ruminants for the achievement of Community objectives in the field of public and animal health it is appropriate to reimburse 100% of the costs paid by the Member States for the primary molecular tests to differentiate BSE from scrapie.
- (9) Therefore, it is necessary to revise the maximum amount of financial participation by the Community for each programme, as set out in Decisions 2004/696/EC and 2004/863/EC.
- (10) Decision 2004/863/EC sets out the conditions for the Community's financial contribution, including the forwarding of a monthly report to the Commission by the concerned Member States on the progress of the TSE monitoring programmes and the cost paid. The Annex to that sets out the costs to be paid. That Annex should be amended to take account of amendments to Annexes III and X to Regulation (EC) No 999/2001, as amended by Regulation (EC) No 36/2005 and No 214/2005.
- (11) Decisions 2004/696/EC and 2004/863/EC should therefore be amended accordingly.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2004/696/EC is amended in accordance with Annex I to this Decision.

Article 2

Decision 2004/863/EC is amended as follows:

1. in Article 1(2), 'EUR 3 550 000' is replaced by 'EUR 3 586 000';
2. in Article 2(2), 'EUR 1 700 000' is replaced by 'EUR 1 736 000';
3. in Article 3(2), 'EUR 2 375 000' is replaced by 'EUR 2 426 000';
4. in Article 4(2), 'EUR 15 020 000' is replaced by 'EUR 15 170 000';
5. in Article 5(2), 'EUR 290 000' is replaced by 'EUR 294 000';
6. in Article 6(2), 'EUR 585 000' is replaced by 'EUR 1 487 000';
7. in Article 7(2), 'EUR 4 780 000' is replaced by 'EUR 8 846 000';
8. in Article 8(2), 'EUR 24 045 000' is replaced by 'EUR 29 755 000';
9. in Article 9(2), 'EUR 6 170 000' is replaced by 'EUR 6 172 000';
10. in Article 10(2), 'EUR 6 660 000' is replaced by 'EUR 8 677 000';
11. in Article 11(2), 'EUR 85 000' is replaced by 'EUR 353 000';
12. in Article 12(2), 'EUR 835 000' is replaced by 'EUR 836 000';
13. in Article 13(2), 'EUR 145 000' is replaced by 'EUR 155 000';
14. in Article 14(2), 'EUR 1 085 000' is replaced by 'EUR 1 184 000';
15. in Article 15(2), 'EUR 35 000' is replaced by 'EUR 36 000';
16. in Article 16(2), 'EUR 4 270 000' is replaced by 'EUR 4 510 000';
17. in Article 17(2), 'EUR 1 920 000' is replaced by 'EUR 2 076 000';
18. in Article 18(2), 'EUR 1 135 000' is replaced by 'EUR 1 480 000';
19. in Article 19(2), 'EUR 435 000' is replaced by 'EUR 444 000';

⁽¹⁾ OJ L 10, 13.1.2005, p. 9.

20. in Article 20(2), 'EUR 1 160 000' is replaced by 'EUR 1 170 000';
21. in Article 21(2), 'EUR 305 000' is replaced by 'EUR 313 000';
22. in Article 22(2), 'EUR 5 570 000' is replaced by 'EUR 5 690 000';
23. Article 23 is replaced by the following:

Article 23

The Community's financial contribution for the TSE monitoring programmes referred to in Articles 1 to 22 shall be at the rate of 100 % of the cost paid, value added tax excluded, by the concerned Member States for the tests performed, subject to:

- (a) a maximum amount of EUR 8 per test, for tests carried out from 1 January to 31 December 2005 in bovine and ovine animals referred to in Annex III to Regulation (EC) No 999/2001;

- (b) a maximum amount of EUR 30 per test, for tests carried out from 1 January to 31 December 2005 in caprine animals referred to in Annex III to Regulation (EC) No 999/2001;
- (c) a maximum amount of EUR 145 per test, for primary molecular discriminatory tests carried out from 14 January 2005 to 31 December 2005 as referred to in Annex X, Chapter C, point 3.2(c)(i) to Regulation (EC) No 999/2001.;

24. the Annex is replaced by Annex II to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 May 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

Annex I to Decision 2004/696/EC is replaced by the following:

'ANNEX I

List of programmes for the monitoring of TSEs

Rate and maximum amount of the Community financial contribution

(in EUR)

Disease	Member State	Rate tests ⁽¹⁾ performed	Maximum amount
TSEs	Austria	100 %	2 076 000
	Belgium	100 %	3 586 000
	Cyprus	100 %	353 000
	Czech Republic	100 %	1 736 000
	Denmark	100 %	2 426 000
	Estonia	100 %	294 000
	Finland	100 %	1 170 000
	France	100 %	29 755 000
	Germany	100 %	15 170 000
	Greece	100 %	1 487 000
	Hungary	100 %	1 184 000
	Ireland	100 %	6 172 000
	Italy	100 %	8 677 000
	Lithuania	100 %	836 000
	Luxembourg	100 %	155 000
	Malta	100 %	36 000
	Netherlands	100 %	4 510 000
	Portugal	100 %	1 480 000
	Slovenia	100 %	444 000
	Spain	100 %	8 846 000
Sweden	100 %	313 000	
United Kingdom	100 %	5 690 000	
Total			96 396 000

⁽¹⁾ Rapid tests and primary molecular tests.'

ANNEX II

'ANNEX

TSE monitoring			
Member State:	Month:	Year:	
Tests on bovine animals			
	Number of tests	Unit cost	Total cost
Tests on animals referred to in Annex III, Chapter A, Part I, points 2.1, 3 and 4.1 to Regulation (EC) No 999/2001			
Tests on animals referred to in Annex III, Chapter A, Part I, points 2.2, 4.2 and 4.3 to Regulation (EC) No 999/2001			
Total			
Tests on ovine animals			
	Number of tests	Unit cost	Total cost
Tests on animals referred to in Annex III, Chapter A, Part II, point 2(a) to Regulation (EC) No 999/2001			
Tests on animals referred to in Annex III, Chapter A, Part II, point 3 to Regulation (EC) No 999/2001			
Tests on animals referred to in Annex III, Chapter A, Part II, point 5 to Regulation (EC) No 999/2001			
Total			
Tests on caprine animals			
	Number of tests	Unit cost	Total cost
Tests on animals referred to in Annex III, Chapter A, Part II, point 2(b) to Regulation (EC) No 999/2001			
Tests on animals referred to in Annex III, Chapter A, Part II, point 3 to Regulation (EC) No 999/2001			
Tests on animals referred to in Annex III, Chapter A, Part II, point 5 to Regulation (EC) No 999/2001			
Total			
Primary molecular testing with a discriminatory immuno-blotting			
	Number of tests	Unit cost	Total cost
Tests on animals referred to in Annex X, Chapter C, point 3.2 (c) (i) to Regulation (EC) No 999/2001'			

COMMISSION DECISION

of 30 May 2005

amending Annex I to Decision 2003/634/EC approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish

(notified under document number C(2005) 1563)

(Text with EEA relevance)

(2005/414/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, and in particular Articles 10(2) thereof,

Whereas:

- (1) Commission Decision 2003/634/EC ⁽²⁾ approves and lists programmes submitted by various Member States. The programmes are designed to enable the Member State subsequently to initiate the procedures for a zone, or a farm situated in a non-approved zone, to obtain the status of approved zone or of approved farm situated in a non-approved zone, as regards one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN).
- (2) By letter dated 23 September 2004, Italy applied for approval of the programme to be applied in the zone 'Zona Valle di Tosi'. The application submitted has been found to comply with Article 10 of Directive 91/67/EEC and the programme should therefore be approved.
- (3) Decision 2003/634/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

In Annex I to Decision 2003/634/EC, the following point is inserted after point 3.5:

'3.6. THE PROGRAMME SUBMITTED BY ITALY IN THE REGION OF TOSCANA ON 23 SEPTEMBER 2004 COVERING:

Zona Valle de Tosi

- The water catchment area of the Vicano di S. Ellero river from its sources to the barrier at Il Greto near the village of Raggioli'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 May 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 46, 19.2.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 220, 3.9.2003, p. 8. Decision as last amended by Decision 2005/67/EC (OJ L 27, 29.1.2005, p. 55).

COMMISSION DECISION

of 1 June 2005

authorising Malta to make use of the system established by Title I of Regulation (EC) No 1760/2000 of the European Parliament and of the Council to replace surveys of bovine livestock

(notified under document number C(2005) 1588)

(Only the English text is authentic)

(Text with EEA relevance)

(2005/415/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/24/EEC of 1 June 1993 on the statistical surveys to be carried out on bovine animal production ⁽¹⁾, and in particular Article 1(2) and (3) thereof,

Whereas:

- (1) Title I of Regulation (EC) No 1760/2000 of the European Parliament and of the Council ⁽²⁾ establishes a system for the identification and registration of bovine animals.
- (2) Commission Decision 2004/588/EC ⁽³⁾ recognises the fully operational character of the Maltese database for bovine animals.
- (3) Pursuant to Directive 93/24/EEC, the Member States may, at their request, be authorised to use administrative sources instead of surveys of the bovine population on the condition that they satisfy the obligations arising out of the said Directive.
- (4) In support of its request of 11 March 2005, Malta submitted technical documentation on the structure and updating of the database referred to in Title I of Regulation (EC) No 1760/2000 and on the methods of calculating the statistical data.
- (5) In particular, Malta proposed the calculation methods for obtaining the statistical data for the categories referred to in Article 3(1) of Directive 93/24/EEC, which are not directly available in the database referred to in Title I of Regulation (EC) No 1760/2000. Malta should take all the appropriate measures to ensure that these calculation methods produce accurate statistical data.

(6) Following examination of the request based on the technical documentation provided by the Maltese authorities, the request should be met.

(7) This Decision is in compliance with the opinion of the Standing Committee on Agricultural Statistics established by Council Decision 72/279/EEC ⁽⁴⁾,

HAS ADOPTED THIS DECISION:

Article 1

Malta is hereby authorised to replace the surveys of bovine animals provided for by Directive 93/24/EEC by using the system for the identification and registration of bovine animals as referred to in Title I of Regulation (EC) No 1760/2000 to obtain all the statistical data required to comply with the obligations arising out of the said Directive.

Article 2

When the system referred to in Article 1 ceases to be operational or its contents no longer make it possible to obtain reliable statistical information on all or certain categories of bovine animals, Malta shall return to a statistical survey system for the purpose of estimating the cattle population or the categories concerned.

Article 3

This Decision is addressed to the Republic of Malta.

Done at Brussels, 1 June 2005.

For the Commission

Joaquín ALMUNIA

Member of the Commission

⁽¹⁾ OJ L 149, 21.6.1993, p. 5. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 204, 11.8.2000, p. 1. Regulation as amended by the 2003 Act of Accession.

⁽³⁾ OJ L 257, 4.8.2004, p. 8.

⁽⁴⁾ OJ L 179, 7.8.1972, p. 1.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 770/2005 of 20 May 2005 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

(Official Journal of the European Union L 128 of 21 May 2005)

On Page 17, in the first sentence of Article 2:

for: 'during the first 10 days of May 2005',

read: 'during the first 10 days of June 2005'.

Corrigendum to Commission Regulation (EC) No 2199/2004 of 10 December 2004 amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

(Official Journal of the European Union L 380 of 24 December 2004)

On page 12, in footnote 6:

for: 'The export refund is payable for products having a dry matter content of less than 78 %',

read: 'The export refund is payable for products having a dry matter content of at least 78 %'.
