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Price: EUR 18

EN

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2143/2004**of 13 December 2004****amending Regulation (EC) No 74/2004 imposing a definitive countervailing duty on imports of cotton-type bedlinen originating in India**

THE COUNCIL OF THE EUROPEAN UNION,

was imposed on companies which either did not make themselves known or did not cooperate with the investigation.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community⁽¹⁾ (the 'basic Regulation'),

Having regard to Article 2 of Council Regulation (EC) No 74/2004 of 13 January 2004 imposing a definitive countervailing duty on imports of cotton-type bedlinen originating in India⁽²⁾,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

- (2) Article 2 of Regulation (EC) No 74/2004 stipulates that where any new exporting producer in India provides sufficient evidence to the Commission that it did not export to the Community the products described in Article 1(1) during the investigation period (1 October 2001 to 30 September 2002) (the 'first criterion') and it is not related to any of the exporters or producers in India which are subject to the anti-subsidy measures imposed by that Regulation (the 'second criterion'), and it has actually exported to the Community the products concerned after the investigation period on which the measures are based, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Community (the 'third criterion'), then Article 1(3) of that Regulation can be amended by granting the new exporting producer the duty rate applicable to the cooperating companies not included in the sample, i.e. 7,6%.

B. NEW EXPORTERS/PRODUCERS' REQUESTS

- (3) Twenty-four Indian companies have applied not to be treated differently from the companies which cooperated in the original investigation but were not included in the sample ('newcomer status').

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 74/2004, the Council imposed a definitive countervailing duty on imports into the Community of cotton-type bedlinen falling within CN codes ex 6302 21 00 (TARIC codes 6302 21 00 81, 6302 21 00 89), ex 6302 22 90 (TARIC code 6302 22 90 19), ex 6302 31 10 (TARIC code 6302 31 10 90), ex 6302 31 90 (TARIC code 6302 31 90 90) and ex 6302 32 90 (TARIC code 6302 32 90 19), originating in India. Given the large number of cooperating parties, a sample of Indian exporting producers was selected and individual duty rates ranging from 4,4% to 10,4% were imposed on the companies included in the sample, while other cooperating companies not included in the sample were attributed a duty rate of 7,6%. A duty rate of 10,4%

- (4) Two Indian companies requesting the newcomer status did not provide a questionnaire reply. It was therefore not possible to verify whether these companies fulfilled the criteria set out in Article 2 of Regulation (EC) No 74/2004, and their request had to be rejected.

- (5) Two requests for newcomer status were received too late and therefore no conclusion could be reached on these requests by the date of adoption of this Regulation.

- (6) The remaining twenty companies replied to the questionnaire intended to verify that the companies complied with the provisions of Article 2 of Regulation (EC) No 74/2004.

⁽¹⁾ OJ L 288, 21.10.1997, p. 1. Regulation as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 12, 17.1.2004, p. 1.

- (7) The evidence provided by thirteen of the abovementioned Indian exporters/producers is considered sufficient to grant these new companies the duty rate applicable to the cooperating companies not included in the sample (i.e. 7,6%) and therefore to add these thirteen Indian companies to the list in the Annex (the 'Annex') of Council Regulation (EC) No 74/2004.
- (8) As far as the remaining seven Indian exporters/producers are concerned, two of them were related to companies subject to the current countervailing measures, three exported the product concerned to the Community during the original investigation period (i.e. from 1 October 2001 to 30 September 2002), one could not provide any invoice or evidence that it had actually exported to the Community the product concerned after the original investigation period or that it had entered into an irrevocable contractual obligation to export the product concerned to the Community.
- (9) Finally, it is noted that one request could not be dealt with in the present context, since the evidence provided by the applicant company needs further examination.
- (10) Under these circumstances, it was considered that for the six companies referred to in recital (8), at least one of the criteria set out in Article 2 of Regulation (EC) No 74/2004 was not fulfilled. Therefore, their claim had to be rejected.
- (11) Companies for which the newcomer status was not accepted were informed of the reasons of that decision and given an opportunity to make their views known in writing.
- (12) The two companies related to companies subject to the current countervailing measures claimed in one case that their related company did not exist anymore, and in the second case that they were indeed expecting to be subject to the same duty rate as their related company.
- (13) It was considered in the first case that the fact that the related company did not exist anymore was indeed a significant element in the current procedure, and that in this case it could not be considered that the newcomer was not respecting the second criterion. It was therefore decided that this company should also be subject to the duty rate applicable to the cooperating companies not included in the sample (i.e. 7,6%) and therefore be added to the list in the Annex.
- (14) In the second case, where the applicant company is related to a company under measures, it was found that this should not automatically deprive the company of being subject to the weighted average duty margin for cooperating companies not included in the sample. Indeed, it was examined whether both related companies, if considered together, would have been selected in the sample of exporting producers according to the selection criteria specified in recital (11) of Regulation (EC) No 74/2004. Since this appeared not to be the case, the relationship between both companies does not affect the findings of the above mentioned Regulation. On these grounds, and given the Commission's consistent practice to consider all related companies as one entity subject to the same duty, it was decided that this company should also be subject to the duty rate applicable to the cooperating companies not included in the sample (i.e. 7,6%) and therefore be added to the list in the Annex.
- (15) All arguments and submissions made by interested parties were analysed and duly taken into account when warranted,

HAS ADOPTED THIS REGULATION:

Article 1

The following companies shall be added to the list of exporters/producers from India listed in the Annex of Regulation (EC) No 74/2004:

'Alps Industries Ltd	Ghaziabad
Ambaji Marketing Pvt. Ltd	Ahmedabad
At Home India Pvt. Ltd	New Delhi
Balloons	New Delhi
Bhairav India International	Ahmedabad
G-2 International export Ltd	Ahmedabad
Harimann International	Mumbai
Kabra Brothers	Mumbai
Mohan Overseas (P) Ltd	New Delhi
Pradip Overseas Pvt. Ltd	Ahmedabad
Sarah Exports	Mumbai
S.P. Impex	Indore
Synergy	Mumbai
Texmart Import export	Ahmedabad
Valiant Glass Works Private Ltd	Mumbai

Article 2

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

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

Done at Brussels, 13 December 2004.

For the Council

The President

B. R. BOT

COMMISSION REGULATION (EC) No 2144/2004**of 16 December 2004****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 17 December 2004.

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

Done at Brussels, 16 December 2004.

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 16 December 2004 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	103,1
	204	84,0
	624	182,9
	999	123,3
0707 00 05	052	109,8
	999	109,8
0709 90 70	052	105,4
	204	68,8
	999	87,1
0805 10 10, 0805 10 30, 0805 10 50	052	31,2
	204	66,2
	388	43,2
	528	41,6
	999	45,6
0805 20 10	204	58,2
	999	58,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	71,7
	204	43,0
	464	171,7
	624	95,5
	999	95,5
0805 50 10	052	38,9
	528	38,8
	999	38,9
0808 10 20, 0808 10 50, 0808 10 90	388	92,7
	400	71,8
	404	97,2
	720	75,6
	999	84,3
0808 20 50	400	95,8
	528	47,4
	720	51,0
	999	64,7

⁽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 2145/2004**of 15 December 2004****amending for the 41st 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 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 26 November and 2 December 2004, 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 hereby amended in accordance with 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, 15 December 2004.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Regulation (EC) No 2034/2004 (OJ L 353, 27.11.2004, p. 11).

ANNEX

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

- (1) The entry 'Al-Barakat Global Telecommunications (aka: Barakaat Globetelcompany), PO Box 3313, Dubai, UAE; Mogadishu, Somalia; Hargeysa, Somalia' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Al-Barakat Global Telecommunications (*alias* (a) Barakaat Globetelcompany (b) Al Barakat Telecommunications Ltd. Address: (a) PO Box 3313, Dubai (EAU); (b) Mogadishu, Somalia, (c) Hargeysa, Somalia.

- (2) The entry 'Al Furqan (*alias* (a) Dzemilijati Furkan, (b) Dzem'ijjetul Furqan, (c) Association for Citizens' Rights and Resistance to Lies, (d) Dzemijetel Furkan, (e) Association of Citizens for the Support of Truth and Suppression of Lies, (f) Sirat, (g) Association of Education, Culture and Building Society — Sirat, (h) Association for Education, Culture and Building Society — Sirat, (i) Association for Education, Cultural and to Create Society — Sirat, (j) Istikamet, (k) in Siratel). Addresses: (a) Put Mladih Muslimana 30a, 71 000 Sarajevo (Bosnia-Herzegovina); (b) ul. Strossmajerova 72, Zenica (Bosnia-Herzegovina); (c) Muhameda Hadzizahica 42, Sarajevo (Bosnia-Herzegovina)' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Al Furqan (*alias* (a) Dzemilijati Furkan, (b) Dzem'ijjetul Furqan, (c) Association for Citizens Rights and Resistance to Lies, (d) Dzemijetel Furkan, (e) Association of Citizens for the Support of Truth and Suppression of Lies, (f) Sirat, (g) Association for Education, Culture and Building Society — Sirat, (h) Association for Education, Cultural and to Create Society — Sirat, (i) Istikamet, (j) In Siratel). Addresses: (a) Put Mladih Muslimana 30a, 71 000 Sarajevo (Bosnia and Herzegovina); (b) ul. Strossmajerova 72, Zenica, (Bosnia and Herzegovina); (c) Muhameda Hadzizahica 42, Sarajevo (Bosnia and Herzegovina).

- (3) The entry 'Al-Haramain & Al Masjed Al-Aqsa Charity Foundation (*alias* (a) Al Haramain Al Masjed Al Aqsa, (b) Al-Haramayn Al Masjid Al Aqsa, (c) Al-Haramayn and Al Masjid Al Aqsa Charitable Foundation). Branch address: Hasiba Brankovica 2A, Sarajevo, (Bosnia-Herzegovina)' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Al-Haramain & Al Masjed Al-Aqsa Charity Foundation (*alias* (a) Al Haramain Al Masjed Al Aqsa, (b) Al-Haramayn Al Masjid Al Aqsa, (c) Al-Haramayn and Al Masjid Al Aqsa Charitable Foundation). Branch address: (a) Hasiba Brankovica 2A, Sarajevo, Bosnia and Herzegovina; (b) Bihacka St. 14, Sarajevo, Bosnia and Herzegovina; (c) Potur mahala St. 64, Travnick, Bosnia and Herzegovina. Other information: Closed by Bosnian authorities.

- (4) The entry 'Barakat Banks and Remittances, Mogadishu, Somalia; Dubai, UAE' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Barakat Banks and Remittances (*alias* (a) Barakaat Bank of Somalia Ltd., (b) Baraka Bank of Somalia). Address: (a) Mogadishu, Somalia; (b) Dubai, UAE

- (5) The entry 'DJAMAT HOUMAT DAAWA SALAFIA (*alias* (a) DHDS, (b) El-Ahouel)' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Djamat Houmat Daawa Salafia (*alias* (a) DHDS, (b) El-Ahouel. Other information: A branch of GIA (Groupement islamique armé) formed as a result of the break that occurred in 1996 when Afghanistan Veteran Kada Benchikha Larbi decided to oppose the head of GIA.

- (6) The entry 'Global Relief Foundation, Inc., Fondation Secours Mondial, Secours Mondial de France (SEMONDE), Fondation Secours Mondial — Belgique a.s.b.l., Fondation Secours Mondial v.z.w., Stichting Wereldhulp — België v.z.w., Fondation Secours Mondial — Kosova, Fondation Secours Mondial "World Relief", (aka GRF or FSM); United States Federal Employer Identification Number 36-3804626; VAT Number: BE 454 419 759; addresses and offices in so far as known:

— 9935, South 76th Avenue, Unit 1, Bridgeview, Illinois 60455, USA

— PO Box 1406, Bridgeview, Illinois 60455, USA

— 49, rue du Lazaret, F-67100 Strasbourg, France

— Vaatjesstraat 29, B-2580 Putte, Belgium

— Rue des Bataves 69, B-1040 Etterbeek, Brussels, Belgium

— PO Box 6, B-1040 Etterbeek 2, Brussels, Belgium

- Mula Mustafe Besekije Street 72, Sarajevo, Bosnia-Herzegovina
- Put Mladih Muslimana Street 30/A, Sarajevo, Bosnia-Herzegovina
- Rr. Skenderbeu 76, Lagjja Sefa, Gjakova, Kosovo, FR Yugoslavia
- Ylli Morina Road, Djakovica, Kosovo, FR Yugoslavia
- Rruga e Kavajes, Building No. 3, Apartment No. 61, PO Box 2892, Tirana, Albania
- House 267, Street No. 54, Sector F — 11/4, Islamabad, Pakistan
- Saray Cad. No. 37 B Blok, Yesilyurt Apt. 2/4, Sirinevler, Turkey'

under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Global Relief Foundation (*alias* (a) GRF, (b) Fondation Secours Mondial, (c) Secours mondial de France, (d) SEMONDE), (e) Fondation Secours Mondial — Belgique a.s.b.l., (f) Fondation Secours Mondial v.z.w., (g) FSM, (h) Stichting Wereldhulp — Belgie, v.z.w., (i) Fondation Secours Mondial — Kosova, (j) Fondation Secours Mondial 'World Relief'. Address:

- (a) 9935 South 76th Avenue, Unit 1, Bridgeview, Illinois 60455, U.S.A.,
- (b) PO Box 1406, Bridgeview, Illinois 60455, U.S.A.,
- (c) 49 rue du Lazaret, 67100 Strasbourg, France,
- (d) Vaatjesstraat 29, 2580 Putte, Belgium,
- (e) Rue des Bataves 69, 1040 Etterbeek (Brussels), Belgium,
- (f) PO Box 6, 1040 Etterbeek 2 (Brussels), Belgium,
- (g) Mula Mustafe Baseskije Street No. 72, Sarajevo, Bosnia and Herzegovina,
- (h) Put Mladih Muslimana Street 30/A, Sarajevo, Bosnia and Herzegovina,
- (i) Rr. Skenderbeu 76, Lagjja Sefa, Gjakova, Kosovo,
- (j) Ylli Morina Road, Djakovica, Kosovo,
- (k) Rruga e Kavajes, Building No. 3, Apartment No. 61, PO Box 2892, Tirana, Albania,
- (l) House 267 Street No. 54, Sector F — 11/4, Islamabad, Pakistan,
- (m) Saray Cad. No. 37 B Blok, Yesilyurt Apt. 2/4, Sirinevler, Turkey.

Other information: (a) Other Foreign Locations: Afghanistan, Azerbaijan, Bangladesh, Chechnya (Russia), China, Eritrea, Ethiopia, Georgia, India, Ingushetia (Russia), Iraq, Jordan, Kashmir, Lebanon, West Bank and Gaza, Sierra Leone, Somalia and Syria. (b) U.S. Federal Employer Identification: 36-3804626. (c) V.A.T. Number: BE 454,419,759. (d) Belgian addresses are those of Fondation Secours Mondial — Belgique a.s.b.l and Fondation Secours Mondial vzw. since 1998.

- (7) The entry 'Jama'at al-Tawhid Wa'al-Jihad (*alias*: (a) JTJ; (b) al-Zarqawi network; (c) al-Tawhid; (d) the Monotheism and Jihad Group)' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Jama'at al-Tawhid Wa'al-Jihad (*alias*: (a) JTJ; (b) red al-Zarqawi; (c) al-Tawhid; (d) the Monotheism and Jihad Group; (e) Qaida of the Jihad in the Land of the Two Rivers; (f) Al-Qaida of Jihad in the Land of the Two Rivers; (g) The Organization of Jihad's Base in the Country of the Two Rivers; (h) The Organization Base of Jihad/Country of the Two Rivers; (i) The Organization Base of Jihad/Mesopotamia; (j) Tanzim Qa'idat Al-Jihad fi Bilad al-Rafidayn; (k) Tanzeem Qa'idat al Jihad/Bilad al Raafidaini).

- (8) The entry 'Nada Management Organisation S.A. (aka Al Taqwa Management Organisation S.A.), Viale Stefano Francini 22, CH-6900 Lugano (TI), Switzerland' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Nada Management Organisation S.A. (*alias* Al Taqwa Management Organisation S.A.). Address: Viale Stefano Francini 22, CH-6900 Lugano (TI), Switzerland Other information: Liquidated and deleted from Commercial Registry.

- (9) The entry 'Tunisian Combatant Group (aka GCT or Groupe Combattant Tunisien' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Tunisian Combatant Group (*alias* (a) GCT, (b) Groupe Combattant Tunisien, (c) Groupe Islamiste Combattant Tunisien, (d) GICT).

- (10) The entry 'WALDENBERG AG (*alias*: (a) Al Taqwa Trade, Property and Industry; (b) Al Taqwa Trade, Property and Industry Company Limited; (c) Al Taqwa Trade, Property and Industry Establishment; (d) Himmat Establishment). Address: (a) Asat Trust Reg., Altenbach 8, FL-9490 Vaduz, Liechtenstein; (b) Via Posero, 2, 22060 Campione d'Italia, Italy' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Waldenberg AG (*alias* (a) Al Taqwa Trade, Property and Industry; (b) Al Taqwa Trade, Property and Industry Company Limited; (c) Al Taqwa Trade, Property and Industry Establishment; (d) Himmat Establishment). Address: (a) Asat Trust Reg., Altenbach 8, FL-9490 Vaduz, Liechtenstein; (b) Via Posero, 2, 22060 Campione d'Italia, Italy. Other information: In liquidation.

- (11) The entry 'Youssef M. Nada & Co. Gesellschaft m.b.H., Kaertner Ring 2/2/5/22, A-1010 Vienna, Austria' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Youssef M. Nada & Co. Gesellschaft m.b.H. Address: Kaertner Ring 2/2/5/22, A-1010 Vienna, Austria. Other information: Company dissolved in October 2002, deleted from Company Registry as of November 2002.

- (12) The entry 'Shadi Mohamed Mustafa ABDALLA, rue de Pavie 42, 1000 Brussels, Belgium (*alias* (a) Emad Abdelhadie, born 27 September 1976 in Alhamza; (b) Shadi Mohammed Mustafa Abdalla, born 27 September 1976 in Irbid; (c) Shadi Abdallah, born 27 September 1976 in Irbid, Jordan; (d) Shadi Abdallah, born 27 September 1976 in Irbid; (e) Emad Abdekhadie, born 27 September 1976 in Athamse; (f) Zidan Emad Abdelhadie, born 27 September 1976 in Alhamza; (g) (Used in Belgium) Shadi Mohammed Mostafa Hasan, born 27 September 1976 in Beje, Iraq; (h) Zidan; (i) Zaidan; (j) Al Hut (English: the shark); (k) Emad Al Sitawi). Date of birth: 27 September 1976. Place of birth: Irbid, Jordan. Nationality: Jordanian of Palestinian origin. Passport No: (a) Jordanian passport No D 862 663, issued in Irbid, Jordan, on 10 August 1993; (b) Jordanian passport No H 641 183, issued in Irbid, Jordan, on 17 April 2002; (c) German International travel document No 0770479, issued in Dortmund, Germany on 16 February 1998. Other information: (a) Name of father: Mohamed Abdalla; (b) Name of mother: Jawaher Abdalla, née Almadaneie; (c) Currently in detention awaiting trial.' under the heading 'Natural persons' shall be replaced by the following:

Shadi Mohamed Mustafa **Abdalla** (*alias* (a) Emad Abdelhadie, born 27.9.1976 in Alhamza; (b) Shadi Mohammed Mustafa Abdalla, born 27.9. 1976 in Irbid; (c) Shadi Abdallah, born 27.9. 1976 in Irbid, Jordan; (d) Shadi Abdallah, born 27.9. 1976 in Irbid; (e) Emad Abdekhadie, born 27.9.1976 in Athamse; (f) Zidan Emad Abdelhadie, born 27.9.1976 in Alhamza; (g) (Used in Belgium) Shadi Mohammed Mostafa Hasan, born 27.9.1976 in Beje, Iraq; (h) Zidan; (i) Zaidan; (j) Al Hut (English: the shark); (k) Emad Al Sitawi). Address: rue de Pavie 42, 1000 Brussels, Belgium. Date of birth: 27.9.1976. Place of birth: Irbid, Jordan. Nationality: Jordanian of Palestinian origin. Passport No: (a) Jordanian passport No D 862 663, issued in Irbid, Jordan, on 10.8. 1993; (b) Jordanian passport No H 641 183, issued in Irbid, Jordan, on 17.4.2002; (c) German International travel document No 0770479, issued in Dortmund, Germany on 16.2.1998. Other information: (a) Name of father: Mohamed Abdalla; (b) Name of mother: Jawaher Abdalla, née Almadaneie; (c) Convicted and imprisoned in Germany.

- (13) The entry 'Abd Al Hafiz Abd Al Wahab (*alias* (a) Ferdjani Mouloud, (b) Mourad, (c) Rabah Di Roma). Date of birth: 7 September 1967. Place of birth: Algiers, Algeria. Domicile: Via Lungotevere Dante — Rome, Italy' under the heading 'Natural persons' shall be replaced by the following:

Abd Al Wahab **Abd Al Hafiz** (*alias* (a) Ferdjani Mouloud, (b) Mourad, (c) Rabah Di Roma). Address: Via Lungotevere Dante — Rome, Italy. Date of birth: 7.9. 1967. Place of birth: Algiers, Algeria.

- (14) The entry 'Kifane Abderrahmane. Date of birth: 7 March 1963. Place of birth: Casablanca, Morocco. Residence: via S. Biagio, 32 or 35 — Sant'Anastasia (NA), Italy' under the heading 'Natural persons' shall be replaced by the following:

Abderrahmane **Kifane**. Address: via S. Biagio, 32 or 35 — Sant'Anastasia (NA), Italy. Date of birth: 7.3.1963. Place of birth: Casablanca, Morocco.

- (15) The entry 'Abdullah Ahmed Abdullah (aka Abu Mariam; aka Al-Masri, Abu Mohamed; aka Saleh), Afghanistan; born 1963, Egypt; citizen Egypt' under the heading 'Natural persons' shall be replaced by the following:

Abdullah Ahmed Abdullah **El Alfi** (*alias* (a) Abu Mariam, (b) Al-Masri, Abu Mohamed, (c) Saleh). Date of birth: 6.6.1963. Place of birth: Gharbia, Egypt. Nationality: Egyptian.

- (16) The entry 'Abdurrahman, Mohamad Iqbal (*alias* "Abu Jibril"; Rahman, Mohamad Iqbal; A Rahman, Mohamad Iqbal; Abu Jibril Abdurrahman; Fikiruddin Muqti; Fihiruddin Muqti); nationality: Indonesian; place of birth: Tirpas-Selong Village, East Lombok, Indonesia' under the heading 'Natural persons' shall be replaced by the following:

Mohamad Iqbal **Abdurrahman** (*alias* (a) Rahman, Mohamad Iqbal; (b) A Rahman, Mohamad Iqbal; (c) Abu Jibril Abdurrahman; (d) Fikiruddin Muqti; (e) Fihiruddin Muqti, (f) 'Abu Jibril'). Date of birth: 17.8.1958. Place of birth: Tirpas-Selong Village, East Lombok, Indonesia. Nationality: Indonesian Other information: in December 2003 he was reportedly detained in Malaysia.

- (17) The entry 'Shaykh Sai'id (aka Mustafa Muhammad Ahmad); born in Egypt' under the heading 'Natural persons' shall be replaced by the following:

Mustapha Ahmed Mohamed **Osman Abu El Yazeed** (*alias* (a) Mustapha Mohamed Ahmed, (b) Shaykh Sai'id). Date of birth: 27.2.1955. Place of birth: El Sharkiya, Egypt.

- (18) The entry 'AL-FAWAZ, Khalid (a.k.a. AL-FAUWAZ, Khaled; AL-FAUWAZ, Khaled A.; AL-FAWWAZ, Khalid; AL FAWWAZ, Khalik; AL-FAWWAZ, Khaled; AL FAWWAZ, Khaled); date of birth: 25 August 1962; 55 Hawarden Hill, Brooke Road, London NW2 7BR, United Kingdom.' under the heading 'Natural persons' shall be replaced by the following:

Khalid **Al-Fawaz** (*alias* (a) Al-Fauwaz, Khaled; (b) Al-Fauwaz, Khaled A.; (c) Al-Fawwaz, Khalid, (d) Al Fawwaz, Khalik; (e) Al-Fawwaz, Khaled; (f) Al Fawwaz, Khaled. Address: 55 Hawarden Hill, Brooke Road, London NW2 7BR, United Kingdom. Date of birth: 25.8.1962.

- (19) The entry 'Fathur Rohman AL-GHOZHI (*alias* (a) Al Khozi, Fathur Rohman, (b) Al Khozi, Fathur Rahman, (c) Al-Gozi, Fathur Rohman, (d) Al-Gozi, Fathur Rahman, (e) Alghozi, Fathur Rohman, (f) Alghozi, Fathur Rahman, (g) Al-Gozhi, Fathur Rohman, (h) Al-Gozhi, Fathur Rahman, (i) Randy Alih, (j) Randy Ali, (k) Alih Randy, (l) Randy Adam Alih, (m) Sammy Sali Jamil, (n) Sammy Salih Jamil, (o) Rony Azad, (p) Rony Azad Bin Ahad, (q) Rony Azad Bin Ahmad, (r) Rony Azad Bin Amad, (s) Edris Anwar Rodin, (t) Abu Saad, (u) Abu Sa'ad, (v) Freedom Fighter); date of birth: 17 February 1971; place of birth: Madiun, East Java, Indonesia; nationality: Indonesian; passport No: Philippines GG 672613' under the heading 'Natural persons' shall be replaced by the following:

Fathur Rohman Al-Ghozhi (*alias* (a) Al Khozi, Fathur Rohman, (b) Al Khozi, Fathur Rahman, (c) Al-Gozi, Fathur Rohman, (d) Al-Gozi, Fathur Rahman, (e) Alghozi, Fathur Rohman, (f) Alghozi, Fathur Rahman, (g) Al-Gozhi, Fathur Rohman, (h) Al-Gozhi, Fathur Rahman, (i) Randy Alih, (j) Randy Ali, (k) Alih Randy, (l) Randy Adam Alih, (m) Sammy Sali Jamil, (n) Sammy Salih Jamil, (o) Rony Azad, (p) Rony Azad Bin Ahad, (q) Rony Azad Bin Ahmad, (r) Rony Azad Bin Amad, (s) Edris Anwar Rodin, (t) Abu Saad, (u) Abu Sa'ad, (v) Freedom Fighter). Date of birth: 17.2. 1971. Place of birth: Madiun, East Java, Indonesia. Nationality: Indonesian. Passport No: Philippines GG 672613. Other information: Reportedly killed in October 2003 in the Philippines.

- (20) The entry 'El Heit Ali (*alias* (a) Kamel Mohamed, (b) Ali Di Roma). Date of birth: (a) 20 March 1970, (b) 30 January 1971. Place of birth: Rouba, Algeria. Residence: via D. Fringuello, 20 — Rome, Italy. Domicile: Milan, Italy' under the heading 'Natural persons' shall be replaced by the following:

Ali **El Heit** (*alias* (a) Kamel Mohamed, (b) Ali Di Roma). Address: (a) via D. Fringuello, 20 — Rome, Italy, (b) Milan, Italy (domicile). Date of birth: (a) 20.3. 1970, (b) 30.1.1971. Place of birth: Rouba, Algeria.

- (21) The entry 'Jim'ale, Ahmed Nur Ali (aka Jimale, Ahmed Ali) (aka Jim'ale, Ahmad Nur Ali) (aka Jumale, Ahmed Nur) (aka Jumali, Ahmed Ali), PO Box 3312, Dubai, UAE; Mogadishu, Somalia' under the heading 'Natural persons' shall be replaced by the following:

Ali Ahmed Nur **Jim'ale** (*alias* (a) Jimale, Ahmed Ali; (b) Jim'ale, Ahmad Nur Ali; (c) Jumale, Ahmed Nur; (d) Jumali, Ahmed Ali). Address: PO Box 3312, Dubai, UAE. Nationality: Somali. Other information: profession: accountant, Mogadishu, Somalia

- (22) The entry 'Ahmad Sa'id Al-Kadr; date of birth: 1 March 1948; place of birth: Cairo, Egypt; nationality: Canadian and thought to be an Egyptian national' under the heading 'Natural persons' shall be replaced by the following:

Ahmed Said Zaki **Khedr** (*alias* (a) Ahmed Said Al Kader, (b) Al-Kanadi, Abu Abd Al-Rahman). Date of birth: 1.3.1948. Place of birth: Cairo, Egypt. Nationality: Canadian.

- (23) The entry 'Tariq Anwar Al-Sayyid Ahmad (aka Hamdi Ahmad Farag, Amr al-Fatih Fathi); born 15.3.1963, Alexandria, Egypt' under the heading 'Natural persons' shall be replaced by the following:

Tariq Anwar El-Sayed **Ahmed** (*alias* (a) Hamdi Ahmad Farag, (b) Amr al-Fatih Fathi). Date of birth: 15.3.1963. Place of birth: Alexandria, Egypt.

- (24) The entry 'Mehrez AMDOUNI (*alias* (a) Fabio FUSCO, (b) Mohamed HASSAN, (c) Thale ABU). Place of birth: Tunis (Tunisia). Date of birth: 18 December 1969' under the heading 'Natural persons' shall be replaced by the following:

Mehrez **Amdouni** (*alias* (a) Fabio Fusco, (b) Mohamed Hassan, (c) Abu Thale). Address: no fixed address in Italy. Place of birth: Asima-Tunis (Tunisia). Date of birth: 18.12.1969. Nationality: Bosnia and Herzegovina. Passport No: 0801888. Other information: reported arrested in Turkey and deported to Italy.

- (25) The entries 'Muhammad Atif (aka Subhi Abu Sitta, Abu Hafs Al Masri, Sheik Taysir Abdullah, Mohamed Atef, Abu Hafs Al Masri el Khabir, Taysir); born 1956, Alexandria, Egypt; alt. date of birth 1951' and 'Muhammad 'Atif (aka Abu Hafs); born (probably) 1944, Egypt; thought to be an Egyptian national; senior lieutenant to Usama Bin Laden' under the heading 'Natural persons' shall be replaced by the following:

Sobdi Abd Al Aziz Mohamed **El Gohary Abu Sinna** (*alias* (a) Mohamed Atef, (b) Sheik Taysir Abdullah, (c) Abu Hafs Al Masri, (d) Abu Hafs Al Masri El Khabir, (e) Taysir). Date of birth: 17.1.1958. Place of birth: El Behira, Egypt. Nationality: Thought to be an Egyptian national. Other information: Senior lieutenant to Usama Bin Laden.

- (26) The entry 'Muhsin Musa Matwalli Atwah (aka Abdel Rahman; aka Abdul Rahman; aka Al-Muhajir, Abdul Rahman; aka Al-Namer, Mohammed K.A.), Afghanistan; born 19.6.1964, Egypt; citizen Egypt ' under the heading 'Natural persons' shall be replaced by the following:

Muhsin Moussa Matwalli **Atwah Dewedar** (*alias* (a) Al-Muhajir, Abdul Rahman; (b) Al-Namer, Mohammed K.A.; (c) Abdel Rahman; (d) Abdul Rahman) Date of birth: 19.6.1964. Place of birth: Dakahliya, Egypt. Nationality: Egyptian. Other information: Afghanistan;

- (27) The entry 'Bahaji, Said, formerly resident at Bunatwiete 23, D-21073 Hamburg, Germany; date of birth 15 July 1975; place of birth: Haselünne (Lower Saxony), Germany; provisional German passport No 28 642 163 issued by the City of Hamburg;' under the heading 'Natural persons' shall be replaced by the following:

Said **Bahahji**. Address: formerly resident at Bunatwiete 23, D-21073 Hamburg, Germany. Date of birth: 15.7.1975. Place of birth: Haselünne (Lower Saxony), Germany. Nationality: (a) German, (b) Moroccan. Provisional German passport No 28 642 163 issued by the City of Hamburg. National identification No BPA Nr. 1336597587.

- (28) The entry 'Aoudi Mohamed ben Belgacem BEN ABDALLAH (*alias* Aouadi, Mohamed Ben Belkacem), (a) Via A. Masina n. 7, Milan, Italy, (b) Via Dopini n. 3, Gallarati, Italy; date of birth 12 November 1974, place of birth: Tunis, Tunisia; nationality: Tunisian; passport No L 191609 issued on 28 February 1996; national identification No: 04643632 delivered on 18 June 1999; Codice Fiscale: DAOMMD74T11Z352Z. Other information: his mother's name is Bent Ahmed Ourida' under the heading 'Natural persons' shall be replaced by the following:

Aoudi Mohamed ben Belgacem **Ben Abdallah** (*alias* Aouadi, Mohamed Ben Belkacem). Address: (a) Via A. Masina n. 7, Milan, Italy, (b) Via Dopini n. 3, Gallarati, Italy. Date of birth: 12.11.1974. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No L 191609 issued on 28 February 1996. National identification No: 04643632 delivered on 18 June 1999. Codice Fiscale: DAOMMD74T11Z352Z. Other information: (a) his mother's name is Bent Ahmed Ourida, (b) sentenced for three and a half years in Italy on 11.12.2002.

- (29) The entry 'Haddad Fethi Ben Assen. Date of birth: (a) 28 March 1963, (b) 28 June 1963. Place of birth: Tataouene, Tunisia. Residence: Via Fulvio Testi, 184 — Cinisello Balsamo (MI), Italy .Domicile: Via Porte Giove, 1 — Mortara (PV), Italy. Fiscal code: HDDFTH63H28Z352V' under the heading 'Natural persons' shall be replaced by the following:

Fethi Ben Hassen **Haddad**. Date of birth: (a) 28.3.1963, (b) 28.6.1963. Place of birth: Tataouene, Tunisia. Address: (a) Via Fulvio Testi, 184 — Cinisello Balsamo (MI), Italy, (b) Via Porte Giove, 1 — Mortara (PV), Italy (domicile). Fiscal code: HDDFTH63H28Z352V

- (30) The entry 'BEN HENI, Lased; date of birth 5 February 1969; place of birth Libya' under the heading 'Natural persons' shall be replaced by the following:

Lased **Ben Heni**. Date of birth: 5.2.1969. Place of birth Libya. Other information: Convicted in Italy on 11.12.2002 (six year sentence).

- (31) The entry 'Ayadi Shafiq Ben Mohamed BEN MOHAMED (alias (a) Bin Muhammad, Ayadi Chafiq, (b) Ayadi Chafik, Ben Muhammad, (c) Aiadi, Ben Muhammad, (d) Aiady, Ben Muhammad, (e) Ayadi Shafiq Ben Mohamed, (f) Ben Mohamed, Ayadi Chafiq, (g) Abou El Baraa), (a) Helene Meyer Ring 10-1415-80809, Munich, Germany, (b) 129 Park Road, NW8, London, England, (c) 28 Chaussée De Lille, Mouscron, Belgium. Date of birth: 21 March 1963. Place of birth: Sfax, Tunisia. Nationality: (a) Tunisian, (b) Bosnian. Passport No: E 423362 delivered in Islamabad on 15 May 1988. National identification No: 1292931. Other information: his mother's name is Medina Abid; he is actually in Ireland' under the heading 'Natural persons' shall be replaced by the following:

Ayadi Shafiq **Ben Mohamed** (alias (a) Bin Muhammad, Ayadi Chafiq, (b) Ayadi Chafik, Ben Muhammad, (c) Aiadi, Ben Muhammad, (d) Aiady, Ben Muhammad, (e) Ayadi Shafiq Ben Mohamed, (f) Ben Mohamed, Ayadi Chafiq, (g) Abou El Baraa). Address: (a) Helene Meyer Ring 10-1415-80809, Munich, Germany, (b) 129 Park Road, NW8, London, England, (c) 28 Chaussée De Lille, Mouscron, Belgium, (d) Street of Provare 20, Sarajevo, Bosnia and Herzegovina (last registered address in Bosnia and Herzegovina). Date of birth: (a) 21.3.1963, (b) 21.1.1963. Place of birth: Sfax, Tunisia. Nationality: (a) Tunisian, (b) Bosnian. Passport No: (a) E 423362 delivered in Islamabad on 15.5. 1988, (b) Bosnian passport No 0841438 issued on 30.12.1998 expired on 30.12.2003. National identification No: 1292931. Other information: (a) address in Belgium is a PO box, (b) his father's name is Mohamed, mother's name is Medina Abid; (c) reportedly living in Dublin, Ireland.

- (32) The entry 'Bouchoucha Mokhtar Ben Mohamed BEN MOKHTAR (alias Bushusha, Mokhtar), Via Milano n. 38, Spinadesco (CR), Italy; ; date of birth: 13 October 1969; place of birth: Tunis, Tunisia; nationality: Tunisian; passport No: K/ 754050 delivered on 26 May 1999; national identification No: 04756904 delivered on 14 September 1987; Codice Fiscale: BCHMHT69R13Z352T. Other information: his mother's name is Bannour Hedia' under the heading 'Natural persons' shall be replaced by the following:

Bouchoucha Mokhtar Ben Mohamed **Ben Mokhtar** (alias Bushusha, Mokhtar). Address: Via Milano n. 38, Spinadesco (CR), Italy. Date of birth: 13.10.1969. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: K/ 754050 delivered on 26.5.1999. National identification No: 04756904 delivered on 14.9.1987. Codice Fiscale: BCHMHT69R13Z352T. Other information: (a) his mother's name is Bannour Hedia, (b) convicted in Italy (three and half year sentence).

- (33) The entry 'Essid Sami Ben Khemais BEN SALAH (alias (a) Omar El Mouhajer (b) Saber), Via Dubini n. 3, Gallarate (VA), Italy; date of birth: 10 February 1968; place of birth: Menzel Jemil Bizerte, Tunisia; nationality: Tunisian; passport No: K/ 929139 delivered on 14 February 1995; national identification No: 00319547 delivered on 8 December 1994; Codice Fiscale: SSDSBN68B10Z352F. Other information: his mother's name Saidani Beya' under the heading 'Natural persons' shall be replaced by the following:

Essid Sami Ben Khemais **Ben Salah** (alias (a) Omar El Mouhajer, (b) Saber). Address: Via Dubini n. 3, Gallarate (VA), Italy. Date of birth: (a) 2.10.1968, (b) 10.2.1968. Place of birth: Menzel Jemil Bizerte, Tunisia. Nationality: Tunisian. Passport No: K/ 929139 delivered on 14.12.1995; national identification No: 00319547 delivered on 8.12.1994; Codice Fiscale: SSDSBN68B10Z352F. Other information: (a) his mother's name is Saidani Beya, (b) he was detained in Italy.

- (34) The entry 'Binalshibh, Ramzi Mohamed Abdullah (aka Omar, Ramzi Mohamed Abdellah; aka Binalsheidah, Ramzi Mohamed Abdullah; aka Bin al Shibh, Ramzi); date of birth 1 May 1972 or 16 September 1973; place of birth: Hadramawt, Yemen or Khartoum, Sudan; citizenship: Sudan or Yemen; passport of Yemen No 00 085 243 issued on 12 November 1997 in Sanaa, Yemen' under the heading 'Natural persons' shall be replaced by the following:

Ramzi Mohamed Abdullah **Binalshibh** (alias (a) Binalsheidah, Ramzi Mohamed Abdullah, (b) Bin al Shibh, Ramzi, (c) Omar, Ramzi Mohamed Abdellah). Date of birth: 1.5.1972 or 16.9.1973. Place of birth: (a) Hadramawt, Yemen, (b) Khartoum, Sudan. Nationality: (a) Sudan, (b) Yemen. Passport of Yemen No 00 085 243 issued on 12.11.1997 in Sanaa, Yemen.

- (35) The entry 'Mamoun DARKAZANLI (alias (a) Abu Ilyas (b) Abu Ilyas Al Suri (c) Abu Luz), Uhlenhorster Weg 34, Hamburg, 22085 Germany; date of birth: 4 August 1958; place of birth: Damascus, Syria; nationality: Syrian and German; passport No: 1310636262 (Germany), expires on 29 October 2005; national identification No: German identity card No 1312072688, expires on 20 August 2011' under the heading 'Natural persons' shall be replaced by the following:

Mamoun **Darkazanli** (alias (a) Abu Ilyas, (b) Abu Ilyas Al Suri, (c) Abu Luz). Address: Uhlenhorster Weg 34, Hamburg, 22085 Germany. Date of birth: 4.8.1958. Place of birth: Damascus, Syria. Nationality: (a) Syrian, (b) German. Passport No: 1310636262 (Germany), expires on 29.10.2005. National identification No: German identity card No 1312072688, expires on 29.10.2005.

- (36) The entry 'Lionel DUMONT (*alias* (a) Jacques BROUGERE, (b) BILAL, (c) HAMZA). Address: no fixed address in Italy. Place of birth: Roubaix (France). Date of birth: (a) 21.1.1971, (b) 29.1.1975' under the heading 'Natural persons' shall be replaced by the following:

Lionel **Dumont** (*alias* (a) Jacques Brougere, (b) Abu Hamza (c) Di Karlo Antonio (d) Merlin Oliver Christian Rene (e) Arfauni Imad Ben Yousset Hamza (f) Imam Ben Yussuf Arfaj, (g) Bilal, (h) Hamza). Address: no fixed address in Italy. Place of birth: Roubaix (France). Date of birth: (a) 21.1.1971, (b) 29.1.1975. Other information: International arrest warrant issued for him by Interpol. Arrested in Germany on 13.12.2003, extradited to France on 18.5.2004. As of October 2004 he is in detention.

- (37) The entry 'Agus DWIKARNA; date of birth: 11 August 1964; place of birth: Makassar, South Sulawesi, Indonesia; nationality: Indonesian' under the heading 'Natural persons' shall be replaced by the following:

Agus **Dwikarna**. Date of birth: 11 August 1964. Place of birth: Makassar, South Sulawesi, Indonesia. Nationality: Indonesian. Other information: arrested on 13.3.2002, sentenced 12.7.2002 in the Philippines.

- (38) The entry 'El Motassadeq, Mounir, Göschentraße 13, D-21073 Hamburg, Germany; date of birth 3 April 1974; place of birth: Marrakesh, Morocco; citizenship: Morocco; Moroccan passport No H 236 483 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany' under the heading 'Natural persons' shall be replaced by the following:

Mounir **El Motassadeq**. Address: Göschentraße 13, D-21073 Hamburg, Germany. Date of birth: 3.4.1974. Place of birth: Marrakesh, Morocco. Nationality: Moroccan. Moroccan passport No H 236 483.

- (39) The entry 'ES SAYED, Abdelkader Mahmoud (a.k.a. ES SAYED, Kader); date of birth 26 December 1962; place of birth Egypt; address: Via del Fosso di Centocelle No 66, Rome, Italy; Italian Fiscal Code: SSYBLK62T26Z336L' under the heading 'Natural persons' shall be replaced by the following:

Abd El Kader Mahmoud Mohamed **El Sayed** (*alias* Es Sayed, Kader). Address: Via del Fosso di Centocelle No 66, Rome, Italy. Date of birth 26.12.1962. Place of birth: Egypt. Italian Fiscal Code: SSYBLK62T26Z336L

- (40) The entry 'Essabar, Zakarya (aka Essabar, Zakariya), Dortmunder Strasse 38, D-22419 Hamburg, Germany; date of birth 13 April 1977; place of birth: Essaouira, Morocco; citizenship: Morocco; passport No M 271 351 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany' under the heading 'Natural persons' shall be replaced by the following:

Zakarya **Essabar**. Address: Dortmunder Strasse 38, D-22419 Hamburg, Germany. Date of birth: 13.4.1977. Place of birth: Essaouira, Morocco. Nationality: Moroccan. Passport No M 271 351 issued on 24.10.2000 by the Embassy of Morocco in Berlin, Germany. Other information: last registered as resident at this address.

- (41) The entry 'Aider Farid (*alias* Achour Ali). Date of birth: 12 October 1964. Place of birth: Algiers, Algeria. Residence: Via Milanese, 5 — 20099 Sesto San Giovanni (MI), Italy. Fiscal code: DRAFRD64R12Z301C' under the heading 'Natural persons' shall be replaced by the following:

Farid **Aider** (*alias* Achour Ali). Address: Via Milanese, 5 — 20099 Sesto San Giovanni (MI), Italy. Date of birth: 12.10.1964. Place of birth: Algiers, Algeria. Fiscal code: DRAFRD64R12Z301C.

- (42) The entry 'Muhammad Salah (aka Nasr Fahmi Nasr Hasanayn)' under the heading 'Natural persons' shall be replaced by the following:

Nasr Fahmi Nasr **Hasannein** (*alias* (a) Muhammad Salah, (b) Naser Fahmi Naser Hussein). Date of birth: 30.10.1962. Place of birth: Cairo, Egypt.

- (43) The entry 'Ali Ghaleb HIMMAT, Via Posero 2, CH-6911 Campione D'Italia, Italy; date of birth: 16 June 1938; place of birth: Damascus, Syria; nationality: Swiss' under the heading 'Natural persons' shall be replaced by the following:

Ali Ghaleb **Himmat**. Address: (a) Via Posero 2, CH-6911 Campione D'Italia, Italy, (b) other location in Italy, (c) Syria. Date of birth: 16.6.1938. Place of birth: Damascus, Syria. Nationality: Italian since 1990.

- (44) The entry 'Armand Albert Friedrich HUBER (*alias* Huber, Ahmed), Rossimattstrasse 33, 3074 Muri b. Bern, Switzerland; date of birth 1927; nationality: Swiss' under the heading 'Natural persons' shall be replaced by the following:

Armand Albert Friedrich **Huber** (*alias* Huber, Ahmed). Address: Rossimattstrasse 33, 3074 Muri b. Bern, Switzerland. Date of birth: 1927. Nationality: Swiss. Other information: no Swiss passport has been issued under this name.

- (45) The entry 'Nasreddin Ahmed IDRIS (*alias* (a) Nasreddin, Ahmad I. (b) Nasreddin, Hadj Ahmed (c) Nasreddine, Ahmed Idriss (d) Ahmed Idris Nasreddin), (a) Corso Sempione 69, 20149 Milan, Italy, (b) Piazzale Biancamano, Milan, Italy, (c) Rue De Cap Spartel, Tangiers, Morocco, (d) No 10, Rmilat, Villa Nasreddin in Tangiers, Morocco; date of birth: 22 November 1929; place of birth: Adi Ugri, Ethiopia (now Eritrea); nationality: Italian; national identification No: Italian Identity Card No AG 2028062 (Expiry date 7 September 2005); Foreign ID card No: K 5249; Italian Fiscal Code: NSRDRS29S22Z315Y. Other information: In 1994, Mr. Nasreddin left his residence in 1 via delle Scuole, 6900 Lugano, Switzerland and moved to Morocco' under the heading 'Natural persons' shall be replaced by the following:

Idris Ahmed **Nasreddin** (*alias* (a) Nasreddin, Ahmad I.; (b) Nasreddin, Hadj Ahmed; (c) Nasreddine, Ahmed Idriss; (d) Ahmed Idris Nasreddin). Address: (a) Corso Sempione 69, 20149 Milan, Italy, (b) Piazzale Biancamano, Milan, Italy, (c) Rue De Cap Spartel, Tangiers, Morocco, (d) No 10, Rmilat, Villa Nasreddin in Tangiers, Morocco. Date of birth: 22.11.1929. Place of birth: Adi Ugri, Ethiopia (now Eritrea). Nationality: Italian. National identification No: Italian Identity Card No AG 2028062 (Expiry date 7.9.2005); Foreign ID card No: K 5249. Italian Fiscal Code: NSRDRS29S22Z315Y. Other information: In 1994, Mr. Nasreddin left his residence in 1 via delle Scuole, 6900 Lugano, Switzerland and moved to Morocco

- (46) The entry 'Khalil JARRAYA (*alias* (a) Khalil YARRAYA, (b) Aziz Ben Narvan ABDEL', (c) AMRO, (d) OMAR, (e) AMROU, (f) AMR) Via Bellaria 10, Bologna, Italy or Via Lazio 3, Bologna, Italy. Place of birth: Sfax (Tunisia). Date of birth: 8 February 1969. He has also been identified as Ben Narvan Abdel Aziz, born in Sereka (ex-Yugoslavia) on 15 August 1970' under the heading 'Natural persons' shall be replaced by the following:

Khalil **Jarraya** (*alias* (a) Khalil Yarraya, (b) Ben Narvan Abdel Aziz, (c) Amro, (d) Omar, (e) Amrou, (f) Amr). Address: (a) Via Bellaria 10, Bologna, Italy, (b) Via Lazio 3, Bologna, Italy, (c) Dr Fetah Becirbegovic St. 1, Sarajevo, Bosnia and Herzegovina. Date of birth: 8.2.1969. Place of birth: Sfax (Tunisia). He has also been identified as Ben Narvan Abdel Aziz, born in Sereka (ex-Yugoslavia) on 15.8.1970.

- (47) The entry 'Samir Kishk, date of birth: 14 May 1955; place of birth: Gharbia, Egypt' under the heading 'Natural persons' shall be replaced by the following:

Samir Abd El Latif El Sayed **Kishk**. Date of birth: 14.5.1955. Place of birth: Gharbia, Egypt.

- (48) The entry 'Bendebka l'Hadi (*alias* (a) Abd Al Hadi, (b) Hadi). Date of birth: 17 November 1963. Place of birth: Algiers, Algeria. Residence: Via Garibaldi, 70 — San Zenone al Po (PV), Italy. Domicile: Via Manzoni, 33 — Cinisello Balsamo (MI), Italy' under the heading 'Natural persons' shall be replaced by the following:

L'Hadi **Bendebka** (*alias* (a) Abd Al Hadi, (b) Hadi). Address: (a) Via Garibaldi, 70 — San Zenone al Po (PV), Italy, (b) Via Manzoni, 33 — Cinisello Balsamo (MI), Italy (Domicile). Date of birth: 17.11.1963. Place of birth: Algiers, Algeria. Other information: address at (a) used as of 17.12.2001.

- (49) The entry 'Tarek Ben Habib Maaroufi, date of birth: 23 November 1965; place of birth: Ghardimaou, Tunisia' under the heading 'Natural persons' shall be replaced by the following:

Tarek Ben Habib **Maaroufi** (*alias* Abu Ismail). Address: Gaucheret 193, 1030 Schaerbeek (Brussels), Belgium. Date of birth: 23.11.1965. Place of birth: Ghardimaou, Tunisia. Nationality: Belgian (since 8.11.1993).

- (50) The entry 'Abdulkadir, Hussein Mahamud, Florence, Italy' under the heading 'Natural persons' shall be replaced by the following:

Abdulkadir Hussein **Mahamud** (*alias* Abdulkadir Hussein Mahamud). Date of birth: (a) 12.10.1966, (b) 11.11.1966. Place of birth: Somalia. Other information: Florence, Italy.

- (51) The entry 'Mansour MOHAMED (*alias* Al-Mansour, Dr. Mohamed), Obere Heslibachstrasse 20, 8700 Kuesnacht, ZH (Zurich), Switzerland; date of birth: 30 August 1928; place of birth: (a) Egypt (b) United Arab Emirates; nationality: Swiss' under the heading 'Natural persons' shall be replaced by the following:

Mohamed **Mansour** (*alias* Al-Mansour, Dr. Mohamed). Address: Obere Heslibachstrasse 20, 8700 Kuesnacht, ZH (Zurich), Switzerland; Date of birth: 30.8.1928. Place of birth: (a) Egypt (b) United Arab Emirates. Nationality: Swiss. Other information: (a) Zurich, Switzerland, (b) No Swiss passport issued to that name.

- (52) The entry 'Mostafa Kamel MOSTAFA (*alias* (a) Mustafa Kamel MUSTAFA, (b) Adam Ramsey Eaman, (c) Abu Hamza Al-Masri, (d) Al-Masri, Abu Hamza, (e) Al-Misri, Abu Hamza), 9 Alboume Road, Shepherds Bush, London W12 OLW, United Kingdom; 8 Adie Road, Hammersmith, London W6 OPW, United Kingdom. Date of birth: 15 April 1958' under the heading 'Natural persons' shall be replaced by the following:

Mostafa Kamel Mostafa **Ibrahim** (*alias* (a) Mustafa Kamel Mustafa, (b) Adam Ramsey Eaman, (c) Kamel Mustapha Mustapha, (d) Mustapha Kamel Mustapha, (e) Abu Hamza, (f) Abu Hamza Al-Masri, (g) Al-Masri, Abu Hamza, (h) Al-Misri, Abu Hamza). Address: (a) 9 Albourne Road, Shepherds Bush, London W12 OLW, United Kingdom; (b) 8 Adie Road, Hammersmith, London W6 OPW, United Kingdom. Date of birth: 15.4.1958. Place of birth: Alexandria, Egypt. Other information: under investigation in the United Kingdom.

- (53) The entry 'Abbes Moustafa. Date of birth: 5 February 1962. Place of birth: Osniers, Algeria. Domicile: Via Padova, 82 — Milan, Italy' under the heading 'Natural persons' shall be replaced by the following:

Moustafa **Abbes**. Address: Via Padova, 82 — Milan, Italy (domicile). Date of birth: 5.2.1962. Place of birth: Osniers, Algeria.

- (54) The entry 'Nada Youssef MUSTAFA (*alias* (a) Nada, Youssef, (b) Nada, Youssef M.), (a) via Arogno 32, 6911 Campione d'Italia, Italy (b) Via per Arogno 32, CH-6911 Campione d'Italia, Italy (c) Via Riasc 4, CH-6911 Campione d'Italia I, Italy; date of birth: (a) 17 May 1931 (b) 17 May 1937; place of birth: Alexandria, Egypt; national identification No: Italian Identity Card No AE 1111288 (Expiry date 21 March 2005)' under the heading 'Natural persons' shall be replaced by the following:

Youssef Mustapha Nada **Ebada** (*alias* (a) Nada, Youssef; (b) Nada, Youssef M.; (c) Youssef Mustapha Nada). Address: (a) via Arogno 32, 6911 Campione d'Italia, Italy, (b) Via per Arogno 32, CH-6911 Campione d'Italia, Italy, (c) Via Riasc 4, CH-6911 Campione d'Italia I, Italy. Date of birth: 17.5. 1931. Place of birth: Alexandria, Egypt. National identification No: Italian Identity Card No AE 1111288 (Expiry date 21.3. 2005).

- (55) The entry 'Abdelghani MZOUZI (*alias* (a) Abdelghani MAZWATI, (b) Abdelghani MAZUTI). Place of birth: Marrakesh (Morocco). Date of birth: 6 December 1972. Nationality: Moroccan. Passport No: (a) Moroccan passport No F 879567, issued 29 April 1992 in Marrakesh, Morocco, valid until 28 April 1997, renewed until 28 February 2002; (b) Moroccan passport No M271392, issued 4 December 2000 by the Moroccan Consulate in Berlin, Germany. National identification No: Moroccan personal ID No E 427689, issued 20 March 2001 by the Moroccan Consulate General in Düsseldorf, Germany. Additional information: remanded in custody in Germany (June 2003)' under the heading 'Natural persons' shall be replaced by the following:

Abdelghani **Mzouzi** (*alias* (a) Abdelghani Mazwati, (b) Abdelghani Mazuti). Address: op de Wisch 15, 21149 Hamburg, Germany. Date of birth: 6.12.1972. Place of birth: Marrakesh (Morocco). Nationality: Moroccan. Passport No: (a) Moroccan passport No F 879567, issued 29.4.1992 in Marrakesh, Morocco, valid until 28.4. 1997, renewed until 28.2. 2002; (b) Moroccan passport No M271392, issued 4.12. 2000 by the Moroccan Embassy in Berlin, Germany. National identification No: Moroccan personal ID No E 427689, issued 20 March 2001 by the Moroccan Consulate General in Düsseldorf, Germany. Additional information: (a) remanded in custody in Germany (June 2003), (b) last registered at this address.

- (56) The entry 'Othman Deramchi (*alias* Abou Youssef). Date of birth: 7 June 1954. Place of birth: Tighennif, Algeria. Residence: Via Milanese, 5 — Sesto San Giovanni, Italy. Domicile: Piazza Trieste, 11 — Mortara, Italy. Fiscal code: DRMTMN54H07Z301T' under the heading 'Natural persons' shall be replaced by the following:

Othman **Deramchi** (*alias* Abou Youssef). Address: (a) Via Milanese, 5 — Sesto San Giovanni, Italy, (b) Piazza Trieste, 11 — Mortara, Italy (domicile). Date of birth: 7.6.1954. Place of birth: Tighennif, Algeria. Fiscal code: DRMTMN54H07Z301T.

- (57) The entry 'Safi, Rahmatullah, General (Taliban representative in Europe)' under the heading 'Natural persons' shall be replaced by the following:

Rahmatullah **Safi**. Title: General. Date of birth: (a) Circa 1948, (b) 21.3.1913. Place of birth: Tagaab district, Kapisa province, Afghanistan. Other information: Taliban representative in Europe.

- (58) The entry 'Nedal SALEH (*alias* HITEM), Via Milano 105, Casal di Principe (Caserta), Italy or Via di Saliceto 51/9, Bologna, Italy. Place of birth: Taiz (Yemen). Date of birth: 1 March 1970' under the heading 'Natural persons' shall be replaced by the following:

Nedal Mahmoud **Saleh** (*alias* (a) Nedal Mahmoud N. Saleh, (b) Hitem). Address: (a) Via Milano 105, Casal di Principe (Caserta), Italy, (b) Via di Saliceto 51/9, Bologna, Italy. Place of birth: Taiz (Yemen). Date of birth: 1 March 1970. Other information: arrested in Italy on 19.8.2003.

- (59) The entry 'Sayadi, Nabil Abdul Salam (*alias* Abu Zeinab); date of birth: 1.1.1966 in El Hadid, Tripoli, Lebanon; nationality: Belgian since 18.9.2001; spouse of Patricia Vinck; married on 29.5.1992 in Peschawar, Pakistan' under the heading 'Natural persons' shall be replaced by the following:

Nabil Abdul Salam **Sayadi** (*alias* Abu Zeinab). Address: Vaatjesstraat 29, 2580 Putte, Belgium. Date of birth: 1.1.1966. Place of birth: El Hadid, Tripoli, Lebanon. Nationality: Belgian since 18.9.2001. Other information: spouse of Patricia Vinck; married on 29.5.1992 in Peschawar, Pakistan.

- (60) The entry 'Thirwat Salah Shihata (aka Tarwat Salah Abdallah, Salah Shihata Thirwat, Shahata Thirwat); born 29.6.1960, Egypt' under the heading 'Natural persons' shall be replaced by the following:

Tharwat Salah Shihata **Ali** (*alias* (a) Tarwat Salah Abdallah, (b) Salah Shihata Thirwat, (c) Shahata Thirwat). Date of birth: 29.6.1960. Place of birth: Egypt.

- (61) The entry 'Vinck, Patricia Rosa (*alias* Souraya P. Vinck); date of birth: 4.1.1965 in Berchem, Antwerp; nationality: Belgian; spouse of Nabil Sayadi' under the heading 'Natural persons' shall be replaced by the following:

Patricia Rosa **Vinck** (*alias* Souraya P. Vinck). Address: Vaatjesstraat 29, 2580 Putte, Belgium. Date of birth: 4.1.1965. Place of birth: Berchem (Antwerp), Belgium. Nationality: Belgian. Other information: spouse of Nabil Sayadi.

- (62) The entry 'Ahmed Nacer Yacine (*alias* Yacine Di Annaba). Date of birth: 2 December 1967. Place of birth: Annaba, Algeria. Residence: rue Mohamed Khemisti, 6 — Annaba, Algeria. Domicile: vicolo Duchessa, 16 and via Genova, 121 — Naples (Italy)' under the heading 'Natural persons' shall be replaced by the following:

Yacine Ahmed **Nacer** (*alias* Yacine Di Annaba). Date of birth: 2.12.1967. Place of birth: Annaba, Algeria. Address: (a) rue Mohamed Khemisti, 6 — Annaba, Algeria, (b) vicolo Duchessa, 16 — Naples, Italy, (c) via Genova, 121 — Naples, Italy (domicile).

- (63) The entry 'Abbes Youcef (*alias* Giuseppe). Date of birth: 5 January 1965. Place of birth: Bab El Aoued, Algeria. Domicile: (a) Via Padova, 82 — Milan (Italy), (b) Via Manzoni, 33 — Cinisello Balsamo (MI), Italy' under the heading 'Natural persons' shall be replaced by the following:

Youcef **Abbes** (*alias* Giuseppe). Address: (a) Via Padova, 82 — Milan, Italy, (b) Via Manzoni, 33 — Cinisello Balsamo (MI), Italy (domicile). Date of birth: 5.1.1965. Place of birth: Bab El Aoued, Algeria.

- (64) The entry 'Mansour Fattouh ZEINAB, Obere Heslibachstrasse 20, 8700 Kuesnacht, ZH, Switzerland; date of birth: 7 May 1933' under the heading 'Natural persons' shall be replaced by the following:

Zeinab Mansour **Fattouh**. Address: Obere Heslibachstrasse 20, 8700 Kuesnacht, ZH, Switzerland. Date of birth: 7.5.1933.

COMMISSION REGULATION (EC) No 2146/2004**of 16 December 2004****opening for the year 2005 a tariff quota applicable to the importation into the European Community of certain goods originating in Iceland resulting from the processing of agricultural products covered by Council Regulation (EC) No 3448/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 1999/492/EC of 21 June 1999 concerning the conclusion of an Agreement in the form of an exchange of letters between the European Community, of the one part, and the Republic of Iceland, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Republic of Iceland⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) The Agreement in the form of an exchange of letters between the European Community, of the one part, and the Republic of Iceland, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Republic of Iceland, approved by Decision 1999/492/EC, provides for an annual tariff quota for imports originating in Iceland of sugar confectionery products and chocolate and other food preparations containing cocoa. It is necessary to open that quota for 2005.
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation

of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾ lays down rules for the management of tariff quotas. It is appropriate to provide that the tariff quota opened by this Regulation is to be managed in accordance with those rules.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 2005, the goods originating in Iceland and imported into the Community which are listed in the Annex shall be subject to the duties set out in that Annex within the limits of the annual quota indicated therein.

Article 2

The tariff quota referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall be applicable from 1 January 2005.

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

Done at Brussels, 16 December 2004.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).
⁽²⁾ OJ L 192, 24.7.1999, p. 47.

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Order number	CN code	Description	Quota	Rate of duty applicable
09.0799	1704 90 10	Sugar confectionery (including white chocolate) not containing cocoa, falling within CN code 1704 90	500 tonnes	50 % of the rate of duty for third countries ⁽¹⁾ up to a maximum of EUR 35.15/100kg
	1704 90 30			
	1704 90 51			
	1704 90 55			
	1704 90 61			
	1704 90 65			
	1704 90 71			
	1704 90 75			
	1704 90 81			
	1704 90 99			
	1806 32 10	Chocolate and other food preparations containing cocoa falling within CN codes 1806 32, 1806 90, 1905 31 and 1905 32		
	1806 32 90			
	1806 90 11			
	1806 90 19			
	1806 90 31			
	1806 90 39			
	1806 90 50			
	1806 90 60			
	1806 90 70			
	1806 90 90			
	1905 31 11			
	1905 31 19			
	1905 31 30			
	1905 31 91			
	1905 31 99			
	1905 32 11			
	1905 32 19			
	1905 32 91			
	1905 32 99			

⁽¹⁾ Rate of duty for third countries: rate consisting of the *ad valorem* duty plus, where appropriate, the agricultural component, limited to the maximum rate where provided for in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2147/2004**of 16 December 2004****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3.

- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN codes indicated in column 2.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 16 December 2004.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1989/2004 (OJ L 344, 20.11.2004, p. 5).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by the 2003 Act of Accession.

ANNEX

Description	Classification (CN code)	Reasons
(1)	(2)	(3)
1. Unalloyed aluminium wire with an aluminium content of 99,5 %, of a diameter of between 9 and 14 mm and a length per wire of 500 to 600 m, put up in rolls with a width of about 1,5 m and a weight of 1,5 tonnes. The aluminium wire rolls have been partly damaged and deformed. (See photograph A) (*)	7605 11 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1(c) to Chapter 76 and by the wording of CN codes 7605 and 7605 11 00. Classification under heading 7602 is excluded, as the conditions of Note 8(a) to Section XV are not met. The degree of damage and deformation of the aluminium wire rolls does not alter the nature of the product, which is that of aluminium wire, given that large portions of the rolls still meet the definition in Note 1(c) to Chapter 76.
2. Unalloyed aluminium wire with an aluminium content of 99,5 %, of a diameter of between 9 and 14 mm and a length per wire of 500 to 600 m, put up in rolls with a width of about 1,5 m and a weight of 1,5 tonnes. The aluminium wire rolls have been partly damaged and deformed before being cut, from each side of the roll opening, by means of hydraulic alligator shears. The product consists of large portions of aluminium wire. (See photograph B) (*)	7605 11 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1(c) to Chapter 76 and by the wording of CN codes 7605 and 7605 11 00. Note 8 (a) to Section XV does not apply because the aluminium wire rolls are not definitely unusable as aluminium wire; therefore classification under heading 7602 is excluded. As large portions of the rolls meet the definition for aluminium wire in Note 1(c) to Chapter 76, the products remain classifiable under CN code 7605 11 00.
3. A 42" plasma panel with a screen aspect ratio of 16:9 and a 852 × 480 pixel configuration. The product is composed of an aluminium frame, containing a layer of plasma cells between two glass substrates, as well as address and display electrodes. The product is equipped with ribbon cables but does not incorporate any other electronic components (for example, a power supply or drivers), or interfaces for connection to other apparatus. The product is to be used as a component in the manufacture of video monitors. (See photograph C) (*)	8529 90 81	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2(b) to Section XVI and by the wording of CN codes 8529, 8529 90 and 8529 90 81. The product cannot be classified as an unfinished product by virtue of General Rule 2(a) for the interpretation of the Combined Nomenclature because the product is only equipped with ribbon cables. The product is not classifiable in heading 8473 as a part of a display unit of an automatic data processing machine or in heading 8531 as a part of an indicator panel, because it is not suitable for use solely or principally with an automatic data processing machine of heading 8471 or with an indicator panel of heading 8531. In view of its dimensions and characteristics, the product is classifiable under heading 8529 being a part of a video monitor of heading 8528.

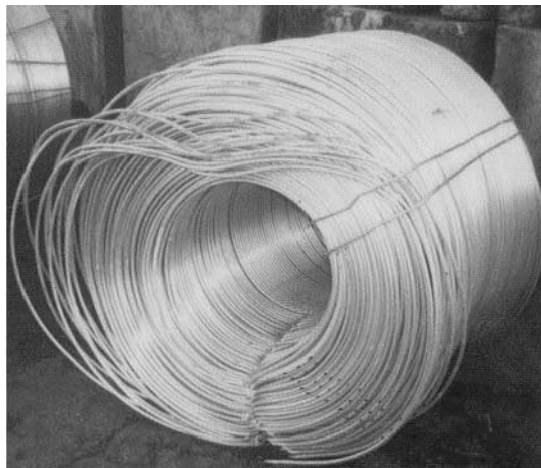
(1)	(2)	(3)
4. A 42" colour plasma monitor with a screen aspect ratio of 16:9 and a 1 024 × 768 pixel configuration. The product is fitted with a slot-in board with the following interfaces: — an RGB input, — a serial RS-232C interface, — an audio input; — a slot for a second slot-in board. The slot, for the second slot-in type interface, provides a connection to a variety of optional terminal boards with a wide range of input sources, for example, composite video, S-video and component video signals.	8528 21 90	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 8528, 8528 21 and 8528 21 90. Classification under heading 8471 is excluded as the product is not of a kind solely or principally used in an automatic data processing system (see Note 5 B(a) to Chapter 84 and the HS Explanatory Notes to heading 8471 (I) (D)). The product is not classifiable as a product under heading 8531, because its function is not to provide visual indication for signalling purposes (see the HS Explanatory Notes to heading 8531 (D)). The product is a video monitor of heading 8528, because it is designed to be able to reproduce, on the screen, a wide range of video signals.
5. A new four-wheeled vehicle with a 954 cm³ compression-ignition internal combustion piston engine, a gross vehicle weight of approximately 1 800 kg (a vehicle weight of 720 kg and a load capacity of 1 080 kg) and approximate dimensions of 2,9 m (length) × 1,6 m (width). The vehicle is equipped with two seats, one of which is for the driver. Behind the seats, there is an area with approximate dimensions of 1,2 m (length) and 1,4 m (width). It is fitted with tilting hydraulics. This area is designed for mounting a rear box, mechanical appliances or similar equipment. The area with seats is smaller than the area behind the seats. The vehicle is not fitted with the rear box or any other accessory when presented. (See photograph D) (*)	8704 21 91	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8704, 8704 21 and 8704 21 91. The vehicle is not essentially designed for hauling or pushing another vehicle, appliance or load and therefore does not fulfil the requirements of Note 2 to Chapter 87. It is not principally designed for the transport of persons. It is not a dumper truck (see the HS Explanatory Notes to subheading 8704 10). Due to its construction (for example, tilting hydraulics), it is principally designed for the transport of goods.

(*) The photographs are purely for information

(A)



(B)



(C)



(D)



COMMISSION REGULATION (EC) No 2148/2004

of 16 December 2004

concerning the permanent and provisional authorisations of certain additives and the authorisation of new uses of an additive already authorised in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition in the European Union.
- (2) Article 25 of Regulation (EC) No 1831/2003 lays down the transitional measures for applications for authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of that Regulation.
- (3) The applications for authorisation of additives listed in the annexes to this Regulation were submitted before the date of application of Regulation (EC) No 1831/2003.
- (4) Initial comments by Member States on these applications were issued under Article 4(4) of Directive 70/524/EEC have been forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Such applications therefore shall continue to be treated in accordance with Article 4 of Directive 70/524/EEC.
- (5) The use of the product, clinoptilolite of volcanic origin, as feed additive belonging to the category of 'binders, anti-caking agents and coagulants', was provisionally authorised, for the first time, for pigs, rabbits and poultry by Commission Regulation (EC) No 1245/1999⁽³⁾.

- (6) New data were submitted in support of the application for authorisation without a time limit. The assessment shows that the conditions laid down in Directive 70/524/EEC for such authorisation have been satisfied.
- (7) Accordingly, the use of this product, clinoptilolite of volcanic origin, should be authorised without a time limit, under certain conditions set out in Annex I to this Regulation.
- (8) The use of the micro-organism preparation of *Bacillus licheniformis* (DSM 5749) and *Bacillus subtilis* (DSM 5750) was provisionally authorised for pigs for fattening and without a time limit for piglets by Commission Regulation (EC) No 2437/2000⁽⁴⁾.
- (9) New data were submitted in support of the application for authorisation without a time limit of that micro-organism preparation for pigs for fattening. The assessment shows that the conditions laid down in Directive 70/524/EEC for such authorisation are satisfied. New data were submitted in support of the application to modify the maximum age of that micro-organism preparation for piglets. The assessment shows that the conditions for such modification of the authorisation are satisfied.
- (10) The use of the micro-organism preparation of *Saccharomyces cerevisiae* (NCYC Sc 47) was provisionally authorised, for the first time, for piglets by Commission Regulation (EC) No 1436/98⁽⁵⁾.
- (11) The use of the micro-organism preparation of *Enterococcus faecium* (DSM 7134) and *Lactobacillus rhamnosus* (DSM 7133) was provisionally authorised, for the first time, for piglets by Commission Regulation (EC) No 2690/99⁽⁶⁾.
- (12) New data were submitted in support of the application for authorisation without a time limit of those two micro-organism preparations. The assessment shows that the conditions laid down in Directive 70/524/EEC for such authorisation are satisfied.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation 1800/2004 (OJ L 317, 16.10.2004, p. 37).

⁽²⁾ OJ L 268, 18.10.2003, p. 29.

⁽³⁾ OJ L 150, 17.6.1999, p. 15.

⁽⁴⁾ OJ L 280, 4.11.2000, p. 28.

⁽⁵⁾ OJ L 191, 7.7.1998, p. 15.

⁽⁶⁾ OJ L 326, 18.12.1999, p. 33.

- (13) Accordingly, the use of those three micro-organism preparations, as specified in Annex II, should be authorised without a time limit.
- (14) Data were submitted in support of an application to obtain an authorisation for a new additive belonging to the group micro-organisms, *Kluyveromyces marxianus* variety *lactisK1* (BCCM/MUCL 39434) for dairy cows.
- (15) The assessment of the application for authorisation submitted, in respect of the micro-organism preparation specified in Annex III to this Regulation, shows that the conditions referred to in Article 9e(1) of Directive 70/524/EEC are satisfied.
- (16) The Scientific Committee on Animal Nutrition (SCAN) has delivered an opinion on the use of this additive in feedingstuffs 'Opinion on the use of certain micro-organisms as additives in feedingstuffs' on 25 April 2003, which concludes that this additive does not present a risk to animal health, human health or the environment, under the conditions set out in Annex III to this Regulation.
- (17) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase produced by *Trichoderma longibrachiatum* (CNCM MA 6-10 W) was provisionally authorised for the first time for chickens for fattening by Commission Regulation (EC) No 1436/98.
- (18) The use of the enzyme preparation of endo-1,4-beta-glucanase produced by *Trichoderma longibrachiatum* (IMI SD 142) was provisionally authorised for the first time for chickens for fattening, by Regulation (EC) No 1436/98 (liquid form) and by Commission Regulation (EC) No 1353/2000⁽¹⁾ (solid form).
- (19) The use of the enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma longibrachiatum* (IMI SD 135) was provisionally authorised, for the first time, for chickens for fattening, by Regulation (EC) No 1436/98 (liquid form) and by Regulation (EC) No 1353/2000 (solid form).
- (20) New data were submitted in support of the application for authorisation without a time limit of those three enzyme preparations. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied.
- (21) Accordingly, the use of those three enzyme preparations as specified in Annex IV, should be authorised without a time limit.
- (22) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by *Penicillium funiculosum* (IMI SD 101) is authorised without a time limit for chickens for fattening by Commission Regulation (EC) No 1259/2004⁽²⁾. The use of this preparation was provisionally authorised for turkeys for fattening, for laying hens and for pigs for fattening by Commission Regulation (EC) No 418/2001⁽³⁾.
- (23) New data were submitted in support of an application to extend the authorisation of the use of this enzyme preparation to piglets and ducks for fattening.
- (24) The European Food Safety Authority (EFSA) has delivered an opinion on the use of this preparation which concludes that this preparation does not present a risk for these additional animal categories, under the conditions set out in Annex V to this Regulation.
- (25) The assessment shows that the conditions laid down in Article 9e(1) of Directive 70/524/EEC for an authorisation of such preparation have been satisfied.
- (26) Accordingly, the use of this enzyme preparation as specified in Annex V, should be provisionally authorised for four years.
- (27) The assessment of these applications shows that certain procedures should be required to protect workers from exposure to the additives set out in the Annexes. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽⁴⁾.
- (28) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

(¹) OJ L 155, 28.6.2000 p. 15.

(²) OJ L 239, 9.7.2004, p. 8.

(³) OJ L 62, 2.3.2001, p. 3.

(⁴) OJ L 183, 29.6.1989, p. 1.

HAS ADOPTED THIS REGULATION

Article 1

The preparation belonging to the group 'Binders, anti-caking agents and coagulants', is authorised for use without a time limit as additive in animal nutrition under the conditions laid down in Annex I.

Article 2

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

Article 3

The preparation belonging to the group 'Micro-organisms', is authorised provisionally for four years as additive in animal nutrition under the conditions laid down in Annex III.

Article 4

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

Article 5

The preparation belonging to the group 'Enzymes', is authorised provisionally for four years as additive in animal nutrition under the conditions laid down in Annex V.

Article 6

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, 16 December 2004.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg/kg of complete feedingstuff			
Binders, anti-caking agents and coagulants								
E 567	Clinoptilolite of volcanic origin	Calcium hydrated aluminosilicate of volcanic origin containing a minimum of 85 % of clinoptilolite and a maximum of 15 % of feldspar, micas and clays free of fibres and quartz Maximum lead content: 80 mg/kg	Pigs	—	—	20 000	All feedingstuffs	Without a time limit
			Rabbits	—	—	20 000	All feedingstuffs	Without a time limit
			Poultry	—	—	20 000	All feedingstuffs	Without a time limit

ANNEX II

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedstuff				
Micro-organisms									
E 1700	<i>Bacillus licheniformis</i> DSM 5749 <i>Bacillus subtilis</i> DSM 5750 (In 1/1 ratio)	Mixture of <i>Bacillus licheniformis</i> and <i>Bacillus subtilis</i> containing a minimum of: $3,2 \times 10^9$ CFU/g additive ($1,6 \times 10^9$ CFU/g additive of each bacterium)	Pigs for fattening	—	$1,28 \times 10^9$	$1,28 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.	Without a time limit	
			Piglets	—	$1,28 \times 10^9$	$3,2 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. For use in piglets until approximately 35 kg.	Without a time limit	
E 1702	<i>Saccharomyces cerevisiae</i> NCYC Sc 47	Preparation of <i>Saccharomyces cerevisiae</i> containing a minimum of: 5×10^9 CFU/g additive	Piglets (weaned)	—	5×10^9	1×10^{10}	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. For use in weaned piglets until approximately 35 kg.	Without a time limit	
E 1706	<i>Enterococcus faecium</i> DSM 7134 <i>Lactobacillus rhamnosus</i> DSM 7133	Mixture of: <i>Enterococcus faecium</i> containing a minimum of: 7×10^9 CFU/g and of <i>Lactobacillus rhamnosus</i> containing a minimum of: 3×10^9 CFU/g	Piglets (weaned)	—	$2,5 \times 10^9$	5×10^9	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. For use in weaned piglets until approximately 35 kg.	Without a time limit	

ANNEX III

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	CFU/kg of complete feedingstuff		Other provisions	End of period of authorisation
Micro-organisms								
24	<i>Kluyveromyces marxianus</i> var. <i>lactis</i> K1 BCCM/MUCL 39434	Preparation of <i>Kluyveromyces marxianus</i> var. <i>lactis</i> K1 having a minimum activity of: $1,0 \times 10^8$ CFU/g	Dairy cows	—	$0,25 \times 10^6$	$1,0 \times 10^6$	In directions for use of the additive and premixture, indicate the storage temperature and storage life. Do not use in pelleted premixture and feedingstuffs. Use in dairy cows, in particular when they are reaching the maximum of daily milk production, for minimum period of 14 days. The amount of daily ration administered to each cow is $1,0 \times 10^7$ CFU.	20 December 2008

ANNEX IV

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
Enzymes								
E 1615	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (CNCM MA 6-10 W) having a minimum activity of: Solid form: 70 000 BGN ⁽¹⁾ /g Liquid form: 14 000 BGN/ml	Chickens for fattening	—	1 050 BGN	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 2 800 BGN. 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 35 % barley.	Without a time limit
E 1616	Endo-1,4-beta-glucanase EC 3.2.1.4	Preparation of endo-1,4-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 142) having a minimum activity of: Solid form: 2 000 CU ⁽²⁾ /g Liquid form: 2 000 CU/ml	Chickens for fattening	—	500 CU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 500-1 000 CU. 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 40 % barley.	Without a time limit

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
E 1617	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) having a minimum activity of: Solid form: 6 000 EPU ⁽¹⁾ /g Liquid form: 6 000 EPU/ml	Chickens for fattening	—	1 500 EPU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 1 500-3 000 EPU. 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat.	Without a time limit

⁽¹⁾ 1 BGN is the amount of enzyme which liberates 1 micromole of reducing sugar (glucose equivalents) from barley beta-glucan per minute at pH 4,8 and 50°C.

⁽²⁾ 1 CU is the amount of enzyme which liberates 0,128 micromoles of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 4,5 and 30 °C.

⁽³⁾ 1 EPU is the amount of enzyme which liberates 0,0083 micromoles of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 4,7 and 30 °C.

⁽¹⁾ 1 BGN is the amount of enzyme which liberates 1 micromole of reducing sugar (glucose equivalents) from barley beta-glucan per minute at pH 4.8 and 50 °C.

⁽²⁾ 1 CU is the amount of enzyme which liberates 0,128 micromoles of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 4.5 and 30 °C.

⁽³⁾ 1 EPU is the amount of enzyme which liberates 0,0083 micromoles of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 4.7 and 30 °C.

ANNEX V

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
Enzymes								
30 (or E 1604)	Endo-1,3(4)-beta-glucanase EC 3.2.1.6 Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,3(4)-beta-glucanase and endo-1,4-beta-xylanase produced by <i>Penicillium funiculosum</i> (IMI SD 101) having a minimum activity of: Powder form: Endo-1,3(4)-beta-glucanase: 2 000 U (1)/g Endo-1,4-beta-xylanase : 1 400 U (2)/g Liquid form: Endo-1,3(4)-beta-glucanase: 500 U/ml Endo-1,4-beta-xylanase: 350 U/ml	Piglets (weaned)		endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U	— —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly beta-glucan and arabinoxylans), e.g. containing more than 30 % barley or 20 % wheat. 4. For weaned piglets up to approximately 35 kg.	20.12.2008

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff				
			Ducks for fattening	—	endo-1,3(4)-beta- glucanase: 100 U endo-1,4-beta- xylanase: 70 U	— —		1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 70 U 3. For use in compound feed rich in non-starch polysac- charides, (mainly beta- glucan and arabinoxylans), e.g. containing more than 50 % barley or 60 % wheat.	20.12.2008

(1) 1 U is the amount of enzyme which liberates 5,55 micromoles of reducing sugars (maltose equivalents) from barley beta-glucan per minute at pH 5,0 and 50 °C.
(2) 1 U is the amount of enzyme which liberates 4,00 micromoles of reducing sugars (maltose equivalents) from birchwood xylan per minute at pH 5,5 and 50 °C.

COMMISSION REGULATION (EC) No 2149/2004**of 16 December 2004****opening tariff quotas for 2005 for imports into the European Community of certain goods
originating in Norway resulting from the processing of agricultural products covered by Council
Regulation (EC) No 3448/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 2004/859/EC of 25 October 2004 concerning the conclusion of an Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway provides in point III for annual tariff quotas for imports of certain goods originating in Norway. It is necessary to open these quotas for 2005.
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation

of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code⁽³⁾ lays down rules for the management of tariff quotas. It is appropriate to provide that the tariff quotas opened by this Regulation are to be managed in accordance with those rules.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quotas for the goods originating in Norway which are listed in Annex shall be opened for 1 January to 31 December 2005.

Article 2

The Community tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall be applicable from 1 January 2005.

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

Done at Brussels, 16 December 2004.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

⁽²⁾ See page 70 of this Official Journal.

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Annual tariff quotas applicable upon import into the Community of goods originating in Norway

Order number	CN code	Description	Annual quota volume from 1.1.2005	Rate of duty applicable within the limits of the quota
09.0765	1517 10 90	Margarine, excluding liquid margarine, containing, by weight, not more than 10 % of milk fats	2 470 tonnes	Free
09.0771	ex 2207 10 00 (TARIC Code 90)	Undenatured ethyl alcohol of an alcohol strength by volume of 80 % vol. or higher, other than that obtained from agricultural products listed in Annex I to the EEC Treaty	164 000 hectolitres	Free
09.0772	ex 2207 20 00 (TARIC Code 90)	Ethyl alcohol and other spirits, denatured, of any strength, other than that obtained from agricultural products listed in Annex I to the EEC Treaty	14 340 hectolitres	Free
09.0774	2403 10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	370 tonnes	Free

COMMISSION REGULATION (EC) No 2150/2004**of 16 December 2004****opening a tariff quota for the year 2005 for imports into the European Community of certain goods from Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Decision No 1/97 of the EC Turkey Association Council of 29 April 1997 on the arrangements applicable to certain processed agricultural products⁽²⁾, and in particular Article 1 thereof,

Whereas:

- (1) Decision No 1/97 of the EC-Turkey Association Council establishes, in order to encourage the development of trade in accordance with the objectives of the Customs Union, an annual quota in terms of value in respect of certain pasta products imported into the Community from Turkey. This quota should be opened for 2005 and the admission to its benefit should be subject to the ATR. movement certificate provided for in Decision No 1/2001 of the EC-Turkey Customs Cooperation Committee of 28 March 2001 amending Decision No 1/96 laying down detailed rules for the application of Decision 1/95 of the EC-Turkey Association Council⁽³⁾.
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code⁽⁴⁾ lays down rules for the

management of tariff quotas. It is appropriate to provide that the tariff quota opened by this Regulation is to be managed in accordance with those rules.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The Community tariff quota specified in the Annex shall be open from 1 January to 31 December 2005 for the goods imported from Turkey mentioned in that Annex.

Admission to the benefit of this tariff quota shall be subject to the presentation of an A.TR. movement certificate in accordance with Decision No 1/2001 of the EC Turkey Customs Cooperation Committee.

Article 2

The Community tariff quota referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall be applicable from 1 January 2005.

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

Done at Brussels, 16 December 2004.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

⁽²⁾ OJ L 126, 17.5.1997, p. 26.

⁽³⁾ OJ L 98, 7.4.2001, p. 31.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Order number	CN code	Description	Quota	Rate of duty applicable
09.0205	1902 11 00 1902 19	Uncooked pasta, not stuffed or otherwise prepared	EUR 2,5 million	EUR 10.67/100 kg net

COMMISSION REGULATION (EC) No 2151/2004

of 16 December 2004

opening for the year 2005 a tariff quota applicable to the importation into the European Community of certain goods originating in Norway resulting from the processing of agricultural products covered by Council Regulation (EC) No 3448/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and, in particular, Article 7(2) thereof,

Having regard to Council Decision 96/753/EC of 6 December 1996 concerning the conclusion of an Agreement in the form of an exchange of letters between the European Community, of the one part, and the Kingdom of Norway, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Kingdom of Norway⁽²⁾, and, in particular, Article 2 thereof,

Whereas:

- (1) The Agreement in the form of an Exchange of Letters between the European Community, of the one part, and the Kingdom of Norway, of the other part, on Protocol 2 to the Agreement between the European Economic Community and the Kingdom of Norway, approved by Decision 96/753/EC, provides for an annual tariff quota for imports originating in Norway of chocolate and other food preparations containing cocoa. It is necessary to open that quota for 2005.
- (2) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation

of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾, lays down rules for the management of tariff quotas. It is appropriate to provide that the tariff quota opened by this Regulation is to be managed in accordance with those rules.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 2005, the goods originating in Norway and imported into the Community which are listed in the Annex shall be subject to the duties set out in that Annex within the limits of the annual quota indicated therein.

Article 2

The tariff quota referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall be applicable from 1 January 2005.

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

Done at Brussels, 16 December 2004.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Commission Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

⁽²⁾ OJ L 345, 31.12.1996, p. 78.

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Order number	CN code	Description	Quota	Rate of duty applicable
09.0764	ex 1806 1806 20 1806 31 1806 32 1806 90	Chocolate and other food preparations containing cocoa with the exception of cocoa powder containing added sugar or other sweetening matter falling within CN code 1806 10	5 500 tonnes	EUR 35,15/100kg

COMMISSION REGULATION (EC) No 2152/2004**of 16 December 2004****repealing Regulation (EC) No 238/2004 opening an invitation to tender for the reduction in the duty on sorghum imported into Spain from third countries**

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 12(1) thereof

Whereas:

- (1) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal⁽²⁾ lays down the specific rules required for carrying out invitations to tender.

- (2) For economic reasons, the invitation to tender provided for in Commission Regulation (EC) No 238/2004⁽³⁾ should be cancelled.

- (3) 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

Regulation (EC) No 238/2004 is hereby repealed.

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, 16 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

⁽³⁾ OJ L 40, 12.2.2004, p. 23.

COMMISSION REGULATION (EC) No 2153/2004**of 16 December 2004****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

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 15 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e) and (g) of that Regulation and prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.
- (4) However in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.
- (5) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable

in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to Regulation (EC) No 1520/2000 or to assimilated products.

- (6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (7) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (8) In accordance with Council Regulation (EC) No 1676/2004 of 24 September 2004 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Bulgaria and the exportation of certain processed agricultural products to Bulgaria⁽⁴⁾ with effect from 1 October 2004, processed agricultural products not listed in Annex I to the Treaty which are exported to Bulgaria are not eligible for export refunds.
- (9) 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

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999 shall be fixed as set out in the Annex to this Regulation.

Article 2

By way of derogation from Article 1 and with effect from 1 October 2004, the rates set out in the Annex are not applicable to goods not covered by Annex I to the Treaty when exported to Bulgaria.

Article 3

This Regulation shall enter into force on 17 December 2004.

⁽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 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

⁽³⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

⁽⁴⁾ OJ L 301, 28.9.2004, p. 1.

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

Done at Brussels, 16 December 2004.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 17 December 2004 to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	27,00	27,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	34,57	34,57
	(b) on exportation of other goods	70,00	70,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	46,00	46,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	138,25	138,25
	(c) on exportation of other goods	131,00	131,00

COMMISSION REGULATION (EC) No 2154/2004
of 16 December 2004
fixing the export refunds on milk and milk products

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(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade 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 within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third-country markets;
- (b) the most favourable prices in third countries of destination for third-country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products⁽²⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽³⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽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 1846/2004 (OJ L 322, 22.10.2004, p. 16).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

- (7) Commission Regulation (EEC) No 896/84⁽¹⁾ laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.

- (10) 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

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 16 December 2004 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,548	0402 21 11 9300	L01	EUR/100 kg	—
0401 10 90 9000	970	EUR/100 kg	1,548		068	EUR/100 kg	—
0401 20 11 9500	970	EUR/100 kg	2,393		L02	EUR/100 kg	49,04
0401 20 19 9500	970	EUR/100 kg	2,393		A01	EUR/100 kg	62,93
0401 20 91 9000	970	EUR/100 kg	3,028	0402 21 11 9500	L01	EUR/100 kg	—
0401 30 11 9400	970	EUR/100 kg	6,987		068	EUR/100 kg	—
0401 30 11 9700	970	EUR/100 kg	10,49		L02	EUR/100 kg	51,17
0401 30 31 9100	L01	EUR/100 kg	—		A01	EUR/100 kg	65,69
	L02	EUR/100 kg	17,84	0402 21 11 9900	L01	EUR/100 kg	—
	A01	EUR/100 kg	25,49		068	EUR/100 kg	—
0401 30 31 9400	L01	EUR/100 kg	—		L02	EUR/100 kg	54,53
	L02	EUR/100 kg	27,87		A01	EUR/100 kg	70,00
	A01	EUR/100 kg	39,82	0402 21 17 9000	L01	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	30,74		L02	EUR/100 kg	22,37
	A01	EUR/100 kg	43,91		A01	EUR/100 kg	27,00
0401 30 39 9100	L01	EUR/100 kg	—	0402 21 19 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	17,84		068	EUR/100 kg	—
	A01	EUR/100 kg	25,49		L02	EUR/100 kg	49,04
0401 30 39 9400	L01	EUR/100 kg	—		A01	EUR/100 kg	62,93
	L02	EUR/100 kg	27,87	0402 21 19 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	39,82		068	EUR/100 kg	—
0401 30 39 9700	L01	EUR/100 kg	—		L02	EUR/100 kg	51,17
	L02	EUR/100 kg	30,74		A01	EUR/100 kg	65,69
	A01	EUR/100 kg	43,91	0402 21 19 9900	L01	EUR/100 kg	—
0401 30 91 9100	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	54,53
	A01	EUR/100 kg	50,05		A01	EUR/100 kg	70,00
0401 30 99 9100	L01	EUR/100 kg	—	0402 21 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		068	EUR/100 kg	—
	A01	EUR/100 kg	50,05		L02	EUR/100 kg	54,87
0401 30 99 9500	L01	EUR/100 kg	—		A01	EUR/100 kg	70,43
	L02	EUR/100 kg	51,49	0402 21 91 9200	L01	EUR/100 kg	—
	A01	EUR/100 kg	73,55		068	EUR/100 kg	—
0402 10 11 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	55,19
	068	EUR/100 kg	—		A01	EUR/100 kg	70,85
	L02	EUR/100 kg	22,37	0402 21 91 9350	L01	EUR/100 kg	—
	A01	EUR/100 kg	27,00		068	EUR/100 kg	—
0402 10 19 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	55,76
	068	EUR/100 kg	—		A01	EUR/100 kg	71,58
	L02	EUR/100 kg	22,37	0402 21 91 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	27,00		068	EUR/100 kg	—
0402 10 91 9000	L01	EUR/kg	—		L02	EUR/100 kg	59,93
	068	EUR/kg	—		A01	EUR/100 kg	76,93
	L02	EUR/kg	0,2237	0402 21 99 9100	L01	EUR/100 kg	—
	A01	EUR/kg	0,2700		068	EUR/100 kg	—
0402 10 99 9000	L01	EUR/kg	—		L02	EUR/100 kg	54,87
	068	EUR/kg	—		A01	EUR/100 kg	70,43
	L02	EUR/kg	0,2237	0402 21 99 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,2700		068	EUR/100 kg	—
0402 21 11 9200	L01	EUR/100 kg	—		L02	EUR/100 kg	55,19
	068	EUR/100 kg	—		A01	EUR/100 kg	70,85
	L02	EUR/100 kg	22,37				
	A01	EUR/100 kg	27,00				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0402 21 99 9300	L01	EUR/100 kg	—	0402 91 19 9370	L01	EUR/100 kg	—
	068	EUR/100 kg	—		L02	EUR/100 kg	4,958
	L02	EUR/100 kg	55,76		A01	EUR/100 kg	7,083
	A01	EUR/100 kg	71,58	0402 91 31 9300	L01	EUR/100 kg	—
0402 21 99 9400	L01	EUR/100 kg	—		L02	EUR/100 kg	5,859
	068	EUR/100 kg	—		A01	EUR/100 kg	8,371
	L02	EUR/100 kg	58,85	0402 91 39 9300	L01	EUR/100 kg	—
	A01	EUR/100 kg	75,55		L02	EUR/100 kg	5,859
0402 21 99 9500	L01	EUR/100 kg	—		A01	EUR/100 kg	8,371
	068	EUR/100 kg	—	0402 91 99 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	59,93		L02	EUR/100 kg	21,53
	A01	EUR/100 kg	76,93		A01	EUR/100 kg	30,75
0402 21 99 9600	L01	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—
	068	EUR/100 kg	—		L02	EUR/kg	0,1268
	L02	EUR/100 kg	64,15		A01	EUR/kg	0,1812
	A01	EUR/100 kg	82,35	0402 99 19 9350	L01	EUR/kg	—
0402 21 99 9700	L01	EUR/100 kg	—		L02	EUR/kg	0,1268
	068	EUR/100 kg	—		A01	EUR/kg	0,1812
	L02	EUR/100 kg	66,54	0402 99 31 9150	L01	EUR/kg	—
	A01	EUR/100 kg	85,43		L02	EUR/kg	0,1316
0402 21 99 9900	L01	EUR/100 kg	—		A01	EUR/kg	0,1880
	068	EUR/100 kg	—	0402 99 31 9300	L01	EUR/kg	—
	L02	EUR/100 kg	69,32		L02	EUR/kg	0,1288
	A01	EUR/100 kg	88,97		A01	EUR/kg	0,1840
0402 29 15 9200	L01	EUR/kg	—	0402 99 39 9150	L01	EUR/kg	—
	L02	EUR/kg	0,2237		L02	EUR/kg	0,1316
	A01	EUR/kg	0,2700	0403 90 11 9000	A01	EUR/kg	0,1880
0402 29 15 9300	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,4904		L02	EUR/100 kg	22,06
	A01	EUR/kg	0,6293	0403 90 13 9200	A01	EUR/100 kg	26,62
0402 29 15 9500	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,5117		L02	EUR/100 kg	22,06
	A01	EUR/kg	0,6569	0403 90 13 9300	A01	EUR/100 kg	26,62
0402 29 15 9900	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,5453		L02	EUR/100 kg	48,59
	A01	EUR/kg	0,7000	0403 90 13 9500	A01	EUR/100 kg	62,37
0402 29 19 9300	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,4904		L02	EUR/100 kg	50,72
	A01	EUR/kg	0,6293	0403 90 13 9900	A01	EUR/100 kg	65,10
0402 29 19 9500	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,5117		L02	EUR/100 kg	54,05
	A01	EUR/kg	0,6569	0403 90 19 9000	A01	EUR/100 kg	69,37
0402 29 19 9900	L01	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,5453		L02	EUR/100 kg	54,38
	A01	EUR/kg	0,7000	0403 90 33 9400	A01	EUR/100 kg	69,80
0402 29 91 9000	L01	EUR/kg	—		L01	EUR/kg	—
	L02	EUR/kg	0,5487		L02	EUR/kg	0,4859
	A01	EUR/kg	0,7043	0403 90 33 9900	A01	EUR/kg	0,6237
0402 29 99 9100	L01	EUR/kg	—		L01	EUR/kg	—
	L02	EUR/kg	0,5487		L02	EUR/kg	0,5405
	A01	EUR/kg	0,7043	0403 90 51 9100	A01	EUR/kg	0,6937
0402 29 99 9500	L01	EUR/kg	—		970	EUR/100 kg	1,548
	L02	EUR/kg	0,5885		970	EUR/100 kg	10,49
	A01	EUR/kg	0,7555	0403 90 59 9170	L01	EUR/100 kg	—
0402 91 11 9370	L01	EUR/100 kg	—		L02	EUR/100 kg	17,84
	L02	EUR/100 kg	4,958		A01	EUR/100 kg	25,49
	A01	EUR/100 kg	7,083				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9340	L01	EUR/100 kg	—	0405 10 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	26,11		075	EUR/100 kg	119,99
	A01	EUR/100 kg	37,29		L02	EUR/100 kg	94,80
0403 90 59 9370	L01	EUR/100 kg	—	0405 10 11 9700	A01	EUR/100 kg	127,81
	L02	EUR/100 kg	26,11		L01	EUR/100 kg	—
	A01	EUR/100 kg	37,29		075	EUR/100 kg	122,98
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L02	EUR/100 kg	97,16
	L02	EUR/100 kg	26,11		A01	EUR/100 kg	131,00
	A01	EUR/100 kg	37,29		L01	EUR/100 kg	—
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	075	EUR/100 kg	119,99
	L02	EUR/100 kg	19,08		L02	EUR/100 kg	94,80
	A01	EUR/100 kg	23,03		A01	EUR/100 kg	127,81
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 30 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	22,37		075	EUR/100 kg	122,98
	A01	EUR/100 kg	27,00		L02	EUR/100 kg	97,16
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9300	A01	EUR/100 kg	131,00
	L02	EUR/100 kg	22,37		L01	EUR/100 kg	—
	A01	EUR/100 kg	27,00		075	EUR/100 kg	119,99
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9700	L02	EUR/100 kg	94,80
	L02	EUR/100 kg	49,04		A01	EUR/100 kg	127,81
	A01	EUR/100 kg	62,93		L01	EUR/100 kg	—
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 50 9300	075	EUR/100 kg	122,98
	L02	EUR/100 kg	51,17		L02	EUR/100 kg	97,16
	A01	EUR/100 kg	65,69		A01	EUR/100 kg	131,00
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 50 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	54,53		075	EUR/100 kg	122,98
	A01	EUR/100 kg	70,00		L02	EUR/100 kg	97,16
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9700	A01	EUR/100 kg	131,00
	L02	EUR/100 kg	54,87		L01	EUR/100 kg	—
	A01	EUR/100 kg	70,43		075	EUR/100 kg	122,98
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 90 9000	L02	EUR/100 kg	97,16
	L02	EUR/100 kg	55,19		A01	EUR/100 kg	131,00
	A01	EUR/100 kg	70,85		L01	EUR/100 kg	—
0404 90 29 9125	L01	EUR/100 kg	—	0405 20 90 9500	075	EUR/100 kg	119,99
	L02	EUR/100 kg	55,76		L02	EUR/100 kg	94,80
	A01	EUR/100 kg	71,58		A01	EUR/100 kg	127,81
0404 90 29 9140	L01	EUR/100 kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	59,93		075	EUR/100 kg	122,98
	A01	EUR/100 kg	76,93		L02	EUR/100 kg	97,16
0404 90 81 9100	L01	EUR/kg	—	0405 90 10 9000	A01	EUR/100 kg	131,00
	L02	EUR/kg	0,2237		L01	EUR/100 kg	—
	A01	EUR/kg	0,2700		075	EUR/100 kg	127,49
0404 90 83 9110	L01	EUR/kg	—	0405 20 90 9500	L02	EUR/100 kg	100,71
	L02	EUR/kg	0,2237		A01	EUR/100 kg	135,79
	A01	EUR/kg	0,2700		L01	EUR/100 kg	—
0404 90 83 9130	L01	EUR/kg	—	0405 20 90 9700	075	EUR/100 kg	112,50
	L02	EUR/kg	0,4904		L02	EUR/100 kg	88,87
	A01	EUR/kg	0,6293		A01	EUR/100 kg	119,83
0404 90 83 9150	L01	EUR/kg	—	0405 90 10 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,5117		075	EUR/100 kg	116,99
	A01	EUR/kg	0,6569		L02	EUR/100 kg	92,42
0404 90 83 9170	L01	EUR/kg	—	0405 90 10 9000	A01	EUR/100 kg	124,61
	L02	EUR/kg	0,5453		L01	EUR/100 kg	—
	A01	EUR/kg	0,7000		075	EUR/100 kg	153,96
0404 90 83 9936	L01	EUR/kg	—	0405 90 10 9000	L02	EUR/100 kg	121,63
	L02	EUR/kg	0,1268		A01	EUR/100 kg	164,00
	A01	EUR/kg	0,1812				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0405 90 90 9000	L01	EUR/100 kg	—	0406 20 90 9919	L03	EUR/100 kg	—
	075	EUR/100 kg	123,15		L04	EUR/100 kg	44,50
	L02	EUR/100 kg	97,28		400	EUR/100 kg	—
	A01	EUR/100 kg	131,16		A01	EUR/100 kg	55,63
0406 10 20 9100	A00	EUR/100 kg	—	0406 30 31 9710	L03	EUR/100 kg	—
0406 10 20 9230	L03	EUR/100 kg	—		L04	EUR/100 kg	3,38
	L04	EUR/100 kg	16,39		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	7,88
0406 10 20 9290	A01	EUR/100 kg	20,48	0406 30 31 9730	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	15,25		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	11,57
0406 10 20 9300	A01	EUR/100 kg	19,05	0406 30 31 9910	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	3,38
	L04	EUR/100 kg	6,69		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	7,88
0406 10 20 9610	A01	EUR/100 kg	8,36	0406 30 31 9930	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	22,22		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	11,57
0406 10 20 9620	A01	EUR/100 kg	27,79	0406 30 31 9950	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	22,55		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	16,82
0406 10 20 9630	A01	EUR/100 kg	28,18	0406 30 39 9500	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	4,93
	L04	EUR/100 kg	25,17		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	11,57
0406 10 20 9640	A01	EUR/100 kg	31,46	0406 30 39 9700	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	36,98		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	16,82
0406 10 20 9650	A01	EUR/100 kg	46,22	0406 30 39 9930	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	7,18
	L04	EUR/100 kg	30,82		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	16,82
0406 10 20 9830	A01	EUR/100 kg	38,52	0406 30 39 9950	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	8,12
	L04	EUR/100 kg	11,44		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	19,03
0406 10 20 9850	A01	EUR/100 kg	14,29	0406 30 90 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	8,51
	L04	EUR/100 kg	13,86		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	19,96
0406 20 90 9100	A00	EUR/100 kg	—	0406 40 50 9000	L03	EUR/100 kg	—
0406 20 90 9913	L03	EUR/100 kg	—		L04	EUR/100 kg	43,49
	L04	EUR/100 kg	28,39		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	54,36
0406 20 90 9915	A01	EUR/100 kg	35,49	0406 40 90 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	44,66
	L04	EUR/100 kg	37,47		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	55,82
0406 20 90 9917	A01	EUR/100 kg	46,84	0406 90 13 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	49,11
	L04	EUR/100 kg	39,83		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	70,29
	A01	EUR/100 kg	49,77				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 15 9100	L03	EUR/100 kg	—	0406 90 63 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,75		L04	EUR/100 kg	53,84
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	72,63		A01	EUR/100 kg	77,65
0406 90 17 9100	L03	EUR/100 kg	—	0406 90 63 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,75		L04	EUR/100 kg	51,76
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	72,63		A01	EUR/100 kg	75,00
0406 90 21 9900	L03	EUR/100 kg	—	0406 90 69 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	49,73	0406 90 69 9910	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	51,76
	A01	EUR/100 kg	71,00		400	EUR/100 kg	—
0406 90 23 9900	L03	EUR/100 kg	—		A01	EUR/100 kg	75,00
	L04	EUR/100 kg	43,67	0406 90 73 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,08
	A01	EUR/100 kg	62,77		400	EUR/100 kg	—
0406 90 25 9900	L03	EUR/100 kg	—		A01	EUR/100 kg	64,58
	L04	EUR/100 kg	43,38	0406 90 75 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,38
	A01	EUR/100 kg	62,09		400	EUR/100 kg	—
0406 90 27 9900	L03	EUR/100 kg	—		A01	EUR/100 kg	65,27
	L04	EUR/100 kg	39,28	0406 90 76 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	40,92
	A01	EUR/100 kg	56,24		400	EUR/100 kg	—
0406 90 31 9119	L03	EUR/100 kg	—		A01	EUR/100 kg	58,58
	L04	EUR/100 kg	36,11	0406 90 76 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,83
	A01	EUR/100 kg	51,76		400	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—		A01	EUR/100 kg	65,61
	L04	EUR/100 kg	36,11	0406 90 76 9500	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	43,60
	A01	EUR/100 kg	51,76		400	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—		A01	EUR/100 kg	61,88
	L04	EUR/100 kg	32,99	0406 90 78 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	42,28
	A01	EUR/100 kg	47,48		400	EUR/100 kg	—
0406 90 33 9951	L03	EUR/100 kg	—		A01	EUR/100 kg	61,77
	L04	EUR/100 kg	33,33	0406 90 78 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	44,83
	A01	EUR/100 kg	47,50		400	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—		A01	EUR/100 kg	64,02
	L04	EUR/100 kg	51,07	0406 90 78 9500	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	44,41
	A01	EUR/100 kg	73,43		400	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—		A01	EUR/100 kg	63,03
	L04	EUR/100 kg	51,07	0406 90 79 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	36,26
	A01	EUR/100 kg	73,43		400	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—		A01	EUR/100 kg	52,11
	L04	EUR/100 kg	49,11	0406 90 81 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	45,83
	A01	EUR/100 kg	70,29		400	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—		A01	EUR/100 kg	65,61
	L04	EUR/100 kg	54,11	0406 90 85 9930	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	49,49
	A01	EUR/100 kg	78,30		400	EUR/100 kg	—
					A01	EUR/100 kg	71,21

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 85 9970	L03	EUR/100 kg	—	0406 90 87 9951	L03	EUR/100 kg	—
	L04	EUR/100 kg	45,38		L04	EUR/100 kg	45,01
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	65,27		A01	EUR/100 kg	64,43
0406 90 86 9100	A00	EUR/100 kg	—	0406 90 87 9971	L03	EUR/100 kg	—
0406 90 86 9200	L03	EUR/100 kg	—	L04	EUR/100 kg	45,01	
	L04	EUR/100 kg	41,64	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	64,43	
	A01	EUR/100 kg	61,76	0406 90 87 9972	L03	EUR/100 kg	—
0406 90 86 9300	L03	EUR/100 kg	—	L04	EUR/100 kg	19,18	
	L04	EUR/100 kg	42,25	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	27,57	
	A01	EUR/100 kg	62,41	0406 90 87 9973	L03	EUR/100 kg	—
0406 90 86 9400	L03	EUR/100 kg	—	L04	EUR/100 kg	44,20	
	L04	EUR/100 kg	44,87	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	63,26	
	A01	EUR/100 kg	65,61	0406 90 87 9974	L03	EUR/100 kg	—
0406 90 86 9900	L03	EUR/100 kg	—	L04	EUR/100 kg	47,97	
	L04	EUR/100 kg	49,49	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	68,37	
	A01	EUR/100 kg	71,21	0406 90 87 9975	L03	EUR/100 kg	—
0406 90 87 9100	A00	EUR/100 kg	—	L04	EUR/100 kg	48,92	
0406 90 87 9200	L03	EUR/100 kg	—	400	EUR/100 kg	—	
	L04	EUR/100 kg	34,71	A01	EUR/100 kg	69,13	
	400	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	A01	EUR/100 kg	51,45	L04	EUR/100 kg	43,67	
0406 90 87 9300	L03	EUR/100 kg	—	400	EUR/100 kg	—	
	L04	EUR/100 kg	38,78	A01	EUR/100 kg	62,77	
	400	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	A01	EUR/100 kg	57,31	0406 90 88 9300	L03	EUR/100 kg	—
0406 90 87 9400	L03	EUR/100 kg	—	L04	EUR/100 kg	34,26	
	L04	EUR/100 kg	39,80	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	50,44	
	A01	EUR/100 kg	58,18				

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).

The other destinations are defined as follows:

L01 Holy See, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L02 Andorra and Gibraltar,

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Turkey, Romania, Bulgaria, Croatia, Canada, Australia, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L04 Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia.

'970' includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 2155/2004**of 16 December 2004****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

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 the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 15 December 2004.

- (3) 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

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 15 December 2004, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

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 90, 27.3.2004, p. 64.

⁽³⁾ OJ L 90, 27.3.2004, p. 58.

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund	
		For export to the destination referred to in the first indent of Article 1(1) of Regulation (EC) No 581/2004	For export to the destinations referred to in the second indent of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—	135,00
Butter	ex 0405 10 19 9700	131,00	139,00
Butteroil	ex 0405 90 10 9000	—	169,00

COMMISSION REGULATION (EC) No 2156/2004**of 16 December 2004****fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

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 the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds for skimmed milk powder⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products⁽³⁾ and following an examination of the tenders submitted in response to the invitation to

tender, it is appropriate to fix a maximum export refund for the tendering period ending on 15 December 2004.

- (3) 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

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 15 December 2004, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be 31,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

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 90, 27.3.2004, p. 67.

⁽³⁾ OJ L 90, 27.3.2004, p. 58.

COMMISSION REGULATION (EC) No 2157/2004**of 16 December 2004****on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2247/2003 of 19 December 2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) ⁽³⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 1 of Regulation (EC) No 2247/2003 provides for the possibility of issuing import licences for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.
- (2) The applications for import licences submitted between 1 and 10 December 2004, expressed in terms of boned meat, in accordance with Regulation (EC) No 2247/2003, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.
- (3) The quantities in respect of which licences may be applied for from 1 January 2005 should be fixed within the scope of the total quantity of 52 100 t.
- (4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and

veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States shall issue on 21 December 2004 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

United Kingdom:

— 183,5 t originating in Botswana,

— 104 t originating in Namibia;

Germany:

— 196,5 t originating in Botswana,

— 15,3 t originating in Namibia.

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 2247/2003, during the first 10 days of January 2005 for the following quantities of boned beef and veal:

Botswana:	18 916 t,
Kenya:	142 t,
Madagascar:	7 579 t,
Swaziland:	3 363 t,
Zimbabwe:	9 100 t,
Namibia:	13 000 t.

Article 3

This Regulation shall enter into force on 21 December 2004.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 348, 21.12.2002, p. 5.

⁽³⁾ OJ L 333, 20.12.2003, p. 37. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

⁽⁴⁾ OJ L 302, 31.12.1972, p. 28. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

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

Done at Brussels, 16 December 2004.

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

COMMISSION REGULATION (EC) No 2158/2004**of 16 December 2004****fixing the export refunds on products processed from cereals and rice**

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,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95⁽³⁾ on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) 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.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EC) No 1784/2003 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 2004.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽³⁾ OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

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

Done at Brussels, 16 December 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to Commission Regulation of 16 December 2004 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	57,30	1104 23 10 9300	C10	EUR/t	47,07
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	49,12	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	49,12	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	10,23
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	73,67	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	57,30	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	49,12	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	49,12	1108 12 00 9200	C10	EUR/t	65,49
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	65,49
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	65,49
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	65,49
1103 20 20 9000	C11	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	64,16
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	49,12
1104 19 50 9110	C10	EUR/t	65,49	1702 30 91 9000	C10	EUR/t	64,16
1104 19 50 9130	C10	EUR/t	53,21	1702 30 99 9000	C10	EUR/t	49,12
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	49,12
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	64,16
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	49,12
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	67,23
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	46,66
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	49,12
1104 23 10 9100	C10	EUR/t	61,40				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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).

The other destinations are as follows:

C10: All destinations

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania

COMMISSION REGULATION (EC) No 2159/2004**of 16 December 2004****fixing the export refunds on cereal-based compound feedingstuffs**

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) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽²⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

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. 51.

ANNEX

to the Commission Regulation of 16 December 2004 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000,

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	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.

C10: All destinations.

COMMISSION REGULATION (EC) No 2160/2004**of 16 December 2004****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year**

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⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2004/2005 marketing year are fixed by

Commission Regulation (EC) No 1210/2004⁽³⁾. These prices and duties have last been amended by Commission Regulation (EC) No 1918/2004⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽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 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 232, 1.7.2004, p. 11.

⁽⁴⁾ OJ L 329, 4.11.2004, p. 9.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 17 December 2004

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	18,24	7,18
1701 11 90 ⁽¹⁾	18,24	13,18
1701 12 10 ⁽¹⁾	18,24	6,99
1701 12 90 ⁽¹⁾	18,24	12,66
1701 91 00 ⁽²⁾	17,88	17,89
1701 99 10 ⁽²⁾	17,88	12,44
1701 99 90 ⁽²⁾	17,88	12,44
1702 90 99 ⁽³⁾	0,18	0,46

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 2161/2004**of 16 December 2004****fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty**

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,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations

without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 to the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) In accordance with Council Regulation (EC) No 1676/2004 of 24 September 2004 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Bulgaria and the exportation of certain processed agricultural products to Bulgaria⁽⁶⁾ with the effect from 1 October 2004, processed agricultural products not listed in Annex I to the Treaty which are exported to Bulgaria are not eligible for the export refunds.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 886/2004 (OJ L 163, 1.5.2004, p. 14).

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

⁽⁶⁾ OJ L 301, 28.9.2004, p. 1

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1(1) of Regulation (EC) No 1785/2003, exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, are fixed as shown in the Annex to this Regulation.

Article 2

By way of derogation from Article 1 and with effect from 1 October 2004, the rates set out in the Annex shall not be applicable to goods not covered by Annex I to the Treaty when exported to Bulgaria.

Article 3

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

Rates of the refunds applicable from 17 December 2004 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	4,093	4,093
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	0,696	0,696
	– – in other cases	4,093	4,093
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	3,070	3,070
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	0,522	0,522
	– – in other cases	3,070	3,070
	– where goods falling within subheading 2208 ⁽³⁾ are exported	0,696	0,696
	– other (including unprocessed)	4,093	4,093
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾	4,093	4,093
	– where goods falling within subheading 2208 ⁽³⁾ are exported	0,696	0,696
	– in other cases	4,093	4,093

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall in under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 2162/2004**of 16 December 2004****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1757/2004**

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) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1757/2004⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of 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⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (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

No action shall be taken on the tenders notified from 10 to 16 December 2004 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1757/2004.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 313, 12.10.2004, p. 10.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 2163/2004**of 16 December 2004****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1565/2004**

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 7 thereof,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of 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⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 1565/2004 of 3 September 2004 on a special intervention measure for oats in Finland and Sweden for the 2004/2005 marketing year⁽³⁾,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries with the

exception of Bulgaria, Norway, Romania and Switzerland was opened pursuant to Regulation (EC) No 1565/2004.

- (2) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should be fixed.

- (3) 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

For tenders notified from 10 to 16 December 2004, pursuant to the invitation to tender issued in Regulation (EC) No 1565/2004, the maximum refund on exportation of oats shall be 29,46 EUR/t.

Article 2

This Regulation shall enter into force on 17 December 2004.

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

Done at Brussels, 16 December 2004.

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 285, 4.9.2004, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 October 2004

concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway

(Text with EEA relevance)

(2004/859/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Protocol 2 to the bilateral free trade agreement between the European Economic Community and the Kingdom of Norway⁽¹⁾, of the one hand, and Protocol 3 to the EEA Agreement, as amended by Decision No 140/2001 of the EEA Joint Committee⁽²⁾, of the other hand, determine the trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.
- (2) At the time of the adoption of Decision No 140/2001, the EC and Norway stated in a joint declaration that the non-agricultural component of customs duties on products in Table I of Protocol 3 must be eliminated. On this basis, discussions between Commission and Norwegian officials were concluded on 11 March 2004. The new tariff concessions shall be implemented by an EEA Joint Committee Decision amending Protocol 3 to the EEA Agreement.
- (3) An agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade

Agreement between the European Economic Community and the Kingdom of Norway, has also been negotiated in order to take into account the results of these discussions.

- (4) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EEC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾.

- (5) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol No 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

⁽¹⁾ OJ L 171, 27.6.1973, p. 2.

⁽²⁾ OJ L 22, 24.1.2002, p. 34.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

Article 3

The measures necessary for the implementation of this Decision shall be adopted in accordance with the procedure referred to in Article 4(2).

Article 4

1. The Commission shall be assisted by the management committee on horizontal questions concerning trade in processed agricultural products referred to in Article 16 of Council Regulation (EC) No 3448/93⁽¹⁾, hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its Rules of Procedure.

Done at Luxembourg, 25 October 2004

For the Council

The President

R. VERDONK

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway*A. Letter from the Community*

Sir,

I have the honour to confirm that the European Community is in agreement with the 'Agreed minutes' attached to this letter concerning Protocol No 2 to the bilateral free trade agreement between the European Economic Community and the Kingdom of Norway.

I should be obliged if you would confirm that the Government of the Kingdom of Norway is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

Hecho en Bruselas, el

V Bruselu dne

Udfærdiget i Bruxelles, den

Geschehen zu Brüssel am

Brüssel,

Έγινε στις Βρυξέλλες, στις

Done at Brussels,

Fait à Bruxelles, le

Fatto a Bruxelles, addì

Briselý,

Priimta Briuselyje,

Kelt Brüsszelben,

Magýmula fi Brussel,

Gedaan te Brussel,

Sporzýdzono w Brukseli, dnia

Feito em Bruxelas,

V Bruseli,

V Bruslju,

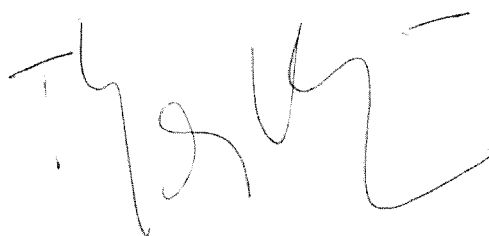
Tehty Brysselissä

Utfärdat i Bryssel den

Întocmit la Bruxelles

13 -12- 2004

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Ghall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

A handwritten signature in black ink, consisting of a series of loops and strokes, likely representing the name of the official who signed the document.

AGREED MINUTES

I. Introduction

On 11 March 2004, and after several meetings between Norway and Commission officials, a compromise was reached on tariff reductions or abolition on a number of processed agricultural products covered by Protocol 3 to the EEA Agreement⁽¹⁾ or by Protocol No 2 to the 1973 free trade agreement between the European Economic Community and the Kingdom of Norway⁽²⁾.

These concessions should lead to the improvement of market access for Norway and the Community and would require the modification of Protocol 3 to the EEA Agreement as well as Protocol No 2 to the bilateral free trade agreement. Therefore, the two parties agreed to submit for approval to their respective authorities some changes to the import arrangements applied by the parties to certain processed agricultural products. The changes will be implemented in the form of a Decision of the EEA Joint Committee amending Protocol 3 to the EEA Agreement and of the present Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway.

The changes in Protocol No 2 will enter into force on 1 January 2005.

The two parties agree that the respective import arrangements below will replace the agreement in the form of an exchange of letters of 27 November 2002.

II. Norwegian import arrangements

From 1 January 2005, Norway will open the following annual tariff quotas for the Community:

Norwegian tariff codes	Description	Volume	Applicable rate of duty
1506.0021	Bonefat, bone oil and neat's foot oil	2 360 tonnes	Free
1518.0041	Linseed oil	100 tonnes	Free

III. Community Import arrangements

From 1 January 2005, the Community will open the following annual tariff quotas for Norway:

Order number	CN Code	Description	Volume	Applicable rate of duty
09.0765	1517 10 90	Margarine, excluding liquid margarine, containing, by weight, not more than 10% of milk fats	2 470 tonnes	Free
09.0771	ex 2207 10 00 (TARIC Code 90)	Undenatured ethyl alcohol of an alcohol strength by volume of 80% vol. or higher, other than that obtained from agricultural products listed in Annex I to the EEC Treaty	164 000 hectolitres	Free
09.0772	ex 2207 20 00 (TARIC Code 90)	Ethyl alcohol and other spirits, denatured, of any strength, other than that obtained from agricultural products listed in Annex I to the EEC Treaty	14 340 hectolitres	Free
09.0774	2403 10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	370 tonnes	Free

⁽¹⁾ OJ L 22, 24.1.2002, p. 34.

⁽²⁾ OJ L 171, 27.6.1973, p. 2.

IV. Community arrangements on certain soft drinks

- From 1 January 2005, the present arrangements temporarily suspend the duty free regime applied under Protocol No 2 to the bilateral free trade agreement to goods classified under CN codes 2202 10 00 (waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured) and ex 2202 90 10 (other non-alcoholic beverages containing sugar (sucrose or invert sugar)).
 - The Community will open an annual duty free tariff quota from 1 January to 31 December for goods originating in Norway and classified under CN codes 2202 10 00 (waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured) and ex 2202 90 10 (other non-alcoholic beverages containing sugar (sucrose or invert sugar)), for the following quantity: 14,3 million litres in 2005. Outside the quota allocation, the import duty will be 0,047 €/litre. The import duty may be revised annually on the basis of the difference in sugar prices between Norway and the Community.
 - On 31 October 2005, and on 31 October of each following year, if the tariff quota has been exhausted, the tariff quota applicable from 1 January of the following year will be increased by 10 %. If the quota has not been exhausted on that date, the products mentioned in paragraph 1 will be granted unlimited duty free access to the Community from 1 January to 31 December of the following year.
- V. The tariff quotas specified under II, III and IV shall be granted to originating products in accordance with the rules of origin laid down in Protocol N° 3 to the 1973 Free Trade Agreement between the European Economic Community and the Kingdom of Norway.

B. Letter from Norway

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'I have the honour to confirm that the European Community is in agreement with the "Agreed minutes" attached to this letter concerning Protocol No 2 to the bilateral free trade agreement between the European Economic Community and the Kingdom of Norway.

I should be obliged if you would confirm that the Government of the Kingdom of Norway is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the content of your letter and the proposed date of entry into force of the amendments.

Please accept, Sir, the assurance of my highest consideration.

Done at Brussels,

Hecho en Bruselas, el

V Bruselu dne

Udfærdiget i Bruxelles, den

Geschehen zu Brüssel am

Brüssel,

Έγινε στις Βρυξέλλες, στις

Fait à Bruxelles, le

Fatto a Bruxelles, addì

Briselý,

Priimta Briuselyje,

Kelt Brüsszelben,

Magýmula fi Brussel,

Gedaan te Brussel,

Sporządzono w Brukseli, dnia

Feito em Bruxelas,

V Bruseli,

V Bruslju,

Tehty Brysselissä

Utfärdat i Bryssel den

Întocmit la Bruxelles

13-12-2004

For the Government of the Kingdom of Norway
Por el Gobierno del Reino de Noruega
Za vládu Norského království
På vegne af Kongeriget Norges regering
Im Namen des Königreichs Norwegen
Norra Kuningriigi valitsuse nimel
Για την Κυβέρνηση του Βασιλείου της Νορβηγίας
Pour le gouvernement du Royaume de Norvège
Per il Governo del Regno di Norvegia
Norvēģijas Karalistes valdības vārdā
Norvegijos Karalystės Vyriausybės vardu
A Norvég Királyság Kormánya részéről
Ghall-Gvern tar-Renju tan-Norveġja
Voor de Regering van het Koninkrijk Noorwegen
W imieniu Rządu Królestwa Norwegii
Pelo Governo do Reino da Noruega
Za vládu Nórskeho kráľovstva
Za vlado Kraljevine Norveške
Norjan kuningaskunnan hallituksen puolesta
För Konungariket Norges regering



COUNCIL DECISION

of 25 October 2004

on the signing, on behalf of the European Community, and on the provisional application of certain provisions of the Agreement between the European Union, the European Community and the Swiss Confederation, concerning the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*

(2004/860/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62, point 3 of the first subparagraph of Article 63 and the Articles 66 and 95 in conjunction Article 300(2),

Having regard to the proposal from the Commission,

Whereas:

- (1) Following the authorisation given to the Commission on 17 June 2002, negotiations with the Swiss Authorities, regarding the association of Switzerland with the implementation, application and development of the Schengen *acquis* have been concluded.
- (2) Subject to its conclusion at a later date, it is desirable to sign the agreement that was initialled on 25 June 2004.
- (3) The Agreement caters for the provisional application of certain of its provisions. These provisions should be applied on a provisional basis pending the Agreement's entry into force.
- (4) As far as the development of the Schengen *acquis* is concerned, which falls under the Treaty establishing the European Community, it is appropriate to make the provisions of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application 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* ⁽¹⁾ applicable, *mutatis mutandis*, to the relations with Switzerland upon signature of the Agreement.
- (5) This Decision does not prejudice the position of the United Kingdom, under the Protocol integrating the

Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and to the Treaty establishing the European Community and Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽²⁾.

- (6) This Decision does not prejudice the position of Ireland, under the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and to the Treaty establishing the European Community and Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽³⁾.

- (7) This Decision shall not prejudice the position of Denmark, under the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community,

HAS DECIDED AS FOLLOWS:

Article 1

The signature of the Agreement between the European Union, the European Community and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, and the related documents consisting of the Final Act, of the Agreement in the form of an Exchange of Letters concerning the Committees that assist the European Commission in the exercise of its executive power, and of the Common Declaration on joint meetings of the Mixed Committees, is hereby approved on behalf of the European Community, subject to conclusion.

The texts of the Agreement and related documents are attached to this Decision ⁽⁴⁾.

⁽¹⁾ OJ L 176, 10.7.1999, p. 31.

⁽²⁾ OJ L 131, 1.6.2000, p. 43.

⁽³⁾ OJ L 64, 7.3.2002, p. 20.

⁽⁴⁾ Council document 13054/04; accessible on <http://register.consilium.eu.int>

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement and the related documents on behalf of the European Community, subject to conclusion.

Article 3

This Decision shall apply to the fields covered by the provisions listed in Annexes A and B to the Agreement and to their development to the extent that such provisions have, or, in accordance with Decision 1999/436/EC⁽¹⁾, have been determined to have, a legal base within the Treaty establishing the European Community.

Article 4

1. The provisions of Articles 1 to 4 of Council Decision 1999/437/EC shall apply, in the same way, to the association of Switzerland with the implementation, application and development of the Schengen *acquis*, which falls under the Treaty establishing the European Community.

2. Before the delegations representing the members of the Council take part in a decision of the Mixed Committee set up by the Agreement, in accordance with Article 7(4) and (5) and Article 10 thereof, they shall meet within the Council in order to determine whether a common position may be adopted.

Article 5

In accordance with Article 14(2) of the Agreement, Articles 1, 3, 4, 5 and 6 and the first sentence of Article 7(2)(a) thereof shall be applied on a provisional basis, pending its entry into force.

Done at Luxembourg, 25 October 2004.

For the Council

The President

R. VERDONK

⁽¹⁾ OJ L 176, 10.7.1999, p. 17.

COUNCIL DECISION**of 7 December 2004****amending Council Decision 2002/883/EC providing further macro-financial assistance to Bosnia and Herzegovina**

(2004/861/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

(1) Council Decision 2002/883/EC ⁽³⁾ of 5 November providing further macro-financial assistance to Bosnia and Herzegovina includes a loan component of a maximum principal of EUR 20 million and a grant component of a maximum of EUR 40 million.

(2) Due to delays in the implementation of the required policy reforms as agreed between the European Commission and Bosnia and Herzegovina, so far only a first (EUR 15 million) and a second tranche (EUR 20 million) could be released. A third and final tranche of up to EUR 25 million is still outstanding.

(3) Bosnia and Herzegovina is committed to a continued economic stabilisation and reform path. Following the successful completion of the previous IMF Standby Arrangement in February 2004 negotiations were under way on a new IMF-supported programme.

(4) The country continues to require external financial support in addition to what can be provided by international financial institutions.

((5) Decision 2002/883/EC should be amended to permit the commitments and the payments of grant funds and loan disbursements beyond 9 November 2004.

(6) The Treaty does not provide, for the adoption of this decision, powers other than those of Article 308.

(7) After consulting the Economic and Financial Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The second subparagraph of Article 6 of Decision 2002/883/EC is replaced by the following:

'It shall apply as from 8 November 2004 and until 30 June 2005'.

Done at Brussels, 7 December 2004.

For the Council
The President
G. ZALM

⁽¹⁾ OJ C 290, 27.11.2004, p. 6.

⁽²⁾ Opinion delivered on 28 October 2004 (not yet published in the Official Journal)

⁽³⁾ OJ L 308, 9.11.2002, p. 28.

COUNCIL DECISION

of 7 December 2004

on macro-financial assistance to Serbia and Montenegro and amending Decision 2002/882/EC providing further macro-financial assistance to the Federal Republic of Yugoslavia

(2004/862/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission⁽¹⁾,Having regard to the opinion of the European Parliament⁽²⁾,

Whereas:

- (1) Council Decision 2002/882/EC of 5 November 2002 providing further macro-financial assistance to the Federal Republic of Yugoslavia⁽³⁾ aims at ensuring a sustainable balance of payments situation and strengthening the country's reserve position.
- (2) Two tranches under this assistance totalling EUR 105 million have been disbursed in 2002 and 2003. Due to the delays in the implementation of agreed structural measures, the implementation of the third tranche (EUR 25 million) is still outstanding. Terms and policy conditions for the additional amount of EUR 70 million decided in 2003 remain to be negotiated and agreed.
- (3) The authorities of Serbia and Montenegro are committed to economic reform and stabilisation under the present IMF programme as evidenced by encouraging signs of a revitalisation of structural reforms.

(4) The country continues to require external financial support in addition to what can be provided by international financial institutions.

(5) Decision 2002/882/EC should be amended to permit the commitments and the payments of grant funds and loan disbursements beyond 9 November 2004.

(6) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308.

(7) After consulting the Economic and Financial Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The second subparagraph of Article 6 of Decision 2002/882/EC is replaced by the following:

'It shall apply as of 8 November 2004 and until 30 June 2006.'

Done at Brussels, 7 December 2004.

For the Council
The President
G. ZALM

⁽¹⁾ OJ C 290, 27.11.2004, p. 6.

⁽²⁾ Opinion delivered on 28 October 2004 (not yet published in the Official Journal).

⁽³⁾ OJ L 308, 9.11.2002, p. 25. Decision amended by Decision 2003/825/EC (OJ L 311, 27.11.2003, p. 28).

COMMISSION

COMMISSION DECISION

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

(notified under document number C(2004) 4603)

(2004/863/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

on the list of programmes for the eradication and monitoring of certain TSEs qualifying for a financial contribution from the Community in 2005 ⁽³⁾.

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(6) thereof,

Whereas:

- (1) Decision 90/424/EEC provides for the possibility of a financial contribution by the Community in the eradication and monitoring of certain animal diseases.
- (2) Most Member States have submitted programmes to the Commission for the eradication and monitoring of certain transmissible spongiform encephalopathies (TSEs).
- (3) After examination, the programmes submitted by the Member States for the eradication and the monitoring of TSEs were found to comply with Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽²⁾.
- (4) Those programmes appear on the priority list of programmes for the eradication and monitoring of certain TSEs qualifying for financial contribution from the Community in 2005 and which was established by Commission Decision 2004/696/EC of 14 October 2004

- (5) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽⁴⁾, provides for annual programmes for the eradication and monitoring of TSEs in bovine, ovine and caprine animals.

- (6) In the light of the importance to eradicate and monitor TSEs for the achievement of Community objectives in the field of animal and public health, it is appropriate to reimburse 100 % of the costs paid by the Member States for the TSE rapid tests performed up to a maximum amount per test and per TSE monitoring programme.

- (7) For the same reason it is appropriate to reimburse 100 % of the laboratory costs paid by the Member States for the performance of genotyping tests up to a maximum per test and per Scrapie eradication programme.

- (8) Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽⁵⁾, provides that programmes for the eradication and monitoring of animal diseases are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of that Regulation are to apply.

⁽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 347, 12.12.1990, p. 27. Decision as amended by Directive 92/65/EEC (OJ L 268, 14.9.1992, p. 54).

⁽³⁾ OJ L 316, 15.10.2004, p. 91.

⁽⁴⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 1492/2004 (OJ L 274, 24.8.2004, p. 3).

⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.

- (9) The Community's financial contribution should only be granted subject to the condition that the programmes for the eradication and monitoring of TSEs are carried out efficiently and that the Member States supply all the necessary information within specified time limits laid down in this Decision.
- (10) There is a need to clarify the rate to be used for the conversion of the payment applications submitted in national currency as defined in Article 1(d) of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾.
- (11) 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:

CHAPTER I

Approval of and financial contribution to TSE monitoring programmes

Article 1

1. The TSE monitoring programme submitted by Belgium is hereby approved for the period from 1 January to 31 December 2005.
2. The Community's financial contribution shall not exceed EUR 3 550 000.

Article 2

1. The TSE monitoring programme submitted by the Czech Republic is hereby approved for the period from 1 January to 31 December 2005.
2. The Community's financial contribution shall not exceed EUR 1 700 000.

Article 3

1. The TSE monitoring programme submitted by Denmark is hereby approved for the period from 1 January to 31 December 2005.
2. The Community's financial contribution shall not exceed EUR 2 375 000.

Article 4

1. The TSE monitoring programme submitted by Germany is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 15 020 000.

Article 5

1. The TSE monitoring programme submitted by Estonia is hereby approved for the period from 1 January to 31 December 2005.
2. The Community's financial contribution shall not exceed EUR 290 000.

Article 6

1. The TSE monitoring programme submitted by Greece is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 585 000.

Article 7

1. The TSE monitoring programme submitted by Spain is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 4 780 000.

Article 8

1. The TSE monitoring programme submitted by France is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 24 045 000.

Article 9

1. The TSE monitoring programme submitted by Ireland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 6 170 000.

Article 10

1. The TSE monitoring programme submitted by Italy is hereby approved for the period from 1 January to 31 December 2005.

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

2. The Community's financial contribution shall not exceed EUR 6 660 000.

Article 11

1. The TSE monitoring programme submitted by Cyprus is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 85 000.

Article 12

1. The TSE monitoring programme submitted by Lithuania is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 835 000.

Article 13

1. The TSE monitoring programme submitted by Luxembourg is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 145 000.

Article 14

1. The TSE monitoring programme submitted by Hungary is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 085 000.

Article 15

1. The TSE monitoring programme submitted by Malta is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 35 000.

Article 16

1. The TSE monitoring programme submitted by the Netherlands is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 4 270 000.

Article 17

1. The TSE monitoring programme submitted by Austria is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 920 000.

Article 18

1. The TSE monitoring programme submitted by Portugal is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 135 000.

Article 19

1. The TSE monitoring programme submitted by Slovenia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 435 000.

Article 20

1. The TSE monitoring programme submitted by Finland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 160 000.

Article 21

1. The TSE monitoring programme submitted by Sweden is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 305 000.

Article 22

1. The TSE monitoring programme submitted by the United Kingdom is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 570 000.

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

*CHAPTER II****Approval of and financial contribution to BSE eradication programmes****Article 24*

1. The BSE eradication programme submitted by Belgium is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 250 000.

Article 25

1. The BSE eradication programme submitted by the Czech Republic is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 2 500 000.

Article 26

1. The BSE eradication programme submitted by Denmark is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 200 000.

Article 27

1. The BSE eradication programme submitted by Germany is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 875 000.

Article 28

1. The BSE eradication programme submitted by Estonia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 25 000.

Article 29

1. The BSE eradication programme submitted by Greece is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 150 000.

Article 30

1. The BSE eradication programme submitted by Spain is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 320 000.

Article 31

1. The BSE eradication programme submitted by France is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 500 000.

Article 32

1. The BSE eradication programme submitted by Ireland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 4 000 000.

Article 33

1. The BSE eradication programme submitted by Italy is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 205 000.

Article 34

1. The BSE eradication programme submitted by Cyprus is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 25 000.

Article 35

1. The BSE eradication programme submitted by Luxembourg is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 150 000.

Article 36

1. The BSE eradication programme submitted by the Netherlands is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 450 000.

Article 37

1. The BSE eradication programme submitted by Austria is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 10 000.

Article 38

1. The BSE eradication programme submitted by Portugal is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 975 000.

Article 39

1. The BSE eradication programme submitted by Slovenia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 25 000.

Article 40

1. The BSE eradication programme submitted by the Slovakia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 25 000.

Article 41

1. The BSE eradication programme submitted by Finland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 25 000.

Article 42

1. The BSE eradication programme submitted by the United Kingdom is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 4 235 000.

Article 43

The Community's financial contribution for the BSE eradication programmes referred to in Articles 24 to 42 shall be at the rate of 50 % of the cost paid by the concerned Member States for compensation to owners for the value of their animals culled and destroyed in accordance with their eradication programme, up to a maximum of EUR 500 per animal.

*CHAPTER III****Approval of and financial contribution to Scrapie eradication programmes****Article 44*

1. The Scrapie eradication programme submitted by Belgium is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 105 000.

Article 45

1. The Scrapie eradication programme submitted by the Czech Republic is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 20 000.

Article 46

1. The Scrapie eradication programme submitted by Denmark is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 000.

Article 47

1. The Scrapie eradication programme submitted by Germany is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 2 275 000.

Article 48

1. The Scrapie eradication programme submitted by Estonia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 10 000.

Article 49

1. The Scrapie eradication programme submitted by Greece is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 555 000.

Article 50

1. The Scrapie eradication programme submitted by Spain is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 9 525 000.

Article 51

1. The Scrapie eradication programme submitted by France is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 1 300 000.

Article 52

1. The Scrapie eradication programme submitted by Ireland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 800 000.

Article 53

1. The Scrapie eradication programme submitted by Italy is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 2 485 000.

Article 54

1. The Scrapie eradication programme submitted by Cyprus is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 565 000.

Article 55

1. The Scrapie eradication programme submitted by Latvia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 000.

Article 56

1. The Scrapie eradication programme submitted by Lithuania is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 000.

Article 57

1. The Scrapie eradication programme submitted by Luxembourg is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 35 000.

Article 58

1. The Scrapie eradication programme submitted by Hungary is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 000.

Article 59

1. The Scrapie eradication programme submitted by the Netherlands is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 575 000.

Article 60

1. The Scrapie eradication programme submitted by Austria is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 10 000.

Article 61

1. The Scrapie eradication programme submitted by Portugal is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 695 000.

Article 62

1. The Scrapie eradication programme submitted by Slovenia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 65 000.

Article 63

1. The Scrapie eradication programme submitted by Slovakia is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 340 000.

Article 64

1. The Scrapie eradication programme submitted by Finland is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 5 000.

Article 65

1. The Scrapie eradication programme submitted by Sweden is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 10 000.

Article 66

1. The Scrapie eradication programme submitted by the United Kingdom is hereby approved for the period from 1 January to 31 December 2005.

2. The Community's financial contribution shall not exceed EUR 7 380 000.

Article 67

The Community's financial contribution for the Scrapie eradication programmes referred to in Articles 44 to 66 shall be at the rate of 50 % of the cost paid by the concerned Member States for compensation to owners for the value of their animals culled and destroyed in accordance with their eradication programme, up to a maximum of EUR 50 per animal, and at the rate of 100 % of the cost, value added tax excluded, of the analysis of samples for genotyping, up to a maximum of EUR 10 per genotyping test.

*CHAPTER IV****Conditions for the Community's financial contribution****Article 68*

The conversion rate for applications submitted in national currency in month 'n' shall be that of the 10th day of month 'n+1' or for the first preceding day for which a rate is quoted.

Article 69

1. The Community's financial contribution for the TSE eradication and monitoring programmes referred to in Articles 1 to 66 shall be granted provided that the implementation of those programmes is in conformity with the relevant provisions of Community law, including rules on competition and on the award of public contracts, and subject to the concerned Member State complying with the following conditions:

- (a) bringing into force by 1 January 2005 the laws, regulations and administrative provisions for implementing the TSE eradication and monitoring programmes;
- (b) forwarding by 1 June 2005 at the latest, the preliminary technical and financial evaluation of the programme, in accordance with Article 24(7) of Decision 90/424/EEC;
- (c) forwarding a report to the Commission every month on the progress of the TSE monitoring programme and the costs paid; the report shall be forwarded at the latest four weeks after the end of each month. The costs paid shall be provided in computerised form in accordance with the table provided in the Annex to this Decision;

(d) forwarding a final report, by 1 June 2006 at the latest, on the technical execution of the TSE eradication and monitoring programmes accompanied by proof of the costs paid and the results attained during the period from 1 January to 31 December 2005;

(e) implementing the programmes efficiently;

(f) no other Community contribution has been or will be asked for these measures.

2. In case the Member State does not comply with those rules, the Commission shall reduce the contribution of the Community having regard to the nature and gravity of the infringement, and to any financial loss suffered by the Community.

CHAPTER V

Final provisions

Article 70

This Decision shall apply from 1 January 2005.

Article 71

This Decision is addressed to the Member States.

Done at Brussels, 30 November 2004.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

SCRAPIE									
BSE					SCRAPIE				
Region ⁽¹⁾	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			Tests on animals referred to in Annex III, Chapter A, Part II, point 2 to Regulation (EC) No 999/2001		
	Number of tests	Unit cost	Total cost	Number of tests	Unit cost	Total cost	Number of tests	Unit cost	Total cost
Total									

⁽¹⁾ Data per region only necessary in the final report.

COMMISSION DECISION

of 16 December 2004

amending Commission Decision 1999/478/EC of renewing the Advisory Committee on Fisheries and Aquaculture

(2004/864/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

DECIDES:

Having regard to the Treaty establishing the European Community,

Article 1

Article 3 of Decision 1999/478/EC is amended as follows:

Whereas:

(a) the first sentence is replaced by the following:

(1) It is important for the Commission to obtain the input of the interests concerned on the issues raised by the establishment of a common fisheries policy (CFP). An advisory committee (ACF) was created in the fisheries sector by Commission Decision 71/128/EEC⁽¹⁾, replaced by Decision 1999/478/EC of 14 July 1999 renewing the Advisory Committee on Fisheries and Aquaculture (ACFA)⁽²⁾. The membership of ACFA is defined in Article 3 of Decision 1999/478/EC.

'The Committee is composed of 21 members hereafter referred to as "the members".;

(b) paragraph 2 is replaced by the following:

'2. The following also have a seat on the Committee: the chairman and vice-chairman of the Fisheries sectorial dialogue committee and the chairman and vice-chairman of working groups 1, 2, 3 and 4 as referred to in Article 7.'

Article 2

(2) Decision 1999/478/EC set up four working groups to prepare the opinions of the Committee; working group 2 is in charge of Aquaculture.

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

(3) Given the rapid growth of European aquaculture in recent years, it is appropriate that the interests of this sector are better represented within ACFA. The membership of this Committee should therefore be extended in order to include the vice-chairman of working group 2. Decision 1999/478/EC should be amended accordingly,

Done at Brussels, 16 December 2004.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 68, 22.3.1971, p. 18.

⁽²⁾ OJ L 187, 20.7.1999, p. 70.

CORRIGENDA

Corrigendum to Council Decision of 26 May 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions

(Official Journal of the European Union L 152, 20 June 2003)

On page 26 in the Annex, quota order No 09.1543, Cherry juice:

the entry concerning quota order No 09.1543 (Cherry juice) shall be deleted.
