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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 747/2005
of 18 May 2005
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 18 May 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	91,4
	204	64,8
	212	111,6
	999	89,3
0707 00 05	052	54,5
	204	51,2
	999	52,9
0709 90 70	052	89,7
	624	50,3
	999	70,0
0805 10 20	052	43,4
	204	41,4
	212	59,6
	220	49,3
	388	57,3
	400	49,9
	624	59,3
0805 50 10	999	51,5
	052	49,0
	382	61,5
	388	63,1
	400	69,6
	528	57,7
	624	63,1
0808 10 80	999	60,7
	388	85,1
	400	109,7
	404	85,6
	508	61,6
	512	78,3
	524	57,3
	528	65,8
	720	62,3
	804	94,4
	999	77,8

⁽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 748/2005**of 18 May 2005****opening a tendering procedure for the sale of wine alcohol for use as bioethanol in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 33 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽²⁾, lays down, among other things, detailed rules for disposing of stocks of alcohol obtained from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽³⁾ and referred to in Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 and held by the intervention agencies.
- (2) A tendering procedure for the sale of wine alcohol for exclusive use as bioethanol in the fuel sector in the Community should be organised in accordance with Article 92 of Regulation (EC) No 1623/2000 with a view to reducing Community stocks of wine alcohol and ensuring the continuity of supplies to firms approved under that Article.
- (3) Since 1 January 1999, in accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽⁴⁾, the selling price and securities must be expressed, and payments made, in euro.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

Article 1

1. Tendering procedure No 1/2005 EC is hereby opened for the sale of wine alcohol for use as bioethanol in the Community.

The alcohol concerned has been produced from distillation under Article 35 of Regulation (EEC) No 822/87 and Articles 27 and 30 of Regulation (EC) No 1493/1999 and is held by the intervention agencies of the Member States.

2. The total volume put up for sale is 691 331,79 hectolitres of alcohol at 100 % volume, broken down as follows:

- (a) one lot with the number 1/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (b) one lot with the number 2/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (c) one lot with the number 3/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (d) one lot with the number 4/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (e) one lot with the number 5/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (f) one lot with the number 6/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (g) one lot with the number 7/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (h) one lot with the number 8/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (i) one lot with the number 9/2005 EC for a quantity of 41 331,79 hectolitres of alcohol at 100 % volume.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1795/2003 (OJ L 262, 14.10.2003, p. 13).

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 616/2005 (OJ L 103, 22.4.2005, p. 15).

⁽³⁾ OJ L 84, 27.3.1987, p. 1. Regulation as last amended by Regulation (EC) No 1677/1999 (OJ L 199, 30.7.1999, p. 8).

⁽⁴⁾ OJ L 349, 24.12.1998, p. 1.

3. The location and references of the vats making up the lots, the quantity of alcohol in each vat, the alcoholic strength and the characteristics of the alcohol are as set out in Annex I to this Regulation.

4. Only firms approved under Article 92 of Regulation (EC) No 1623/2000 may take part in the tendering procedure.

Article 2

The sale shall be conducted in accordance with Articles 93, 94, 94b, 94c, 94d, 95, 96, 97, 98, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 3

1. Tenders shall be delivered to the intervention agencies holding the alcohol listed in Annex II or sent by registered mail to the address of the intervention agency.

2. Tenders shall be placed in two sealed envelopes, the inside envelope marked 'Tender under procedure No 1/2005 EC for use as bioethanol in the Community', the outer envelope bearing the address of the intervention agency concerned.

3. Tenders must reach the intervention agency concerned not later than 12.00 Brussels time on 30 May 2005.

Article 4

1. To be eligible for consideration, tenders must comply with Articles 94 and 97 of Regulation (EC) No 1623/2000.

2. To be eligible for consideration, when they are presented, tenders must be accompanied by:

- (a) proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % volume has been lodged with the intervention agency holding the alcohol concerned,
- (b) an indication of the place of final use of the alcohol and an undertaking by the tenderer to comply with that destination,
- (c) the name and address of the tenderer, the reference number of the notice of invitation to tender and the price proposed, expressed in euro per hectolitre of alcohol at 100 % volume,
- (d) an undertaking by tenderers that they will comply with all the rules applicable to this tendering procedure,
- (e) a statement by tenderers to the effect that:

(i) they waive all claims in respect of the quality and characteristics of any alcohol awarded to them,

(ii) they agree to submit to any checks made on the destination and use made of the alcohol,

(iii) they accept that it is their responsibility to provide evidence that the alcohol is used as specified in the notice of invitation to tender in question.

Article 5

The notifications provided for in Article 94a of Regulation (EC) No 1623/2000 relating to the tendering procedure opened by this Regulation shall be sent to the Commission at the address given in Annex III to this Regulation.

Article 6

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned.

Article 7

1. The intervention agencies in the Member States in which the alcohol put up for sale is stored shall carry out appropriate checks to verify the nature of the alcohol at the time of end-use. To that end, they may:

- (a) apply Article 102 of Regulation (EC) No 1623/2000 *mutatis mutandis*,
- (b) carry out checks on samples using nuclear magnetic resonance analysis to verify the nature of the alcohol at the time of end-use.

2. The costs of the checks referred to in paragraph 1 shall be borne by the firms to which the alcohol is sold.

Article 8

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, 18 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

TENDERING PROCEDURE FOR THE SALE OF ALCOHOL FOR USE AS BIOETHANOL IN THE COMMUNITY
No 1/2005 EC

Place of storage, quantity and characteristics of the alcohol put up for sale

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % volume	Reference Regulations (EEC) No 822/87 and (EC) No 1493/1999 (articles)	Type of alcohol
Spain Lot No 1/2005 EC	Tomelloso	1	46 584	27	Raw
	Tomelloso	2	118	27	Raw
	Tomelloso	3	2 250	27	Raw
	Tomelloso	5	48 048	27	Raw
	Tarancon	B-4	3 000	27	Raw
	Total		100 000		
Spain Lot No 2/2005 EC	Tarancon	A-2	24 353	27	Raw
	Tarancon	A-6	24 490	27	Raw
	Tarancon	B-1	24 574	27	Raw
	Tarancon	B-2	24 406	27	Raw
	Tarancon	B-4	2 177	27	Raw
	Total		100 000		
France Lot No 3/2005 EC	Deulep — PSL 13230 Port Saint Louis Du Rhone	B2	26 055	27	Raw
		B4	10 955	27	Raw
		B2B	300	27	Raw
		B1	44 820	27	Raw
		B2B	17 870	30	Raw
	Total		100 000		
France Lot No 4/2005 EC	Onivins — Port la Nouvelle Entrepot d'Alcool Av. Adolphe Turrel BP 62 11210 Port la Nouvelle	2	48 020	27	Raw
		1	47 435	27	Raw
		15	4 545	27	Raw
	Total		100 000		
France Lot No 5/2005 EC	Deulep Bld Chanzy 30800 Saint Gilles du Gard	73	13 940	30	Raw
		73	30 445	30	Raw
		603	5 615	27	Raw
	Total		50 000		
Italy Lot No 6/2005 EC	Caviro-Faenza (RA)	16A	22 662,80	27	Raw
	Villapana-Faenza (RA)	5A-9A	7 600	27	Raw
	Tampieri-Faenza (RA)	6A-16A	1 600	27	Raw
	Cipriani-Chizzola di Ala (TN)	27A	5 200	27	Raw
	I.C.V.-Borgoricco (PD)	5A	1 600	27	Raw
	S.V.A.-Ortona (CH)	2A-3A-4A-16A	4 800	27	Raw

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % volume	Reference Regulations (EEC) No 822/87 and (EC) No 1493/1999 (articles)	Type of alcohol
	D'Auria-Ortona (CH)	1A-2A-5A-7A-8A-43A-76A	12 007,35	27+30+35	Raw
	Bonollo-Anagni (FR)	17A	10 429,85	27	Raw
	Di Lorenzo-Ponte Valleceppi (PG)	20A-23A-22A	18 000	27	Raw
	Deta-Barberino Val d'Elsa (FI)	4A-8A	1 900	27+30	Raw
	Balice-Valenzano (BA)	3A-4A-5A-6A-7A-8A	14 200	27	Raw
	Total		100 000		
Italy Lot No 7/2005 EC	Dister-Faenza (RA)	119A-167A-169A-179A-170A	13 500	30	Raw
	Mazzari-S. Agata sul Santerno (RA)	5A-11A	36 500	27	Raw
	Total		50 000		
Italy Lot No 8/2005 EC	Bertolino-Partinico (PA)	6A-13A	19 500	27	Raw
	Gedis-Marsala (TP)	12B-9B	8 000	27	Raw
	Trapas-Marsala (TP)	14A-15A	6 500	30	Raw
	S.V.M.-Sciacca (AG)	8A-18A-1A	1 500	27	Raw
	De Luca-Novoli (LE)	9A-17A-19A	10 000	27	Raw
	BaliceDistilli-Mottola (TA)	3A	1 200	27	Raw
	Balice-Valenzano (BA)	2A-3A	3 300	27	Raw
	Total		50 000		
Greece Lot No 9/2005 EC	ΑΜΠΕΛΟΥΡΓΙΚΟΣ ΣΥΝΕΤΑΙΡΙΣΜΟΣ ΜΕΓΑΡΩΝ — (ΒΑΡΕΑ ΜΕΓΑΡΩΝ) (Ambelourgikos Syneterismos Megaron — (Varea Megaron))	B1	543,42	35	Raw
		B2	550,83	35	Raw
		B3	556,14	35	Raw
		B4	556,16	35	Raw
		B5	555,90	35	Raw
		B6	550,60	35	Raw
		10	914,43	35	Raw
		B9	550,04	35	Raw
		B10	553,72	35	Raw
		B11	554,60	35	Raw
		B12	554,50	35	Raw
		B13	556,91	35	Raw
		B14	551,86	35	Raw
		B15	547,57	35	Raw
		B16	910,55	35+27	Raw
		3	851,86	27	Raw

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % volume	Reference Regulations (EEC) No 822/87 and (EC) No 1493/1999 (articles)	Type of alcohol
		4	894,58	27	Raw
		5	894,83	27	Raw
		6	871,50	27	Raw
		7	898,94	27	Raw
		14	864,99	27	Raw
		15	893,13	27	Raw
		1	873,77	27	Raw
		2	885,55	27	Raw
		8	904,07	27	Raw
		9	863,37	27	Raw
		B7	544,88	27	Raw
		11	901,79	27	Raw
		12	869,67	27	Raw
		13	907,15	27	Raw
		17	799,07	27	Raw
	Π.Α. ΤΖΑΡΑ — (Δοκός Χαλκίδος) (P.A. Tzara — (Dokos Halkidos))	4016	179,58	35	Raw
	Ε.Α.Σ. ΠΑΤΡΩΝ — Ανθεια Πατρών (E.A.S. Patron — Anthia Patron)	A1	856,07	35	Raw
		A2	917,34	35	Raw
		A3	747,20	35	Raw
		A4	803,85	35	Raw
		A5	577,07	35	Raw
	Ε.Α.Σ. ΑΤΤΙΚΗΣ — (ΠΙΚΕΡΜΙ) (E.A.S. Attikis — (Pikermi))	1	917,80	27	Raw
		2	917,58	27	Raw
		3	919,35	27	Raw
		4	903,82	27	Raw
		5	751,82	27	Raw
	ΟΙΝΟΠΟΙΗΤΙΚΟΣ ΣΥΝ/ΣΜΟΣ (ΣΥΝΕΤΑΙΡΙΣΜΟΣ) ΜΕΣΣΗΝΙΑΣ (ΓΙΑΛΟΒΑ ΠΥΛΙΑΣ) (Inopiitikos Syneterismos Messinias (Gialova Pílias))	B74	836,47	27	Raw
		B75	583,84	27	Raw
		B76	724,92	27	Raw
		B80	890,23	27	Raw
		68	2 113,82	27	Raw
		66	2 122,29	27	Raw
		82	731,69	27	Raw
		69	2 110,67	27	Raw
	Total		41 331,79		

ANNEX II**Intervention agencies holding the alcohol referred to in Article 3**

ONIVINS-LIBOURNE — Délégation nationale 17, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (telephone (33-5) 57 55 20 00, telex 57 20 25, fax (33-5) 57 55 20 59)

FEGA — Beneficencia 8, E-28004 Madrid (telephone (34) 913 476 466, fax (34) 913 47 64 65)

AGEA — Via Torino 45, I-00184 Roma (telephone (39) 6 49499 714, fax (39) 06 49 49 97 61)

Ο.Π.Ε.Κ.Ε.Π.Ε. — Αχαρνών (Acharnon) 241, 10446 Athens, Greece (telephone 210 212 47 99, fax 210 212 4791)

ANNEX III**Address referred to in Article 5**

Commission of the European Communities
Directorate-General for Agriculture and Rural Development, Unit D-2
Rue de la Loi/Wetstraat 200
B-1049 Brussels
Fax (32-2) 298 55 28
E-mail address: agri-market-tenders@cec.eu.int

COMMISSION REGULATION (EC) No 749/2005**of 18 May 2005****amending Regulation (EEC) No 2131/93 fixing the procedure and conditions for the taking over of cereals by intervention agencies**

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 6 thereof,

Whereas:

(1) Commission Regulation (EEC) No 2131/93 ⁽²⁾ lays down the procedure and conditions for the sale of cereals held by intervention agencies.

(2) In Member States which do not have sea ports, tenderers for cereals put up for sale are penalized by higher transport costs. As a result of these additional costs, cereals are more difficult to export from those Member States, which results in particular in longer intervention storage and additional costs to the Community budget. Article 7 of Regulation (EEC) No 2131/93 therefore provides for the possibility, in certain cases, of financing the lowest transport costs between the place of storage and the place of exit, in order to make the tenders comparable.

(3) The Croatia ports of Rijeka and Split were traditional ports of exit for the countries of central Europe before their accession to the Union. Rijeka and Split should therefore be included among the places of exit that can be considered when calculating the refundable transport costs for exports.

(4) In order to simplify and harmonise the procedures for the placing on sale of cereals for export, the procedure for releasing the guarantees referred to in Article 17 of Regulation (EEC) No 2131/93 should be clarified, based on Commission Regulation (EC) No 800/1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾, especially as regards the proof that the import customs formalities have been completed in a third country.

(5) Regulation (EEC) No 2131/93 should therefore be amended accordingly.

(6) 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

In Article 7 of Regulation (EC) No 2131/93, paragraph 2a is replaced by the following:

‘2a Where Member States have no sea port, a decision may be taken, in accordance with the procedure referred to in paragraph 1, to derogate from paragraph 2 and, in the case of exports from a sea port, to finance the lowest transport costs between the place of storage and the actual place of exit, within the financial limits laid down in the tender notice.

For the purpose of this paragraph the Romanian port of Constanța and the Croatian ports of Rijeka and Split may be regarded as places of exit.’

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Commission Regulation (EC) No 2045/2004 (OJ L 354, 30.11.2004, p. 17).

⁽³⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 5.10.2004, p. 5).

Article 2

In Article 17 of Regulation (EC) No 2131/93, paragraph 3 is replaced by the following:

‘3. The security provided for in the second indent of paragraph 2 shall be released where it covers quantities in respect of which:

— proof has been furnished that the goods have become unfit for human or animal consumption,

— proof has been furnished that the customs formalities for exports outside the customs territory of the Community and for imports into one of the third countries covered by the tender have been completed. Proof of export

outside the customs territory of the Community and of import into a third country shall respectively be those provided in accordance with the detailed rules laid down in Articles 7 and 16(1), (2) and (3) of Regulation (EC) No 800/1999.

— the licence has not been issued in accordance with Article 49 of Regulation (EC) No 1291/2000,

— the contract has been cancelled in accordance with the fourth paragraph of Article 16.’

Article 3

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

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

Done at Brussels, 18 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 750/2005**of 18 May 2005****on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1172/95 of 22 May 1995 relating to the trading of goods by the Community and its Member States with non-member countries ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

(1) Commission Regulation (EC) No 2081/2003 of 27 November 2003 on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States ⁽²⁾ set out the version valid on 1 January 2004.

(2) The alphabetical coding of countries and territories is based on the ISO alpha standard 2 in force as far as it is compatible with the requirements of Community legislation.

(3) It is necessary to identify separately Serbia, Montenegro and Kosovo (as defined by United Nations Security Council Resolution 1244 of 10 June 1999) for the management of agreements concluded between the European Community and some of those territories on trade in textile products. As well, the conditions laid down in the relevant Community provisions regarding the declaration of the origin of the goods in trade with non-members countries require the creation of a specific code for determining the Community origin of goods.

(4) It is therefore appropriate to draw up a new version of this nomenclature that takes into account those new items as well as changes affecting some codes.

(5) It is preferable to provide for a transition period to allow certain Member States to adapt to the amendments made to the Community legislation regarding the end of the use of numerical codes; it is essential for purposes of simplification for this transition period to end when the provisions revising the rules on the Single Administrative Document come into force.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Statistics relating to the Trading of Goods with Non-Member Countries,

HAS ADOPTED THIS REGULATION:

Article 1

The version valid from 1 June 2005 of the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2005.

However, the Member States may use the three-digit numeric codes also shown in the Annex to the Regulation until the provisions revising Annexes 37 and 38 of Commission Regulation (EEC) No 2454/93 come into force ⁽³⁾.

⁽¹⁾ OJ L 118, 25.5.1995, p. 10. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 313, 28.11.2003, p. 11.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

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

Done at Brussels, 18 May 2005.

For the Commission
Joaquín ALMUNIA
Member of the Commission

ANNEX

**NOMENCLATURE OF COUNTRIES AND TERRITORIES FOR THE EXTERNAL TRADE STATISTICS OF THE
COMMUNITY AND STATISTICS OF TRADE BETWEEN MEMBER STATES**

(Version valid with effect from 1 June 2005)

Code		Text	Description
Alphabetical	Numerical		
AD	(043)	Andorra	
AE	(647)	United Arab Emirates	Abu Dhabi, Ajman, Dubai, Fujairah, Ras al Khaimah, Sharjah and Umm al Qaiwain
AF	(660)	Afghanistan	
AG	(459)	Antigua and Barbuda	
AI	(446)	Anguilla	
AL	(070)	Albania	
AM	(077)	Armenia	
AN	(478)	Netherlands Antilles	Bonaire, Curaçao, Saba, St Eustatius and southern part of St Martin
AO	(330)	Angola	Including Cabinda
AQ	(891)	Antarctica	Territory south of 60° south latitude; not including the French Southern Territories (TF), Bouvet Island (BV), South Georgia and South Sandwich Islands (GS)
AR	(528)	Argentina	
AS	(830)	American Samoa	
AT	(038)	Austria	
AU	(800)	Australia	
AW	(474)	Aruba	
AZ	(078)	Azerbaijan	
BA	(093)	Bosnia and Herzegovina	
BB	(469)	Barbados	
BD	(666)	Bangladesh	
BE	(017)	Belgium	
BF	(236)	Burkina Faso	
BG	(068)	Bulgaria	
BH	(640)	Bahrain	
BI	(328)	Burundi	
BJ	(284)	Benin	
BM	(413)	Bermuda	
BN	(703)	Brunei Darussalam	Often referred to as Brunei
BO	(516)	Bolivia	
BR	(508)	Brazil	
BS	(453)	Bahamas	
BT	(675)	Bhutan	

Code		Text	Description
Alphabetical	Numerical		
BV	(892)	Bouvet Island	
BW	(391)	Botswana	
BY	(073)	Belarus	Often referred to as Belorussia
BZ	(421)	Belize	
CA	(404)	Canada	
CC	(833)	Cocos Islands (or Keeling Islands)	
CD	(322)	Congo, Democratic Republic of	Formerly Zaire
CF	(306)	Central African Republic	
CG	(318)	Congo	
CH	(039)	Switzerland	Including the German territory of Büsingen and the Italian municipality of Campione d'Italia
CI	(272)	Côte d'Ivoire	Often referred to as Ivory Coast
CK	(837)	Cook Islands	
CL	(512)	Chile	
CM	(302)	Cameroon	
CN	(720)	China, People's Republic of	Often referred to as China
CO	(480)	Colombia	
CR	(436)	Costa Rica	
CU	(448)	Cuba	
CV	(247)	Cape Verde	
CX	(834)	Christmas Island	
CY	(600)	Cyprus	
CZ	(061)	Czech Republic	
DE	(004)	Germany	Including the island of Heligoland; excluding the territory of Büsingen
DJ	(338)	Djibouti	
DK	(008)	Denmark	
DM	(460)	Dominica	
DO	(456)	Dominican Republic	
DZ	(208)	Algeria	
EC	(500)	Ecuador	Including Galápagos Islands
EE	(053)	Estonia	
EG	(220)	Egypt	
ER	(336)	Eritrea	
ES	(011)	Spain	Including Balearic Islands and Canary Islands; excluding Ceuta and Melilla

Code		Text	Description
Alphabetical	Numerical		
ET	(334)	Ethiopia	
FI	(032)	Finland	Including Åland Islands
FJ	(815)	Fiji	
FK	(529)	Falkland Islands	
FM	(823)	Micronesia, Federated States of	Chuuk, Kosrae, Pohnpei and Yap
FO	(041)	Faroe Islands	
FR	(001)	France	Including Monaco and the French overseas departments (French Guiana, Guadeloupe, Martinique and Réunion)
GA	(314)	Gabon	
GB	(006)	United Kingdom	Great Britain, Northern Ireland, Channel Islands and Isle of Man
GD	(473)	Grenada	Including Southern Grenadines
GE	(076)	Georgia	
GH	(276)	Ghana	
GI	(044)	Gibraltar	
GL	(406)	Greenland	
GM	(252)	Gambia	
GN	(260)	Guinea	
GQ	(310)	Equatorial Guinea	
GR	(009)	Greece	
GS	(893)	South Georgia and South Sandwich Islands	
GT	(416)	Guatemala	
GU	(831)	Guam	
GW	(257)	Guinea-Bissau	
GY	(488)	Guyana	
HK	(740)	Hong Kong	Hong Kong Special Administrative Region of the People's Republic of China
HM	(835)	Heard Island and McDonald Islands	
HN	(424)	Honduras	Including Swan Islands
HR	(092)	Croatia	
HT	(452)	Haiti	
HU	(064)	Hungary	
ID	(700)	Indonesia	
IE	(007)	Ireland	
IL	(624)	Israel	
IN	(664)	India	

Code		Text	Description
Alphabetical	Numerical		
IO	(357)	British Indian Ocean Territory	Chagos Archipelago
IQ	(612)	Iraq	
IR	(616)	Iran, Islamic Republic of	
IS	(024)	Iceland	
IT	(005)	Italy	Including Livigno; excluding the municipality of Campione d'Italia
JM	(464)	Jamaica	
JO	(628)	Jordan	
JP	(732)	Japan	
KE	(346)	Kenya	
KG	(083)	Kyrgyz, Republic	
KH	(696)	Cambodia	
KI	(812)	Kiribati	
KM	(375)	Comoros	Anjouan, Grande Comore and Mohéli
KN	(449)	St Kitts and Nevis	
KP	(724)	Korea, Democratic People's Republic of	Often referred to as North Korea
KR	(728)	Korea, Republic of	Often referred to as South Korea
KW	(636)	Kuwait	
KY	(463)	Cayman Islands	
KZ	(079)	Kazakhstan	
LA	(684)	Lao People's Democratic Republic	Often referred to as Laos
LB	(604)	Lebanon	
LC	(465)	St Lucia	
LI	(037)	Liechtenstein	
LK	(669)	Sri Lanka	
LR	(268)	Liberia	
LS	(395)	Lesotho	
LT	(055)	Lithuania	
LU	(018)	Luxembourg	
LV	(054)	Latvia	
LY	(216)	Libyan Arab Jamahiriya	Often referred to as Libya
MA	(204)	Morocco	
MD	(074)	Moldova, Republic of	
MG	(370)	Madagascar	
MH	(824)	Marshall Islands	

Code		Text	Description
Alphabetical	Numerical		
MK ⁽¹⁾	(096)	Former Yugoslav Republic of Macedonia	
ML	(232)	Mali	
MM	(676)	Myanmar	Often referred to as Burma
MN	(716)	Mongolia	
MO	(743)	Macao	Special Administrative Region of the People's Republic of China
MP	(820)	Northern Mariana Islands	
MR	(228)	Mauritania	
MS	(470)	Montserrat	
MT	(046)	Malta	Including Gozo and Comino
MU	(373)	Mauritius	Mauritius, Rodrigues Island, Agalega Islands and Cargados Carajos Shoals (St Brandon Islands)
MV	(667)	Maldives	
MW	(386)	Malawi	
MX	(412)	Mexico	
MY	(701)	Malaysia	Peninsular Malaysia and Eastern Malaysia (Labuan, Sabah and Sarawak)
MZ	(366)	Mozambique	
NA	(389)	Namibia	
NC	(809)	New Caledonia	Including Loyalty Islands (Lifou, Maré and Ouvéa)
NE	(240)	Niger	
NF	(836)	Norfolk Island	
NG	(288)	Nigeria	
NI	(432)	Nicaragua	Including Corn Islands
NL	(003)	Netherlands	
NO	(028)	Norway	Including Svalbard Archipelago and Jan Mayen Island
NP	(672)	Nepal	
NR	(803)	Nauru	
NU	(838)	Niue	
NZ	(804)	New Zealand	Excluding Ross Dependency (Antarctica)
OM	(649)	Oman	
PA	(442)	Panama	Including former Canal Zone
PE	(504)	Peru	
PF	(822)	French Polynesia	Marquesas Islands, Society Islands (including Tahiti), Tuamotu Islands, Gambier Islands and Austral Islands. Also Clipperton Island

Code		Text	Description
Alphabetical	Numerical		
PG	(801)	Papua New Guinea	Eastern part of New Guinea; Bismarck Archipelago (including New Britain, New Ireland, Lavongai (New Hanover) and Admiralty Islands); Northern Solomon Islands (Bougainville and Buka); Trobriand Islands, Woodlark Island; d'Entrecasteaux Islands and Louisiade Archipelago
PH	(708)	Philippines	
PK	(662)	Pakistan	
PL	(060)	Poland	
PM	(408)	St Pierre and Miquelon	
PN	(813)	Pitcairn	Including the Ducie, Henderson and Oeno Islands
PS	(625)	Occupied Palestinian Territory	West Bank (including East Jerusalem) and Gaza Strip
PT	(010)	Portugal	Including Azores and Madeira
PW	(825)	Palau	
PY	(520)	Paraguay	
QA	(644)	Qatar	
RO	(066)	Romania	
RU	(075)	Russian Federation	Often referred to as Russia
RW	(324)	Rwanda	
SA	(632)	Saudi Arabia	
SB	(806)	Solomon Islands	
SC	(355)	Seychelles	Mahé Island, Praslin Island, La Digue, Frégate and Silhouette; Amirante Islands (including Desroches, Alphonse, Platte and Coëtivy); Farquhar Islands (including Providence); Aldabra Islands and Cosmoledo Islands
SD	(224)	Sudan	
SE	(030)	Sweden	
SG	(706)	Singapore	
SH	(329)	Saint Helena	Including Ascension Island and Tristan da Cunha Islands
SI	(091)	Slovenia	
SK	(063)	Slovakia	
SL	(264)	Sierra Leone	
SM	(047)	San Marino	
SN	(248)	Senegal	
SO	(342)	Somalia	
SR	(492)	Suriname	
ST	(311)	Sao Tome and Principe	
SV	(428)	El Salvador	
SY	(608)	Syrian Arab Republic	Often referred to as Syria
SZ	(393)	Swaziland	

Code		Text	Description
Alphabetical	Numerical		
TC	(454)	Turks and Caicos Islands	
TD	(244)	Chad	
TF	(894)	French Southern Territories	Including Kerguelen Islands, Amsterdam Island, Saint-Paul Island, Crozet Archipelago
TG	(280)	Togo	
TH	(680)	Thailand	
TJ	(082)	Tajikistan	
TK	(839)	Tokelau	
TL	(626)	Timor-Leste	
TM	(080)	Turkmenistan	
TN	(212)	Tunisia	
TO	(817)	Tonga	
TR	(052)	Turkey	
TT	(472)	Trinidad and Tobago	
TV	(807)	Tuvalu	
TW	(736)	Taiwan	Separate customs territory of Taiwan, Penghu, Kinmen and Matsu
TZ	(352)	Tanzania, United Republic of	Tanganyika, Zanzibar Island and Pemba
UA	(072)	Ukraine	
UG	(350)	Uganda	
UM	(832)	United States Minor Outlying Islands	Including Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll and Wake Island
US	(400)	United States	Including Puerto Rico
UY	(524)	Uruguay	
UZ	(081)	Uzbekistan	
VA	(045)	Holy See (Vatican City State)	
VC	(467)	St Vincent and the Grenadines	
VE	(484)	Venezuela	
VG	(468)	Virgin Islands, British	
VI	(457)	Virgin Islands, U.S.	
VN	(690)	Vietnam	
VU	(816)	Vanuatu	
WF	(811)	Wallis and Futuna	Including Alofi Island
WS	(819)	Samoa	Formerly known as Western Samoa
XC	(021)	Ceuta	

Code		Text	Description
Alphabetical	Numerical		
XK	(095)	Kosovo	As defined by United Nations Security Council Resolution 1244 of 10 June 1999
XL	(023)	Melilla	Including Peñón de Vélez de la Gomera, Peñón de Alhucemas and Chafarinas Islands
XM	(097)	Montenegro	
XS	(098)	Serbia	
YE	(653)	Yemen	Formerly North Yemen and South Yemen
YT	(377)	Mayotte	Grande-Terre and Pamandzi
ZA	(388)	South Africa	
ZM	(378)	Zambia	
ZW	(382)	Zimbabwe	

MISCELLANEOUS

EU	(999)	European Community	Code reserved, in trade with non-member countries, for the declaration of the origin of goods according to the conditions laid down in the relevant Community provisions. Code not to be used for statistical purposes
QQ or QR	(950)	Stores and provisions	Optional heading
QS	(951)	Stores and provisions within the framework of intra-Community trade	Optional heading
	(952)	Stores and provisions within the framework of trade with third countries	Optional heading
QU or QV	(958)	Countries and territories not specified	Optional heading
	(959)	Countries and territories not specified in the framework of intra-Community trade	Optional heading
QW	(960)	Countries and territories not specified within the framework of trade with third countries	Optional heading
QX or QY	(977)	Countries and territories not specified for commercial or military reasons	Optional heading
	(978)	Countries and territories not specified for commercial or military reasons in the framework of intra-Community trade	Optional heading
QZ	(979)	Countries and territories not specified for commercial or military reasons in the framework of trade with third countries	Optional heading

(¹) Provisional Code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.

COMMISSION REGULATION (EC) No 751/2005**of 17 May 2005****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 ⁽²⁾ laying down provisions for the implementation of Regulation (EEC) No 2913/92, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 2005.

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

Done at Brussels, 17 May 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽²⁾ 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

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.10	New potatoes 0701 90 50	30,12	17,40	903,73	224,21	471,34	7 547,92
		104,01	20,97	12,93	125,49	7 214,75	1 171,47
		277,34	20,49				
1.30	Onions (other than seed) 0703 10 19	31,62	18,26	948,53	235,32	494,71	7 922,16
		109,17	22,01	13,57	131,71	7 572,46	1 229,55
		291,10	21,50				
1.40	Garlic 0703 20 00	139,47	80,55	4 184,17	1 038,05	2 182,27	34 946,15
		481,57	97,09	59,88	580,99	33 403,59	5 423,79
		1 284,08	94,86				
1.50	Leeks ex 0703 90 00	62,17	35,90	1 865,10	462,71	972,75	15 577,32
		214,66	43,28	26,69	258,98	14 889,72	2 417,67
		572,38	42,28				
1.60	Cauliflowers 0704 10 00	—	—	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	53,56	30,93	1 606,80	398,63	838,03	13 419,99
		184,93	37,28	22,99	223,11	12 827,62	2 082,84
		493,11	36,43				
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	—	—	—	—	—	—
		—	—	—	—	—	—
		—	—	—	—	—	—
1.100	Chinese cabbage ex 0704 90 90	104,01	60,07	3 120,30	774,12	1 627,40	26 060,75
		359,13	72,40	44,65	433,26	24 910,40	4 044,74
		957,59	70,74				
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—	—	—
1.130	Carrots ex 0706 10 00	33,54	19,37	1 006,20	249,63	524,79	8 403,78
		115,81	23,35	14,40	139,71	8 032,83	1 304,30
		308,79	22,81				
1.140	Radishes ex 0706 90 90	52,35	30,23	1 570,50	389,63	819,10	13 116,82
		180,75	36,44	22,47	218,07	12 537,83	2 035,79
		481,97	35,61				
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	333,80	192,77	10 013,87	2 484,34	5 222,77	83 635,88
		1 152,53	232,36	143,30	1 390,46	79 944,09	12 980,65
		3 073,16	227,03				

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.170	Beans:						
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	134,33 463,82 1 236,74	77,58 93,51 91,36	4 029,91 57,67	999,78 559,57	2 101,81 32 172,13	33 657,83 5 223,84
1.170.2	— Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	227,58 785,79 2 095,26	131,43 158,42 154,79	6 827,40 97,70	1 693,81 948,01	3 560,85 54 505,41	57 022,44 8 850,13
1.180	Broad beans ex 0708 90 00	—	—	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—	—	—
1.200	Asparagus:						
1.200.1	— green ex 0709 20 00	193,51 668,16 1 781,60	111,75 134,70 131,62	5 805,35 83,07	1 440,25 806,09	3 027,80 46 346,03	48 486,27 7 525,28
1.200.2	— other ex 0709 20 00	345,69 1 193,59 3 182,64	199,63 240,63 235,12	10 370,61 148,40	2 572,84 1 439,99	5 408,83 82 792,04	86 615,33 13 443,08
1.210	Aubergines (eggplants) 0709 30 00	110,13 380,25 1 013,93	63,60 76,66 74,90	3 303,88 47,28	819,66 458,76	1 723,15 26 375,99	27 594,02 4 282,71
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	125,19 432,24 1 152,54	72,29 87,14 85,14	3 755,55 53,74	931,72 521,47	1 958,72 29 981,83	31 366,38 4 868,20
1.230	Chantarelles 0709 59 10	926,44 3 198,81 8 529,46	535,02 644,89 630,12	27 793,20 397,72	6 895,21 3 859,18	14 495,64 221 882,38	232 128,81 36 027,40
1.240	Sweet peppers 0709 60 10	134,06 462,90 1 234,29	77,42 93,32 91,18	4 021,94 57,55	997,80 558,46	2 097,66 32 108,52	33 591,28 5 213,51
1.250	Fennel 0709 90 50	—	—	—	—	—	—
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	102,95 355,47 947,85	59,45 71,66 70,02	3 088,56 44,20	766,24 428,86	1 610,85 24 656,98	25 795,63 4 003,59
2.10	Chestnuts (<i>Castanea</i> spp.) fresh ex 0802 40 00	—	—	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	102,05 352,35 939,51	58,93 71,03 69,41	3 061,39 43,81	759,50 425,08	1 596,68 24 440,06	25 568,70 3 968,37

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.40	Avocados, fresh ex 0804 40 00	135,94 469,39 1 251,60	78,51 94,63 92,46	4 078,34 58,36	1 011,79 566,29	2 127,07 32 558,71	34 062,25 5 286,61
2.50	Guavas and mangoes, fresh ex 0804 50	—	—	—	—	—	—
2.60	Sweet oranges, fresh:						
2.60.1	— Sanguines and semi-sanguines 0805 10 10	58,77 202,92 541,08	33,94 40,91 39,97	1 763,10 25,23	437,41 244,81	919,55 14 075,42	14 725,41 2 285,45
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	57,99 200,23 533,91	33,49 40,37 39,44	1 739,75 24,90	431,61 241,57	907,37 13 889,01	14 530,40 2 255,18
2.60.3	— Others 0805 10 50	52,20 180,24 480,59	30,15 36,34 35,50	1 566,00 22,41	388,51 217,44	816,75 12 501,90	13 079,23 2 029,95
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkins and similar citrus hybrids, fresh:						
2.70.1	— Clementines ex 0805 20 10	92,07 317,90 847,66	53,17 64,09 62,62	2 762,10 39,53	685,25 383,53	1 440,58 22 050,76	23 069,06 3 580,42
2.70.2	— Monreales and satsumas ex 0805 20 30	75,09 259,27 691,32	43,36 52,27 51,07	2 252,67 32,24	558,86 312,79	1 174,89 17 983,82	18 814,30 2 920,06
2.70.3	— Mandarines and wilkins ex 0805 20 50	63,51 219,28 584,69	36,68 44,21 43,19	1 905,22 27,26	472,67 264,55	993,67 15 209,97	15 912,36 2 469,67
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	44,17 152,52 406,69	25,51 30,75 30,04	1 325,20 18,96	328,77 184,01	691,16 10 579,51	11 068,06 1 717,81
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	61,28 211,59 564,19	35,39 42,66 41,68	1 838,41 26,31	456,09 255,27	958,83 14 676,63	15 354,39 2 383,07
2.90	Grapefruit, fresh:						
2.90.1	— white ex 0805 40 00	65,53 226,25 603,30	37,84 45,61 44,57	1 965,84 28,13	487,70 272,96	1 025,29 15 693,93	16 418,67 2 548,25
2.90.2	— pink ex 0805 40 00	83,49 288,28 768,69	48,22 58,12 56,79	2 504,78 35,84	621,41 347,80	1 306,37 19 996,45	20 919,88 3 246,86

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.100	Table grapes 0806 10 10	155,35 536,38 1 430,22	89,71 108,14 105,66	4 660,37 66,69	1 156,19 647,11	2 430,63 37 205,27	38 923,39 6 041,08
2.110	Water melons 0807 11 00	92,44 319,18 851,07	53,38 64,35 62,87	2 773,20 39,68	688,00 385,07	1 446,37 22 139,38	23 161,77 3 594,81
2.120	Melons (other than water melons):						
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onte- niente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	72,09 248,91 663,71	41,63 50,18 49,03	2 162,71 30,95	536,55 300,30	1 127,97 17 265,60	18 062,92 2 803,44
2.120.2	— Other ex 0807 19 00	120,95 417,60 1 113,51	69,85 84,19 82,26	3 628,37 51,92	900,16 503,81	1 892,39 28 966,50	30 304,15 4 703,34
2.140	Pears						
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	53,92 186,19 496,45	31,14 37,54 36,68	1 617,69 23,15	401,33 224,62	843,71 12 914,58	13 510,97 2 096,96
2.140.2	— Other ex 0808 20 50	73,85 254,99 679,92	42,65 51,41 50,23	2 215,53 31,70	549,65 307,63	1 155,52 17 687,31	18 504,11 2 871,92
2.150	Apricots 0809 10 00	705,36 2 435,47 6 494,04	407,35 491,00 479,75	21 160,80 302,81	5 249,78 2 938,25	11 036,49 168 933,72	176 735,00 27 430,04
2.160	Cherries 0809 20 95 0809 20 05	610,83 2 109,07 5 623,73	352,75 425,20 415,46	18 324,90 262,23	4 546,22 2 544,47	9 557,41 146 293,79	153 049,56 23 753,96
2.170	Peaches 0809 30 90	212,56 733,91 1 956,94	122,75 147,96 144,57	6 376,69 91,25	1 581,99 885,42	3 325,78 50 907,23	53 258,11 8 265,89
2.180	Nectarines ex 0809 30 10	241,14 832,62 2 220,15	139,26 167,86 164,01	7 234,34 103,52	1 794,77 1 004,51	3 773,09 57 754,16	60 421,22 9 377,64
2.190	Plums 0809 40 05	153,54 530,15 1 413,61	88,67 106,88 104,43	4 606,23 65,92	1 142,76 639,59	2 402,40 36 773,09	38 471,26 5 970,91
2.200	Strawberries 0810 10 00	103,01 355,67 948,38	59,49 71,71 70,06	3 090,30 44,22	766,67 429,10	1 611,76 24 670,90	25 810,19 4 005,85

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.205	Raspberries 0810 20 10	304,95	176,11	9 148,50	2 269,65	4 771,43	76 408,27
		1 052,93	212,28	130,92	1 270,30	73 035,52	11 858,90
		2 807,58	207,41				
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 455,44	840,52	43 663,20	10 832,40	22 772,69	364 675,05
		5 025,34	1 013,13	624,82	6 062,78	348 577,88	56 599,15
		13 399,80	989,92				
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	74,67	43,12	2 240,07	555,74	1 168,32	18 709,06
		257,82	51,98	32,06	311,04	17 883,23	2 903,73
		687,46	50,79				
2.230	Pomegranates ex 0810 90 95	193,25	111,60	5 797,50	1 438,30	3 023,71	48 420,72
		667,25	134,52	82,96	805,00	46 283,38	7 515,11
		1 779,19	131,44				
2.240	Khakis (including sharon fruit) ex 0810 90 95	264,65	152,84	7 939,52	1 969,72	4 140,88	66 310,88
		913,79	184,22	113,61	1 102,43	63 383,84	10 291,74
		2 436,56	180,00				
2.250	Lychees ex 0810 90	—	—	—	—	—	—

COMMISSION REGULATION (EC) No 752/2005**of 18 May 2005****fixing the rates of the refunds applicable to eggs and egg yolks 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 (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1(1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of 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 ⁽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 I to Regulation (EEC) No 2771/75.

- (2) In accordance with 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 a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

- (3) Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.

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

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(1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

ANNEX

Rates of the refunds applicable from 19 May 2005 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	12,00
		03	25,00
		04	6,00
	(b) On exportation of other goods	01	6,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption:		
	not sweetened	01	40,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid:		
	not sweetened	01	20,00
ex 0408 19 89	– – – – Frozen:		
	not sweetened	01	20,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption:		
	not sweetened	01	75,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption:		
	not sweetened	01	19,00

⁽¹⁾ The destinations are as follows:

01 Third countries, except Bulgaria as from 1 October 2004. For Switzerland and Lichtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported with effect from 1 February 2005,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 All destinations except Switzerland, Bulgaria as from 1 October 2004 and those falling within 02 and 03.

COMMISSION REGULATION (EC) No 753/2005**of 18 May 2005****on granting of import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements**

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 Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽²⁾,

Having regard to Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 ⁽³⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Article 9 of Regulation (EC) No 1159/2003 stipulates how the delivery obligations at zero duty of products of CN code 1701, expressed in white sugar equivalent, are to be determined for imports originating in signatory countries to the ACP Protocol and the Agreement with India.
- (2) Article 16 of Regulation (EC) No 1159/2003 stipulates how the zero duty tariff quotas for products of CN code 1701 11 10, expressed in white sugar equivalent, are to be determined for imports originating in signatory

countries to the ACP Protocol and the Agreement with India.

- (3) Article 22 of Regulation (EC) No 1159/2003 opens tariff quotas at a duty of EUR 98 per tonne for products of CN code 1701 11 10 for imports originating in Brazil, Cuba and other third countries.
- (4) In the week of 9 to 13 May 2005 applications were presented to the competent authorities in line with Article 5(1) of Regulation (EC) No 1159/2003 for import licences for a total quantity exceeding a country's delivery obligation quantity of ACP-India preferential sugar determined pursuant to Article 9 of that Regulation.
- (5) In these circumstances the Commission must set reduction coefficients to be used so that licences are issued for quantities scaled down in proportion to the total available and must indicate that the limit in question has been reached,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of import licence applications presented from 9 to 13 May 2005 in line with Article 5(1) of Regulation (EC) No 1159/2003 licences shall be issued for the quantities indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

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. 2).

⁽²⁾ OJ L 146, 20.6.1996, p. 1.

⁽³⁾ OJ L 162, 1.7.2003, p. 25. Regulation as last amended by Regulation (EC) No 568/2005 (OJ L 97, 15.4.2005, p. 9).

ANNEX

ACP-INDIA preferential sugar**Title II of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 9.-13.5.2005: percentage of requested quantity to be granted	Limit
Barbados	100	
Belize	0	reached
Congo	100	
Fiji	0	reached
Guyana	25,1272	reached
India	100	
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	0	reached
Mauritius	84,8900	reached
Mozambique	0	reached
Saint Kitts and Nevis	100	
Swaziland	95,2370	reached
Tanzania	100	
Trinidad and Tobago	100	
Zambia	100	
Zimbabwe	0	reached

Special preferential sugar**Title III of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 9.-13.5.2005: percentage of requested quantity to be granted	Limit
India	0	reached
ACP	100	

CXL concessions sugar**Title IV of Regulation (EC) No 1159/2003****2004/05 marketing year**

Country	Week of 9.-13.5.2005: percentage of requested quantity to be granted	Limit
Brazil	0	reached
Cuba	0	reached
Other third countries	0	reached

COMMISSION REGULATION (EC) No 754/2005
of 18 May 2005
fixing the export refunds on eggs applicable from 19 May 2005

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular the third subparagraph of Article 8(3) thereof,

Whereas:

- (1) Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that regulation and prices for those products on the Community market may be covered by an export refund.
- (2) It follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time.
- (3) The present market situation in certain third countries and that regarding competition makes it necessary to fix a refund differentiated by destination for certain products in the egg sector.
- (4) Article 21 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down detailed rules for the application of the system of export refunds on agricultural products ⁽²⁾, stipulates that no refund is granted if the products are not of sound and fair marketable

quality on the date on which the export declaration is accepted. In order to ensure uniform application of the rules in force, it should be stated that, in order to qualify for the refund, the egg products listed in Article 1 of Regulation (EEC) No 2771/75 must bear the health mark laid down in Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products ⁽³⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted and the amount of that refund shall be as shown in the Annex hereto.

However, in order to qualify for the refund, products falling within the scope of Chapter XI of the Annex to Directive 89/437/EEC must also satisfy the health marking conditions laid down in that Directive.

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

⁽³⁾ OJ L 212, 22.7.1989, p. 87. Directive as last amended by Regulation (EC) No 806/2003.

ANNEX

Export refunds on eggs applicable from 19 May 2005

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	E16	EUR/100 pcs	1,70
0407 00 19 9000	E16	EUR/100 pcs	0,80
0407 00 30 9000	E09	EUR/100 kg	12,00
	E10	EUR/100 kg	25,00
	E17	EUR/100 kg	6,00
0408 11 80 9100	E18	EUR/100 kg	40,00
0408 19 81 9100	E18	EUR/100 kg	20,00
0408 19 89 9100	E18	EUR/100 kg	20,00
0408 91 80 9100	E18	EUR/100 kg	75,00
0408 99 80 9100	E18	EUR/100 kg	19,00

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

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

The other destinations are defined as follows:

E09 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E16 all destinations except the United States of America and Bulgaria.

E17 all destinations except Switzerland, Bulgaria and those of E09 and E10.

E18 all destinations except Switzerland and Bulgaria.

COMMISSION REGULATION (EC) No 755/2005**of 18 May 2005****fixing the export refunds on poultrymeat applicable from 19 May 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽¹⁾, and in particular the third subparagraph of Article 8(3) thereof,

Whereas:

- (1) Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) It follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time.
- (3) Article 21 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down detailed rules for the application of the system of export refunds on agricultural products ⁽²⁾ stipulates that no refund is granted if the products are not of sound and fair marketable quality on the date on which the export declaration is accepted. In order to ensure uniform application of the

rules in force, it should be stated that, in order to qualify for the refund, the poultrymeat listed in Article 1 of Regulation (EEC) No 2777/75 must bear the health mark as laid down in Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat ⁽³⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted and the amount of that refund shall be as shown in the Annex hereto.

However, in order to qualify for the refund, products falling within the scope of Chapter XII of the Annex to Directive 71/118/EEC must also satisfy the health marking conditions laid down in that Directive.

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

⁽³⁾ OJ L 55, 8.3.1971, p. 23. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

ANNEX

Export refunds on poultrymeat applicable from 19 May 2005

Product code	Destination	Unit of measurement	Amount of refund
0105 11 11 9000	A02	EUR/100 pcs	0,80
0105 11 19 9000	A02	EUR/100 pcs	0,80
0105 11 91 9000	A02	EUR/100 pcs	0,80
0105 11 99 9000	A02	EUR/100 pcs	0,80
0105 12 00 9000	A02	EUR/100 pcs	1,70
0105 19 20 9000	A02	EUR/100 pcs	1,70
0207 12 10 9900	V01	EUR/100 kg	36,00
0207 12 10 9900	A24	EUR/100 kg	36,00
0207 12 90 9190	V01	EUR/100 kg	36,00
0207 12 90 9190	A24	EUR/100 kg	36,00
0207 12 90 9990	V01	EUR/100 kg	36,00
0207 12 90 9990	A24	EUR/100 kg	36,00

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

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

The other destinations are defined as follows:

V01 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, United Arab Emirates, Jordan, Yemen, Lebanon, Iraq and Iran.

COMMISSION REGULATION (EC) No 756/2005**of 18 May 2005****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending
Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 19 May 2005.

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

Done at Brussels, 18 May 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 563/2005 (OJ L 95, 14.4.2005, p. 42).

ANNEX

to the Commission Regulation of 18 May 2005 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “70 % chickens”, or otherwise presented, frozen	80,2	3	01
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	80,2	11	01
		101,8	5	03
0207 14 10	Boneless cuts of fowl of the species Gallus domesticus, frozen	153,0	54	01
		165,0	48	02
		183,4	38	03
		286,0	4	04
0207 14 50	Breasts of chicken, frozen	140,4	22	01
0207 14 70	Other cuts of chicken, frozen	138,0	54	01
		160,0	43	03
0207 27 10	Boneless cuts of turkey, frozen	201,0	29	01
		238,7	17	04
1602 32 11	Preparations of uncooked fowl of the species Gallus domesticus	162,0	43	01
		196,8	27	03

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Thailand
- 03 Argentina
- 04 Chile.

COMMISSION REGULATION (EC) No 757/2005**of 18 May 2005****amending for the 46th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

- (2) On 16 May 2005, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 18 May 2005.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 717/2005 (OJ L 121, 13.5.2005, p. 62).

ANNEX

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

The following entries shall be added under the heading 'Natural persons':

1. Joko Pitono (*alias* (a) Joko Pitoyo, (b) Joko Pintono, (c) Dulmatin, (d) Dul Matin, (e) Abdul Martin, (f) Abdul Matin, (g) Amar Umar, (h) Amar Usman, (i) Anar Usman, (j) Djoko Supriyanto, (k) Jak Imron, (l) Mukhtar, (m) Novianto, (n) Topel). Date of birth: (a) 16.6.1970, (b) 6.6.1970. Place of birth: Petarukan village, Pemalang, Central Java, Indonesia. Nationality: Indonesian.
 2. Abu Rusdan (*alias* (a) Abu Thoriq, (b) Rusdjan, (c) Rusjan, (d) Rusydan, (e) Thoriquddin, (f) Thoriquiddin, (g) Thoriquidin, (h) Toriquuddin). Date of birth: 16.8.1960. Place of birth: Kudus, Central Java, Indonesia.
 3. Zulkarnaen (*alias* (a) Zulkarnan, (b) Zulkarnain, (c) Zulkarnin, (d) Arif Sunarso, (e) Aris Sumarsono, (f) Aris Sunarso, (g) Ustad Daud Zulkarnaen, (h) Murshid). Date of birth: 1963. Place of birth: Gebang village, Masaran, Sragen, Central Java, Indonesia. Nationality: Indonesian.
-

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 April 2005

establishing a group of non-governmental experts on corporate governance and company law

(2005/380/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community,

Article 1

A group of non-governmental experts on corporate governance and company law in the Community (hereinafter referred to as 'the Group') is established.

Whereas:

(1) The Commission Action Plan on Modernising Company Law and Enhancing Corporate Governance in the European Union ⁽¹⁾ adopted in May 2003 identified a series of actions that are required in order to modernise, complete and simplify the regulatory framework for company law and corporate governance.

Article 2

The role of the Group shall be to provide technical advice to the Commission on the Commission's initiatives in the field of corporate governance and company law at the Commission's request. The chairman of the Group may suggest that the Commission consults the Group on any related matter.

(2) That Action Plan recognises the importance of expert and public consultation as an integral part of the development of company law and corporate governance at Community level.

Article 3

The Group shall comprise a maximum of 20 members, from the business and the academic communities or the civil society, whose experience and competence regarding corporate governance and company law issues are widely recognised at Community level. The members of the Group shall be appointed by the Commission. Appointment shall be in a personal capacity. Members of the Group shall provide advice to the Commission independently of any outside instruction.

(3) The group of non-governmental experts on corporate governance and company law should therefore be established to serve as a body for reflection, debate and advice to the Commission in the field of corporate governance and company law, in particular in connection with the measures foreseen in the Action Plan; it is therefore appropriate to provide for the presence in this group of particularly well-qualified persons, active in the business and the academic communities or the civil society, capable of bringing their specific knowledge of corporate governance and company law at Community level.

The list of members is reproduced in the Annex.

Article 4

(4) The group of non-governmental experts on corporate governance and company law should draw up its own Rules of Procedure and fully respect the role and the prerogatives of the institutions,

The term of office of members of the Group shall be three years. It shall be renewable. After the expiry of the three-year period, members of the Group shall remain in office until they are replaced or their appointments are renewed. In the event of resignation or death of a member of the Group during the period of appointment the Commission shall appoint a new member of the Group in accordance with Article 3.

⁽¹⁾ COM(2003) 284 final.

Article 5

The list of members shall be published by the Commission in the *Official Journal of the European Union*.

Article 6

The Group shall be chaired by a representative of the Commission.

The Group, in agreement with the Commission, may set up working groups to study specific subjects on the basis of a mandate. The working groups will be dissolved as soon as their mandates are fulfilled.

The Commission may invite experts and observers with specific knowledge to participate in the work of the Group and/or of the working groups.

Article 7

The Group and the working groups shall normally meet at the Commission premises, in the form and according to the timetable determined by the Commission.

The Group shall adopt its Rules of Procedure on the basis of a draft presented by the Commission.

The Secretariat of the Group shall be provided by the Commission. Interested staff members from the Commission may be present at meetings of the Group and of the working groups and may take part in the debates.

The Commission may publish on the Internet, in the original language of the document concerned, any conclusion, summary, part conclusion or working paper relating to the Group or its working groups.

Article 8

Travel and subsistence expenses incurred by members, observers and experts, in connection with the activities of the Group, shall be reimbursed by the Commission in accordance with the provisions in force within the Commission. Their functions shall not be remunerated.

Article 9

This Decision shall apply until 27 April 2008.

Done at Brussels, 28 April 2005.

For the Commission

Charlie McCREEVY

Member of the Commission

ANNEX

LIST OF MEMBERS

Gintautas BARTKUS
Theodor BAUMS
Francesco CHIAPPETTA
Thomas COURTNEY
Jean-Pierre HELLEBUYCK
Erich KANDLER
Mrs Vanessa KNAPP
Vratislav KULHÁNEK
Jukka MÄHÖNEN
Stilpon NESTOR
Jesper Bo NIELSEN
Józef OKOLSKI
Leonardo PEKLAR
Colin PERRY
Enrique PIÑEL LÓPEZ
Geert RAAIJMAKERS
Mrs Joëlle SIMON
Mario STELLA-RICHTER
Mrs Daniela WEBER-REY
Patrick ZURSTRASSEN

COMMISSION DECISION

of 4 May 2005

establishing a questionnaire for reporting on the application of Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

*(notified under document number C(2005) 1359)***(Text with EEA relevance)**

(2005/381/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC⁽¹⁾, and in particular Article 21(1) thereof,

Whereas:

- (1) The questionnaire to be used by the Member States for the purpose of drawing up the annual reports on the implementation of Directive 2003/87/EC should aim at establishing a detailed account of the application by the Member States of the chief measures laid down in that Directive as well as of the following measures, to the extent that they are closely linked to the implementation of Directive 2003/87/EC: Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control⁽²⁾, Commission Decision 2004/156/EC of 29 January 2004 establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council⁽³⁾, and Commission Regulation (EC) No 2216/2004 of 21 December 2004 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council⁽⁴⁾. It should be appropriate to review the questionnaire at regular intervals.
- (2) The first report is due by 30 June 2005. However, it is desirable to have one annual report covering the first whole year of operation of the scheme. The first report should therefore cover the period from 1 January 2005 to 30 April 2005, and the second report, due by 30 June 2006, should cover the period from 1 January 2005 to 31 December 2005. Subsequent reports should be

submitted to the Commission by 30 June each year and should cover the preceding calendar year from 1 January to 31 December.

- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee established in accordance with Article 6 of Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports in the implementation of certain Directives relating to the environment⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall use the questionnaire set out in the Annex for the purpose of drawing up the annual report to be submitted to the Commission pursuant to Article 21(1) of Directive 2003/87/EC.

Article 2

The first report, which is due for submission by 30 June 2005, shall cover the four-month period from 1 January 2005 to 30 April 2005.

Subsequent reports shall be submitted to the Commission by 30 June each year and shall cover the preceding calendar year from 1 January to 31 December commencing with the calendar year 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2005.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 275, 25.10.2003, p. 32. Directive as amended by Directive 2004/101/EC (OJ L 338, 13.11.2004, p. 18).

⁽²⁾ OJ L 257, 10.10.1996, p. 26. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 59, 26.2.2004, p. 1.

⁽⁴⁾ OJ L 386, 29.12.2004, p. 1.

⁽⁵⁾ OJ L 377, 31.12.1991, p. 48.

ANNEX

PART 1

QUESTIONNAIRE ON THE IMPLEMENTATION OF DIRECTIVE 2003/87/EC**1. Details of institution submitting the report**

1. Name of contact person:
2. Official title of contact person:
3. Name and department of organisation:
4. Address:
5. International telephone number:
6. International telefax number:
7. E-mail:

2. Competent authorities

Question 2.1 is to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 2.1. Please list the competent authorities and their tasks.

3. Coverage of activities and installations

Questions 3.1 to 3.3 are to be answered in the first report ⁽¹⁾ of each trading period and in subsequent reports if changes were made during the reporting period:

- 3.1. How many installations carry out each of the activities listed in Annex I to Directive 2003/87/EC? For each activity, please indicate the number of installations that have been unilaterally included, if any.

In answering this question, use Table 1 of Part 2 of this Annex. It should furthermore be noted that the same installation can carry out activities falling under different subheadings. Indicate all relevant activities (even if this means that the installation is counted more than once).

- 3.2. How many of the combustion installations have a rated thermal input that exceeds 20 MW but is below 50 MW? In total, how many CO₂ equivalents were emitted by these installations in the reporting period?
- 3.3. How many of the covered installations emit less than 10 000 tonnes CO₂ equivalents, 10 000 to 25 000, 25 000 to 50 000, 50 000 to 500 000 or more than 500 000 tonnes CO₂ equivalents annually? By percentage, how are the total emissions covered by the Directive distributed over these classes?
- 3.4. What changes occurred during the reporting period in comparison with the national allocation plan table as entered into the Community Independent Transaction Log (new entrants, closures)?

In answering this question, use Table 2 of Part 2 of this Annex.

- 3.5. Did the competent authority receive any application(s) during the reporting period from operators who wish to form a pool pursuant to Article 28 of Directive 2003/87/EC? If yes, which Annex I activity did the application refer to?

Any information given in reply to this question will not be published.

- 3.6. Is there any other relevant information concerning the coverage of installations and activities in your country? If so, please specify.

⁽¹⁾ Where not possible to give complete information in the first report, please give an estimate and forward the complete information in the second report.

4. The issue of permits for installations

Questions 4.1 to 4.4 are to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 4.1. What measures have been taken to ensure that operators comply with the requirements of their greenhouse gas emissions permits?
- 4.2. How does national law ensure that the conditions of and the procedure for the issue of a permit are fully coordinated where more than one competent authority is involved? How does this coordination work in practice?
- 4.3. What measures have been taken to ensure that, where installations carry out activities that are included in Annex I to Directive 96/61/EC, the conditions of, and procedure for, the issue of a greenhouse gas emissions permit are coordinated with those for the permit provided for in that Directive? Have the requirements laid down in Articles 5, 6 and 7 of Directive 2003/87/EC been integrated into the procedures provided for in Directive 96/61/EC? If so, how was this integration performed?
- 4.4. What are the legislative provisions, procedures and practice concerning updating of permit conditions by the competent authority pursuant to Article 7 of Directive 2003/87/EC?
- 4.5. How many permits were updated during the reporting period because of a change in the nature or functioning, or extension, of installations made by operators as specified under Article 7 of Directive 2003/87/EC? Please provide for each category (capacity increase, capacity decrease, change in process type, etc.) how many permits were updated.
- 4.6. Is there any other relevant information concerning the issue of permits for installations in your country? If so, please specify.

5. Application of the monitoring and reporting guidelines

For the first report, complete information may not be available for questions 5.1 to 5.7. Reply to those questions as fully as possible in the first report.

- 5.1. Which approaches and methods were used to monitor emissions from installations (cf. Decision 2004/156/EC establishing guidelines for the monitoring and reporting of greenhouse gas emissions)?

In answering this question, use Table 3 of Part 2 of this Annex. The information required in Table 3 need only be given for installations with annual reported emissions of more than 500 000 tonnes CO₂ per year.

- 5.2. If the minimum tiers specified in Table 1 in Section 4.2.2.1.4 of Annex I to Decision 2004/156/EC were not technically feasible, please indicate for each installation for which this situation occurred the coverage of emissions, the activity, the tier category (activity data, net calorific value, emission factor, oxidation factor or conversion factor) and the monitoring approach/tier agreed in the permit.

In answering this question, use columns A to I of Table 3 of Part 2 of this Annex. The information required in Table 3 need only be given for installations with annual reported emissions of less than 500 000 tonnes CO₂ per year.

- 5.3. Which installations temporarily applied different tier methods than those agreed with the competent authority?

In answering this question, use Table 4 of Part 2 of this Annex.

- 5.4. In how many installations was continuous emissions measurement applied? Please indicate the number of installations per activity listed in Annex I to Directive 2003/87/EC and within each activity per subcategory based on reported annual emissions (less than 50 kt, 50 to 500 kt and over 500 kt).

In answering this question, use Table 5 of Part 2 of this Annex.

- 5.5. How much CO₂ was transferred from installations? Please indicate the number of tonnes of CO₂ transferred pursuant to section 4.2.2.1.2 of Annex I to Decision 2004/156/EC and the number of installations that transferred CO₂ for each activity listed in Annex I to Directive 2003/87/EC.

- 5.6. How much biomass was combusted or employed in processes? Please indicate the quantity of biomass as defined in paragraph 2(d) of Annex I to Decision 2004/156/EC combusted (TJ) or employed (t or m³) for each activity of Annex I to Directive 2003/87/EC.

The organic fraction of any waste combusted or used as input material should be included here.

- 5.7. What was the total quantity of CO₂ emissions from waste used as fuel or input material? Please submit a percentage breakdown of any such emissions per waste type.
- 5.8. Please submit sample monitoring and reporting documents from some temporarily excluded installations, if applicable.

Question 5.9 is to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 5.9. What measures have been taken to coordinate reporting requirements with any existing reporting requirements in order to minimise the reporting burden on businesses?
- 5.10. Is there any other relevant information concerning the application of the monitoring and reporting guidelines in your country? If so, please specify.

6. Arrangements for verification

Questions 6.1 to 6.4 are to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 6.1. Please describe the framework for verification of emissions from installations, in particular the role of the competent authorities and other verifiers in the verification process.
- 6.2. Please submit documents setting out the accreditation criteria for verifiers.

If the documents are available on the Internet, it is sufficient to include a link to the website.

- 6.3. Are verifiers who have been accredited in another Member State subject to an additional accreditation process before being able to carry out verifications? If yes, please briefly describe the procedure and why it is considered necessary.
- 6.4. Please submit any verification guidance provided for accredited verifiers and documents setting out the mechanisms for supervision and quality assurance for verifiers if available.

If the documents are available on the Internet, it is sufficient to include a link to the website.

- 6.5. Did any operator not provide an emission report verified as satisfactory by 31 March of the reporting period? If so, please provide a list of the installations concerned and reasons for non-validation.

In answering this question, use Table 6 of Part 2 of this Annex.

- 6.6. Did the competent authority carry out any independent checks on verified reports? If yes, please describe how additional checks were undertaken and/or how many reports were checked.
- 6.7. Did the competent authority instruct the registry administrator to correct the annual verified emissions for the previous year for any installation(s) to ensure compliance with the detailed requirements established by the Member State pursuant to Annex V to Directive 2003/87/EC?

Indicate any corrections in Table 6 of Part 2.

- 6.8. Is there any other relevant information concerning the arrangements for verification in your country? If so, please specify.

7. **Operation of registries**

Questions 7.1 and 7.2 are to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 7.1. Please provide any terms and conditions required to be signed by account holders and provide a description of the identity check of persons undertaken before creating holding accounts (cf. Regulation (EC) No 2216/2004 for a standardised and secured system of registries).
- 7.2. What fees are charged, if any? Please give details.
- 7.3. What steps were taken pursuant to Article 28(2) of Regulation (EC) No 2216/2004 to prevent reoccurrences of discrepancies discovered by the Community Independent Transaction Log?
- 7.4. Please provide a summary of all security alerts relevant to the national registry which have occurred during the reporting period, how they were addressed and the time taken for resolution.
- 7.5. Please state how many minutes for each month of the reporting period the national registry was unavailable to its users (a) due to scheduled downtime, and (b) due to unforeseen problems.
- 7.6. Please list and provide details on each upgrade to the national registry scheduled for the next reporting period.
- 7.7. Is there any other relevant information concerning the operation of registries in your country? If so, please specify.

8. **Arrangements for the allocation of allowances — new entrants — closures**

Questions 8.1 to 8.2 are to be answered in the first report after each notification and allocation procedure under Articles 9 and 11 of Directive 2003/87/EC:

- 8.1. Looking back at the completed allocation process, please describe the main lessons learnt by your authorities, and how you think they will influence your approach to the next allocation process?
- 8.2. Do you have any suggestions for the improvement of future notification and allocation processes for the EU as a whole?
- 8.3. How many allowances were allocated to the new entrants listed in Table 2, if any? Please give the installation identification code for the new entrant and the transaction identification code associated with the allocation of allowances.

In answering this question, use Table 2 of Part 2 of this Annex.

- 8.4. How many allowances were left in any new entrants reserve at the end of the reporting period, and what share do they represent of the original reserve?
- 8.5. If auctioning was used as an allocation method, how many auctions were held during the reporting period, how many allowances were auctioned during each auction, what share do they represent of the total quantity of allowances for the trading period, what was the price per allowance at each auction and what use was made of allowances not purchased at the auction(s)? Please also list the transaction identification codes associated with the allocation of auctioned allowances.
- 8.6. How were allowances treated that had been allocated but were not issued to installations that closed during the reporting period?

Question 8.7 is to be answered in the first report following the end of the trading periods set out in Article 11(1) and (2) of Directive 2003/87/EC:

- 8.7. Were allowances remaining in the new entrants' reserve at the end of the trading period cancelled or auctioned?
- 8.8. Is there any other relevant information concerning the arrangements for allocation, new entrants and closures in your country? If so, please specify.

9. Surrender of allowances by operators

- 9.1. In all cases where an account in the registry was closed because there was no reasonable prospect of further allowances being surrendered by the installation's operator, please describe why there was no reasonable further prospect and state the amount of outstanding allowances.
- 9.2. Is there any other relevant information concerning the surrender of allowances by operators in your country? If so, please specify.

10. Use of Emission Reduction Units (ERUs) and Certified Emission Reductions (CERs) in the Community scheme

Questions 10.1 and 10.2 are to be answered annually starting with the report submitted in 2006 as regards CERs and starting with the report submitted in 2009 as regards ERUs:

- 10.1. How many CERs and ERUs were used by operators pursuant to Article 11(a) of Directive 2003/87/EC? Please list, for CERs and ERUs separately, the sum of units used and the total number of operators who used them.
- 10.2. Have ERUs and CERs been issued for which an equal number of allowances had to be cancelled pursuant to Article 11b(3) or (4) of Directive 2003/87/EC because the JI or CDM project activities reduce or limit directly or indirectly the emission level of installations falling under the scope of that Directive? If so, please provide the sum of allowances cancelled and the total number of operators concerned separately for cancellation pursuant to Article 11b(3) and pursuant to Article 11b(4).

Question 10.3 is to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 10.3. What measures have been taken to ensure that relevant international criteria and guidelines, including those contained in the World Commission on Dams year 2000 Final Report, will be respected during the development of hydroelectric power production projects with a generating capacity exceeding 20 MW?
- 10.4. Is there any other relevant information concerning the use of ERUs and CERs in the Community scheme in your country? If so, please specify.

11. Issues related to compliance with the Directive

- 11.1. Where penalties were imposed pursuant to Article 16(1) for infringements of national provisions, please state the relevant national provisions and the penalties imposed.
- 11.2. Please provide the names of operators for which excess emission penalties were imposed pursuant to Article 16(3).

In answering this question, it is sufficient to provide a reference to the publication of the names under Article 16(2).

- 11.3. Is there any other relevant information related to compliance with the Directive in your country? If so, please specify.

12. The legal nature of allowances and fiscal treatment

Questions 12.1 to 12.3 are only to be answered in the first report and in subsequent reports if changes were made during the reporting period:

- 12.1. What is the legal status given to an allowance for the purposes of accounting, financial legislation and taxation?
- 12.2. If your Member State allocates allowances other than for free, please explain how such allocation is made (e.g. the way in which auctioning is undertaken)?

- 12.3. If your Member State allocates allowances for payment, is VAT due on the transaction?
- 12.4. Is there any other relevant information concerning the legal nature of allowances and their fiscal treatment in your country? If so, please specify.

13. Access to information pursuant to Article 17

- 13.1. Where are decisions relating to the allocation of allowances, information on project activities in which a Member State participates or authorises private or public entities to participate, and reports of emissions required under the greenhouse gas emissions permit and held by the competent authority made available to the public?
- 13.2. Is there any other relevant information concerning the access to information pursuant to Article 17 in your country? If so, please specify.

14. General observations

- 14.1. Are there any particular implementation issues that give rise to concerns in your country? If so, please specify.

PART 2

Table 1

Number of installations per Annex I activity

Member State:

Reporting period:

Annex I activities		Number of installations ^(a)
	Energy activities	
E1	Combustion installations with a rated thermal input exceeding 20 MW (excepting hazardous or municipal waste installations)	
E2	Mineral oil refineries	
E3	Coke ovens	
	Production and processing of ferrous metals	
F1	Metal ore (including sulphide ore) roasting or sintering installations	
F2	Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2,5 tonnes per hour	
	Mineral industry	
M1	Installations for the production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or lime in rotary kilns with a production capacity exceeding 50 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day	
M2	Installations for the manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day	
M3	Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day, and/or with a kiln capacity exceeding 4 m ³ and with a setting density per kiln exceeding 300 kg/m ³	
	Other activities	
	Industrial plants for the production of	
O1	(a) pulp from timber or other fibrous materials	
O2	(b) paper and board with a production capacity exceeding 20 tonnes per day	

^(a) The same installation can carry out activities falling under different subheadings. All relevant activities should be indicated (even if this means that the installation is counted more than once).

Table 2
Changes to list of installations

Member State:

Reporting period:

A	B	C	D	E	F	G	H	I	J
Permit ID code	Installation Installation ID code	Operator Name	Main Annex I activity ^(a)	Other Annex I activities ^(a)	Main non-Annex I activity ^(b)	Change compared with instal- lations included in NAP ^(c)	Allowances allocated or issued ^(d) Quantity Year(s)	Transaction identification code ^(e)	

^(a) The same installation can carry out activities falling under different subheadings. All relevant activities should be indicated. Please use the codes for Annex I activities listed in Table 1.

^(b) The main activity at an installation can be other than an Annex I activity. Please fill in where relevant.

^(c) Please indicate 'new entrant' or 'closure'.

^(d) For new entrants, please indicate the years for which the quantity of allowances was allocated. For closures, please indicate allowances issued during the remaining trading period, if applicable.

^(e) For new entrants, please indicate the code associated with the allocation of the allowances.

Table 3

Monitoring methods applied (only for installations with annual reported CO₂ emissions of more than 500 000 tonnes per year and for installations for which it has not been technically feasible to use the minimum tiers specified in Table 1 of Section 4.2.2.1.4 of Decision 2004/156/EC)

Member State:

Reporting period:

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Permit ID code	Installation ID code	Main Annex I activity ^(a)	Total annual emissions ^(b) t CO ₂	Activity data Tier	Emission factor Tier	Tier chosen ^(c)		Fuel or activity type ^(d)	Emission factor Value	Unit ^(f)	Value ^(e)		Oxidation factor %
						Net calorific value	Oxidation factor Tier				Net calorific value	Unit ^(g)	

^(a) The same installation can carry out activities falling under different subheadings. The main Annex I activity should be indicated. Please use the codes for Annex I activities listed in Table 1.

^(b) Verified emissions if available, otherwise emissions as reported by the operator.

^(c) Only to be filled out if emissions are calculated.

^(d) Hard coal, natural gas, steel, lime, etc. Please use a separate line for each fuel or activity if more than one fuel or activity is carried out in the same installation.

^(e) Columns J to N only need to be filled out for installations with reported CO₂ emissions of more than 500 000 tonnes per year.

^(f) kg CO₂/kWh, t CO₂/kg, etc.

^(g) kJ/kg, kJ/m³, etc.

Table 4
Temporary change of monitoring method

Member State:

Reporting period:

A	B	C	D	E	F	G	H	I	J
Permit ID code	Installation	Annex I activity ^(a)	Total annual emissions t CO ₂	Affected monitoring parameter ^(b)	Original method approved Tier	Temporary method applied Tier	Reason for temporary change ^(c)	Period of temporary suspension until restoration of appropriate tier method Beginning Month/year	End Month/year

^(a) The same installation can carry out activities falling under different subheadings. The main activity should be indicated. Please use the codes for Annex I activities listed on Table 1.

^(b) Please use the following notation keys: activity data (AD), net calorific value (NCV), emission factor (EF), composition data (CD), oxidation factor (OF), conversion factor (CF). If several values in an installation are affected, fill out one row per value.

^(c) Please use the following notation keys: failure in measurement devices (FMD), temporary lack of data (TLD), changes in installation, fuel type, etc. (CIF), other (please specify).

Table 5

Number of installations applying continuous emission measurement

Member State:

Reporting period:

A	B	C	D
Main Annex I activity ^(a)	< 50 000 t CO ₂ e	50 000 to 500 000 t CO ₂ e	> 500 000 t CO ₂ e
E1			
E2			
E3			
F1			
F2			
M1			
M2			
M3			
O1			
O2			

^(a) Please refer to Table 1 for a description of the Annex I activity codes. If an installation carries out more than one activity, it should only be counted once under its main Annex I activity.

Table 6
Emissions reports under Article 14(3) not validated as satisfactory

Member State:

Reporting period:

A	B	C	D	E	F	G
Installation Permit ID code	Installation ID code	Emissions reported from installations t CO ₂	Allowances surrendered t CO ₂	Allowances blocked in operator holding account t CO ₂	Reason for non-validation of emission report ⁽⁴⁾	Correction of verified emissions by competent authority t CO ₂

⁽⁴⁾ Please use the following notation keys: reported data is not free of inconsistencies (NFI), collection of data has not been carried out in accordance with the applicable scientific standards (NASS), relevant records of installation are not complete and/or consistent (RNC), verifier was not provided with access to all sites and information related to the subject of verification (VNA), no report was produced (NR), other (please specify).

COMMISSION DECISION

of 18 May 2005

authorising methods for grading pig carcasses in Hungary

(notified under document number C(2005) 1448)

(Only the Hungarian text is authentic)

(2005/382/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

commercial practice or technical requirements warrant such a derogation.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

(1) Article 2(3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass. The authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment. This tolerance was defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽²⁾.

(2) The Government of Hungary has requested the Commission to authorise four methods for grading pig carcasses and has submitted the results of its dissection trials which were executed before the day of accession, by presenting part two of the protocol provided for in Article 3 of Regulation (EEC) No 2967/85.

(3) The evaluation of this request has revealed that the conditions for authorising these grading methods are fulfilled.

(4) Article 2 of Regulation (EEC) No 3220/84 lays down that Member States may be authorised to provide for a presentation of pig carcasses different from the standard presentation defined in the same Article where

(5) In Hungary the traditions in carcass presentation and, consequently, commercial practice, necessitate that carcasses can be presented with flare fat and diaphragm. This should be taken into account in adjusting the weight recorded to the weight for standard presentation.

(6) No modification of the apparatus or grading methods may be authorised except by means of a new Commission Decision adopted in the light of experience gained. For this reason, the present authorisation may be revoked.

(7) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Hungary:

(a) the apparatus termed *Fat-O-Meater FOM S70* and *Fat-O-Meater FOM S71* and the assessment methods related thereto, details of which are given in Part 1 of the Annex;

(b) the apparatus termed *Uni-Fat-O-Meater FOM S89 (UNIFOM)* and the assessment methods related thereto, details of which are given in Part 2 of the Annex;

(c) the apparatus termed *Ultra FOM 200* and the assessment methods related thereto, details of which are given in Part 3 of the Annex;

⁽¹⁾ OJ L 301, 20.11.1984, p. 1. Regulation as last amended by Regulation (EC) No 3513/93 (OJ L 320, 22.12.1993, p. 5).

⁽²⁾ OJ L 285, 25.10.1985, p. 39. Regulation as amended by Regulation (EC) No 3127/94 (OJ L 330, 21.12.1994, p. 43).

(d) the apparatus termed *Fully automatic ultrasonic carcase grading (AUTOFOM)* and the assessment methods related thereto, details of which are given in Part 4 of the Annex.

As regards the apparatus 'Ultra FOM 200', referred to in point (c) of the first paragraph, it is laid down that after the end of the measurement procedure it must be possible to verify on the carcase that the apparatus measured the values of measurement SZ_1 and SZ_2 on the site provided for in Part 3(3) of the Annex. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

Article 2

Notwithstanding the standard presentation referred to in Article 2(1) of Regulation (EEC) No 3220/84, the flare fat and the diaphragm need not be removed from pig carcases before being weighed and graded. In order to establish quotations for pig carcases on a comparable basis, the recorded hot weight shall be reduced:

(a) for diaphragm by 0,35 %

(b) for flare fat by 1,68 %.

Article 3

Modifications of the apparatus or the assessment methods shall not be authorised.

Article 4

This Decision is addressed to the Republic of Hungary.

Done at Brussels, 18 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

Methods for grading pig carcasses in Hungary**Part I***FAT-O-MEATER FOM S70 AND FAT-O-MEATER FOM S71*

1. Grading of pig carcasses shall be carried out by means of the apparatus termed as *Fat-O-Meater FOM S70* and *Fat-O-Meater FOM S71*.
2. The apparatus shall be equipped with a probe of 6 millimetres (mm) diameter containing an optical sonde of the Fremstillet AF Radiometer Copenhagen/Slagteriernes Forskningsinstitut Optisk Sonde MQ type and having an operating distance of between 5 and 105 mm. The results of the measurements are converted into estimated lean meat content by means of a computer type S70 and S71 respectively.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{Y} = 54,043661 - 0,170496 \times SZ_1 - 0,568425 \times SZ_2 + 0,215384 \times H_2 + 0,048995 \times W$$

where:

$\hat{Y}$ = the estimated lean meat content (in percentage)

SZ_1 = back fat thickness measured in millimetres at measuring point P1 (at 8 cm off the midline of the carcase between the third and fourth lumbar vertebrae)

SZ_2 = back fat thickness measured in millimetres at measuring point P2 (at 6 cm off the midline of the carcase between the third and fourth last ribs)

H_2 = muscle thickness measured in millimetres at measuring point P2 (at 6 cm off the midline of the carcase between the third and fourth last ribs)

W = warm weight of the carcase (kg).

This formula shall be valid for carcasses weighing between 50 and 120 kg.

Part 2*UNI-FAT-O-MEATER FOM S89 (UNIFOM)*

1. Grading of pig carcasses shall be carried out by means of the apparatus termed *Uni-Fat-O-Meater FOM S89 (UNIFOM)*.
2. The apparatus is the same as the apparatus described under point 2 of Part 1. However, Unifom differs from FOM with regard to computer and software for the interpretation of the reflection profile from the optical probe. Furthermore, Unifom is not connected with the weighing instrument.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{Y} = 53,527 - 0,127 \times SZ_1 - 0,563 \times SZ_2 + 0,283 \times H_2$$

where:

$\hat{Y}$ = estimated lean meat content (in percentage)

SZ_1 = back fat thickness measured in millimetres at measuring point P1 (at 8 cm off the midline of the carcase between the third and fourth lumbar vertebrae)

SZ_2 = back fat thickness measured in millimetres at measuring point P2 (at 6 cm off the midline of the carcase between the third and fourth last ribs)

H_2 = muscle thickness measured in millimetres at measuring point P2 (at 6 cm off the midline of the carcase between the third and fourth last ribs).

This formula shall be valid for carcasses weighing between 50 and 120 kilograms.

Part 3*ULTRA FOM 200*

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Ultra FOM 200'.
2. The apparatus shall be equipped with an ultrasonic probe at 4 MHz (Krautkrämer MB 4 SE). The ultrasonic signal is digitised, stored and processed by a micro-processor (type Intel 80 C 32). The results of the measurements shall be converted into estimated lean meat content by means of the Ultra-FOM apparatus itself.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{Y} = 59,989 - 0,265 \times SZ_1 - 0,402 \times SZ_2 + 0,007625 \times H_2 + 0,08837 \times W$$

where:

$\hat{Y}$ = estimated lean meat content (in percentage)

SZ_1 = back fat thickness measured in millimetres at measuring point P1 (at 7 cm off the midline of the carcase between the third and fourth lumbar vertebrae)

SZ_2 = back fat thickness measured in millimetres at measuring point P2 (at 7 cm off the midline of the carcase between the third and fourth last ribs)

H_2 = muscle thickness measured in millimetres at measuring point P2 (at 7 cm off the midline of the carcase between the third and fourth last ribs)

W = warm weight of the carcase (kg).

This formula shall be valid for carcasses weighing between 50 and 120 kilograms.

Part 4*FULLY AUTOMATIC ULTRASONIC CARCASS GRADING (AUTOFOM)*

1. Grading of pig carcasses shall be carried out by means of the apparatus termed *AUTOFOM* (*Fully automatic ultrasonic carcass grading*).
2. The apparatus shall be equipped with 16 ultrasonic transducers, 2 MHz (Krautkrämer, SFK 2 NP), with an operating distance between each transducers of 25 mm.

The ultrasonic data shall comprise measurements of back-fat thickness and muscle thickness.

The results of the measurements are converted into estimated lean meat content using a computer.

3. The lean meat content of the carcass shall be calculated on the basis of 60 measurement points using the following formula:

$$\hat{y} = 52,698684 - 0,033320 x_1 - 0,027910 x_2 - 0,033369 x_3 - 0,042006 x_4 - 0,044693 x_5 - 0,038184 x_6 - 0,021688 x_7 - 0,023770 x_8 - 0,020832 x_9 - 0,018833 x_{10} - 0,014692 x_{11} - 0,018321 x_{12} - 0,025358 x_{13} - 0,024304 x_{14} - 0,026339 x_{15} - 0,020495 x_{16} - 0,016825 x_{17} - 0,019075 x_{18} - 0,021736 x_{19} - 0,020635 x_{20} - 0,019779 x_{21} - 0,027397 x_{22} - 0,023439 x_{23} - 0,022317 x_{24} - 0,024994 x_{25} - 0,026247 x_{26} - 0,023531 x_{27} - 0,019013 x_{28} - 0,027384 x_{29} - 0,031072 x_{30} - 0,028046 x_{31} - 0,025150 x_{32} - 0,023167 x_{33} - 0,024394 x_{34} - 0,026832 x_{35} - 0,024874 x_{36} - 0,018853 x_{37} - 0,021229 x_{38} - 0,028275 x_{39} - 0,027372 x_{40} - 0,018172 x_{41} - 0,017360 x_{42} - 0,019780 x_{43} - 0,022921 x_{44} - 0,023974 x_{45} - 0,024597 x_{46} - 0,013694 x_{47} - 0,014177 x_{48} - 0,016137 x_{49} - 0,016805 x_{50} - 0,017700 x_{51} - 0,022157 x_{52} - 0,027827 x_{53} + 0,051671 x_{54} + 0,049577 x_{55} + 0,049119 x_{56} + 0,050793 x_{57} + 0,050356 x_{58} + 0,050666 x_{59} + 0,053370 x_{60}$$

where:

$\hat{y}$ = the estimated lean meat percentage,

$x_1, x_2 \dots x_{60}$ are the variables measured by AutoFom.

4. Descriptions of the measurement points and the statistical method can be found in Part II of the Hungarian protocol forwarded to the Commission in accordance with Article 3(3) of Regulation (EEC) No 2967/85.

This formula shall be valid for carcasses weighing between 50 and 120 kg.

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

RECOMMENDATION OF THE EFTA SURVEILLANCE AUTHORITY

No 65/04/COL

of 31 March 2004

concerning a coordinated programme for the official control of feedingstuffs for 2004

THE EFTA SURVEILLANCE AUTHORITY,

Agreement, and the protection of public and animal health.

Having regard to the Agreement on the European Economic Area, and in particular Article 109 and Protocol 1 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5(2)(b) and Protocol 1 thereof,

Having regard to the Act referred to at point 31a of Chapter II of Annex I to the EEA Agreement (Council Directive 95/53/EC of 25 October 1995 fixing the principles governing the organisation of official inspections in the field of animal nutrition⁽¹⁾), as amended, and as adapted to the EEA Agreement by Protocol 1 thereto, and in particular Article 22(3) thereof,

Whereas:

(1) It is necessary, with a view to the sound operation of the European Economic Area, to arrange for coordinated feed inspection programmes within the EEA designed to improve the harmonised implementation of the official controls by the EEA States.

(2) Such programmes should place emphasis on complicity with the relevant legislation in force under the EEA

(3) The results from simultaneous implementation of national programmes and coordinated programmes may provide information and experience on which to base future control activities and legislation.

(4) Although the Act referred to at point 33 of Chapter II of Annex I to the EEA Agreement (Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed⁽²⁾) establishes maximum contents of aflatoxin B₁ in feedingstuffs, there is no legislation in force under the EEA Agreement for other mycotoxins, such as ochratoxin A, zearalenone, deoxynivalenol and fumonisins. Gathering information on the presence of those mycotoxins through random sampling could provide useful data for an assessment of the situation with a view to the development of the legislation. Furthermore, certain feed materials such as cereals and oil seeds are particularly exposed to mycotoxin contamination because of harvesting, storage and transport conditions. As mycotoxin concentration varies from year to year, it is appropriate to collect data from consecutive years for all mycotoxins mentioned.

(5) Previous checks for the presence of antibiotics and coccidiostats in certain feedingstuffs where those substances are not authorised indicate that this type of infringement still occurs. The frequency of such findings and the sensitivity of this matter justify the continuation of checks.

⁽¹⁾ OJ L 265, 8.11.1995, p. 17. Directive as last amended by Directive 2001/46/EC of the European Parliament and of the Council (OJ L 234, 1.9.2001, p. 55).

⁽²⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2005/8/EC (OJ L 27, 29.1.2005, p. 44).

- (6) The participation of Norway and Iceland in the programmes within the scope of Annex II of this Recommendation concerning substances not authorised as feed additives will have to be evaluated with respect to their exemptions from Chapter II of Annex I to the EEA Agreement.
- (7) It is important to ensure that the restrictions on the use of feed materials of animal origin in feedingstuffs, as laid down in the relevant EEA legislation, are effectively enforced.
- (8) The case of contamination of the feed and food chain with medroxyprogesterone acetate (MPA) highlighted the value of the selection of supplies in the safety of feedingstuffs. Some ingredients in feedingstuffs are by-products of agri-food industries, or of other industries, or of mineral extraction. The source of feed materials of industrial origin and the processing methods applied to them may be of particular significance in the safety of the products. Therefore the competent authorities should consider this aspect when carrying out their checks.
- (9) The measures provided for in this Recommendation are in accordance with the opinion of the EFTA Plants and Animal Feedingstuffs Committee assisting the EFTA Surveillance Authority,
- analysis; the method of sampling should comprise both random and targeted sampling; in the case of targeted sampling, the samples should be feed materials suspected of containing higher concentrations of mycotoxins, such as cereal grains, oil seeds, oil fruits, their products and by-products, and feed materials stored for a long time or transported by sea over a long distance; the results of the checks should be reported using the model set out in Annex I;
- (b) certain medicinal substances, whether or not authorised as feed additives for certain animal species and categories, in non-medicated pre-mixtures and compound feedingstuffs in which these medicinal substances are not authorised; the checks should target those medicinal substances in pre-mixtures and compound feedingstuffs if the competent authority considers that there is a greater probability of finding irregularities; the results should be reported using the model set out in Annex II;
- (c) the implementation of restrictions on the production and use of feed materials of animal origin, as set out in Annex III;
- (d) the procedures applied by manufacturers of compound feedingstuffs in order to select and assess their supplies of feed materials of industrial origin and to ensure the quality and safety of such ingredients, as set out in Annex IV.
- HEREBY RECOMMENDS TO THE EFTA STATES:
1. During 2004, to carry out a coordinated inspection programme aimed to check:
 - (a) the concentration of mycotoxins (aflatoxin B₁, ochratoxin A, zearalenone, deoxynivalenol and fumonisins) in feedingstuffs, indicating the methods of
 2. To include the results of the coordinated inspection programme provided for in paragraph 1 in a separate Chapter in the annual report on inspection activities to be transmitted to the EFTA Surveillance Authority by 1 April 2005 in accordance with Article 22(2) of Directive 95/53/EC and the latest version of the harmonised reporting model.

Done at Brussels, 31 March 2004.

For the EFTA Surveillance Authority

Bernd HAMMERMAN
College Member

Niels FENGER
Director

ANNEX I

Concentration of certain mycotoxins (aflatoxin B₁, ochratoxin A, zearalenone, deoxynivalenol, fumonisins) in feedingstuffs*Individual results of all tested samples; model for reports as referred to in paragraph 1(a)*

Feedingstuffs		Sampling (random or targeted)	Type and concentration of mycotoxins (µg/kg relative to a feedingstuff with a moisture content of 12 %)				
Type	Country of origin		Aflatoxin B ₁	Ochratoxin A	Zearalenone	Deoxyni- valenol	Fumonisins ^(a)

^(a) The concentration of fumonisins comprises the total of fumonisins B₁, B₂ and B₃.

The competent authority should also indicate:

- the action taken when maximum levels for aflatoxin B₁ are exceeded,
- the methods of analysis used,
- the limits of detection.

ANNEX II

Presence of certain substances not authorised as feed additives

Certain antibiotics, coccidiostats and other substances may be legally present as additives in pre-mixtures and compound feedingstuffs for certain species and categories of animals, when authorised under the Act referred to at point 1 of Chapter II of Annex I to the EEA Agreement (Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾).

The presence of unauthorised substances in feedingstuffs constitutes an infringement.

The substances to be controlled should be chosen from the following:

1. Substances authorised as feed additives for certain animal species or categories only:

avilamycin	monensin sodium
decoquinate	narasin
diclazuril	narasin — nicarbazin
flavophospholipol	robenidine hydrochloride
halofuginone hydrobromide	salinomycin sodium
lasalocid A sodium	semduramicin sodium
maduramicin ammonium alpha	

2. Substances no longer authorised as feed additives:

amprolium	nicarbazin
amprolium/ethopabate	nifursol
arprinocid	olaquinox
avoparcin	ronidazol
carbadox	spiramycin
dimetridazole	tetracyclines
dinitolmid	tylosin phosphate
ipronidazol	virginiamycin
meticlorpindol	zinc bacitracin
meticlorpindol/methylbenzoquate	other antimicrobial substances

3. Substances never authorised as feed additives:

other substances

Individual results of all non-compliant samples; model for reports as referred to in paragraph 1(b)

Type of feedingstuff (animal species and category)	Substance detected	Level found	Reason for the infringement ^(a)	Action taken

^(a) Reason leading to the presence of the unauthorised substance in the feedingstuff, as concluded after an investigation carried out by the competent authority.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

The competent authority should also indicate:

- the total number of samples tested,
 - the names of the substances which have been investigated,
 - the methods of analysis used,
 - the limits of detection.
-

ANNEX III

Restrictions on the production and use of feed materials of animal origin

Without prejudice to Articles 3 to 13 and 15 of Directive 95/53/EC, the EFTA States should during 2004 undertake a coordinated inspection programme to determine whether restrictions on the production and use of feed materials of animal origin have been complied with.

In particular, in order to ensure that the ban on feeding processed animal protein to certain animals, as laid down in the Annex IV of the Act referred to at point 7, 1, 12 of Chapter I of Annex I to the EEA Agreement (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 ⁽¹⁾), are effectively applied, EFTA States should implement a specific control programme based on targeted controls. In accordance with Article 4 of Directive 95/53/EC, that control programme should be based on a risk-based strategy where all stages of production and all types of premises where feed is produced, handled and administered are included. EFTA States should pay special attention to the definition of criteria that can be related to a risk. The weighting given to each criterion should be proportional to the risk. The inspection frequency and the number of samples analysed in the premises should be in correlation to the sum of weightings allocated to those premises.

The following indicative premises and criteria should be considered when drawing up a control programme:

Premises	Criteria	Weighting
Feed mills	— Double-stream feed mills producing ruminant compound feed and non-ruminant compound feed containing derogated processed animal proteins — Feed mills with previous history, or suspicion, of non-compliance — Feed mills with a large amount of imported feedingstuffs with high protein content such as fishmeal, soybean meal, corn gluten meal and protein concentrates — Feed mills with a high production of compound feed — Risk of cross-contamination resulting from internal operational procedures (dedication of silos, control of the effective separation of lines, control of ingredients, internal laboratory, sampling procedures, etc.)	
Border Inspection Posts and other points of entry into the EEA	— Large/small amount of imports of feedingstuffs — Feedingstuffs with high protein content	
Farms	— Home mixers using derogated processed animal proteins — Farms keeping ruminants and other species (risk of cross feeding) — Farms purchasing feedingstuffs in bulk	
Dealers	— Warehouses and intermediate storage of feedingstuffs with high protein content — High volume of bulk feedingstuffs traded — Dealers in compound feedingstuffs produced abroad	
Mobile mixers	— Mixers producing for both ruminants and non-ruminants — Mixers with previous history, or suspicion, of non-compliance — Mixers incorporating feedingstuffs with high protein content — Mixers with high production of feedingstuffs — Large number of farms served including farms which keep ruminants	
Means of transportation	— Vehicles used for the transportation of processed animal proteins and feedingstuffs — Vehicles with previous history, or suspicion, of non-compliance	

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

As an alternative to these indicative premises and criteria, EFTA States may forward their own risk assessment to the EFTA Surveillance Authority before 30 April 2004.

Sampling should be targeted on batches or events where cross-contamination with prohibited processed proteins is most likely (first batch after the transport of feedingstuffs containing animal protein prohibited in this batch, technical problems or changes in production lines, changes in storage bunkers or silos for bulk material).

The minimum number of inspections per year in an EFTA State should be 10 per 100 000 tonnes of compound feed produced. The minimum number of official samples per year in an EFTA State should be 20 per 100 000 tonnes of compound feed produced. Pending the approval of alternative methods, microscopic identification and estimation as described in Commission Directive 98/88/EC of 13 November 1998 establishing guidelines for the microscopic identification and estimation of constituents of animal origin for the official control of feedingstuffs⁽¹⁾ should be used for analysing samples. Any presence of prohibited constituents of animal origin in feedingstuffs should be considered as a breach of the feed ban.

The results of the inspection programmes should be communicated to the EFTA Surveillance Authority using the following formats:

Summary of checks concerning feeding restrictions for feed of animal origin (feeding of prohibited processed animal proteins)

A. Documented inspections

Stage	Number of inspections comprising checks on the presence of processed animal proteins	Number of breaches based on documentary checks etc. rather than laboratory testing
Import of feed materials		
Storage of feed materials		
Feed mills		
Home mixers/mobile mixers		
Intermediaries of feedingstuffs		
Means of transport		
Farms keeping non-ruminants		
Farms keeping ruminants		
Others:		

B. Sampling and testing of feed materials and compound feedingstuffs for processed animal proteins

Premises	Number of official samples tested for processed animal proteins		Number of non-compliant samples					
			Presence of processed animal protein from terrestrial animals			Presence of processed animal protein from fish		
	Feed materials	Compound feeding-stuffs	Feed materials	Compound feeding-stuffs	Feed materials	Compound feeding-stuffs	Feed materials	Compound feeding-stuffs
		for ruminants for non-ruminants		for ruminants for non-ruminants		for ruminants for non-ruminants		for ruminants for non-ruminants
At import								
Feed mills								
Intermediaries/ storage								
Means of transport								
Home mixers/ mobile mixers								
On farm								
Others:								

⁽¹⁾ OJ L 318, 27.11.1998, p. 45.

C. Summary of prohibited processed animal proteins found in samples of feedingstuffs intended for ruminants

	Month of sampling	Type, degree and origin of contamination	Sanctions (or other measures) applied
1			
2			
3			
4			
5			
...			

In addition, EFTA States should analyse fats and vegetable oils intended for feedingstuffs for the presence of traces of bones and include the results of such analyses in the report referred to in paragraph 2 of this Recommendation.

—

ANNEX IV

Procedures for selection and assessment of supplies of feed materials of industrial origin

The competent authorities should identify and shortly describe the procedures followed by manufacturers of compound feedingstuffs in order to select and assess supplies of feed materials of industrial origin. Some procedures may be related to the prior establishment of characteristics or requirements for the products to be supplied, or for the suppliers. Other procedures may be related to own-checks for the verification of compliance with certain parameters, carried out by manufacturers of compound feedingstuffs at the reception of supplies.

For each identified procedure (procedure for selection and assessment of supplies), the competent authorities should indicate the advantages and disadvantages of the application of the procedure in terms of feed safety. Finally they should assess whether, taking into account the potential risks, each procedure is acceptable, insufficient or unacceptable for ensuring the safety of feedingstuffs, stating the reasons leading to that conclusion.

Evaluation of procedures

Procedure (short description, including criteria for acceptance/rejection of feed materials)	Advantages	Disadvantages	Assessment of acceptability of procedures

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 718/2005 of 12 May 2005 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds

(This text cancels and replaces the text published in Official Journal L 121 of 13 May 2005, p. 64)

**‘COMMISSION REGULATION (EC) No 718/2005
of 12 May 2005****amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds ⁽¹⁾ and in particular Article 19 thereof,

Whereas:

- (1) The Czech Republic has designated a Community authority and has informed the Commission thereof. The Commission concluded that sufficient evidence was provided that this authority can reliably, timely, effectively and adequately fulfil the tasks required by Chapters II, III and V of Regulation (EC) No 2368/2002.

- (2) The United Kingdom has informed the Commission of new address details for its Community authority.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee designated in Article 22 of Regulation (EC) No 2368/2002,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 2368/2002 is hereby replaced by the text of the Annex to this Regulation.

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, 12 May 2005.

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

⁽¹⁾ OJ L 358, 31.12.2002, p. 28. Regulation as last amended by Commission Regulation (EC) No 522/2005 (OJ L 84, 2.4.2005, p. 8).

ANNEX

"ANNEX III

List of Member States' competent authorities and their tasks as referred to in Articles 2 and 19

BELGIUM

Federale Overheidsdienst Economie, KMO, Middenstand en Energie, Dienst Vergunningen/Service Public Fédéral Economie, PME, Classes moyennes et Energie, Service Licence,

Italiëlei 124, bus 71
B-2000 Antwerpen
Tel. (32-3) 206 94 70
Fax (32-3) 206 94 90
E-mail: Diamond@mineco.fgov.be

In Belgium the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

The Diamond Office,
Hovenierstraat 22
B-2018 Antwerpen.

CZECH REPUBLIC

In the Czech Republic the controls of imports and exports of rough diamonds required by Regulation 2368/2002 and the customs treatment will only be done at:

Generální ředitelství cel
Budějovická 7
140 96 Praha 4
Česká republika
Tel. (420-2) 61 33 38 41, (420-2) 61 33 38 59, cell (420-737) 213 793
Fax (420-2) 61 33 38 70
E-mail: diamond@cs.mfcr.cz

GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation 2368/2002, including the issuing of Community certificates, will only be done at the following authority:

Hauptzollamt Koblenz
Zollamt Idar-Oberstein
Zertifizierungsstelle für Rohdiamanten
Hauptstraße 197
D-55743 Idar-Oberstein
Tel. (49-6781) 56 27 - 0
Fax (49-6781) 56 27 - 19
E-mail: zaio@hzako.bfinv.de

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15 and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as competent German authority:

Oberfinanzdirektion Koblenz
Zoll- und Verbrauchsteuerabteilung
Vorort Außenwirtschaftsrecht
Postfach 10 07 64
D-67407 Neustadt a. d. Weinstr.

UNITED KINGDOM

Government Diamond Office
Global Business Group
Room W 3.111.B
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH
Tel. (44-207) 008 6903
Fax (44-207) 008 3905
GDO@gtnet.gov.uk” ’
