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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1152/2005**  
**of 18 July 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 <sup>(1)</sup>, 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 July 2005.

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

Done at Brussels, 18 July 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> 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 July 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables**

| (EUR/100 kg)           |                                   |                       |
|------------------------|-----------------------------------|-----------------------|
| CN code                | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00             | 052                               | 55,6                  |
|                        | 096                               | 42,0                  |
|                        | 999                               | 48,8                  |
| 0707 00 05             | 052                               | 68,5                  |
|                        | 999                               | 68,5                  |
| 0709 90 70             | 052                               | 69,0                  |
|                        | 999                               | 69,0                  |
| 0805 50 10             | 388                               | 61,3                  |
|                        | 524                               | 71,9                  |
|                        | 528                               | 62,0                  |
|                        | 999                               | 65,1                  |
| 0808 10 80             | 388                               | 84,1                  |
|                        | 400                               | 91,6                  |
|                        | 404                               | 59,2                  |
|                        | 508                               | 77,7                  |
|                        | 512                               | 79,5                  |
|                        | 528                               | 56,9                  |
|                        | 720                               | 73,3                  |
|                        | 804                               | 85,0                  |
|                        | 999                               | 75,9                  |
| 0808 20 50             | 388                               | 78,0                  |
|                        | 512                               | 38,3                  |
|                        | 528                               | 55,9                  |
|                        | 800                               | 31,4                  |
|                        | 999                               | 50,9                  |
| 0809 10 00             | 052                               | 157,2                 |
|                        | 999                               | 157,2                 |
| 0809 20 95             | 052                               | 301,3                 |
|                        | 400                               | 311,4                 |
|                        | 999                               | 306,4                 |
| 0809 30 10, 0809 30 90 | 052                               | 136,8                 |
|                        | 999                               | 136,8                 |
| 0809 40 05             | 624                               | 111,9                 |
|                        | 999                               | 111,9                 |

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

**COMMISSION REGULATION (EC) No 1153/2005****of 18 July 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 <sup>(1)</sup>, 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 <sup>(2)</sup> 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 <sup>(3)</sup> 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 <sup>(4)</sup>, 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 2/2005 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, 28 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 699 946,698 hectolitres of alcohol at 100 % volume, broken down as follows:

- (a) one lot with the number 10/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (b) one lot with the number 11/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (c) one lot with the number 12/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (d) one lot with the number 13/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (e) one lot with the number 14/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (f) one lot with the number 15/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (g) one lot with the number 16/2005 EC for a quantity of 100 000 hectolitres of alcohol at 100 % volume,
- (h) one lot with the number 17/2005 EC for a quantity of 50 000 hectolitres of alcohol at 100 % volume,
- (i) one lot with the number 18/2005 EC for a quantity of 41 331,79 hectolitres of alcohol at 100 % volume,
- (j) one lot with the number 19/2005 EC for a quantity of 8 614,908 hectolitres of alcohol at 100 % volume.

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

<sup>(2)</sup> 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).

<sup>(3)</sup> OJ L 84, 27.3.1987, p. 1. Regulation repealed by Regulation (EC) No 1493/1999.

<sup>(4)</sup> 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 a sealed double envelope, the inside envelope marked 'Tender under procedure No 2/2005 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 26 August 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 Member State(s) 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

1. 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.

2. In addition to the information referred to in Article 94a of Regulation (EC) No 1623/2000, the notifications referred to in paragraph 1 shall clearly indicate for each tender:

- (a) whether the tender is eligible,
- (b) in the event of the tender being ineligible, which of the conditions referred to in Article 94 of Regulation (EC) No 1623/2000 were not met.

#### 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

Member States shall notify the Commission of the name and address of the tenderer corresponding to each tender by 30 September 2005 at the latest.

#### Article 9

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 July 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

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## ANNEX I

## TENDERING PROCEDURE FOR THE SALE OF ALCOHOL FOR USE AS BIOETHANOL IN THE COMMUNITY

## No 2/2005 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 % vol | Regulation (EC) No 1493/1999 (Article) | Regulation (EEC) No 822/87 (Article) | Type of alcohol |
|-----------------------------|------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------|----------------------------------------|--------------------------------------|-----------------|
| Spain<br>Lot No 10/2005 EC  | Tarancón                                                                                             | A-1    | 24 629                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | A-3    | 24 751                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | B-3    | 24 858                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | B-4    | 19 247                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | B-6    | 6 515                                           | 27                                     |                                      | raw             |
|                             | Total                                                                                                |        | 100 000                                         |                                        |                                      |                 |
| Spain<br>Lot No 11/2005 EC  | Tarancón                                                                                             | B-6    | 17 722                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | C-1    | 25 204                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | C-2    | 7 074                                           | 27                                     |                                      | raw             |
|                             | Total                                                                                                |        | 50 000                                          |                                        |                                      |                 |
| France<br>Lot No 12/2005 EC | DEULEP<br>Bld Chanzy<br>30800 Saint-Gilles-du-Gard                                                   | 71     | 46 920                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | 501    | 9 265                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 502    | 4 325                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 604    | 6 535                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 608    | 6 555                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 607    | 8 035                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 606    | 9 400                                           | 27                                     |                                      | raw             |
|                             |                                                                                                      | 605    | 8 965                                           | 27                                     |                                      | raw             |
|                             | Total                                                                                                |        | 100 000                                         |                                        |                                      |                 |
| France<br>Lot No 13/2005 EC | ONIVINS-Port-la-Nouvelle<br>Entrepôt D'alcool<br>Av. Adolphe-Turrel, BP 62<br>11210 Port-la-Nouvelle | 6      | 16 140                                          | 28                                     |                                      | raw             |
|                             |                                                                                                      | 6      | 600                                             | 30                                     |                                      | raw             |
|                             |                                                                                                      | 6      | 220                                             | 27                                     |                                      | raw             |
|                             |                                                                                                      | 17     | 12 705                                          | 28                                     |                                      | raw             |
|                             |                                                                                                      | 16     | 3 755                                           | 28                                     |                                      | raw             |
|                             |                                                                                                      | 18     | 12 630                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | 30     | 22 320                                          | 27                                     |                                      | raw             |
|                             |                                                                                                      | 16     | 6 055                                           | 30                                     |                                      | raw             |
|                             |                                                                                                      | 14     | 1 825                                           | 28                                     |                                      | raw             |
|                             |                                                                                                      | 13     | 11 640                                          | 30                                     |                                      | raw             |

| Member State and lot number | Location                                | Vat No                   | Quantity in hectolitres of alcohol at 100 % vol | Regulation (EC) No 1493/1999 (Article) | Regulation (EEC) No 822/87 (Article) | Type of alcohol |
|-----------------------------|-----------------------------------------|--------------------------|-------------------------------------------------|----------------------------------------|--------------------------------------|-----------------|
|                             |                                         | 13                       | 685                                             | 28                                     |                                      | raw             |
|                             |                                         | 14                       | 10 755                                          | 30                                     |                                      | raw             |
|                             |                                         | 16                       | 670                                             | 27                                     |                                      | raw             |
|                             | Total                                   |                          | 100 000                                         |                                        |                                      |                 |
| France                      | ONIVINS-Port-la-Nouvelle                | 11                       | 22 005                                          | 27                                     |                                      | raw             |
| Lot No 14/2005 EC           | Entrepôt D'alcool                       | 6                        | 5 430                                           | 30                                     |                                      | raw             |
|                             | Av. Adolphe-Turrel, B.P. 62             | 29                       | 1 950                                           | 28                                     |                                      | raw             |
|                             | 11210 Port-la-Nouvelle                  | 29                       | 6 985                                           | 30                                     |                                      | raw             |
|                             |                                         | 29                       | 13 510                                          | 30                                     |                                      | raw             |
|                             |                                         | 29                       | 120                                             | 27                                     |                                      | raw             |
|                             | Total                                   |                          | 50 000                                          |                                        |                                      |                 |
| Italy                       | Dister-Faenza (RA)                      | 124A-170A-171A-176A-178A | 8 440                                           | 30                                     |                                      | raw             |
| Lot No 15/2005 EC           | Mazzari-S. Agata sul Santerno (RA)      | 5A-8A-10A                | 34 000                                          | 27                                     |                                      | raw             |
|                             | Caviro-Faenza (RA)                      | 16A-17A-19A              | 36 300                                          | 27                                     |                                      | raw             |
|                             | Villapana-Faenza (RA)                   | 4A-8A-9A                 | 18 000                                          | 27                                     |                                      | raw             |
|                             | Bonollo U.-Conselve (PD)                | 1A                       | 320                                             | 30                                     |                                      | raw             |
|                             | Cantine Soc. Venete-Ponte di Piave (TV) | 14A                      | 320                                             | 30                                     |                                      | raw             |
|                             | I.C.V.-Borgoricco (PD)                  | 5A                       | 1 300                                           | 27                                     |                                      | raw             |
|                             | Tampieri-Faenza (RA)                    | 2A-9A                    | 1 320                                           | 27                                     |                                      | raw             |
|                             | Total                                   |                          | 100 000                                         |                                        |                                      |                 |
| Italy                       | Dister-Faenza (RA)                      | 124A                     | 1 560                                           | 30                                     |                                      | raw             |
| Lot No 16/2005 EC           | Cipriani-Chizzola di Ala                | 30A                      | 9 000                                           | 27                                     |                                      | raw             |
|                             | S.V.A.-Ortona (CH)                      | 17A-18A                  | 3 300                                           | 27                                     |                                      | raw             |
|                             | Bonollo-Paduni (FR)                     | 17A-34A-35A              | 34 140                                          | 27                                     |                                      | raw             |
|                             | Di Lorenzo-Ponte Valleceppi (PG)        | 1A-18A-21A-22A           | 14 600                                          | 27+30                                  |                                      | raw             |
|                             | D'Auria-Ortona (CH)                     | 1A-4A-9A-11A-12A-29A-61A | 10 000                                          | 27                                     |                                      | raw             |
|                             | Deta-Barberino Val d'Elsa (FI)          | 5A                       | 1 900                                           | 27                                     |                                      | raw             |
|                             | Balice-Valenzano (BA)                   | 47A-48A-59A              | 16 000                                          | 30                                     |                                      | raw             |

| Member State and lot number | Location                                               | Vat No               | Quantity in hectolitres of alcohol at 100 % vol | Regulation (EC) No 1493/1999 (Article) | Regulation (EEC) No 822/87 (Article) | Type of alcohol |
|-----------------------------|--------------------------------------------------------|----------------------|-------------------------------------------------|----------------------------------------|--------------------------------------|-----------------|
|                             | Balice Dist.-Mottola (TA)                              | 3A                   | 1 500                                           | 27                                     |                                      | raw             |
|                             | De Luca-Novoli (LE)                                    | 18A                  | 8 000                                           | 27                                     |                                      | raw             |
|                             | Total                                                  |                      | 100 000                                         |                                        |                                      |                 |
| Italy                       | Bertolino-Partinico (PA)                               | 6A-12A-34A           | 28 000                                          | 27+30                                  |                                      | raw             |
| Lot No 17/2005 EC           | Gedis-Marsala (TP)                                     | 12A-15A-18A-21A      | 9 600                                           | 27                                     |                                      | raw             |
|                             | Trapas-Marsala (TP)                                    | 2A-14A-16A           | 8 000                                           | 30                                     |                                      | raw             |
|                             | S.V.M.-Sciaccia (AG)                                   | 1A-2A-3A-23A-24A-34A | 2 000                                           | 27                                     |                                      | raw             |
|                             | Enodistil-Alcamo (TP)                                  | 22A                  | 2 400                                           | 30                                     |                                      | raw             |
|                             | Total                                                  |                      | 50 000                                          |                                        |                                      |                 |
| Greece                      | ΑΜΠΕΛΟΥΡΓΙΚΟΣ ΣΥΝΕ-ΤΑΙΡΙΣΜΟΣ ΜΕΓΑΡΩΝ — (ΒΑΡΕΑ ΜΕΓΑΡΩΝ) | B1                   | 543,42                                          |                                        | 35                                   | raw             |
| Lot No 18/2005 EC           | [Ambelourgikos Synterismos Megaron — (Varea Megaron)]  | 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                                          | 27                                     | 35                                   | raw             |
|                             |                                                        | 3                    | 851,86                                          | 27                                     |                                      | raw             |
|                             |                                                        | 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             |

| Member State and lot number     | Location                                                                                                                    | Vat No | Quantity in hectolitres of alcohol at 100 % vol | Regulation (EC) No 1493/1999 (Article) | Regulation (EEC) No 822/87 (Article) | Type of alcohol |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------|----------------------------------------|--------------------------------------|-----------------|
|                                 |                                                                                                                             | 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)<br>[P.A. Tzara — (Dokos Halkidos)]                                                            | 4 016  | 179,58                                          |                                        | 35                                   | raw             |
|                                 | Ε.Α.Σ. ΠΑΤΡΩΝ — Ανθία Πατρών<br>[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)<br>[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)<br>[Inopiitikos Syneterismos Messinias (Gialova Piliass)] | 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                                       |                                        |                                      |                 |
| Germany<br>Lot No 19/2005<br>EC | Papiermühle 16<br>D-37603 Holzminden                                                                                        | 107    | 8 614,908                                       | 30                                     |                                      | raw             |
|                                 | Total                                                                                                                       |        | 8 614,908                                       |                                        |                                      |                 |

## ANNEX II

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

**Onivins-Libourne** — Délégation nationale 17, avenue de la Ballastière, BP 231, F-33505 Libourne Cedex [telephone (33) 557 55 20 00; telex 57 20 25; fax (33) 557 55 20 59],

**FEGA** — Beneficencia 8, E-28004 Madrid [telephone (34) 913 47 64 66; fax (34) 913 47 64 65]

**AGEA** — Via Torino 45, I-00184 Roma [telephone (39) 064 94 99 714; fax (39) 064 94 99 761]

**O.I.E.K.E.I.E.** — Αχαρνών (Acharnon) 241, GR-10446 Athens, Greece [telephone (210) 2 12 47 99; fax (210) 212 47 91]

**Bundesanstalt für Landwirtschaft und Ernährung (BLE)** — Deichmanns Aue 29, D-53179 Bonn (telephone (49) 228/68 45-33 86/34 79, fax (49) 228/68 45-37 94)

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

European Commission  
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

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**COMMISSION REGULATION (EC) No 1154/2005****of 18 July 2005****amending the codes and descriptions of certain products listed in Annex I to Council Regulation (EC) No 1784/2003 on the common organisation of the market in cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products <sup>(1)</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(2)</sup> contains the combined nomenclature currently in force.
- (2) In accordance with the outcome of the negotiations with the United States of America concluded in 1995, certain blends of residues from the manufacture of starch from maize with certain other types of residue, in particular screenings from maize and residues of maize steep-water used for the manufacture of alcohol or of other starch derived products imported into the Community were exempted from customs duty. Council Regulation (EC) No 344/96 <sup>(3)</sup> consequently incorporated into the Combined Nomenclature a subheading 2309 90 20 to classify this product separately.

(3) As the result of an omission, Annex I to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals <sup>(4)</sup> was not adapted accordingly. This adaptation must therefore be made, with effect from the date of application of Regulation (EC) No 1784/2003, by incorporating code CN 2309 90 20 into the list of products included in Annex I to that Regulation.

(4) Regulation (EC) No 1784/2003 should therefore be amended accordingly.

(5) 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*

Annex I to Regulation (EC) No 1784/2003 is replaced by the text set out in the Annex to this Regulation.

*Article 2*

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

It shall apply from 1 July 2004.

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

Done at Brussels, 18 July 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 34, 9.2.1979, p. 2. Regulation as last amended by Regulation (EC) No 3290/94 (OJ L 349, 31.12.1994, p. 105).

<sup>(2)</sup> OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

<sup>(3)</sup> OJ L 49, 28.2.1996, p. 1.

<sup>(4)</sup> OJ L 270, 21.10.2003, p. 78.

## ANNEX

## ‘ANNEX I

**The products referred to in Article 1(d)**

| CN code    | Description                                                                                                                                                                                                                          |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0714       | Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith          |
| ex 1102    | Cereal flours other than of wheat or meslin:                                                                                                                                                                                         |
| 1102 20    | – Maize (corn) flour                                                                                                                                                                                                                 |
| 1102 90    | – Other:                                                                                                                                                                                                                             |
| 1102 90 10 | – – Barley flour                                                                                                                                                                                                                     |
| 1102 90 30 | – – Oat flour                                                                                                                                                                                                                        |
| 1102 90 90 | – – Other                                                                                                                                                                                                                            |
| ex 1103    | Cereal groats, meal and pellets with the exception of groats and meal of wheat (subheading 1103 11), groats and meal of rice (subheading 1103 19 50) and pellets of rice (subheading 1103 20 50)                                     |
| ex 1104    | Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006 and flaked rice of subheading 1104 19 91; germ of cereals, whole, rolled, flaked or ground             |
| 1106 20    | Flour, meal and powder of sago, or of roots or tubers of heading 0714                                                                                                                                                                |
| ex 1108    | Starches; inulin:                                                                                                                                                                                                                    |
|            | – Starches:                                                                                                                                                                                                                          |
| 1108 11 00 | – – Wheat starch                                                                                                                                                                                                                     |
| 1108 12 00 | – – Maize (corn) starch                                                                                                                                                                                                              |
| 1108 13 00 | – – Potato starch                                                                                                                                                                                                                    |
| 1108 14 00 | – – Manioc (cassava) starch                                                                                                                                                                                                          |
| ex 1108 19 | – – Other starches:                                                                                                                                                                                                                  |
| 1108 19 90 | – – – Other                                                                                                                                                                                                                          |
| 1109 00 00 | Wheat gluten, whether or not dried                                                                                                                                                                                                   |
| 1702       | Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: |
| ex 1702 30 | – Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:                                                                                                            |
|            | – – Other:                                                                                                                                                                                                                           |
|            | – – – Other:                                                                                                                                                                                                                         |
| 1702 30 91 | – – – – In the form of white crystalline powder, whether or not agglomerated                                                                                                                                                         |
| 1702 30 99 | – – – – Other:                                                                                                                                                                                                                       |
| ex 1702 40 | – Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose, excluding invert sugar:                                                                                             |
| 1702 40 90 | – – Other                                                                                                                                                                                                                            |
| ex 1702 90 | – Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose:                                                                                                       |
| 1702 90 50 | – – Maltodextrine and maltodextrine syrup                                                                                                                                                                                            |
|            | – – Caramel:                                                                                                                                                                                                                         |
|            | – – – Other:                                                                                                                                                                                                                         |

|            |                                                                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1702 90 75 | ----- In the form of powder, whether or not agglomerated                                                                                                                                    |
| 1702 90 79 | ----- Other                                                                                                                                                                                 |
| 2106       | Food preparations not elsewhere specified or included:                                                                                                                                      |
| ex 2106 90 | - Other                                                                                                                                                                                     |
|            | -- Flavoured or coloured sugar syrups:                                                                                                                                                      |
|            | --- Other                                                                                                                                                                                   |
| 2106 90 55 | ----- Glucose syrup and maltodextrine syrup                                                                                                                                                 |
| ex 2302    | Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals                                                       |
| ex 2303    | Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets: |
| 2303 10    | - Residues of starch manufacture and similar residues                                                                                                                                       |
| 2303 30 00 | - Brewing or distilling dregs and waste                                                                                                                                                     |
| ex 2306    | Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetables fats or oils, other than those of headings 2304 and 2305:   |
| 2306 70 00 | - Of maize (corn) germ                                                                                                                                                                      |
| ex 2308    | Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included:  |
| 2308 00 40 | - Acorns and horse-chestnuts; pomace or marc of fruit, other than grapes                                                                                                                    |
| 2309       | Preparations of a kind used in animal feeding:                                                                                                                                              |
| ex 2309 10 | - Dog or cat food, put up for retail sale:                                                                                                                                                  |
| 2309 10 11 | -- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within                                                                                           |
| 2309 10 13 | subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk                                                                                                         |
| 2309 10 31 | products <sup>(1)</sup> except preparations and feedingstuffs containing 50 % or more by weight of milk                                                                                     |
| 2309 10 33 | products                                                                                                                                                                                    |
| 2309 10 51 |                                                                                                                                                                                             |
| 2309 10 53 |                                                                                                                                                                                             |
| ex 2309 90 | - Other:                                                                                                                                                                                    |
| 2309 90 20 | -- Products referred to in additional note 5 to Chapter 23 of the Combined Nomenclature                                                                                                     |
|            | -- Other, including premixes:                                                                                                                                                               |
| 2309 90 31 | --- Other, containing starch, glucose, glucose syrup, maltodextrine syrup falling within                                                                                                    |
| 2309 90 33 | subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55, or milk                                                                                                        |
| 2309 90 41 | products <sup>(1)</sup> , excluding preparations and feedingstuffs containing 50 % or more by weight of                                                                                     |
| 2309 90 43 | milk products                                                                                                                                                                               |
| 2309 90 51 |                                                                                                                                                                                             |
| 2309 90 53 |                                                                                                                                                                                             |

<sup>(1)</sup> For the purposes of this subheading "milk products" means products falling within headings 0401 to 0406 as well as subheadings 1702 11, 1702 19 and 2106 90 51.

**COMMISSION REGULATION (EC) No 1155/2005****of 18 July 2005**

**amending and correcting Regulation (EC) No 1419/2004 on the continuation of the application of the Multi-annual Financing Agreements and the Annual Financing Agreements concluded between the European Commission, representing the European Community, on the one hand and the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia on the other, and providing for certain derogations from the Multi-annual Financing Agreements and from Council Regulation (EC) No 1266/1999 and Regulation (EC) No 2222/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

*Article 3*

Having regard to the Treaty establishing the European Community,

**Amendment of the MAFAs**

1. Article 7(8) of Section A of the Annex to the MAFAs is replaced by the following:

Having regard to the Treaty of Accession, and in particular Article 41 thereof,

“The final balance of the programme shall be paid:

Whereas:

(1) Article 7(8) of Section A of the Annex to the Multi-annual Financing Agreements (MAFAs) referred to in Commission Regulation (EC) No 1419/2004<sup>(1)</sup> should, with regard to the procedures to be applied for the payment of the final balance of the programme, be made consistent with the final de-commitment date provided for in Article 3 of the Annual Financing Agreements (AFAs). For that purpose, the deadline for the submission to the Commission of the certified statement of expenditure referred to in that provision has to be amended and the procedures concerning the conformity clearance decision provided for in Article 12 of Section A of the Annex to the MAFAs should be clarified.

(a) if the National Authorising Officer submits to the Commission within the deadline for payment laid down in the final Annual Financing Agreement, a certified statement of expenditure actually paid in accordance with Article 9 of this Section;

(b) if the final report on implementation has been submitted to and approved by the Commission;

(c) when the Decision referred to in Article 11 of this section has been adopted.

(2) An error needs to be rectified as regards the title of Article 4 of Regulation (EC) No 1419/2004.

The payment shall not prejudice the adoption of a subsequent decision pursuant Article 12 of this section.”

(3) It is therefore necessary to amend and correct Regulation (EC) No 1419/2004 accordingly.

2. The following subparagraph is added to Article 10(3) of section A of the Annex to the MAFAs:

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development and of the Committee of the European Agriculture Guarantee and Guidance Fund,

“However, interest not accounted for by projects assisted under the programme of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia, respectively, shall be paid to the Commission in euro.”

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Article 3 of Regulation (EC) No 1419/2004**

Article 3 of Regulation (EC) No 1419/2004 is replaced by the following:

*Article 2***Amendment to the title of the Article 4 of Regulation (EC) No 1419/2004**

The title of Article 4 of Regulation (EC) No 1419/2004 is corrected as follows:

<sup>(1)</sup> OJ L 258, 5.8.2004, p. 11.

*'Article 4*

**Replacement of the amounts provided for in Article 2 of AFA 2003'.**

*Article 3*

**Entry into force**

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, 18 July 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1156/2005****of 18 July 2005****establishing a prohibition of fishing for roundnose grenadier in zone VIII, IX, X, XII, XIV  
(Community waters and international waters) by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy <sup>(1)</sup>, and in particular Article 26(4) thereof,Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2270/2004 of 22 December 2004 fixing for 2005 and 2006 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks <sup>(3)</sup>, lays down quotas for 2005 and 2006.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2005.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2005 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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 July 2005

*For the Commission*

Jörgen HOLMQUIST

*Director-General for Fisheries and Maritime Affairs*

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

<sup>(3)</sup> OJ L 396, 31.12.2004, p. 4. Regulation as last amended by Regulation (EC) No 860/2005 (OJ L 144, 8.6.2005, p. 1).

## ANNEX

|              |                                                                   |
|--------------|-------------------------------------------------------------------|
| Member State | Spain                                                             |
| Stock        | RNG/8X14-                                                         |
| Species      | Roundnose grenadier ( <i>Coryphaenoides rupestris</i> )           |
| Zone         | VIII, IX, X, XII, XIV (Community waters and international waters) |
| Date         | 16 June 2005                                                      |

## COMMISSION REGULATION (EC) No 1157/2005

of 18 July 2005

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Jordan**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Under Articles 2(2) and 3 of Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-week periods. Under Article 1(b) of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(2)</sup>, those prices are determined for two-week periods on the basis of weighted prices provided by the Member States.
- (2) Those prices should be fixed immediately so the customs duties applicable can be determined.
- (3) Following the accession of Cyprus to the European Union on 1 May 2004, it is no longer necessary to fix import prices for Cyprus.
- (4) Likewise, it is no longer necessary to fix import prices for Israel, Morocco and the West Bank and the Gaza Strip, in order to take account of the agreements approved by Council Decisions 2003/917/EC of 22 December 2003 on the conclusion of an Agreement in the form of an

Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures and the replacement of Protocols 1 and 2 to the EC-Israel Association Agreement <sup>(3)</sup>, 2003/914/EC of 22 December 2003 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Morocco concerning reciprocal liberalisation measures and the replacement of Protocols 1 and 3 to the EC-Morocco Association Agreement <sup>(4)</sup> and 2005/4/EC of 22 December 2004 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip concerning reciprocal liberalisation measures and the replacement of Protocols 1 and 2 to the EC-Palestinian Authority Interim Association Agreement <sup>(5)</sup>.

- (5) The Commission must adopt these measures in between the meetings of the Management Committee for Live Plants and Floriculture Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1 of Regulation (EEC) No 4088/87 shall be as set out in the Annex hereto for the period from 20 July to 2 August 2005.

*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 July 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

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

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

<sup>(3)</sup> OJ L 346, 31.12.2003, p. 65.

<sup>(4)</sup> OJ L 345, 31.12.2003, p. 117.

<sup>(5)</sup> OJ L 2, 5.1.2005, p. 4.

## ANNEX

(EUR/100 pieces)

| Period from 20 July to 2 August 2005 |                               |                                 |                      |                      |
|--------------------------------------|-------------------------------|---------------------------------|----------------------|----------------------|
| Community producer price             | Uniflorous (bloom) carnations | Multiflorous (spray) carnations | Large-flowered roses | Small-flowered roses |
|                                      | 14,18                         | 13,61                           | 29,50                | 10,57                |
| Community import prices              | Uniflorous (bloom) carnations | Multiflorous (spray) carnations | Large-flowered roses | Small-flowered roses |
| Jordan                               | —                             | —                               | —                    | —                    |

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 12 July 2005

**amending Decision 1999/70/EC concerning the external auditors of the national central banks as regards the external auditor of De Nederlandsche Bank**

(2005/512/EC)

THE COUNCIL OF THE EUROPEAN UNION,

auditor fulfils the necessary requirements for appointment.

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, annexed to the Treaty establishing the European Community, and in particular to Article 27.1 thereof,

- (4) The Governing Council of the ECB recommended that the mandate of the external auditor should be for an indeterminate period, subject to his being reconfirmed each year.

Having regard to Recommendation ECB/2005/9 of the European Central Bank of 20 May 2005 to the Council of the European Union on the external auditor of De Nederlandsche Bank <sup>(1)</sup>,

- (5) It is appropriate to follow the recommendation of the Governing Council of the ECB and to amend Decision 1999/70/EC <sup>(2)</sup> accordingly,

Whereas:

HAS DECIDED AS FOLLOWS:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Eurosystem are to be audited by independent external auditors recommended by the Governing Council of the ECB and approved by the Council of the European Union.

*Article 1*

Article 1(8) of Decision 1999/70/EC shall be replaced by the following:

- (2) The mandate of the current external auditors of De Nederlandsche Bank (hereinafter DNB) has expired and will not be renewed. It is therefore necessary to appoint an external auditor from the financial year 2005.

'8. Josephus Andreas Nijhuis, Registered Accountant and chairman of the board of PricewaterhouseCoopers BV, acting in his personal capacity, is hereby approved as the external auditor of De Nederlandsche Bank from the financial year 2005 for an indeterminate period, this period being subject to confirmation each year.'

- (3) DNB has selected Josephus Andreas Nijhuis, Registered Accountant and chairman of the board of PricewaterhouseCoopers BV, acting in his personal capacity, as its new external auditor, and the ECB considers that the selected

*Article 2*

This Decision shall be notified to the European Central Bank.

<sup>(1)</sup> OJ C 151, 22.6.2005, p. 29.

<sup>(2)</sup> OJ L 22, 29.1.1999, p. 69. Decision as last amended by Decision 2005/377/EC (OJ L 125, 18.5.2005, p. 8).

*Article 3*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 12 July 2005.

*For the Council*  
*The President*  
G. BROWN

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# COMMISSION

## COMMISSION DECISION

of 11 July 2005

**on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs)**

(notified under document number C(2005) 2467)

(Text with EEA relevance)

(2005/513/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (radio spectrum Decision) <sup>(1)</sup>, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission recommendation 2003/203/EC of 20 March 2003 on the harmonisation of the provision of public R-LAN access to public electronic communications networks and services in the Community <sup>(2)</sup> recommended Member States to allow the provision of public R-LAN access to public electronic communications networks and services in the available 5 GHz band.
- (2) It also considered that further harmonisation in particular of the 5 GHz band would be necessary in the framework of Decision No 676/2002/EC to ensure that the band be available for R-LAN in all Member States and to alleviate the growing overloading of the 2,4 GHz band designated for R-LAN by Decision (01)07 of the European Radio-communications Committee <sup>(3)</sup>.
- (3) The relevant parts of the 5 GHz band have been allocated to the mobile service, except aeronautical mobile service, on a primary basis, in all three Regions of the International Telecommunication Union (ITU) by the World Radiocommunication Conference 2003 (WRC-03), taking into account the need to protect other primary services in these frequency bands.

- (4) WRC-03 adopted ITU-R Resolution 229 on the 'Use of the bands 5 150-5 250, 5 250-5 350 MHz and 5 470-5 725 MHz by the mobile service for the implementation of wireless access systems including radio local area networks' which was an incentive for further European harmonisation to allow R-LAN systems to rapidly access the European Union.
- (5) With a view to such harmonisation, a mandate <sup>(4)</sup> was issued on 23 December 2003 by the Commission to the European Conference of Postal and Telecommunications Administrations (CEPT), pursuant to Article 4(2) of Decision No 676/2002/EC, to harmonise radio spectrum in the 5 GHz band for use by RLANs.
- (6) As a result of that mandate, the CEPT, through its Electronic Communications Committee, has defined in its report <sup>(5)</sup> of 12 November 2004 and in its Decision ECC/DEC(04)08 of 12 November 2004 specific technical and operational conditions for the use of specific frequencies in the 5 GHz band, which are acceptable to the Commission and the Radio Spectrum Committee and should be made applicable in the Community in order to ensure the development of WAS/RLANs on a harmonised basis in the Community.
- (7) WAS/RLAN equipment must fulfil the requirements of Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity <sup>(6)</sup>. Article 3.2 of this Directive obliges manufacturers to ensure that equipment does not cause harmful interference to other users of the spectrum.

<sup>(1)</sup> OJ L 108, 24.4.2002, p. 1.

<sup>(2)</sup> OJ L 78, 25.3.2003, p. 12.

<sup>(3)</sup> ERC Decision (01)07 of 12 March 2001 on harmonised frequencies, technical characteristics and exemption from individual licensing of short range devices used for radio local area networks (RLANs) operating in the frequency band 2 400-2 483,5 MHz.

<sup>(4)</sup> Mandate to CEPT to harmonise technical and, in particular, operational conditions aiming at efficient spectrum use by RLANs in the bands 5 150-5 350 MHz and 5 470-5 725 MHz.

<sup>(5)</sup> CEPT response to the EC mandate to harmonise technical and, in particular, operational conditions aiming at efficient spectrum use by RLANs in the bands 5 150-5 350 MHz and 5 470-5 725 MHz.

<sup>(6)</sup> OJ L 91, 7.4.1999, p. 10.

(8) In several Member States, there is an essential need for the operation of military and meteorological radars in the bands between 5 250 and 5 850 MHz which requires specific protection against harmful interference by WAS/RLAN.

(9) There also is a need to specify appropriate equivalent isotropic radiated power limits and operational restrictions, such as indoor use restrictions, for WAS/RLANs in particular in the frequency band 5 150-5 350 MHz in order to protect systems in the Earth exploration-satellite service (active), space research service (active) and mobile-satellite service feeder links.

(10) As specified in the CEPT report sharing between the radars in the radiodetermination service and WAS/RLANs in the frequency bands 5 250-5 350 MHz and 5 470-5 725 MHz is only feasible with the application of power limits and mitigation techniques that ensure that WAS/RLANs do not interfere with radar applications/systems. Transmitter Power Control (TPC) and Dynamic Frequency Selection (DFS) have therefore been included in the harmonised standard EN 301 893 <sup>(1)</sup> developed by the European Telecommunications Standards Institute (ETSI) to provide presumption of conformity for WAS/RLAN equipment with Directive 1999/5/EC. Transmitter power control (TPC) in WAS/RLANs in the bands 5 250-5 350 MHz and 5 470-5 725 MHz would facilitate sharing with satellite services by significantly reducing the aggregate interference. DFS, which complies with the detection, operational and response requirements set out in Annex I to Recommendation ITU-RM. 1652 <sup>(2)</sup> avoids that WAS/RLANs use frequencies that are in use by radars. The effectiveness of the mitigation techniques in EN 301 893 to protect fixed frequency radars will be monitored. It is subject to review so as to take account of new developments, based on the study by Member States of suitable test methods and procedures for mitigation techniques.

(11) It is recognised at Community and ITU level that there is a need for further studies and the possibility of development of alternative technical/operational conditions for

WAS/RLANs, whilst still providing appropriate protection of other primary services in particular radiolocation. Furthermore, it is appropriate for national administrations to perform measurement campaigns and testing to facilitate coexistence between various services. Such studies and development will be taken into account in the future review of this Decision.

(12) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,

HAS ADOPTED THIS DECISION:

#### Article 1

The purpose of this Decision is to harmonise the conditions for the availability and efficient use of the frequency bands 5 150-5 350 MHz and 5 470-5 725 MHz for wireless access systems including radio local area networks (WAS/RLANs).

#### Article 2

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

(a) 'wireless access systems including radio local area networks (WAS/RLANs)' shall mean broadband radio systems that allow wireless access for public and private applications disregarding the underlying network topology.

(b) 'indoor use' shall mean use inside a building, including places assimilated thereto such as an aircraft, in which the shielding will typically provide the necessary attenuation to facilitate sharing with other services.

(c) 'mean equivalent isotropically radiated power (e.i.r.p.)' shall mean e.i.r.p. during the transmission burst which corresponds to the highest power, if power control is implemented.

#### Article 3

Member States shall designate by 31 October 2005 at the latest the frequency bands 5 150-5 350 MHz and 5 470-5 725 MHz and take all appropriate means relating thereto for the implementation of WAS/RLANs, subject to the specific conditions laid down in Article 4.

<sup>(1)</sup> EN 301 893 is a harmonised standard developed by ETSI (European Telecommunications Standards Institute), ETSI Secretariat, entitled Broadband Radio Access Networks (BRAN); 5 GHz high performance RLAN; Harmonised EN covering essential requirements of Article 3.2 of the R&TTE Directive. The ETSI is recognised according to European Parliament and Council Directive 98/34/EC. This harmonised standard has been produced according to a mandate issued in accordance with relevant procedures of European Parliament and Council Directive 98/34/EC. The full text of EN 301 893 can be obtained from ETSI 650 Route des Lucioles F-06921 Sophia Antipolis Cedex.

<sup>(2)</sup> Recommendation ITU-R M.1652 Dynamic frequency selection (DFS) in wireless access systems including radio local area networks for the purpose of protecting the radiodetermination service in the 5 GHz band (Questions ITU-R 212/8 and ITU-R 142/9).

*Article 4*

1. In the frequency band 5 150-5 350 MHz, WAS/RLANs shall be restricted to indoor use with a maximum mean e.i.r.p. of 200 mW.

Furthermore, the maximum mean e.i.r.p. density shall be limited:

(a) to 0,25 mW/25 kHz in any 25 kHz band, in the band 5 150-5 250 MHz and

(b) to 10 mW/MHz in any 1 MHz band, in the band 5 250-5 350 MHz.

2. In the frequency band 5 470-5 725 MHz, the indoor and outdoor use of WAS/RLANs shall be restricted to a maximum mean e.i.r.p. of 1 W and a maximum mean e.i.r.p. density of 50 mW/MHz in any 1 MHz band.

3. WAS/RLANs operating in the bands 5 250-5 350 MHz and 5 470-5 725 MHz shall employ transmitter power control, which provides, on average, a mitigation factor of at least 3 dB on the maximum permitted output power of the systems.

If transmitter power control is not in use, the maximum permitted mean e.i.r.p. and the corresponding mean e.i.r.p. density limits for the 5 250-5 350 MHz and 5 470-5 725 MHz bands shall be reduced by 3 dB.

4. WAS/RLANs operating in the bands 5 250-5 350 MHz and 5 470-5 725 MHz shall use mitigation techniques that give at least the same protection as the detection, operational and response requirements described in EN 301 893 to ensure compatible operation with radiodetermination systems. Such mitigation techniques shall equalise the probability of selecting a specific channel for all available channels so as to ensure, on average, a near-uniform spread of spectrum loading.

5. Member States shall keep mitigation techniques under regular review and report to the Commission thereupon.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 11 July 2005.

*For the Commission*

Viviane REDING

*Member of the Commission*

## COMMISSION DECISION

of 13 July 2005

**amending Decision 96/609/EC laying down special conditions governing the import of fishery and aquaculture products originating in the Ivory Coast, as regards the competent authority and the model of health certificate**

(notified under document number C(2005) 2584)

(Text with EEA relevance)

(2005/514/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products <sup>(1)</sup>, and in particular Article 11 (1) thereof,

Whereas:

(1) In Commission Decision 96/609/EC <sup>(2)</sup>, the 'Ministère de l'agriculture et des ressources animales — Direction générale des ressources animales (MARA-DGRA)' is identified as the competent authority in the Ivory Coast for verifying and certifying compliance of fishery and aquaculture products with Directive 91/493/EEC.

(2) Following a restructuring of the Ivorian administration, the competent authority has changed to the 'Ministère de la production animale et des ressources halieutiques — Direction des services vétérinaires et de la qualité (MIPARH-DSVQ)'.

(3) That new authority is capable of effectively verifying the application of the rules in force.

(4) The MIPARH-DSVQ has provided official assurances on compliance with the standards for health controls and monitoring of fishery and aquaculture products as set out in Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down in that Directive.

(5) Decision 96/609/EC should therefore be amended accordingly.

(6) It is appropriate for this Decision to be applied 45 days from the date of its publication in the *Official Journal of the European Union* thereby providing for the necessary transitional period.

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

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 96/609/EC is amended as follows:

1. Article 1 is replaced by the following:

*'Article 1*

The "Ministère de la production animale et des ressources halieutiques — Direction des services vétérinaires et de la qualité (MIPARH-DSVQ)" shall be the competent authority in the Ivory Coast for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

2. Article 2 is replaced by the following:

*'Article 2*

Fishery and aquaculture products imported from the Ivory Coast must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed dated and comprising a single sheet in accordance with the model in Annex A hereto;

2. the products must come from approved establishments, factory vessels, cold store or registered freezer vessels listed in Annex B hereto;

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(2)</sup> OJ L 269, 22.10.1996, p. 37.

3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the words "THE IVORY COAST" and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.'

3. Article 3(2) is replaced by the following:

'2. Certificates must bear the name, capacity and signature of the representative of the MIPARH-DSVQ and the latter's official stamp in a colour different from that of other endorsements.'

4. Annex A is replaced by the text in the Annex to this Decision.

*Article 2*

This Decision shall apply from 2 September 2005.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 13 July 2005.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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## ANNEX

## 'ANNEX A

## HEALTH CERTIFICATE

**for fishery products from Ivory Coast and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form**

Reference No: .....

Country of dispatch: IVORY COAST

Competent authority: Ministère de la production animale et des ressources halieutiques — Direction des services vétérinaires et de la qualité (MIPARH-DSVQ)

I. *Details identifying the fishery products*

- Description of fishery/aquaculture products <sup>(1)</sup>: .....
- species (scientific name): .....
- presentation of product and type of treatment <sup>(2)</sup>: .....
- Code number (where available): .....
- Type of packaging: .....
- Number of packages: .....
- Net weight: .....
- Requisite storage and transport temperature: .....

II. *Origin of products*

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the MIPARH-DSVQ for export to the EC: .....

.....

III. *Destination of products*

The products are dispatched:

from: .....  
(place of dispatch)

to: .....  
(country and place of destination)

<sup>(1)</sup> Delete where applicable.

<sup>(2)</sup> Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport: .....

.....

Name and address of dispatcher: .....

.....

Name of consignee and address at place of destination: .....

.....

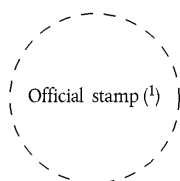
#### IV. Health attestation

— The official inspector hereby certifies that the fishery or aquaculture products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 96/609/EC.

Done at ..... , on .....  
(Place) (Date)



Signature of official inspector (1)

(Name in capital letters, capacity and qualifications of person signing)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

**COMMISSION DECISION**  
**of 14 July 2005,**  
**amending Decision 2004/292/EC on the introduction of the Traces system and amending Decision**  
**92/486/EEC**

*(notified under document number C(2005) 2663)*

**(Text with EEA relevance)**

(2005/515/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, and in particular Article 20(3) thereof,

Having regard to Council Decision 92/438/EEC of 13 July 1992 on computerisation of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC and repealing Decision 88/192/EEC <sup>(2)</sup>, and in particular Article 12 thereof,

Whereas:

- (1) Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC <sup>(3)</sup> provides for entry into the Traces system of all common veterinary entry documents for products from 30 June 2005.
- (2) There is a delay in making available an off-line system for data entry to cope with this huge increase in workload, and in developing an interface allowing communication between national systems and Traces.

- (3) The training by the Member States of freight forwarders to ensure that they play an active part in entering data into the Traces system will take some time.

- (4) The date in Decision 2004/292/EC from which entry into the Traces system of all common veterinary entry documents for products is compulsory should therefore be deferred.

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

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 3(3) of Decision 2004/292/EC, '30 June 2005' is replaced by '31 December 2005'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 14 July 2005.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

<sup>(2)</sup> OJ L 243, 25.8.1992, p. 27. Decision as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(3)</sup> OJ L 94, 31.3.2004, p. 63. Decision as amended by Decision 2005/123/EC (OJ L 39, 11.2.2005, p. 53).

**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 1129/2005 14 July 2005 laying down the reduction coefficient to be applied under the tariff quota for corn opened by Regulation (EC) No 958/2003***(Official Journal of the European Union L 184 of 15 July 2005)*

On the second page of the contents and on page 41, in the title, recital 1 and Article 1:

*for:* '... corn ...',

*read:* '... wheat ...'.

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