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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1620/2005**of 4 October 2005****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 October 2005.

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

Done at Brussels, 4 October 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 4 October 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	47,4
	096	34,2
	999	40,8
0707 00 05	052	92,3
	999	92,3
0709 90 70	052	66,7
	999	66,7
0805 50 10	052	64,7
	382	63,8
	388	62,6
	524	67,9
	528	59,5
	999	63,7
0806 10 10	052	78,4
	096	52,6
	388	79,9
	624	163,0
	999	93,5
0808 10 80	388	86,3
	400	134,2
	508	26,4
	512	82,6
	528	45,5
	720	20,1
	800	164,2
	804	70,6
0808 20 50	999	78,7
	052	103,4
	388	77,8
	999	90,6

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

COMMISSION REGULATION (EC) No 1621/2005**of 4 October 2005****opening a standing invitation to tender for the export of barley held by the Lithuanian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 6 thereof,

The Lithuanian intervention agency shall issue a standing invitation to tender for the export of barley held by it in accordance with Regulation (EEC) No 2131/93, save as otherwise provided in this Regulation.

Whereas:

Article 2

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

The invitation to tender shall cover a maximum of 38 180 tonnes of barley for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, the Former Yugoslav Republic of Macedonia, Liechtenstein, Mexico, Romania, Serbia and Montenegro ⁽⁴⁾, Switzerland and the United States of America.

(2) Commission Regulation (EEC) No 3002/92 ⁽³⁾ lays down common detailed rules for verifying the use and/or destination of products from intervention.

Article 3

(3) Given the current market situation, a standing invitation to tender should be opened for the export of 38 180 tonnes of barley held by the Lithuanian intervention agency.

1. No export refund or tax or monthly increase shall be granted on exports carried out under this Regulation.

(4) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, securities should be lodged to ensure that the goals of the operations are achieved without excessive cost to the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.

2. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

(5) To forestall reimportation, exports under this invitation to tender should be limited to certain third countries.

3. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender, with no monthly increase.

(6) With a view to modernising the management of the system, provision should be made for the electronic transmission of the information required by the Commission.

Article 4

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

1. Export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

2. Tenders submitted in response to this invitation to tender need not be accompanied by export licence applications submitted under Article 49 of Commission Regulation (EC) No 1291/2000 ⁽⁵⁾.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 749/2005 (OJ L 126, 19.5.2005, p. 10).

⁽³⁾ OJ L 301, 17.10.1992, p. 17. Regulation as last amended by Regulation (EC) No 770/96 (OJ L 104, 27.4.1996, p. 13).

⁽⁴⁾ Including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1741/2004 (OJ L 311, 8.10.2004, p. 17).

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders under the first partial invitation to tender shall be 09.00 (Brussels time) on 13 October 2005.

The time limit for submitting tenders under subsequent partial invitations to tender shall be 09.00 (Brussels time) each Thursday thereafter, with the exception of 3 November 2005, 29 December 2005, 13 April 2006 and 25 May 2006, there being no invitation to tender in the weeks concerned.

The closing date for the submission of tenders for the last partial tendering procedure shall be 22 June 2006 at 09.00 (Brussels time).

2. Tenders must be lodged with the Lithuanian intervention agency:

The Lithuanian Agricultural and Food Products Market Regulation Agency
L. Stuokos-Gucevicius Str. 9-12,
Vilnius, Lithuania
Tel. (370-5) 268 50 49
Fax (370-5) 268 50 61.

Article 6

The intervention agency, the storer and a successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage.

In the event of a dispute, the analysis results shall be forwarded electronically to the Commission.

Article 7

1. The successful tenderer must accept the lot as established if the final result of the sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:

— one kilogram per hectolitre as regards specific weight, which must not, however, be less than 64 kg/hl,

— one percentage point as regards moisture content,

— half a percentage point as regards the impurities referred to in points B.2 and B.4 of Annex I to Commission Regulation (EC) No 824/2000 ⁽¹⁾,

— half a percentage point as regards the impurities referred to in point B.5 of Annex I to Regulation (EC) No 824/2000, the percentages admissible for noxious grains and ergot remaining unchanged, however.

2. If the final result of the analyses carried out on the samples indicates a quality higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender and the difference exceeds the limits set out in paragraph 1(b), the successful tenderer may:

(a) accept the lot as established, or

(b) refuse to take over the lot concerned.

In the case of (b) above, the successful tenderer shall be discharged of all obligations relating to the lot in question and the securities shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex I.

3. Where the final result of sample analyses indicates a quality below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. The successful tenderer shall be discharged of all obligations relating to the lot in question and the securities shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex I.

Article 8

Should the cases mentioned in Article 7(2)(b) and 7(3) arise, the successful tenderer may ask the intervention agency to supply an alternative lot of barley of the requisite quality, at no extra cost. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof using the form in Annex I.

⁽¹⁾ OJ L 100, 20.4.2000, p. 31. Regulation as last amended by Regulation (EC) No 1068/2005 (OJ L 174, 7.7.2005, p. 65).

If, following successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of the request for a replacement, the successful tenderer shall be discharged of all obligations and the securities shall be released, provided the Commission and the intervention agency have been immediately informed using the form in Annex I.

Article 9

1. If the barley is removed before the results of the analyses provided for in Article 6 are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress the tenderer might have against the storer.

2. The costs of taking the samples and conducting the analyses provided for in Article 6, with the exception of those referred to in Article 7(3), shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) for up to one analysis per 500 tonnes, with the exception of the cost of inter-bin transfers. The costs of inter-bin transfers and any additional analyses requested by a successful tenderer shall be borne by that tenderer.

Article 10

Notwithstanding Article 12 of Commission Regulation (EEC) No 3002/92, the documents relating to the sale of barley under this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No

3002/92, the export declaration and, where applicable, the T5 copy shall carry one of the entries set out in Annex II.

Article 11

1. The security lodged under Article 13(4) of Regulation (EEC) No 2131/93 shall be released once the export licences have been issued to the successful tenderers.

2. Notwithstanding Article 17(1) of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded, but not less than EUR 25 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Article 12

Within two hours of the expiry of the time limit for the submission of tenders, the Lithuanian intervention agency shall electronically notify the Commission of tenders received. This notification shall be made by e-mail, using the form in Annex III.

Article 13

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, 4 October 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Communication of refusal and possible replacement of lots under the standing invitation to tender for the export of barley held by the Lithuanian intervention agency

(Regulation (EC) No 1621/2005)

— Name of successful tenderer:

— Date of award:

— Date of refusal of the lot by the successful tenderer:

Lot number	Quantity in tonnes	Address of the silo	Reason for refusal to take over
			— specific weight (kg/hl) — % of sprouted grains — % of miscellaneous impurities (Schwarzbesatz) — % of matter other than basic cereals of unimpaired quality — Other

ANNEX II

Entries referred to in Article 10

- *in Spanish:* Cebada de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 1621/2005
 - *in Czech:* Intervenční ječmen nepodléhá vývozní náhradě ani clu, nařízení (ES) č. 1621/2005
 - *in Danish:* Byg fra intervention uden restitutionsydelse eller -avgift, forordning (EF) nr. 1621/2005
 - *in German:* Interventionsgerste ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 1621/2005
 - *in Estonian:* Sekkumisoder, mille puhul ei rakendata toetust või maksu, määrus (EÜ) nr 1621/2005
 - *in Greek:* Κριθή παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 1621/2005
 - *in English:* Intervention barley without application of refund or tax, Regulation (EC) No 1621/2005
 - *in French:* Orge d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 1621/2005
 - *in Italian:* Orzo d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 1621/2005
 - *in Latvian:* Intervences mieži bez kompensācijas vai nodokļa piemērošanas, Regula (EK) Nr. 1621/2005
 - *in Lithuanian:* Intervenciniai miežiai, kompensacija ar mokesčiai netaikytini, Reglamentas (EB) Nr. 1621/2005
 - *in Hungarian:* Intervenciós árpa, visszatérítés, illetve adó nem alkalmazandó, 1621/2005/EK rendelet
 - *in Dutch:* Gerst uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 1621/2005
 - *in Polish:* Jęczmień interwencyjny niedający prawa do refundacji ani do opłaty, rozporządzenie (WE) nr 1621/2005
 - *in Portuguese:* Cevada de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 1621/2005
 - *in Slovak:* Intervenčný jačmeň nepodlieha vývozným náhradám ani clu, nariadenie (ES) č. 1621/2005
 - *in Slovenian:* Intervencija ječmena brez zahtevkov za nadomestila ali carine, Uredba (ES) št. 1621/2005
 - *in Finnish:* Interventio-ohra, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 1621/2005
 - *in Swedish:* Interventionskorn, utan tillämpning av bidrag eller avgift, förordning (EG) nr 1621/2005.
-

ANNEX III

Standing invitation to tender for the export of barley held by the Lithuanian intervention agency

Form (*)

(Regulation (EC) No 1621/2005)

1	2	3	4	5	6	7
Serial numbers of tenderers	Lot number	Quantity (in tonnes)	Tender price (EUR/tonne) ⁽¹⁾	Increases (+) Reductions (-) (EUR/tonne) (p.m.)	Commercial costs ⁽²⁾ (EUR/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases and reductions relating to the lot covered by the tender.

⁽²⁾ The commercial costs corresponding to insurance and services provision borne after the exit of the intervention stock up to the FOB stage at the port of export, with the exception of transport costs. The notified costs shall be established on the basis of the average real costs recorded by the intervention agency in the six months preceding the opening of the tendering period and shall be expressed in euro per tonne.

(*) To be sent to DG AGRI (Unit D.2).

COMMISSION REGULATION (EC) No 1622/2005**of 4 October 2005****opening a standing invitation to tender for the export of common wheat held by the Czech intervention agency in Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

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

(2) Commission Regulation (EEC) No 3002/92 ⁽³⁾ lays down common detailed rules for verifying the use and/or destination of products from intervention.

(3) Given the current market situation, a standing invitation to tender should be opened for the export of 55 218 tonnes of common wheat held by the Czech intervention agency in Germany, under the Commission Decision authorising the Czech Republic to store outside its territory 55 000 tonnes of cereals from the 2004/05 marketing year ⁽⁴⁾.

(4) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.

(5) To forestall reimportation, exports under this invitation to tender should be limited to certain third countries.

(6) With a view to modernising the management of the system, provision should be made for the electronic transmission of the information required by the Commission.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Czech intervention agency shall issue a standing invitation to tender for the export of common wheat held by it in the places listed in Annex I to this Regulation, in accordance with Regulation (EEC) No 2131/93, save as otherwise provided in this Regulation.

Article 2

The invitation to tender shall cover a maximum of 55 218 tonnes of common wheat for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Liechtenstein, Romania, Serbia and Montenegro ⁽⁵⁾ and Switzerland.

Article 3

1. No export refund or tax or monthly increase shall be granted on exports carried out under this Regulation.

2. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

3. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender, with no monthly increase.

Article 4

1. Export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 749/2005 (OJ L 126, 19.5.2005, p. 10).

⁽³⁾ OJ L 301, 17.10.1992, p. 17. Regulation as last amended by Regulation (EC) No 770/96 (OJ L 104, 27.4.1996, p. 13).

⁽⁴⁾ Notified to the Czech Republic on 1 June 2005.

⁽⁵⁾ Including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999.

2. Tenders submitted in response to this invitation to tender need not be accompanied by export licence applications submitted under Article 49 of Commission Regulation (EC) No 1291/2000 ⁽¹⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders under the first partial invitation to tender shall be 09.00 (Brussels time) on 13 October 2005.

The time limit for submitting tenders under subsequent partial invitations to tender shall be 09.00 (Brussels time) each Thursday thereafter, with the exception of 3 November 2005, 29 December 2005, 13 April 2006 and 25 May 2006, i.e. weeks in which no invitation to tender shall be made.

The last partial invitation to tender shall expire at 09.00 (Brussels time) on 22 June 2006.

2. Tenders must be lodged with the Czech intervention agency:

Statní zemědělský intervenční fond
Odbor Rostlinných Komodit
Ve Smečkách 33
CZ - 110 00, Praha 1
Tel. (420) 222 87 16 67/403
Fax (420) 222 296 80 64 04.

Article 6

The intervention agency, the storer and a successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage.

In the event of a dispute, the analysis results shall be forwarded electronically to the Commission.

Article 7

1. The successful tenderer must accept the lot as established if the final result of the sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - one kilogram per hectolitre as regards specific weight, which must not, however, be less than 75 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards the impurities referred to in points B.2 and B.4 of the Annex to Commission Regulation (EC) No 824/2000 ⁽²⁾,
 - half a percentage point as regards the impurities referred to in point B.5 of Annex I to Regulation (EC) No 824/2000, the percentages admissible for noxious grains and ergot remaining unchanged, however.

2. If the final result of the analyses carried out on the samples indicates a quality higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender and the difference exceeds the limits set out in paragraph 1(b), the successful tenderer may:

- (a) accept the lot as established, or
- (b) refuse to take over the lot concerned.

In the case of (b) above, the successful tenderer shall be discharged of all obligations relating to the lot in question and the security shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex II.

3. Where the final result of sample analyses indicates a quality below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. The successful tenderer shall be discharged of all obligations relating to the lot in question and the security shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex II.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1741/2004 (OJ L 311, 8.10.2004, p. 17).

⁽²⁾ OJ L 100, 20.4.2000, p. 31. Regulation as last amended by Regulation (EC) No 1068/2005 (OJ L 174, 7.7.2005, p. 65).

Article 8

Should the cases mentioned in Article 7(2)(b) and 7(3) arise, the successful tenderer may ask the intervention agency to supply an alternative lot of common wheat of the requisite quality, at no extra cost. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof using the form in Annex II.

If, following successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of the request for a replacement, the successful tenderer shall be discharged of all obligations and the security shall be released, provided the Commission and the intervention agency have been immediately informed using the form in Annex II.

Article 9

1. If the common wheat is removed before the results of the analyses provided for in Article 6 are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress the tenderer might have against the storer.

2. The costs of taking the samples and conducting the analyses provided for in Article 6, with the exception of those referred to in Article 7(3), shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) for up to one analysis per 500 tonnes, with the exception of the cost of inter-bin transfers. The costs of inter-bin transfers and any additional analyses requested by a successful tenderer shall be borne by that tenderer.

Article 10

Notwithstanding Article 12 of Commission Regulation (EEC) No 3002/92, the documents relating to the sale of common wheat under this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where applicable, the T5 copy shall carry one of the entries set out in Annex III.

Article 11

1. The security lodged under Article 13(4) of Regulation (EEC) No 2131/93 shall be released once the export licences have been issued to the successful tenderers.

2. Notwithstanding Article 17(1) of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded, but not less than EUR 25 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Article 12

Within two hours of the expiry of the time limit for the submission of tenders, the Czech intervention agency shall electronically notify the Commission of tenders received. This notification shall be made by e-mail, using the form in Annex IV.

Article 13

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, 4 October 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

		(tonnes)
Place of storage		Quantity
Hamburg (Brake)		55 218

ANNEX II

Communication of refusal and possible replacement of lots under the standing invitation to tender for the export of common wheat held by the Czech intervention agency in Germany

(Regulation (EC) No 1622/2005)

— Name of successful tenderer:

— Date of award:

— Date of refusal of the lot by the successful tenderer:

Lot number	Quantity (tonnes)	Silo address	Reason for refusal to take over
			— SW (kg/hl) — % of sprouted grains — % of miscellaneous impurities (Schwarzbesatz) — % of matter other than basic cereals of unimpaired quality — Other

ANNEX III

Entries referred to in Article 10

- *in Spanish:* Trigo blando de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 1622/2005
 - *in Czech:* Intervenční pšenice obecná nepodléhá vývozní náhradě ani clu, nařízení (ES) č. 1622/2005
 - *in Danish:* Blød hvede fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 1622/2005
 - *in German:* Weichweizen aus Interventionsbeständen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 1622/2005
 - *in Estonian:* Pehme nisu sekkumisvarudest, mille puhul ei rakendata toetust või maksu, määrus (EÜ) nr 1622/2005
 - *in Greek:* Μαλακός σίτος παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 1622/2005
 - *in English:* Intervention common wheat without application of refund or tax, Regulation (EC) No 1622/2005
 - *in French:* Blé tendre d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 1622/2005
 - *in Italian:* Frumento tenero d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 1622/2005
 - *in Latvian:* Intervences parastie kvieši bez kompensācijas vai nodokļa piemērošanas, Regula (EK) Nr. 1622/2005
 - *in Lithuanian:* Intervenciniai paprastieji kviečiai, kompensacija ar mokesčiai netaikytini, Reglamentas (EB) Nr. 1622/2005
 - *in Hungarian:* Intervenciós búza, visszatérítés, illetve adó nem alkalmazandó, 1622/2005/EK rendelet
 - *in Dutch:* Zachte tarwe uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 1622/2005
 - *in Polish:* Pszenica zwyczajna interwencyjna niedająca prawa do refundacji ani do opłaty, rozporządzenie (WE) nr 1622/2005
 - *in Portuguese:* Trigo mole de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 1622/2005
 - *in Slovak:* Intervenčná pšenica obyčajná nepodlieha vývozným náhradám ani clu, nariadenie (ES) č. 1622/2005
 - *in Slovenian:* Intervencija navadne pšenice brez zahtevkov za nadomestila ali carine, Uredba (ES) št. 1622/2005
 - *in Finnish:* Interventiovehnä, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 1622/2005
 - *in Swedish:* Interventionsvete, utan tillämpning av bidrag eller avgift, förordning (EG) nr 1622/2005.
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ANNEX IV

Standing invitation to tender for the export of common wheat held by the Czech intervention agency in Germany

Form (*)

(Regulation (EC) No 1622/2005)

1	2	3	4	5	6	7
Serial numbers of tenderers	Lot number	Quantity (tonnes)	Tender price (EUR/tonne) ⁽¹⁾	Increases (+) Reductions (-) (EUR/tonne) (p.m.)	Commercial costs ⁽²⁾ (EUR/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases and reductions relating to the lot covered by the tender.⁽²⁾ The commercial costs corresponding to insurance and services provision borne after the exit of the intervention stock up to the FOB stage at the port of export, with the exception of transport costs. The notified costs shall be established on the basis of the average real costs recorded by the intervention agency in the six months preceding the opening of the tendering period and shall be expressed in euro per tonne.

(*) To be sent to DG AGRI (Unit D.2).

COMMISSION REGULATION (EC) No 1623/2005**of 4 October 2005****supplementing the Annex to Regulation (EC) No 2400/96 as regards the entry of certain names in the Register of protected designations of origin and protected geographical indications (Tuscia — (PDO) and Basilico Genovese — (PDO))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽¹⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Regulation (EEC) No 2081/92, Italy's applications to register the two names 'Tuscia' and 'Basilico Genovese' were published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objection under Article 7 of Regulation (EEC) No 2081/92 was sent to the Commission, these names should be entered in the register of protected designations of origin and protected geographical indications,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex to this Regulation are hereby added to the Annex to Commission Regulation (EC) No 2400/96 ⁽³⁾.

Article 2

This Regulation shall enter into force on the 20th 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, 4 October 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1. Regulation last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ C 229, 14.9.2004, p. 2 (Tuscia); OJ C 259, 21.10.2004, p. 3 (Basilico Genovese).

⁽³⁾ OJ L 327, 18.12.1996, p. 11. Regulation as last amended by Regulation (EC) No 1357/2005 (OJ L 214, 19.8.2005, p. 6).

ANNEX

Products listed in Annex I to the EC Treaty intended for human consumption**Oils and fats (butter, margarine, oils, etc.)**

ITALY

Tuscia (PDO)

Fruit, vegetables, cereals, whether or not processed

ITALY

Basilico Genovese (PDO)

COMMISSION REGULATION (EC) No 1624/2005**of 4 October 2005****derogating from Council Regulation (EC) No 866/2004 as regards citrus fruit crossing the line in Cyprus**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 866/2004 of 29 April 2004 on a regime under Article 2 of Protocol No 10 of the Act of Accession ⁽¹⁾, and in particular Article 4(2), second subparagraph, thereof,

Whereas:

- (1) Article 4(2), first subparagraph, of Regulation (EC) No 866/2004 provides that goods which are wholly obtained in the areas of the Republic of Cyprus not under the effective control of the Government of the Republic of Cyprus or have undergone their last, substantial, economically justified processing or working in an undertaking equipped for that purpose in those areas are not subject to customs duties or charges having equivalent effect when they are introduced in the areas under the effective control of the Government of the Republic of Cyprus, unless they are of a kind eligible for export refunds or intervention measures.
- (2) Article 4(2) of Regulation (EC) No 866/2004 was amended by Council Regulation (EC) No 293/2005 ⁽²⁾ to extend the access to the abovementioned duty-free regime, on a case-by-case basis, to certain products of a kind eligible for export refunds or intervention measures, provided that conditions and arrangements for that access ensure that the financial interests of the Community can be effectively protected.
- (3) Facilitating the movement of citrus fruit would contribute to the process of economic development of the areas not under the effective control of the Government of the Republic of Cyprus, given the interest amongst economic operators in Cyprus in marketing citrus fruit produced in those areas on the Community market.
- (4) Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽³⁾, Council Regulation (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruits ⁽⁴⁾ and Commission Regulation (EC) No 2111/2003 of 1 December 2003 laying down detailed rules for the application of Council Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus fruits ⁽⁵⁾ provide for checks to ensure compliance with Community rules in the fruit and vegetable sectors. Pursuant to those Regulations, the Government of the Republic of Cyprus should ensure through appropriate checks that products covered by this Regulation are not subject to export refunds and intervention measures.
- (5) Since the level of refunds paid for the export from the Community of citrus fruits is low, the risk of fraud under the measures provided for in this Regulation is limited. The Government of the Republic of Cyprus should, nevertheless, ensure that the rule of Community origin as set out in the second indent of Article 35(9) of Regulation (EC) No 2200/96 and in Article 11(2) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁶⁾ is complied with.
- (6) In accordance with Article 8 of Commission Regulation (EC) No 1480/2004 of 10 August 2004 laying down specific rules concerning goods arriving from the areas not under the effective control of the Government of Cyprus in the areas in which the Government exercises effective control ⁽⁷⁾, the Turkish Cypriot Chamber of Commerce and the authorities of the Republic of Cyprus have to communicate to the Commission the information enabling the Commission to monitor the trade flows across the 'green line'.
- (7) Accordingly, it does not appear necessary to establish further conditions for the duty-free access of citrus fruits obtained in the areas not under the effective control of the Government of the Republic of Cyprus.

⁽¹⁾ OJ L 161, 30.4.2004, p. 128. Regulation as amended by Commission Regulation (EC) No 1283/2005 (OJ L 203, 4.8.2005, p. 8).

⁽²⁾ OJ L 50, 23.2.2005, p. 1.

⁽³⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽⁴⁾ OJ L 297, 21.11.1996, p. 49. Regulation as last amended by the 2003 Act of Accession.

⁽⁵⁾ OJ L 317, 2.12.2003, p. 5.

⁽⁶⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

⁽⁷⁾ OJ L 272, 20.8.2004, p. 3.

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

line within the meaning of that Regulation falling within CN code 0805 shall not be subject to customs duties or charges having equivalent effect.

HAS ADOPTED THIS REGULATION:

Article 1

Article 2

By way of derogation from the first subparagraph of Article 4(2) of Regulation (EC) No 866/2004, citrus fruit crossing the

This Regulation shall enter into force on the third 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, 4 October 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 1625/2005**of 4 October 2005****establishing a prohibition of fishing for cod in ICES zones I, II b by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, 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 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 27/2005 of 22 December 2004 fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2005.
- (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 in 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, 4 October 2005.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ 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).

⁽³⁾ OJ L 12, 14.1.2005, p. 1. Regulation as last amended by Regulation (EC) No 1300/2005 (OJ L 207, 10.8.2005, p. 1).

ANNEX

Member State	Germany
Stock	COD/1/2B.
Species	Cod (<i>Gadus morhua</i>)
Zone	I, II b
Date	23.9.2005

COMMISSION REGULATION (EC) No 1626/2005**of 4 October 2005****correcting Regulation (EC) No 1616/2005 fixing the import duties in the cereals sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1616/2005 ⁽³⁾.
- (2) A calculation error has been discovered in the Annexes to Regulation (EC) No 1616/2005. The Regulation in question should therefore be corrected. This correction should apply retroactively and will not cause detrimental effects on operators,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulation (EC) No 1616/2005 are hereby replaced by the text in the Annex to this Regulation.

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

It shall apply from 1 October 2005.

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

Done at Brussels, 4 October 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

⁽³⁾ OJ L 256, 1.10.2005, p. 27.

ANNEX

‘ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from
1 October 2005**

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	38,82
1005 10 90	Maize seed other than hybrid	55,34
1005 90 00	Maize other than seed ⁽²⁾	55,34
1007 00 90	Grain sorghum other than hybrids for sowing	38,82

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3/t, where the port of unloading is on the Mediterranean Sea, or

— EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

period from 16.9.2005-29.9.2005

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	125,07 (***)	66,77	170,91	160,91	140,91	93,02
Gulf premium (EUR/t)	—	13,92	—			—
Great Lakes premium (EUR/t)	34,49	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 21,00 EUR/t; Great Lakes–Rotterdam: 25,19 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).’