

Official Journal

of the European Union

L 318

Volume 48

6 December 2005

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1979/2005 of 5 December 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 1980/2005 of 5 December 2005 amending the conditions for authorisation of a feed additive belonging to the group of trace elements and of a feed additive belonging to the group of binders and anti-caking agents ⁽¹⁾** 3

★ **Commission Regulation (EC) No 1981/2005 of 5 December 2005 opening and providing for the administration of an autonomous tariff quota for preserved mushrooms from 1 January 2006** 4

★ **Commission Regulation (EC) No 1982/2005 of 5 December 2005 opening and providing for the administration of an autonomous tariff quota for garlic from 1 January 2006** 8

Commission Regulation (EC) No 1983/2005 of 5 December 2005 amending the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty 12

Commission Regulation (EC) No 1984/2005 of 5 December 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 14

★ **Commission Directive 2005/86/EC of 5 December 2005 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards camphechlor ⁽¹⁾** 16

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

★ Commission Directive 2005/87/EC of 5 December 2005 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards lead, fluorine and cadmium ⁽¹⁾	19
---	----

II Acts whose publication is not obligatory

Council

2005/866/EC:

★ Council Decision of 1 December 2005 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank and Financial Services Authority of Ireland	25
---	----

Commission

2005/867/EC:

★ Decision No 1/2005 of the EC-Andorra Joint Committee of 10 October 2005	26
---	----

Acts adopted under Title V of the Treaty on European Union

★ Council Joint Action 2005/868/CFSP of 1 December 2005 amending Joint Action 2005/355/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) with regard to setting up a technical assistance project on improving the chain of payments of the Ministry of Defence in the DRC	29
---	----



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1979/2005**of 5 December 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 6 December 2005.

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

Done at Brussels, 5 December 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 5 December 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	57,6
	204	35,9
	212	74,2
	999	55,9
0707 00 05	052	122,3
	204	44,6
	220	147,3
	999	104,7
0709 90 70	052	118,7
	204	119,6
	999	119,2
0805 10 20	052	83,0
	382	31,4
	388	37,6
	524	38,5
	999	47,6
0805 20 10	204	63,3
	624	79,3
	999	71,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	73,3
	624	99,6
	999	86,5
0805 50 10	052	65,7
	220	47,3
	999	56,5
0808 10 80	052	78,2
	388	68,7
	400	107,6
	404	93,8
	720	88,7
0808 20 50	999	87,4
	052	101,8
	400	92,7
	404	53,2
	720	49,3
	999	74,3

⁽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 1980/2005**of 5 December 2005****amending the conditions for authorisation of a feed additive belonging to the group of trace elements and of a feed additive belonging to the group of binders and anti-caking agents****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular the third sentence of Article 13(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1334/2003 of 25 July 2003 amending the conditions for authorisation of a number of additives in feedingstuffs belonging to the group of trace elements⁽²⁾ establishes a maximum level for lead in zinc oxide and Commission Regulation (EC) No 2148/2004 of 16 December 2004 concerning the permanent and provisional authorisations of certain additives and the authorisation of new uses of an additive already authorised in feedingstuffs⁽³⁾ establishes a maximum level for lead in clinoptilolite of volcanic origin.
- (2) Maximum levels for lead have been established for additives belonging to the functional group of compounds of trace elements, including zinc oxide, and for additives belonging to the functional groups of binders and anti-caking agents, including clinoptilolite

of volcanic origin by Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed⁽⁴⁾, as amended by Commission Directive 2005/87/EC⁽⁵⁾. Since the rules governing undesirable substances should be collected in a single text for greater clarity, it is appropriate to remove the corresponding references from Regulations (EC) No 1334/2003 and (EC) No 2148/2004.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In Regulation (EC) No 1334/2003, the words 'maximum content of lead: 600 mg/kg' are deleted from the entry in the Annex concerning zinc.
2. In Regulation (EC) No 2148/2004, the words 'maximum lead content: 80 mg/kg' are deleted from the entry in the Annex concerning clinoptilolite of volcanic origin.

Article 2

This Regulation shall enter into force 12 months after the entry into force of Commission Directive 2005/87/EC.

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

Done at Brussels, 5 December 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽²⁾ OJ L 187, 26.7.2003, p. 11. Regulation as amended by Regulation (EC) No 2112/2003 (OJ L 317, 2.12.2003, p. 22).

⁽³⁾ OJ L 370, 17.12.2004, p. 24.

⁽⁴⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2005/8/EC (OJ L 27, 29.1.2005, p. 44).

⁽⁵⁾ See page 19 of this Official Journal.

COMMISSION REGULATION (EC) No 1981/2005**of 5 December 2005****opening and providing for the administration of an autonomous tariff quota for preserved mushrooms from 1 January 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first paragraph of Article 41 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1864/2004⁽¹⁾ opens tariff quotas for preserved mushrooms imported from third countries and lays down rules for the administration thereof.
- (2) Regulation (EC) No 1864/2004 provides for transitional measures allowing importers from the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter the new Member States) to benefit from the quotas. The aim of those measures is to make a distinction between traditional importers and new importers in the new Member States, and to adjust the quantities to which licence applications presented by traditional importers from the new Member States can relate so that these importers can benefit from the system.
- (3) To ensure uninterrupted supplies to the enlarged Community market while taking account of the economic supply conditions in the new Member States prior to their accession to the European Union, an autonomous and temporary import tariff quota should be opened for preserved mushrooms of the genus *Agaricus* falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30.

(4) The new quota should be transitional and may not prejudice the outcome of the negotiations under way in the context of the World Trade Organisation (WTO) as a result of the accession of the new Member States.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. An autonomous tariff quota of 1 200 tonnes (drained net weight), bearing order No 09.4075 (hereinafter the autonomous quota), shall be opened from 1 January 2006 for Community imports of preserved mushrooms of the genus *Agaricus* spp. falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30.

2. The *ad valorem* duty applicable to products imported under the autonomous quota shall be 12 % for products falling within CN code 0711 51 00 and 23 % for products falling within CN codes 2003 10 20 and 2003 10 30.

Article 2

Regulation (EC) No 1864/2004 shall apply to the management of the autonomous quota, subject to the provisions of this Regulation.

However, Articles 1, 5(2) and (5), 6(2), (3) and (4), 7, 8(2), 9 and 10 of Regulation (EC) No 1864/2004 shall not apply to the management of the autonomous quota.

Article 3

Import licences issued under the autonomous quota (hereinafter licences), shall be valid until 31 March 2006.

Box 24 of the licences shall show one of the entries listed in Annex I.

⁽¹⁾ OJ L 325, 28.10.2004, p. 30. Regulation as amended by Regulation (EC) No 1857/2005 (OJ L 297, 15.11.2005, p. 9).

Article 4

1. Importers may submit licence applications to the competent authorities of the Member States in the five working days following the date of entry into force of this Regulation.

Box 20 of the licences shall show one of the entries listed in Annex II.

2. Licence applications submitted by a single traditional importer may not relate to a quantity exceeding 9 % of the autonomous quota.

3. Licence applications submitted by a single new importer may not relate to a quantity exceeding 1 % of the autonomous quota.

Article 5

The autonomous quota shall be allocated as follows:

— 95 % to traditional importers,

— 5 % to new importers.

If the quantity allocated to one of the categories of importers is not used in full, the balance may be allocated to the other category.

Article 6

1. The Member States shall notify the Commission, on the seventh working day following that of the entry into force of this Regulation, of the quantities for which licence applications have been made.

2. Licences shall be issued on the 12th working day following that of the entry into force of this Regulation, unless the Commission has taken special measures under paragraph 3.

3. Where the Commission finds, on the basis of the information notified under paragraph 1, that licence applications exceed the quantities available for a category of importers under Article 5, it shall adopt, by means of a regulation, a single reduction percentage for the applications in question.

Article 7

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, 5 December 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Entries referred to in Article 3

- *in Spanish:* Certificado expedido en virtud del Reglamento (CE) n° 1981/2005 y válido únicamente hasta el 31 de marzo de 2006
 - *in Czech:* licence vydaná na základě nařízení (ES) č. 1981/2005 a platná pouze do 31. března 2006
 - *in Danish:* licens udstedt i henhold til forordning (EF) nr. 1981/2005 og kun gyldig til den 31. marts 2006
 - *in German:* Lizenz gemäß der Verordnung (EG) Nr. 1981/2005 erteilt und nur bis zum 31. März 2006 gültig
 - *in Estonian:* määruste (EÜ) nr 1981/2005 kohaselt väljastatud litsents, mis kehtib 31. märtsini 2006
 - *in Greek:* πιστοποιητικό που εκδίδεται κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1981/2005 και ισχύει μόνο έως τις 31 Μαρτίου 2006
 - *in English:* licence issued under Regulation (EC) No 1981/2005 and valid only until 31 March 2006
 - *in French:* certificat émis au titre du règlement (CE) n° 1981/2005 et valable seulement jusqu'au 31 mars 2006
 - *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 1981/2005 e valida soltanto fino al 31 marzo 2006
 - *in Latvian:* atļauja, kas izdota saskaņā ar Regulu (EK) Nr. 1981/2005 un ir derīga tikai līdz 2006. gada 31. martam
 - *in Lithuanian:* licencija, išduota pagal Reglamento (EB) Nr. 1981/2005 nuostatas, galiojanti tik iki 2006 m. kovo 31 d.
 - *in Hungarian:* az 1981/2005/EK rendelet szerint kibocsátott engedély, csak 2006. március 31-ig érvényes
 - *in Maltese:* liċenzja mahruġa taht ir-Regolament (KE) Nru 1981/2005 u valida biss sal 31 ta' Marzu 2006
 - *in Dutch:* overeenkomstig Verordening (EG) nr. 1981/2005 afgegeven certificaat dat slechts tot en met 31 maart 2006 geldig is
 - *in Polish:* pozwolenie wydane zgodnie z rozporządzeniem (WE) nr 1981/2005 i ważne wyłącznie do 31 marca 2006 r.
 - *in Portuguese:* certificado emitido a título do Regulamento (CE) n.º 1981/2005 e eficaz somente até 31 de Março de 2006
 - *in Slovak:* licencia vydaná na základe nariadenia (ES) č. 1981/2005 a platná len do 31. marca 2006
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 1981/2005 in veljavno samo do 31. marca 2006
 - *in Finnish:* asetuksen (EY) N:o 1981/2005 mukaisesti annettu todistus, joka on voimassa ainoastaan 31 päivään maaliskuuta 2006
 - *in Swedish:* Licens utfärdad i enlighet med förordning (EG) nr 1981/2005, giltig endast till och med den 31 mars 2006.
-

ANNEX II

Entries referred to in Article 4(1)

- *in Spanish:* Solicitud de certificado presentada en virtud del Reglamento (CE) n° 1981/2005
 - *in Czech:* žádost o licenci podaná na základě nařízení (ES) č. 1981/2005
 - *in Danish:* licensansøgning i henhold til forordning (EF) nr. 1981/2005
 - *in German:* Lizenzantrag gemäß der Verordnung (EG) Nr. 1981/2005
 - *in Estonian:* määruse (EÜ) nr 1981/2005 kohaselt esitatud litsentsitaotlus
 - *in Greek:* αίτηση χορήγησης πιστοποιητικού κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1981/2005
 - *in English:* licence application under Regulation (EC) No 1981/2005
 - *in French:* demande de certificat faite au titre du règlement (CE) n° 1981/2005
 - *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 1981/2005
 - *in Latvian:* licence pieprasīta saskaņā ar Regulu (EK) Nr. 1981/2005
 - *in Lithuanian:* prašymas išduoti licenciją pagal Reglamentą (EB) Nr. 1981/2005
 - *in Hungarian:* az 1981/2005/EK rendelet szerinti engedélykérelem
 - *in Maltese:* applikazzjoni għal liċenzja taht ir-Regolament (KE) Nru 1981/2005
 - *in Dutch:* overeenkomstig Verordening (EG) nr. 1981/2005 ingediende certificaataanvraag
 - *in Polish:* wnioszek o pozwolenie przedłożony zgodnie z rozporządzeniem (WE) nr 1981/2005
 - *in Portuguese:* pedido de certificado apresentado a título do Regulamento (CE) n.º 1981/2005
 - *in Slovak:* žiadosť o licenciu na základe nariadenia (ES) č. 1981/2005
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 1981/2005
 - *in Finnish:* asetuksen (EY) N:o 1981/2005 mukainen todistushakemus
 - *in Swedish:* Licensansökan enligt förordning (EG) nr 1981/2005.
-

COMMISSION REGULATION (EC) No 1982/2005**of 5 December 2005****opening and providing for the administration of an autonomous tariff quota for garlic from
1 January 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first paragraph of Article 41 thereof,

Whereas:

- (1) Commission Regulation (EC) No 565/2002 ⁽¹⁾ establishes the method for managing tariff quotas and introduces a system of certificates of origin for garlic imported from third countries.
- (2) Commission Regulation (EC) No 228/2004 of 3 February 2004 laying down transitional measures applicable to Regulation (EC) No 565/2002 by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia ⁽²⁾ adopts measures allowing importers from those countries (hereinafter 'the new Member States') to benefit from Regulation (EC) No 565/2002. The aim of those measures is to make a distinction between traditional importers and new importers in the new Member States, and to adapt the concept of the reference quantity so that those importers can benefit from the system.
- (3) To ensure uninterrupted supplies to the enlarged Community market while taking account of the economic supply conditions in the new Member States prior to their accession to the European Union, an autonomous and temporary import tariff quota should be opened for fresh or chilled garlic falling within CN code 0703 20 00.

(4) The new quota should be transitional and may not prejudice the outcome of the negotiations under way in the context of the World Trade Organisation (WTO) as a result of the accession of the new Member States.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. An autonomous tariff quota of 4 400 tonnes, bearing order number 09.4066 (hereinafter the 'autonomous quota'), shall be opened from 1 January 2006 for Community imports of fresh or chilled garlic falling within CN code 0703 20 00.

2. The *ad valorem* duty applicable to products imported under the autonomous quota shall be 9,6 %.

Article 2

Regulation (EC) No 565/2002 and Regulation (EC) No 228/2004 shall apply to the management of the autonomous quota, subject to the provisions of this Regulation.

However, Articles 1, 5(5) and 6(1) of Regulation (EC) No 565/2002 shall not apply to the management of the autonomous quota.

Article 3

Import licences issued under the autonomous quota, hereinafter 'licences', shall be valid until 31 March 2006.

Box 24 of the licences shall show one of the entries listed in Annex I.

⁽¹⁾ OJ L 86, 3.4.2002, p. 11. Regulation as amended by Regulation (EC) No 537/2004 (OJ L 86, 24.3.2004, p. 9).

⁽²⁾ OJ L 39, 11.2.2004, p. 10.

Article 4

1. Importers may submit licence applications to the competent authorities of the Member States in the five working days following the date of entry into force of this Regulation.

Box 20 of the licences shall show one of the entries listed in Annex II.

2. Licence applications submitted by a single importer may not relate to a quantity exceeding 10 % of the autonomous quota.

Article 5

The autonomous quota shall be allocated as follows:

— 70 % to traditional importers,

— 30 % to new importers.

If the quantity allocated to one of the categories of importers is not used in full, the balance may be allocated to the other category.

Article 6

1. The Member States shall notify the Commission, on the seventh working day following that of the entry into force of this Regulation, of the quantities for which licence applications have been made.

2. Licences shall be issued on the 12th working day following that of the entry into force of this Regulation, unless the Commission has taken special measures under paragraph 3.

3. If the Commission finds, on the basis of the information notified under paragraph 1, that licence applications exceed the quantities available for a category of importers according to Article 5, it shall adopt, by means of a regulation, a single reduction percentage for the applications in question.

Article 7

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, 5 December 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Entries referred to in Article 3

- *in Spanish:* Certificado expedido en virtud del Reglamento (CE) n° 1982/2005 y válido únicamente hasta el 31 de marzo de 2006
 - *in Czech:* licence vydaná na základě nařízení (ES) č. 1982/2005 a platná pouze do 31. března 2006
 - *in Danish:* licens udstedt i henhold til forordning (EF) nr. 1982/2005 og kun gyldig til den 31. marts 2006
 - *in German:* Lizenz gemäß der Verordnung (EG) Nr. 1982/2005 erteilt und nur bis zum 31. März 2006 gültig
 - *in Estonian:* määruse (EÜ) nr 1982/2005 kohaselt esitatud litsentsitaotlus kehtib ainult kuni 31. märtsini 2006
 - *in Greek:* πιστοποιητικό που εκδίδεται κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1982/2005 και ισχύει μόνον έως τις 31 Μαρτίου 2006
 - *in English:* licence issued pursuant to Regulation (EC) No 1982/2005 and valid only until 31 March 2006
 - *in French:* certificat émis au titre du règlement (CE) n° 1982/2005 et valable seulement jusqu'au 31 mars 2006
 - *in Italian:* Domanda di titolo presentata ai sensi del regolamento (CE) n. 1982/2005 e valida soltanto fino al 31 marzo 2006
 - *in Latvian:* licence ir izsniegta saskaņā ar Regulu (EK) Nr. 1982/2005 un ir derīga tikai līdz 2006. gada 31. martam
 - *in Lithuanian:* licencija, išduota pagal Reglamentą (EB) Nr. 1982/2005 nuostatas, galiojanti tik iki 2006 m. kovo 31 d.
 - *in Hungarian:* az 1982/2005/EK rendelet szerinti engedélykérelem, 2006. március 31-ig érvényes
 - *in Maltese:* liċenzja mahruġa taht ir-Regolament (KE) Nru 1982/2005 u valida biss sal-31 ta' Marzu 2006
 - *in Dutch:* Overeenkomstig Verordening (EG) nr. 1982/2005 afgegeven certificaat dat slechts geldig is tot en met 31 maart 2006
 - *in Polish:* pozwolenie wydane zgodnie z rozporządzeniem (WE) nr 1982/2005 i ważne wyłącznie do dnia 31 marca 2006 r.
 - *in Portuguese:* certificado emitido a título do Regulamento (CE) n.º 1982/2005 e eficaz somente até 31 de Março de 2006
 - *in Slovak:* licencia vydaná na základe nariadenia (ES) č. 1982/2005 a platná len do 31. marca 2006
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 1982/2005 in veljavno samo do 31. marca 2006
 - *in Finnish:* asetuksen (EY) N:o 1982/2005 mukainen todistus, joka on voimassa ainoastaan 31 päivään maaliskuuta 2006
 - *in Swedish:* Licens utfärdad enligt förordning (EG) nr 1982/2005, giltig endast till och med den 31 mars 2006.
-

ANNEX II

Entries referred to in Article 4(1)

- *in Spanish:* Solicitud de certificado presentada al amparo del Reglamento (CE) n° 1982/2005
 - *in Czech:* žádost o licenci podaná na základě nařízení (ES) č. 1982/2005
 - *in Danish:* licensansøgning i henhold til forordning (EF) nr. 1982/2005
 - *in German:* Lizenzantrag gemäß der Verordnung (EG) Nr. 1982/2005
 - *in Estonian:* määruste (EÜ) nr 1982/2005 kohaselt esitatud litsentsitaotlus
 - *in Greek:* αίτηση χορήγησης πιστοποιητικού κατ' εφαρμογήν του κανονισμού (ΕΚ) αριθ. 1982/2005
 - *in English:* licence application pursuant to Regulation (EC) No 1982/2005
 - *in French:* demande de certificat faite au titre du règlement (CE) n° 1982/2005
 - *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 1982/2005
 - *in Latvian:* licence pieprasīta saskaņā ar Regulu (EK) Nr. 1982/2005
 - *in Lithuanian:* prašymas išduoti licenciją pagal Reglamentą (EB) Nr. 1982/2005
 - *in Hungarian:* az 1982/2005/EK rendelet szerinti engedélykérelem
 - *in Maltese:* applikazzjoni għal liċenzja taht ir-Regolament (KE) Nru 1982/2005
 - *in Dutch:* Overeenkomstig Verordening (EG) nr. 1982/2005 ingediende certificaataanvraag
 - *in Polish:* wniosek o pozwolenie przedłożony zgodnie z rozporządzeniem (WE) nr 1982/2005
 - *in Portuguese:* pedido de certificado apresentado a título do Regulamento (CE) n.º 1982/2005
 - *in Slovak:* žiadosť o licenciú na základe nariadenia (ES) č. 1982/2005
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 1982/2005
 - *in Finnish:* asetuksen (EY) N:o 1982/2005 mukainen todistushakemus
 - *in Swedish:* Licensansökan enligt förordning (EG) nr 1982/2005.
-

COMMISSION REGULATION (EC) No 1983/2005**of 5 December 2005****amending the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 27(5)(a) and (15) thereof,

Whereas:

- (1) The rates of the refunds applicable from 25 November 2005 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1928/2005 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1928/2005 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1928/2005 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 December 2005.

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

Done at Brussels, 5 December 2005.

For the Commission

Günter VERHEUGEN

Vice-President

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

⁽²⁾ OJ L 307, 25.11.2005, p. 42.

ANNEX

Rates of refunds applicable from 6 December 2005 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	34,12	34,12

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 1984/2005

of 5 December 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 ⁽¹⁾, 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 ⁽²⁾, 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 ⁽³⁾, 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 ⁽⁴⁾ 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 ⁽⁵⁾.

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

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 7 to 20 December 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, 5 December 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ OJ L 346, 31.12.2003, p. 65.

⁽⁴⁾ OJ L 345, 31.12.2003, p. 117.

⁽⁵⁾ OJ L 2, 5.1.2005, p. 4.

ANNEX

(EUR/100 pieces)

Period from 7 to 20 December 2005				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	13,22	12,44	37,43	13,27
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Jordan	—	—	—	—

COMMISSION DIRECTIVE 2005/86/EC**of 5 December 2005****amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards camphechlor****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed ⁽¹⁾, and in particular Article 8 (1) thereof,

Whereas:

(1) Directive 2002/32/EC provides that the use of products intended for animal feed which contain levels of undesirable substances exceeding the maximum levels laid down in Annex I thereto is prohibited.

(2) When Directive 2002/32/EC was adopted, the Commission stated that the provisions laid down in Annex I to that Directive would be reviewed on the basis of updated scientific risk assessments and taking into account the prohibition of any dilution of contaminated non-complying products intended for animal feed.

(3) The Scientific Panel on contaminants in the food chain of the European Food Safety Authority (EFSA) adopted an opinion on a request from the Commission related to camphechlor as undesirable substance in animal feed on 2 February 2005.

(4) Camphechlor is a non systemic insecticide of which the use is phased out in most of the world. Camphechlor mixtures show a complex composition, with at least 202 different congeners identified. Due to its persistence and chemical properties, camphechlor is still found in the environment.

(5) While some congeners, such as CHB 32, which are major constituents in technical mixtures, are subject to relatively fast biotransformation, other congeners such as CHB 26, 50 and 62 are more persistent and bio-accumulate significantly within the food chain. The congeners CHB 26, 50 and 62 can serve as indicators of camphechlor contamination. The presence of CHB 32 is an indicator for a recent contamination and could be included in monitoring programmes to identify possible fraudulent practices.

(6) The main sources of camphechlor exposure to animals from feed are fish oil and fish meal. Fish feed (particularly for carnivorous species) can contain significant amounts of fish meal and fish oil. For other animals the use of fish meal is low, hence their exposure via feed is lower.

(7) Fish are the most sensitive to camphechlor toxicity. The carry-over of camphechlor into edible tissues of fatty fish is high, while the carry over in other farmed animals is lower. Fish, in particular lipid rich species, are the main source of human exposure while other sources are of less importance.

(8) It is appropriate to replace the current general maximum level as regards camphechlor in all feedingstuffs, by a maximum level for camphechlor in fish oil, fish meal and fish feed in order to ensure that these products do not represent any danger to human health and animal health. The feed safety has been improved as the level for fish feed, which is fed directly to fish, has been significantly decreased and enforcement through a targeted control on these products intended for animal feeding identified as being the main source of camphechlor exposure should improve the feed safety.

(9) The current general maximum level for camphechlor does not reflect the current normal background contamination levels in fish oil. It is appropriate to establish a maximum level in fish oil taking into account the background levels without endangering animal and public health. This maximum level is to be reviewed in the light of the necessary application on a wider scale of decontamination procedures.

⁽¹⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2005/8/EC (OJ L 27, 29.1.2005, p. 44).

(10) Directive 2002/32/EC should therefore be amended accordingly.

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

reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 2002/32/EC is amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive 12 months after the entry into force at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 5 December 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

Annex I to Directive 2002/32/EC is amended, replacing row 19, Camphechlor (toxaphene), by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
19. Camphechlor (toxaphene) — sum of indicator congeners CHB 26, 50 and 62 (*)	— Fish, other aquatic animals, their products and by-products with the exception of fish oil	0,02
	— Fish oil (**)	0,2
	— Feedingstuffs for fish (**)	0,05

(*) Numbering system according to Parlar, prefixed by either "CHB" or "Parlar #":

- CHB 26: 2-endo,3-exo,5-endo, 6-exo, 8,8,10,10-octochlorobornane,
- CHB 50: 2-endo,3-exo,5-endo, 6-exo, 8,8,9,10,10-nonachlorobornane,
- CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane.

(**) The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.'

COMMISSION DIRECTIVE 2005/87/EC**of 5 December 2005****amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards lead, fluorine and cadmium****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

lead as undesirable substance in animal feed on 2 June 2004.

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed⁽¹⁾, and in particular Article 8(1) thereof,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽²⁾, and in particular the third sentence of Article 13(2) thereof,

Whereas:

(1) Directive 2002/32/EC provides that the use of products intended for animal feed which contain levels of undesirable substances exceeding the maximum levels laid down in Annex I thereto is prohibited.

(2) When Directive 2002/32/EC was adopted, the Commission stated that the provisions laid down in Annex I to that Directive would be reviewed on the basis of updated scientific risk assessments and taking into account the prohibition of any dilution of contaminated non-complying products intended for animal feed.

(3) The Scientific Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) adopted an opinion on a request from the Commission related to

(4) Contamination of food with lead is of public health concern. Lead accumulates to some extent in kidney and liver tissue, muscle tissues contain very low residual amounts of lead and carry-over into milk is limited. Therefore foods of animal origin are not a major source of human exposure to lead.

(5) Cattle and sheep seem to be the most sensitive animal species with respect to acute lead toxicity. Individual intoxications have been reported, resulting from ingestion of feed material originating from polluted areas or accidental ingestions of lead sources. However, the levels found in commercial feed materials in the European Union do not induce clinical signs of toxicity.

(6) The existing legal provisions as regards lead in products intended for animal feed are generally appropriate to ensure that these products do not represent any danger to human health, animal health or adversely affect the livestock production.

(7) Cattle and sheep seem to be the most sensitive animal species and green fodder is a major component of their daily ration, it is important to provide for a review in view of a possible further reduction of the maximum level of lead in green fodder.

(8) In addition the establishment of a maximum level of lead for additives belonging to the functional group of trace elements, binders and anti-caking agents and for premixtures is appropriate. The maximum level established for premixtures takes into account the additives with the highest level of lead and not the sensitivity of the different animal species to lead. In order to protect animal and public health, it is therefore the responsibility of the producer of premixtures to ensure that, in addition to compliance with the maximum levels for premixtures, the instructions for use on the premixture are in accordance with the maximum levels for complementary and complete feedingstuffs.

⁽¹⁾ OJ L 140, 30.5.2002, p. 10. Directive as last amended by Commission Directive 2005/8/EC (OJ L 27, 29.1.2005, p. 44).

⁽²⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

- (9) The Scientific Panel on contaminants in the Food Chain of the EFSA adopted an opinion on a request from the Commission related to fluorine as undesirable substance in animal feed on 22 September 2004.
- (10) Fluoride accumulates particularly in calcifying tissues. In contrast, transmission into edible tissues including milk and eggs is limited. Hence, the fluoride concentrations in foods from animal origin contribute only marginally to human exposure.
- (11) In the European Union, fluoride levels in pastures, herbage and compound feeds are generally low and subsequently exposure of animals to fluoride is generally below the level causing detrimental effects. However, in certain distinct geographic areas and incidentally in the proximity of industrial sites with high fluoride emission, excessive exposure to fluoride is associated with dental and skeleton abnormalities.
- (12) The existing legal provisions as regards fluorine in products intended for animal feed are appropriate to ensure that these products do not represent any danger to human health, animal health or adversely affect the livestock production.
- (13) The extraction procedure used has a large influence on the analytical result and it is therefore appropriate to determine the extraction procedure. Equivalent procedures with demonstrated equal extraction efficiency can be used.
- (14) The level for fluorine in marine crustaceans such as marine krill has to be amended in order to take into account new processing techniques to improve the nutritional quality and to reduce the biomass loss but which also results in higher levels of fluorine in the final end product.
- (15) Commission Directive 84/547/EEC of 26 October 1984 amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs⁽¹⁾ establishes a maximum level for fluorine in vermiculite (E 561). The scope of Directive 2002/32/EC provides for the possibility of the establishment of maximum levels of undesirable substances in feed additives and the rules governing undesirable substances should be collected in a single text for greater clarity.
- (16) The Scientific Panel on contaminants in the Food Chain of the EFSA adopted an opinion on a request from the Commission related to cadmium as undesirable substance in animal feed on 2 June 2004.
- (17) Contamination of food with cadmium is of public health concern. Accumulation of cadmium in animal tissue is function of dietary concentration and duration of exposure. The short life span of animals like fattening pigs and poultry minimizes the risk of undesirable cadmium concentrations in edible tissues of these animals. Ruminants and horses however may be exposed during their entire lifespan to cadmium present in pastures. In distinct regions this may result in an undesirable cadmium accumulation particularly in kidneys.
- (18) Cadmium is toxic to all animal species. In most of the domestic animal species, including pigs which are considered the most sensitive species, gross clinical symptoms are unlikely to occur if dietary cadmium concentrations remain below 5 mg/kg feed.
- (19) The existing legal provisions as regards cadmium in products intended for animal feed are appropriate to ensure that these products do not represent any danger to human health, animal health or adversely affect the livestock production.
- (20) No maximum level is currently established for pet food and feed materials of mineral origin other than phosphates. It is appropriate to establish a maximum level for these products intended for animal feed. It is appropriate to amend the current maximum level for cadmium for fish feed in order to take into account recent developments in formulating fish feed incorporating higher ratios of fish oil and fishmeal. In addition the establishment of a maximum level of cadmium for additives belonging to the functional group of trace elements, binders and anti-caking agents and for premixtures is appropriate. The maximum level established for premixtures takes into account the additives with the highest level of cadmium and not the sensitivity of the different animal species to cadmium. As provided in Article 16 of Regulation (EC) No 1831/2003, in order to protect animal and public health, it is the responsibility of the producer of premixtures to ensure that, in addition to compliance with the maximum levels for premixtures, the instructions for use on the premixture are in accordance with the maximum levels for complementary and complete feedingstuffs.

⁽¹⁾ OJ L 297, 15.11.1984, p. 40.

(21) Directive 2002/32/EC and Directive 84/547/EEC should therefore be amended accordingly.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 2002/32/EC is amended in accordance with the Annex to this Directive.

Article 2

Without prejudice to the other conditions for the authorisation of the additive vermiculite, belonging to the group of binders, anti-caking agents and coagulants, laid down in Directive 70/524/EEC, the maximum fluorine content shall be as set out in the Annex to this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive 12 months after the entry into force at the latest. They shall forthwith communicate to the Commission the

text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 5 December 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

Annex I to Directive 2002/32/EC is amended as follows:

1. Row 2, lead, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'2. Lead (*)	Feed materials with the exception of:	10
	– green fodder (**)	30 (***)
	– phosphates and calcareous marine algae	15
	– calcium carbonate	20
	– yeasts	5
	Additives belonging to the functional group of compounds of trace elements except	100
	– zinc oxide	400 (***)
	– manganous oxide, iron carbonate, copper carbonate	200 (***)
	Additives belonging to the functional groups of binders and anti-caking agents except	30 (***)
	– clinoptilolite of volcanic origin	60 (***)
	Premixtures	200 (***)
	Complementary feedingstuffs with the exception of	10
	– mineral feedingstuffs	15
	Complete feedingstuffs	5

(*) Maximum levels refer to an analytical determination of lead, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

(**) Green fodder includes products intended for animal feed such as hay, silage, fresh grass, etc.

(***) The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.'

2. Row 3, Fluorine, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'3. Fluorine (*)	Feed materials with the exception of:	150
	– feedingstuffs of animal origin with the exception of marine crustaceans such as marine krill	500
	– marine crustaceans such as marine krill	3 000
	– phosphates	2 000
	– calcium carbonate	350
	– magnesium oxide	600
	– calcareous marine algae	1 000
	Vermiculite (E 561)	3 000 (**)
	Complementary feedingstuffs	
	– containing ≤ 4 % phosphorus	500
	– containing > 4 % phosphorus	125 per 1 % phosphorus
	Complete feedingstuffs with the exception of	150
	– complete feedingstuffs for cattle sheep and goats	
	– – in lactation	30
	– – other	50
	– complete feedingstuffs for pigs	100
	– complete feedingstuffs for poultry	350
	– complete feedingstuffs for chicks	250

(*) Maximum levels refer to an analytical determination of fluorine, whereby extraction is performed with hydrochloric acid 1 N for 20 minutes at ambient temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

(**) The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.'

3. Row 6, cadmium, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'6. Cadmium (*)	Feed materials of vegetable origin	1
	Feed materials of animal origin	2
	Feed materials of mineral origin except	2
	– phosphates	10
	Additives belonging to the functional group of compounds of trace elements except	10
	– copper oxide, manganous oxide, zinc oxide and manganous sulphate monohydrate	30 (**)
	Additives belonging to the functional groups of binders and anti-caking agents	2
	Premixtures	15 (**)
	Mineral feedingstuffs	
	– containing < 7 % phosphorus	5
	– containing ≥ 7 % phosphorus	0,75 per 1 % phosphorus, with a maximum of 7,5
	Complementary feedingstuffs for pet animals	2
	Other complementary feedingstuffs	0,5
	Complete feedingstuffs for cattle, sheep and goats and feedingstuffs for fish except	1

(*) Maximum levels refer to an analytical determination of cadmium, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

(**) The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 1 December 2005

amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank and Financial Services Authority of Ireland

(2005/866/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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,

Having regard to the Recommendation ECB/2005/10 of the European Central Bank of 26 October 2005 to the Council of the European Union on the external auditors of the Central Bank and Financial Services Authority of Ireland ⁽¹⁾,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Eurosystem are audited by independent external auditors recommended by the Governing Council of the ECB and approved by the Council of the European Union.
- (2) The mandate of the current external auditors of the Central Bank and Financial Services Authority of Ireland has expired and will not be renewed. It is therefore necessary to appoint external auditors from the financial year 2005.
- (3) The Central Bank and Financial Services Authority of Ireland has selected Deloitte & Touche as its external auditors starting from the financial year 2005, and the ECB considers that they fulfil the necessary requirements for appointment.
- (4) The Governing Council of the ECB recommended that the mandate of the external auditors should be for three years and may be extended.

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

HAS DECIDED AS FOLLOWS:

Article 1

Article 1(5) of Decision 1999/70/EC shall be replaced by the following:

‘5. Deloitte & Touche are hereby approved as the external auditors of the Central Bank and Financial Services Authority of Ireland from the financial year 2005 for a duration of three years, with the possibility of extension.’

Article 2

This Decision shall be notified to the European Central Bank.

Article 3

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

Done at Brussels, 1 December 2005.

For the Council
The President
A. MICHAEL

⁽¹⁾ OJ C 277, 10.11.2005, p. 30.

⁽²⁾ OJ L 22, 29.1.1999, p. 69. Decision as last amended by Decision 2005/512/EC (OJ L 187, 19.7.2005, p. 20).

COMMISSION

DECISION No 1/2005 OF THE EC-ANDORRA JOINT COMMITTEE of 10 October 2005 (2005/867/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra ⁽¹⁾, signed in Luxembourg on 28 June 1990, and in particular Article 17 thereof,

Having regard to the protocol on veterinary matters supplementary to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra ⁽²⁾, signed in Brussels on 15 May 1997, and in particular Article 2 thereof,

Whereas:

At its meeting in Andorra on 25 and 26 January 2005 the veterinary subgroup of the EC-Andorra Joint Committee, set up in accordance with Article 2 of the protocol on veterinary matters supplementary to the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra recommended the adoption of an additional list of Community veterinary provisions to be applied by Andorra, in addition to the Community veterinary legislation set out in Decisions No 2/1999 ⁽³⁾, 1/2001 ⁽⁴⁾ and 2/2003 ⁽⁵⁾ of the EC-Andorra Joint Committee. The transposition and implementation by Andorra of the Community veterinary legislation set out in that list should take place within 18 months from the date of adoption of this Decision,

HAS DECIDED AS FOLLOWS:

Article 1

1. Andorra shall transpose and apply the Community provisions set down in the Annex to this Decision within 18 months of the date of adoption of this Decision.

2. As regards Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽⁶⁾, Andorra shall only be

required to transpose and apply the provisions concerning food safety. The participation of Andorra in the rapid alert system established by Article 50(6) of that Regulation shall be opened from the date of transposition into Andorran legislation and implementation of the abovementioned measures.

3. Andorra shall transmit lists of approved establishments in accordance with Article 31 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽⁷⁾, to the Commission and the competent authority of the Member States.

4. Establishments in Andorra shall be subject to Community inspections in the same manner as establishments in the Community, pursuant to Article 45 of Regulation (EC) No 882/2004. Andorra shall submit for approval its official controls plan, as provided for in Title V of that Regulation, to the veterinary subgroup set up in accordance with Article 2 of the Protocol on veterinary matters. Later updates of its plan shall be notified to and approved by the Commission which shall inform Member States within the Standing Committee on the Food Chain and Animal Health.

5. As regards non commercial movements of pets, and for implementing the official control isolation measure foreseen under point (b) of the third subparagraph in Article 14 of Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽⁸⁾, Andorra shall conclude an agreement with France and Spain. For implementing the measure under Article 15 of that same Regulation, Andorra shall use laboratories designated by Commission Decision 2004/233/EC of 4 March 2004 authorising laboratories to check the effectiveness of vaccination against rabies in certain domestic carnivores ⁽⁹⁾. In Section 2 of Part B of Annex II of the said Regulation Andorra shall be deleted from the list and shall be introduced in Section 1 of Part B of Annex II.

⁽¹⁾ OJ L 374, 31.12.1990, p. 14.

⁽²⁾ OJ L 148, 6.6.1997, p. 16.

⁽³⁾ OJ L 31, 5.2.2000, p. 84.

⁽⁴⁾ OJ L 33, 2.2.2002, p. 35.

⁽⁵⁾ OJ L 269, 21.10.2003, p. 28.

⁽⁶⁾ OJ L 31, 1.2.2002, p. 1. Regulation as amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4)

⁽⁷⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Regulation (EC) No 1193/2005 (OJ L 194, 26.7.2005, p. 4).

⁽⁹⁾ OJ L 71, 10.3.2004, p. 30. Decision as last amended by Decision 2005/656/EC (OJ L 241, 17.9.2005, p. 63).

Article 2

This Decision shall enter into force on 1 November 2005.

Done at Brussels, 10 October 2005.

For the Joint Committee

The Chairman

Juli MINOVES

ANNEX

References to these basic texts are to be understood as including references to all amendments and implementing rules

Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾.

Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽²⁾.

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽³⁾.

Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽⁵⁾.

Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC ⁽⁶⁾.

Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movements of pet animals and amending Council Directive 92/65/EEC ⁽⁷⁾.

Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC ⁽⁸⁾.

Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for the human consumption ⁽⁹⁾.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁵⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁶⁾ OJ L 157, 30.4.2004, p. 33.

⁽⁷⁾ OJ L 146, 13.6.2003, p. 1.

⁽⁸⁾ OJ L 5, 9.1.2004, p. 8.

⁽⁹⁾ OJ L 18, 23.1.2003, p. 11.

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL JOINT ACTION 2005/868/CFSP

of 1 December 2005

amending Joint Action 2005/355/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) with regard to setting up a technical assistance project on improving the chain of payments of the Ministry of Defence in the DRC

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14, the third paragraph of Article 25 and the second subparagraph of Article 28(3) thereof,

Whereas:

- (1) Further to an official invitation from the Government of the DRC dated 26 April 2005, the Council adopted on 2 May 2005 Joint Action 2005/355/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) ⁽¹⁾, codenamed 'EUSEC RD Congo'.
- (2) EUSEC RD Congo aims to provide practical support for the integration of the Congolese army and good governance in the field of security, including in the fields of budgetary and financial control and management, the status of the military profession, training, public procurement, accountancy and financial monitoring. Pursuant to Article 2 of the said Joint Action EUSEC RD Congo is to identify and contribute to the development of various projects and options that the European Union and/or its Member States may decide to support in this area.
- (3) Further to a request from the Congolese Government dated 19 July 2005 for technical and logistical support for the modernisation of the system for managing the staff and finances of the armed forces of the DRC, EUSEC RD Congo drew up a draft technical assistance programme aimed, in particular, at modernising the chain of payments of the Ministry of Defence in the DRC.
- (4) By letter dated 11 November 2005, the Secretary-General/High Representative informed the Congolese Government that the European Union intended to set up a technical assistance project for the modernisation of the said chain of payments.
- (5) On 21 November 2005, the Council approved the General Concept for setting up a technical assistance project on the modernisation of the said chain of payments. The project should be established as a separate entity within EUSEC RD Congo.
- (6) The chain of payments project is covered by the mission statement and objectives of EUSEC RD Congo, a civilian mission, but the project's structure and implementing rules and the staff numbers and budget required make it necessary to amend Joint Action 2005/355/CFSP.
- (7) Third countries should take part in the project in accordance with the general guidelines defined by the European Council.
- (8) The staff to be deployed in the DRC on the project for modernising the chain of payments will be covered by the provisions on the status of personnel applying to personnel already deployed for EUSEC RD Congo.
- (9) The project will be conducted in a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy as set out in Article 11 of the Treaty,

⁽¹⁾ OJ L 112, 3.5.2005, p. 20.

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2005/355/CFSP is hereby amended as follows:

1. in Article 2, the following paragraph shall be added:

‘Under the mission statement set out in the first paragraph, a technical assistance project on the modernisation of the chain of payments of the Ministry of Defence of the DRC, hereinafter referred to as “the chain of payments project”, shall be set up within the mission in order to carry out the tasks specified in the General Concept for the project.’;

2. in Article 3, the following point shall be added:

‘(c) a team responsible for the chain of payments project comprising:

- a project leader, based in Kinshasa, appointed by, and acting under the authority of, the Head of Mission,
- an “advice, expertise and implementation” division, based in Kinshasa, composed of staff not attached to the general staff of the integrated brigades and including a mobile team of experts involved in checks on the military personnel of the integrated brigades, and
- experts assigned to the general staff of the integrated brigades.’;

3. the following Article shall be inserted:

‘Article 8a

Participation of third countries in the chain of payments project

1. Without prejudice to the decision-making autonomy of the EU and its single institutional framework, third countries may be invited to contribute to the chain of payments project, provided that they bear the cost of the staff seconded by them, including salaries, high risk insurance cover, allowances and travel expenses to and from the DRC, and that they contribute to the running costs of the chain of payments project, as appropriate.

2. Third countries contributing to the chain of payments project shall have the same rights and obligations in terms of day-to-day management of the project as EU Member States.

3. The Council hereby authorises the Political and Security Committee to take the relevant decisions on acceptance of the contributions proposed and to establish a Committee of Contributors.

4. Detailed arrangements regarding the participation of third countries shall be covered by agreements concluded in accordance with the procedure laid down in Article 24 of the Treaty. The Secretary-General/High Representative, who shall assist the Presidency, may negotiate such arrangements on the latter’s behalf. Where the EU and a third State have concluded an agreement establishing a framework for the third State’s participation in EU crisis-management operations, the provisions of that agreement shall apply in the context of the chain of payments project.’;

4. the following Article shall be inserted:

‘Article 9a

Special provisions regarding the financing of the chain of payments project

1. For the period until 15 February 2006, the following provisions shall apply:

- (a) Operating expenditure relating to the chain of payments project shall be financed exclusively by Member States’ contributions, as listed in the Annex, each State contributing the sum mentioned. The financial reference amount is EUR 900 000.

The following expenditure shall, *inter alia*, be funded by those contributions:

- staffing costs (per diems and special allowances, salaries and social security cover of locally recruited staff, costs for health care, flights and travel allowances in the DRC and the region, official flights),
- establishment and operating costs (rental/purchase and use of vehicles, acquisition and maintenance of computer and telecommunications equipment, office rental and associated services, office equipment, miscellaneous equipment, security services, representation expenses, air transport fees),
- administrative costs, including audit costs and bank charges.

(b) Without prejudice to the civilian nature of the mission, the contributing Member States listed in the Annex may, for the purposes of this Joint Action, with a view to the call for contributions and the collection, management, use and monitoring of the corresponding funds and the requisite administrative arrangements, make use in particular of the staff of the mechanism set up by Decision 2004/197/CFSP (*), by way of exception, until 15 February 2006 and from 16 February 2006 having regard to the fact that the project will be financed in accordance with paragraph 2. The budget of that mechanism will not be affected.

(c) Estimates of income and expenditure shall be drawn up in a chain of payments project budget to finance the period up to 15 February 2006.

(d) In no case may the European Communities or the Secretary-General of the Council, or the mechanism mentioned in point (b), be held liable by a contributing Member State listed in the Annex as a result of recourse to that mechanism.

2. For the period from 16 February to 2 May 2006, operating expenditure relating to the chain of payments project shall be charged to the general budget of the European Union as follows:

(a) the financial reference amount shall be EUR 940 000;

(b) expenditure shall be managed in accordance with European Community rules and procedures applicable to the budget, with the exception that any prefinancing shall not remain the property of the Community. Nationals of third countries shall be allowed to tender for contracts;

(c) the Head of the Mission shall report fully to, and be supervised by, the Commission regarding the activities undertaken in the framework of the contract referred to in Article 5;

(d) the financial arrangements shall respect the operational requirements of the mission, including the compatibility of equipment.

(*) OJ L 63, 28.2.2004, p. 68. Decision as last amended by Decision 2005/68/CFSP (OJ L 27, 29.1.2005, p. 59).;

5. the following Annex shall be added:

'ANNEX

List of Member States' contributions referred to in Article 9a(1)(a)

Belgium	EUR 175 000
France	EUR 175 000
Luxembourg	EUR 50 000
Netherlands	EUR 150 000
United Kingdom	EUR 175 000
Sweden	EUR 175 000'.

Article 2

This Joint Action shall enter into force on the day of its adoption.

Article 3

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

Done at Brussels, 1 December 2005.

For the Council
The President
J. STRAW