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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 296/2005
of 23 February 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 24 February 2005.

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

Done at Brussels, 23 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 23 February 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	128,0
	204	77,6
	212	166,8
	624	185,9
	999	139,6
0707 00 05	052	176,2
	068	116,1
	204	111,5
	999	134,6
0709 10 00	220	36,6
	999	36,6
0709 90 70	052	185,6
	204	196,9
	999	191,3
0805 10 20	052	49,3
	204	47,2
	212	50,4
	220	40,9
	421	30,9
	624	67,3
	999	47,7
0805 20 10	204	79,4
	624	84,0
	999	81,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	60,7
	204	91,9
	400	78,4
	464	56,0
	528	96,4
	624	85,4
	662	49,9
	999	74,1
0805 50 10	052	59,4
	999	59,4
0808 10 80	400	115,5
	404	91,2
	508	80,2
	512	114,6
	528	83,3
	720	56,7
	999	90,3
0808 20 50	388	68,5
	400	96,3
	512	63,8
	528	68,6
	999	74,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 297/2005**of 23 February 2005****on granting of import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽¹⁾,

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

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

Whereas:

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

countries to the ACP Protocol and the Agreement with India.

- (3) Article 22 of Regulation (EC) No 1159/2003 opens tariff quotas at a duty of EUR 98 per tonne for products of CN code 1701 11 10 for imports originating in Brazil, Cuba and other third countries.
- (4) In the week of 14 to 18 February 2005 applications were presented to the competent authorities in line with Article 5(1) of Regulation (EC) No 1159/2003 for import licences for a total quantity exceeding a country's delivery obligation quantity of ACP-India preferential sugar determined pursuant to Article 9 of that Regulation.
- (5) In these circumstances the Commission must set reduction coefficients to be used so that licences are issued for quantities scaled down in proportion to the total available and must indicate that the limit in question has been reached,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of import licence applications presented from 14 to 18 February 2005 in line with Article 5(1) of Regulation (EC) No 1159/2003 licences shall be issued for the quantities indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 24 February 2005.

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

Done at Brussels, 23 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 2).

⁽²⁾ OJ L 146, 20.6.1996, p. 1.

⁽³⁾ OJ L 162, 1.7.2003, p. 25. Regulation as amended by Regulation (EC) No 1409/2004 (OJ L 256, 3.8.2004, p. 11).

ANNEX

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

Country	Week of 14.-18.2.2005: percentage of requested quantity to be granted	Limit
Barbados	100	reached
Belize	0	
Congo	100	
Fiji	100	
Guyana	100	
India	100	
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	100	
Mauritius	100	
Mozambique	100	reached
Saint Kitts and Nevis	100	
Swaziland	100	
Tanzania	100	
Trinidad and Tobago	100	
Zambia	100	reached
Zimbabwe	0	

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

Country	Week of 14.-18.2.2005: percentage of requested quantity to be granted	Limit
India	100	
ACP	100	

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

Country	Week of 14.-18.2.2005: percentage of requested quantity to be granted	Limit
Brazil	0	reached
Cuba	100	reached
Other third countries	0	

COMMISSION REGULATION (EC) No 298/2005**of 22 February 2005****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 25 February 2005.

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

Done at Brussels, 22 February 2005.

For the Commission
Günter VERHEUGEN
Vice-President

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

⁽²⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2286/2003 (OJ L 343, 31.12.2003, p. 1).

ANNEX

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.10	New potatoes 0701 90 50	34,89	20,34	1 042,92	259,69	545,88	8 479,60
		120,46	24,28	15,03	139,22	8 364,47	1 327,50
		317,18	24,04				
1.30	Onions (other than seed) 0703 10 19	7,28	4,24	217,62	54,19	113,91	1 769,40
		25,14	5,07	3,14	29,05	1 745,38	277,00
		66,19	5,02				
1.40	Garlic 0703 20 00	124,37	72,51	3 717,78	925,76	1 945,96	30 228,03
		429,42	86,56	53,59	496,28	29 817,61	4 732,26
		1 130,69	85,70				
1.50	Leeks ex 0703 90 00	61,64	35,94	1 842,60	458,82	964,46	14 981,60
		212,83	42,90	26,56	245,97	14 778,19	2 345,40
		560,39	42,48				
1.60	Cauliflowers 0704 10 00	—	—	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	48,97	28,55	1 463,86	364,51	766,21	11 902,16
		169,08	34,08	21,10	195,41	11 740,56	1 863,31
		445,21	33,75				
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	—	—	—	—	—	—
		—	—	—	—	—	—
		—	—	—	—	—	—
1.100	Chinese cabbage ex 0704 90 90	74,77	43,59	2 235,10	556,56	1 169,90	18 172,85
		258,17	52,04	32,22	298,36	17 926,11	2 845,00
		679,76	51,52				
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—	—	—
1.130	Carrots ex 0706 10 00	41,80	24,37	1 249,53	311,14	654,03	10 159,49
		144,33	29,09	18,01	166,80	10 021,55	1 590,49
		380,02	28,80				
1.140	Radishes ex 0706 90 90	59,55	34,72	1 780,12	443,26	931,75	14 473,53
		205,61	41,45	25,66	237,63	14 277,02	2 265,86
		541,39	41,04				
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	323,02	188,32	9 655,96	2 404,41	5 054,13	78 509,40
		1 115,31	224,82	139,19	1 288,97	77 443,45	12 290,82
		2 936,68	222,59				

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
1.170	Beans:						
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	236,47 816,50 2 149,88	137,86 164,59 162,95	7 068,92 101,90	1 760,22 943,63	3 700,01 56 694,64	57 475,01 8 997,84
1.170.2	— Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	414,36 1 430,70 3 767,11	241,57 288,39 285,54	12 386,46 178,55	3 084,33 1 653,46	6 483,33 99 342,81	100 710,20 15 766,40
1.180	Broad beans ex 0708 90 00	—	—	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—	—	—
1.200	Asparagus:						
1.200.1	— green ex 0709 20 00	241,31 833,21 2 193,88	140,69 167,95 166,29	7 213,61 103,98	1 796,25 962,94	3 775,75 57 855,08	58 651,42 9 182,01
1.200.2	— other ex 0709 20 00	290,09 1 001,62 2 637,31	169,12 201,90 199,90	8 671,61 125,00	2 159,30 1 157,57	4 538,90 69 548,69	70 505,99 11 037,86
1.210	Aubergines (eggplants) 0709 30 00	169,54 585,38 1 541,34	98,84 118,00 116,83	5 068,00 73,05	1 261,97 676,52	2 652,69 40 646,71	41 206,19 6 450,92
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	84,64 292,24 769,48	49,34 58,91 58,32	2 530,09 36,47	630,01 337,74	1 324,30 20 291,98	20 571,29 3 220,48
1.230	Chantarelles 0709 59 10	926,44 3 198,81 8 422,64	540,11 644,80 638,41	27 694,07 399,20	6 896,05 3 696,87	14 495,64 222 113,99	225 171,24 35 251,04
1.240	Sweet peppers 0709 60 10	182,66 630,68 1 660,61	106,49 127,13 125,87	5 460,19 78,71	1 359,63 728,88	2 857,97 43 792,18	44 394,95 6 950,13
1.250	Fennel 0709 90 50	—	—	—	—	—	—
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	103,04 355,79 936,82	60,08 71,72 71,01	3 080,32 44,40	767,02 411,19	1 612,30 24 704,99	25 045,04 3 920,85
2.10	Chestnuts (<i>Castanea</i> spp.) fresh ex 0802 40 00	—	—	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	109,85 379,27 998,65	64,04 76,45 75,69	3 283,61 47,33	817,65 438,33	1 718,71 26 335,48	26 697,97 4 179,63

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.40	Avocados, fresh ex 0804 40 00	150,34 519,10 1 366,82	87,65 104,64 103,60	4 494,18 64,78	1 119,09 599,93	2 352,34 36 044,54	36 540,67 5 720,52
2.50	Guavas and mangoes, fresh ex 0804 50	—	—	—	—	—	—
2.60	Sweet oranges, fresh:						
2.60.1	— Sanguines and semi-sanguines 0805 10 10	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkins and similar citrus hybrids, fresh:						
2.70.1	— Clementines ex 0805 20 10	92,79 320,40 843,62	54,10 64,58 63,94	2 773,86 39,98	690,71 370,28	1 451,89 22 247,12	22 553,34 3 530,77
2.70.2	— Monreales and satsumas ex 0805 20 30	75,30 260,00 684,58	43,90 52,41 51,89	2 250,94 32,45	560,50 300,48	1 178,19 18 053,17	18 301,67 2 865,16
2.70.3	— Mandarines and wilkins ex 0805 20 50	48,96 169,06 445,14	28,55 34,08 33,74	1 463,63 21,10	364,46 195,38	766,10 11 738,74	11 900,31 1 863,02
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	52,29 180,53 475,35	30,48 36,39 36,03	1 562,97 22,53	389,19 208,64	818,09 12 535,47	12 708,02 1 989,47
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	67,20 232,04 610,97	39,18 46,77 46,31	2 008,89 28,96	500,23 268,17	1 051,50 16 111,87	16 333,64 2 557,07
2.90	Grapefruit, fresh:						
2.90.1	— white ex 0805 40 00	66,85 230,82 607,76	38,97 46,53 46,07	1 998,36 28,81	497,61 266,76	1 045,98 16 027,38	16 247,99 2 543,66
2.90.2	— pink ex 0805 40 00	85,17 294,08 774,33	49,66 59,28 58,69	2 546,03 36,70	633,98 339,87	1 332,65 20 419,89	20 700,96 3 240,78

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.100	Table grapes 0806 10 10	156,43 540,12 1 422,16	91,20 108,88 107,80	4 676,15 67,41	1 164,40 624,22	2 447,59 37 504,02	38 020,24 5 952,15
2.110	Water melons 0807 11 00	39,60 136,73 360,02	23,09 27,56 27,29	1 183,76 17,06	294,77 158,02	619,61 9 494,10	9 624,78 1 506,78
2.120	Melons (other than water melons):						
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onte- niente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	56,62 195,48 514,72	33,01 39,40 39,01	1 692,41 24,40	421,42 225,92	885,84 13 573,61	13 760,45 2 154,23
2.120.2	— Other ex 0807 19 00	90,16 311,32 819,71	52,57 62,75 62,13	2 695,26 38,85	671,14 359,79	1 410,75 21 616,70	21 914,24 3 430,72
2.140	Pears						
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	— — —	— — —	— —	— —	— —	— —
2.140.2	— Other ex 0808 20 50	— — —	— — —	— —	— —	— —	— —
2.150	Apricots 0809 10 00	144,29 498,20 1 311,80	84,12 100,43 99,43	4 313,26 62,17	1 074,04 575,77	2 257,65 34 593,53	35 069,68 5 490,23
2.160	Cherries 0809 20 95 0809 20 05	610,83 2 109,08 5 553,32	356,12 425,14 420,92	18 259,60 263,21	4 546,79 2 437,46	9 557,45 146 447,00	148 462,74 23 242,16
2.170	Peaches 0809 30 90	110,96 383,13 1 008,81	64,69 77,23 76,46	3 317,03 47,81	825,97 442,79	1 736,20 26 603,50	26 969,68 4 222,16
2.180	Nectarines ex 0809 30 10	128,66 444,25 1 169,74	75,01 89,55 88,66	3 846,16 55,44	957,72 513,42	2 013,16 30 847,22	31 271,81 4 895,67
2.190	Plums 0809 40 05	110,21 380,54 1 001,98	64,25 76,71 75,95	3 294,56 47,49	820,37 439,79	1 724,44 26 423,28	26 786,98 4 193,56
2.200	Strawberries 0810 10 00	178,08 614,88 1 619,02	103,82 123,95 122,72	5 323,43 76,74	1 325,58 710,62	2 786,39 42 695,35	43 283,02 6 776,05

Code	Description	Amount of unit values per 100 kg					
	Species, varieties, CN code	EUR LTL SEK	CYP LVL GBP	CZK MTL	DKK PLN	EEK SIT	HUF SKK
2.205	Raspberries 0810 20 10	304,95	177,79	9 115,87	2 269,93	4 771,43	74 118,10
		1 052,93	212,25	131,40	1 216,87	73 111,76	11 603,35
		2 772,42	210,14				
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 062,63	619,51	31 765,20	7 909,79	16 626,55	258 272,22
		3 669,05	739,59	457,89	4 240,32	254 765,54	40 433,07
		9 660,79	732,26				
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	64,65	37,69	1 932,58	481,23	1 011,55	15 713,18
		223,22	45,00	27,86	257,98	15 499,84	2 459,93
		587,76	44,55				
2.230	Pomegranates ex 0810 90 95	165,65	96,57	4 951,78	1 233,03	2 591,86	40 261,23
		571,96	115,29	71,38	661,01	39 714,59	6 302,98
		1 505,99	114,15				
2.240	Khakis (including sharon fruit) ex 0810 90 95	133,55	77,86	3 992,20	994,09	2 089,60	32 459,28
		461,12	92,95	57,55	532,92	32 018,56	5 081,57
		1 214,15	92,03				
2.250	Lychees ex 0810 90	—	—	—	—	—	—

COMMISSION REGULATION (EC) No 299/2005**of 23 February 2005****fixing the quantities of raw tobacco which may be transferred to another group of varieties in Italy
under the guarantee threshold for the 2005 harvest**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco⁽¹⁾, and in particular Article 9(4) thereof,

Whereas:

- (1) Article 9 of Regulation (EEC) No 2075/92 introduces production quotas for the different groups of varieties of tobacco. The individual quotas are divided among producers on the basis of the guarantee thresholds for the 2005 harvest laid down in Annex II to Council Regulation (EC) No 546/2002 of 25 March 2002 fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 2002, 2003 and 2004 harvests and amending Regulation (EEC) No 2075/92⁽²⁾. Under Article 9(4) of Regulation (EEC) No 2075/92, the Commission may authorise Member States to transfer parts of their guarantee threshold quantities between groups of varieties provided that such transfers do not give rise to additional costs for the European Agriculture Guidance and

Guarantee Fund (EAGGF) and do not involve any increase in the Member State's overall guarantee threshold allocations.

- (2) Since these conditions have been met, transfers should be authorised in the Member States which have made application to do so.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Tobacco,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2005 harvest, Member States are hereby authorised to transfer, before 30 May 2005, quantities from one group of varieties to another in accordance with the Annex to this Regulation.

Article 2

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, 23 February 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 215, 30.7.1992, p. 70. Regulation last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1), as amended by Regulation (EC) No 864/2004 (OJ L 161, 30.4.2004, p. 48).

⁽²⁾ OJ L 84, 28.3.2002, p. 4. Regulation last amended by Regulation (EC) No 1782/2003, as amended by Regulation (EC) No 864/2004.

ANNEX

Guarantee threshold quantities which each Member State is authorised to transfer from one group of varieties to another

Member state	Group of varieties from which transfer is made	Group of varieties to which transfer is made
ITALY	507,5 t light air-cured (group II)	406,0 t flue-cured (group I)
	1 587,5 t dark air-cured (group III)	398,3 t flue-cured (group I)
		1 089,6 t light air-cured (group II)
	1 791,5 t fire-cured (group IV)	1 576,0 t flue-cured (group I)
	4 279,4 t sun-cured (group V)	717,7 t flue-cured (group I)
		2 805,9 t light air-cured (group II)
		148,3 t dark air-cured (group III)
	463,3 t Katerini (group VII)	353,3 t flue-cured (group I)
		110,0 t light air-cured (group II)

COMMISSION REGULATION (EC) No 300/2005**of 22 February 2005****amending Council Regulation (EC) No 798/2004 renewing the restrictive measures in respect of
Burma/Myanmar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 798/2004 of 26 April 2004 renewing the restrictive measures in respect of Burma/Myanmar⁽¹⁾, and in particular Article 12(b) thereof,

Whereas:

(1) Annex IV to Regulation (EC) No 798/2004 lists the Burmese State-owned enterprises subject to the restrictive measures set out in Article 8a of that Regulation.

(2) Article 12(b) of Regulation (EC) No 798/2004 empowers the Commission to amend Annex IV on the basis of

decisions taken in respect of Annex II to Common Position 2004/423/CFSP⁽²⁾, renewing restrictive measures against Burma/Myanmar.

(3) Common Position 2005/149/CFSP⁽³⁾ amends Annex II to Common Position 2004/423/CFSP. Annex IV to Regulation (EC) No 798/2004 should, therefore, be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EC) No 798/2004 is amended as set out in the Annex to this Regulation.

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

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

Done at Brussels, 22 February 2005.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 125, 28.4.2004, p. 4. Regulation as last amended by Council Regulation (EC) No 1853/2004 (OJ L 323, 26.10.2004, p. 11).

⁽²⁾ OJ L 125, 28.4.2004, p. 61 and OJ L 323, 26.10.2004, p. 17.

⁽³⁾ OJ L 49, 22.2.2005, p. 37.

ANNEX

The Section 'I. Union of Myanmar Economic Holding Ltd' in Annex IV to Regulation (EC) No 798/2004 is amended as follows:

1. Under the heading 'Joint Ventures and Subsidiaries A. Manufacturing', the following entries are deleted:
 - '9. Mercury Ray Manufacturing Ltd, Address: Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Name of Director: U Nyo Min Oo.'
 - '10. Myanmar Hwa Fu International Ltd, Address: No 3, Main Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon.'
 - '11. Myanmar Ma Mee Double Decker Co. Ltd, Address: Plot 41, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon.'
 - '12. Myanmar Sam Gaung Industry Ltd., Address: No 6/A, Pyay Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon.'
 - '13. Myanmar Tokiwa Corp., Address: 44B/No3, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon.'
 - '14. Myanmar Kurosawa Trust Co. Ltd, Address: 22, Pyay Road, 7 Mile, Mayangone TSP, Yangon.'
 2. Under the heading 'Joint Ventures and Subsidiaries B. Trading', the following entry is deleted:
 - '1. Diamond Dragon (Sein Naga) Co. Ltd, Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon.'
 3. Under the heading 'Joint Ventures and Subsidiaries C. Services', the following entries are deleted:
 - '3. Myanmar Cement Ltd.'
 - '4. Myanmar Hotel and Cruises Ltd, Address : RM. 814/815, Trader's Hotel, 223, Sule Pagoda Road, Yangon.'
-

COMMISSION REGULATION (EC) No 301/2005**of 23 February 2005****amending for the 44th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

- (2) On 17 February 2005, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 23 February 2005.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 187/2005 (OJ L 31, 4.2.2005, p. 4).

ANNEX

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

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

'Muhsin Al-Fadhli (*alias* (a) Muhsin Fadhil 'Ayyid al Fadhli (b) Muhsin Fadil Ayid Ashur al Fadhli, (c) Abu Majid Samiyah, (d) Abu Samia). Address: Block Four, Street 13, House No 179 Kuwait City, Al-Riqqa area, Kuwait. Date of birth: 24.4.1981. Passport No: Kuwaiti passport No 106261543.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 February 2005

authorising the United Kingdom to apply an exemption from climate change levy for low-value solid fuel in accordance with Article 19 of Directive 2003/96/EC

(2005/153/EC)

THE COUNCIL OF THE EUROPEAN UNION,

a value of less than GBP 15 per tonne, such as the mixed sweepings and debris left from coal and coke mining, have been exempted from the levy.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity⁽¹⁾, and in particular Article 19(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By letter of 18 June 2004, the authorities of the United Kingdom applied to the Commission for a derogation allowing them to continue to apply an exemption from climate change levy (CCL) for low-value solid fuel in accordance with Article 19 of Directive 2003/96/EC.
- (2) The United Kingdom CCL is designed to encourage energy efficiency and low carbon technologies in the non-domestic sector. It applies to gas, coal, electricity and liquefied petroleum gas used for heating by business and the public sector.
- (3) Exemptions from the CCL were introduced in 2001 to encourage good environmental practice. Solid fuels with

- (4) With the entry into force of Directive 2003/96/EC, Member States which did not tax these fuels have to introduce such taxes.

- (5) A tax exemption would support the use of low-value solid fuel for energy production instead of landfilling it. While energy use is preferable to landfilling from an environmental policy point of view, the polluter-pays principle would lead to the application of a lower rate of tax to such low-value solid fuel, in connection with its energy content. Given the varied quality and energy content of the material and the consequent difficulties to establish an exact tax rate as well as the small amounts concerned, a complete exemption could be acceptable as a temporary measure. The exemption should therefore be time-limited.

- (6) The annual cost to the UK Exchequer of the current relief across the whole sector amounts to approximately GBP 100 000. Insofar as the tax exemption constitutes State aid, the normal rules apply. It appears that the relief is covered by Commission Regulation (EC) No 69/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to *de minimis* aid⁽²⁾. Nevertheless, if the benefit to any single undertaking exceeds the ceiling laid down in that Regulation, it should be notified to the Commission in accordance with Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty⁽³⁾.

⁽¹⁾ OJ L 283, 31.10.2003, p. 51. Directive as last amended by Directive 2004/75/EC (OJ L 157, 30.4.2004, p. 100).

⁽²⁾ OJ L 10, 13.1.2001, p. 30.

⁽³⁾ OJ L 83, 27.3.1999, p. 1.

- (7) The Commission regularly reviews reductions and exemptions to check that they do not distort competition or hinder the operation of the internal market and are not incompatible with Community policy on protection of the environment, energy and transport,

Article 2

This Decision shall expire on 31 December 2009.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

HAS ADOPTED THIS DECISION:

Done at Brussels, 17 February 2005.

Article 1

The United Kingdom is hereby authorised to apply an exemption from excise duties in favour of low-value solid fuel of less than GBP 15 per tonne.

For the Council

The President

J.-C. JUNCKER

COMMISSION

COMMISSION DECISION

of 18 February 2005

amending Decision 2003/760/EC laying down special conditions governing imports of fishery and products from French Polynesia, as regards the designation of the competent authority and the model of health certificate

(notified under document number C(2005) 356)

(Text with EEA relevance)

(2005/154/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) In Commission Decision 2003/760/EC⁽²⁾, the 'Département de la Qualité Alimentaire et de l'Action Vétérinaire (DQAAV) du Service de Développement Rural du Ministère de l'Agriculture et de l'Élevage' is identified as the competent authority in French Polynesia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

(2) Following a restructuring of the Polynesian administration, the competent authority has changed to the 'Département de la qualité alimentaire et de l'action vétérinaire (DQAAV) du Ministère de la promotion des ressources naturelles, chargé de la perliculture, de la pêche, de l'aquaculture, de l'agriculture, de l'élevage, des eaux et forêts et de la recherche'.

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

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

(5) Decision 2003/760/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/760/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The "Département de la qualité alimentaire et de l'action vétérinaire (DQAAV) du Ministère de la promotion des ressources naturelles, chargé de la perliculture, de la pêche, de l'aquaculture, de l'agriculture, de l'élevage, des eaux et forêts et de la recherche" shall be the competent authority in French Polynesia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

2. Annex I is replaced by the Annex to this Decision.

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

⁽²⁾ OJ L 273, 24.10.2003, p. 23.

Article 2

This Decision shall apply from 10 April 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 February 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

'ANNEX I

HEALTH CERTIFICATE

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

Reference No:

Country of dispatch: FRENCH POLYNESIA

Competent authority: Département de la qualité alimentaire et de l'action vétérinaire (DQAAV) du Ministère de la promotion des ressources naturelles, chargé de la periculture, de la pêche, de l'aquaculture, de l'agriculture, de l'élevage, des eaux et forêts et de la recherche

I. *Details identifying the fishery products*

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

II. *Origin of products*

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

.....

III. *Destination of products*

The products are dispatched:

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

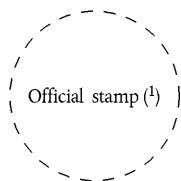
IV. Health attestation

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

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

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 2003/760/EC.

Done at, on
(Place) (Date)



Signature of official inspector⁽¹⁾

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

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

COMMISSION DECISION

of 18 February 2005

amending Decision 97/102/EC laying down special conditions governing imports of fishery and aquaculture products originating in Russia, as regards the designation of the competent authority and the model of health certificate

*(notified under document number C(2005) 357)***(Text with EEA relevance)**

(2005/155/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) In Commission Decision 97/102/EC⁽²⁾, the 'State Fisheries Committee of the Russian Federation' is identified as the competent authority in Russia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.
- (2) Following a restructuring of the Russian administration, the competent authority has changed to the 'Ministry of Agriculture of the Russian Federation'. This new authority is capable of effectively verifying the application of the rules in force.
- (3) The Ministry of Agriculture has provided official assurances on compliance with the standards for health controls and monitoring of fishery and aquaculture products as set out in Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down in that Directive.
- (4) Decision 97/102/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 97/102/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The "Ministry of Agriculture of the Russian Federation" assisted by the "National Centre of Quality and Safety of Fishery Products (National Fish Quality)" shall be the competent authority in Russia for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

2. Annex A is replaced by the Annex to this Decision.

Article 2

This Decision shall apply from 24 June 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 February 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

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

⁽²⁾ OJ L 35, 5.2.1997, p. 23. Decision as last amended by Decision 2002/941/EC (OJ L 325, 30.11.2002, p. 45).

ANNEX

'ANNEX A

HEALTH CERTIFICATE

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

Reference No:

Country of dispatch: RUSSIA

Competent authority: Ministry of Agriculture

Inspection Service: National Centre for Quality and Safety of Fishery Products (National Fish Quality)

I. *Details identifying the fishery products*

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

II. *Origin of products*

Name(s) and official approval number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the National Fish Quality for export to the EC:

III. *Destination of products*

The products are dispatched:

from:
(place of dispatch)

to:
(country and place of destination)

⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

by the following means of transport:

Name and address of dispatcher:

Name of consignee and address at place of destination:

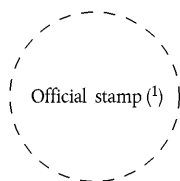
IV. Health attestation

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

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

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 97/102/EC.

Done at on
(Place) (Date)



Signature of official inspector⁽¹⁾
(Name in capital letters, capacity and qualifications of person signing)

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

COMMISSION DECISION

of 18 February 2005

amending Decision 1999/710/EC as regards the inclusion of establishments in Bulgaria in provisional lists of third-country establishments from which Member States authorise imports of minced meat and meat preparations

*(notified under document number C(2005) 364)***(Text with EEA relevance)**

(2005/156/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, and in particular Article 2(4) thereof,

Whereas:

- (1) Provisional lists of establishments in third countries from which the Member States authorise imports of minced meat and meat preparations have been drawn up by Commission Decision 1999/710/EC⁽²⁾.
- (2) Bulgaria has sent a list of establishments producing minced meat and meat preparations for which the competent authority provided satisfactory guarantees that the establishments comply with Community rules.
- (3) Those establishments should be included in the lists drawn up by Decision 1999/710/EC.
- (4) As on-the-spot inspections have not yet been carried out, imports from such establishments are not eligible for

reduced physical checks pursuant to Article 10 of Council Directive 97/78/EC⁽³⁾.

- (5) Decision 1999/710/EC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 1999/710/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 3 March 2005.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 February 2005.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 243, 11.10.1995, p. 17. Decision as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33).

⁽²⁾ OJ L 281, 4.11.1999, p. 82. Decision as last amended by Decision 2004/381/EC (OJ L 144, 30.4.2004, p. 8).

⁽³⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1).

ANNEX

In the Annex to Decision 1999/710/EC, the following text is inserted in accordance with the alphabetical order of the country ISO code:

País: Bulgaria/Země: Bulharsko/Land: Bulgarien/Land: Bulgarien/Riik: Bulgaaria/Xώρα: Βουλγαρία/Country: Bulgaria/Pays: Bulgarie/Paese: Bulgaria/Valsts: Bulgārija/Šalis: Bulgarija/Ország: Bulgária/Pajjiž: Bulgarija/Land: Bulgarije/Państwo: Bułgaria/País: Bulgária/Krajina: Bulharsko/Država: Bolgarija/Maa: Bulgaria/Land: Bulgarien

1	2	3	4	5	6
BG 1602071	Brezovo Ltd	Brezovo	Plovdiv	MP	7
BG 2701013	Rodopa-Shumen Ltd	Shumen	Shumen	MP	7
BG 2304002	Nikas-Bulgaria Ltd	Botevgrad	Sofia	MP	7'

CORRIGENDA**Corrigendum to Council Regulation (EC, Euratom) No 723/2004 of 22 March 2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities**

(Official Journal of the European Union L 124 of 27 April 2004)

Annex I, Amendments to the Staff Regulations of officials of the European Communities

New Annex XIII, Transitional measures applicable to officials of the Communities (Article 107a of the Staff Regulations)

On page 83, Article 13(2) first sentence

for: '2. By way of derogation from Article 12(3) and paragraph (1) of this Article, the institutions may recruit officials entrusted with lawyer-linguist duties at grade A*7 or AD 7 respectively who have been included in a list of suitable candidates resulting from a competition at LA 7 and LA 6 level or A*7 level before 1 May 2006.'

read: '2. By way of derogation from Article 12(3) and paragraph (1) of this Article, the institutions may recruit officials entrusted with lawyer-linguist duties at grade A*7 or AD 7 respectively who have been included in a list of suitable candidates resulting from a competition at LA 7 and LA 6 level or A*6 level before 1 May 2006.'
