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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1528/2005
of 21 September 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 22 September 2005.

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

Done at Brussels, 21 September 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 21 September 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	31,1
	096	20,4
	204	49,2
	999	33,6
0707 00 05	052	84,9
	096	81,9
	999	83,4
0709 90 70	052	85,9
	999	85,9
0805 50 10	382	63,4
	388	62,7
	524	60,5
	528	59,1
	999	61,4
0806 10 10	052	90,2
	624	216,6
	999	153,4
0808 10 80	388	80,5
	400	82,7
	508	45,4
	512	57,4
	528	27,1
	720	34,3
	804	64,7
0808 20 50	999	56,0
	052	94,0
	388	70,2
	720	84,9
0809 30 10, 0809 30 90	999	83,0
	052	92,0
	624	108,8
0809 40 05	999	100,4
	052	82,7
	066	64,7
	098	65,3
	388	18,0
	508	24,5
	624	111,9
	999	61,2

⁽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 1529/2005**of 20 September 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 23 September 2005.

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

Done at Brussels, 20 September 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	— — —	— — —	— — —	— — —	— — —	— — —
1.30	Onions (other than seed) 0703 10 19	34,91 120,55 325,77	20,00 24,30 23,62	1 015,08 14,99	260,38 135,56	546,30 8 360,75	8 565,35 1 338,89
1.40	Garlic 0703 20 00	141,50 488,58 1 320,29	81,07 98,49 95,73	4 113,91 60,75	1 055,24 549,41	2 214,04 33 884,28	34 713,49 5 426,21
1.50	Leeks ex 0703 90 00	62,17 214,66 580,08	35,62 43,27 42,06	1 807,47 26,69	463,63 241,39	972,75 14 887,23	15 251,54 2 384,03
1.60	Cauliflowers 0704 10 00	—	—	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	53,56 184,93 499,74	30,68 37,28 36,23	1 557,15 22,99	399,42 207,96	838,03 12 825,48	13 139,34 2 053,87
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	— — —	— — —	— —	— —	— —	— —
1.100	Chinese cabbage ex 0704 90 90	104,01 359,13 970,47	59,59 72,39 70,36	3 023,88 44,65	775,64 403,84	1 627,40 24 906,23	25 515,73 3 988,47
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—	—	—
1.130	Carrots ex 0706 10 00	30,30 104,62 282,71	17,36 21,09 20,50	880,91 13,01	225,96 117,65	474,09 7 255,64	7 433,20 1 161,91
1.140	Radishes ex 0706 90 90	52,35 180,75 488,45	29,99 36,44 35,41	1 521,97 22,47	390,39 203,26	819,10 12 535,73	12 842,50 2 007,47
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	483,18 1 668,31 4 508,28	276,81 336,29 326,87	14 047,41 207,43	3 603,24 1 876,03	7 560,08 115 701,59	118 533,01 18 528,39

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	149,26 515,37 1 392,69	85,51 103,89 100,98	4 339,48 64,08	1 113,10 579,54	2 335,44 35 742,18	36 616,86 5 723,73
1.170.2	— Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	151,09 521,68 1 409,75	86,56 105,16 102,21	4 392,64 64,86	1 126,74 586,64	2 364,04 36 180,01	37 065,40 5 793,85
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	259,94 897,51 2 425,35	148,92 180,92 175,85	7 557,18 111,59	1 938,46 1 009,26	4 067,15 62 244,78	63 768,01 9 967,85
1.200.2	— other ex 0709 20 00	408,63 1 410,91 3 812,70	234,10 284,40 276,44	11 880,04 175,42	3 047,30 1 586,58	6 393,64 97 850,01	100 244,57 15 669,65
1.210	Aubergines (eggplants) 0709 30 00	100,36 346,52 936,41	57,50 69,85 67,89	2 917,78 43,08	748,43 389,67	1 570,30 24 032,30	24 620,41 3 848,52
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	138,52 478,28 1 292,46	79,36 96,41 93,71	4 027,19 59,47	1 033,00 537,83	2 167,37 33 170,00	33 981,73 5 311,83
1.230	Chantarelles 0709 59 10	334,34 1 154,41 3 119,56	191,54 232,70 226,18	9 720,27 143,53	2 493,31 1 298,14	5 231,28 80 061,06	82 020,29 12 820,94
1.240	Sweet peppers 0709 60 10	109,45 377,92 1 021,24	62,71 76,18 74,04	3 182,11 46,99	816,23 424,97	1 712,56 26 209,45	26 850,84 4 197,17
1.250	Fennel 0709 90 50	—	—	—	—	—	—
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	123,16 425,25 1 149,16	70,56 85,72 83,32	3 580,69 52,87	918,47 478,20	1 927,06 29 492,35	30 214,08 4 722,89
2.10	Chestnuts (<i>Castanea</i> spp.) fresh ex 0802 40 00	—	—	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	88,92 307,03 829,69	50,94 61,89 60,16	2 585,25 38,17	663,13 345,26	1 391,34 21 293,41	21 814,49 3 409,91

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	145,88 503,71 1 361,16	83,58 101,53 98,69	4 241,26 62,63	1 087,91 566,42	2 282,58 34 933,19	35 788,07 5 594,18
2.50	Guavas and mangoes, fresh ex 0804 50	—	—	—	—	—	—
2.60	Sweet oranges, fresh:						
2.60.1	— Sanguines and semi-sanguines ex 0805 10 20	55,08 190,18 513,92	31,56 38,34 37,26	1 601,34 23,65	410,75 213,86	861,81 13 189,46	13 512,23 2 112,15
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins ex 0805 10 20	62,42 215,52 582,40	35,76 43,44 42,23	1 814,70 26,80	465,48 242,35	976,64 14 946,83	15 312,60 2 393,58
2.60.3	— Others ex 0805 10 20	43,31 149,54 404,10	24,81 30,14 29,30	1 259,15 18,59	322,98 168,16	677,65 10 371,01	10 624,81 1 660,81
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkins and similar citrus hybrids, fresh:						
2.70.1	— Clementines ex 0805 20 10	86,87 299,93 810,50	49,77 60,46 58,76	2 525,45 37,29	647,79 337,27	1 359,15 20 800,88	21 309,92 3 331,04
2.70.2	— Monreales and satsumas ex 0805 20 30	83,17 287,17 776,02	47,65 57,89 56,26	2 418,00 35,70	620,23 322,92	1 301,33 19 915,89	20 403,26 3 189,32
2.70.3	— Mandarines and wilkins ex 0805 20 50	82,93 286,34 773,78	47,51 57,72 56,10	2 411,02 35,60	618,44 321,99	1 297,57 19 858,42	20 344,39 3 180,12
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	57,55 198,71 536,97	32,97 40,06 38,93	1 673,17 24,71	429,18 223,45	900,47 13 781,04	14 118,29 2 206,89
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	63,71 219,97 594,42	36,50 44,34 43,10	1 852,16 27,35	475,09 247,36	996,80 15 255,35	15 628,67 2 442,98
2.90	Grapefruit, fresh:						
2.90.1	— white ex 0805 40 00	35,01 120,89 326,68	20,06 24,37 23,69	1 017,90 15,03	261,10 135,94	547,81 8 383,90	8 589,07 1 342,59
2.90.2	— pink ex 0805 40 00	64,13 221,43 598,37	36,74 44,63 43,38	1 864,47 27,53	478,25 249,00	1 003,42 15 356,69	15 732,49 2 459,21

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	— — —	— — —	— —	— —	— —	— —
2.110	Water melons 0807 11 00	52,96 182,86 494,14	30,34 36,86 35,83	1 539,71 22,74	394,94 205,63	828,64 12 681,80	12 992,15 2 030,86
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	59,25 204,58 552,83	33,94 41,24 40,08	1 722,58 25,44	441,85 230,05	927,06 14 188,01	14 535,21 2 272,06
2.120.2	— Other ex 0807 19 00	118,65 409,67 1 107,05	67,97 82,58 80,27	3 449,46 50,94	884,81 460,68	1 856,44 28 411,50	29 106,78 4 549,80
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	116,20 401,22 1 084,20	66,57 80,88 78,61	3 378,28 49,88	866,55 451,17	1 818,13 27 825,25	28 506,18 4 455,92
2.160	Cherries 0809 20 95 0809 20 05	473,31 1 634,24 4 416,22	271,16 329,42 320,19	13 760,54 203,19	3 529,66 1 837,72	7 405,69 113 338,81	116 112,41 18 150,02
2.170	Peaches 0809 30 90	100,40 346,66 936,78	57,52 69,88 67,92	2 918,93 43,10	748,72 389,82	1 570,92 24 041,78	24 630,13 3 850,04
2.180	Nectarines ex 0809 30 10	100,40 346,66 936,78	57,52 69,88 67,92	2 918,93 43,10	748,72 389,82	1 570,92 24 041,78	24 630,13 3 850,04
2.190	Plums 0809 40 05	63,90 220,63 596,22	36,61 44,47 43,23	1 857,76 27,43	476,53 248,10	999,82 15 301,49	15 675,95 2 450,37
2.200	Strawberries 0810 10 00	281,43 971,72 2 625,88	161,23 195,88 190,39	8 182,01 120,82	2 098,74 1 092,71	4 403,42 67 391,23	69 040,41 10 792,00

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	174,71	8 865,81	2 274,13	4 771,43	74 810,33
		1 052,93	212,25	130,92	1 184,03	73 023,33	11 693,92
		2 845,34	206,30				
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 455,44	833,82	42 314,01	10 853,80	22 772,69	357 048,54
		5 025,34	1 012,99	624,82	5 651,04	348 519,66	55 811,76
		13 579,98	984,61				
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	143,08	81,97	4 159,75	1 067,00	2 238,71	35 100,24
		494,02	99,58	61,42	555,53	34 261,79	5 486,67
		1 335,00	96,79				
2.230	Pomegranates ex 0810 90 95	261,02	149,54	7 588,63	1 946,53	4 084,08	64 033,43
		901,25	181,67	112,06	1 013,46	62 503,85	10 009,33
		2 435,45	176,58				
2.240	Khakis (including sharon fruit) ex 0810 90 95	315,74	180,89	9 179,64	2 354,63	4 940,33	77 458,44
		1 090,20	219,76	135,55	1 225,94	75 608,18	12 107,85
		2 946,05	213,60				
2.250	Lychees ex 0810 90	—	—	—	—	—	—

COMMISSION REGULATION (EC) No 1530/2005**of 21 September 2005****opening crisis distillation as provided for in Article 30 of Council Regulation (EC) No 1493/1999 for table wine in Italy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Article 30 of Regulation (EC) No 1493/1999 provides for the possibility of a crisis distillation measure in the event of exceptional market disturbance due to major surpluses. Such measures may be limited to certain categories of wine and/or certain areas of production, and may apply to quality wines *psr* at the request of the Member State concerned.

(2) By letter of 3 June 2005, the Italian Government requested that crisis distillation be opened for table wine produced in its territory.

(3) Considerable surpluses have been recorded on the table wine market in Italy, which are reflected in a fall in prices and a worrying rise in stocks towards the end of the 2004/05 marketing year. In order to reverse this negative trend, and so remedy the difficult market situation, stocks of table wine should be reduced to a level that can be regarded as normal in terms of covering market requirements.

(4) Since the conditions laid down in Article 30(5) of Regulation (EC) No 1493/1999 are satisfied, a crisis distillation measure should be opened for a maximum of 2 million hl of table wine.

(5) The crisis distillation opened by this Regulation must comply with the conditions laid down by Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market

in wine with regard to market mechanisms ⁽²⁾ as regards the distillation measure provided for in Article 30 of Regulation (EC) No 1493/1999. Other provisions of Regulation (EC) No 1623/2000 must also apply, in particular those concerning the delivery of alcohol to intervention agencies and the payment of advances.

(6) The price distillers must pay producers should be set at a level that permits the market disturbance to be dealt with by allowing producers to take advantage of the possibility afforded by this measure.

(7) The product of crisis distillation must be raw or neutral alcohol only, for compulsory delivery to the intervention agency in order to avoid disturbing the market for potable alcohol, which is supplied largely by the distillation provided for in Article 29 of Regulation (EC) No 1493/1999.

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

HAS ADOPTED THIS REGULATION:

Article 1

Crisis distillation as provided for in Article 30 of Regulation (EC) No 1493/1999 is hereby opened for a maximum of 2 million hectolitres of table wine in Italy, in accordance with the provisions of Regulation (EC) No 1623/2000 concerning this type of distillation.

Article 2

Producers may conclude contracts as provided for in Article 65 of Regulation (EC) No 1623/2000 (hereinafter referred to as the contract) from 25 September to 10 October 2005.

Contracts shall be accompanied by proof that a security equal to EUR 5 per hectolitre has been lodged.

Contracts may not be transferred.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation last amended by Regulation (EC) No 1219/2005 (OJ L 199, 29.7.2005, p. 45).

Article 3

1. If the total quantity covered by the contracts submitted to the intervention agency exceeds the quantity laid down in Article 1, Italy shall determine the rate of reduction to be applied to the above contracts.

2. Italy shall take the administrative steps necessary to approve the above contracts by 31 October 2005 at the latest. The approval shall specify any rate of reduction applied and the quantity of wine accepted per contract and shall stipulate that the producer may cancel the contract where the quantity to be distilled is reduced.

Italy shall notify the Commission before 30 November 2005 of the quantities of wine covered by approved contracts.

3. Italy may limit the number of contracts that individual producers may conclude under this Regulation.

Article 4

1. The quantities of wine covered by approved contracts shall be delivered to the distilleries by 31 January 2006 at the latest. The alcohol obtained must be delivered to the intervention agency in accordance with Article 6(1) by 31 March 2006 at the latest.

2. The security shall be released for the quantities delivered when the producer presents proof of delivery to a distillery.

The security shall be forfeit where no delivery is made within the time limit laid down in paragraph 1.

Article 5

The minimum price paid for wine delivered for distillation under this Regulation shall be EUR 1,914/% vol/hl.

Article 6

1. Distillers shall deliver the product obtained from distillation to the intervention agency. That product shall be of an alcoholic strength of at least 92 % vol.

2. The price the intervention agency must pay distillers for raw alcohol delivered shall be EUR 2,281/% vol/hl. The payment shall be made in accordance with Article 62(5) of Regulation (EC) No 1623/2000.

Distillers may receive an advance of EUR 1,122/% vol/hl. on that amount. In that case the advance shall be deducted from the price actually paid. Articles 66 and 67 of Regulation (EC) No 1623/2000 shall apply.

Article 7

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

It shall apply from 25 September 2005.

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

Done at Brussels, 21 September 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 1531/2005**of 21 September 2005****establishing the estimated production of unginned cotton for the 2005/06 marketing year and the resulting provisional reduction of the guide price**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular the first indent of Article 19(2) thereof,

Whereas:

- (1) Under Article 16(1) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾, the estimated production of unginned cotton referred to in the first subparagraph of Article 14(3) of Regulation (EC) No 1051/2001 and the resulting provisional reduction of the guide price must be established before 10 September of the marketing year concerned.
- (2) Under Article 19(2) of Regulation (EC) No 1051/2001 account must be taken of crop forecasts when establishing the estimated production.
- (3) The provisional reduction of the guide price is to be calculated in accordance with the first subparagraph of Article 14(3) of Regulation (EC) No 1051/2001, but

replacing actual production with estimated production plus 15 %.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 2005/06 marketing year, estimated production of unginned cotton is hereby fixed at:

- | | |
|-------------|----------------------|
| — 1 050 000 | tonnes for Greece, |
| — 315 423 | tonnes for Spain, |
| — 611 | tonnes for Portugal. |

2. For the 2005/06 marketing year, the provisional reduction of the guide price is hereby fixed at:

- | | |
|----------|--------------------------|
| — 34,654 | EUR/100 kg for Greece, |
| — 25,299 | EUR/100 kg for Spain, |
| — 0 | EUR/100 kg for Portugal. |

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, 21 September 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ Protocol as last amended by Council Regulation (EC) No 1050/2001 (OJ L 148, 1.6.2001, p. 1).

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as last amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 1532/2005**of 21 September 2005****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

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 Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Regulation (EC) No 1520/2005 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 September 2005.

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

Done at Brussels, 21 September 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. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 244, 19.9.2005, p. 19.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 22 September 2005

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	22,93	4,84
1701 11 90 ⁽¹⁾	22,93	10,07
1701 12 10 ⁽¹⁾	22,93	4,64
1701 12 90 ⁽¹⁾	22,93	9,64
1701 91 00 ⁽²⁾	25,78	12,36
1701 99 10 ⁽²⁾	25,78	7,82
1701 99 90 ⁽²⁾	25,78	7,82
1702 90 99 ⁽³⁾	0,26	0,39

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION DIRECTIVE 2005/57/EC
of 21 September 2005
amending Council Directive 91/414/EEC to include MCPA and MCPB as active substances
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes MCPA and MCPB.
- (2) For those active substances the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a range of uses proposed by the notifiers. By Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member State for the implementation of Regulation (EEC) No 3600/92 ⁽³⁾, Italy was designated as rapporteur Member State. On 5 April 2001 and 19 December 2001 Italy submitted the relevant assessment reports and recommendations to the Commission in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92.
- (3) The assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The reviews were finalised on 15 April 2005 in the format of the Commission review reports for MCPA and MCPB.
- (4) The reviews of MCPA and MCPB did not reveal any open question to be addressed by the Scientific Committee on Plants or the European Food Safety Authority (EFSA) which has taken over the role of the latter.
- (5) It has appeared from the various examinations made that plant protection products containing MCPA or MCPB may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review reports. It is therefore appropriate to include these active substances in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances can be granted in accordance with the provisions of that Directive.
- (6) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (7) Without prejudice to the obligations defined by Directive 91/414 as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing authorisations of plant protection products containing MCPA or MCPB to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (8) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Regulation (EEC) No 3600/92 has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Regulation (EC) No 396/2005 of the European Parliament and of the Council (OJ L 70, 16.3.2005, p. 1).

⁽²⁾ OJ L 366, 15.12.1992, p. 10. Regulation as last amended by Regulation (EC) No 2266/2000 (OJ L 259, 13.10.2000, p. 10).

⁽³⁾ OJ L 107, 28.4.1994, p. 8. Regulation as last amended by Regulation (EC) No 2230/95 (OJ L 225, 22.9.1995, p. 1).

- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) 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 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

Member States shall adopt and publish by 31 October 2006 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 November 2006.

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.

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing MCPA or MCPB as active substances by 31 October 2006. By that date, they shall in particular verify that the conditions in Annex I to that Directive relating to MCPA and MCPB respectively are met, with the exception of those identified in part B of the entry concerning those active substances, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13.

2. By derogation from paragraph 1, for each authorised plant protection product containing MCPA or MCPB as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 30 April 2006 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning MCPA and MCPB respectively. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing MCPA or MCPB as the only active substance, where necessary, amend or withdraw the authorisation by 30 April 2010 at the latest; or
- (b) in the case of a product containing MCPA or MCPB as one of several active substances, where necessary, amend or withdraw the authorisation by 30 April 2010 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 May 2006.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 21 September 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
108	MCPA CAS No 94-74-6 CIPAC No 2	4-chloro-o- tolyloxyacetic acid	≥ 930 g/kg	1 May 2006	30 April 2016	PART A Only uses as herbicide may be authorised PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on MCPA, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 April 2005 shall be taken into account Member States should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation should include risk mitigation measures, where appropriate Member States must pay particular attention to the protection of aquatic organisms and must ensure that the conditions of authorisation include risk mitigation measures, where appropriate, such as buffer zones
109	MCPB CAS No 94-81-5 CIPAC No 50	4-(4-chloro-o- tolyloxy)butyric acid	≥ 920 g/kg	1 May 2006	30 April 2016	PART A Only uses as herbicide may be authorised PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on MCPB, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 April 2005 shall be taken into account Member States should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation should include risk mitigation measures, where appropriate Member States must pay particular attention to the protection of aquatic organisms and must ensure that the conditions of authorisation include risk mitigation measures, where appropriate, such as buffer zones

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION DIRECTIVE 2005/58/EC
of 21 September 2005
amending Council Directive 91/414/EEC to include bifentazate and milbemectin as active substances
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC, the Netherlands received on 3 July 2001 an application from Crompton Europe Ltd. for the inclusion of the active substance bifentazate in Annex I to Directive 91/414/EEC. Commission Decision 2002/268/EC ⁽²⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (2) The Netherlands received an application under Article 6(2) of Directive 91/414/EEC on 6 March 2000 from Sankyo Company Ltd. for the inclusion of the active substance milbemectin in Annex I to Directive 91/414/EEC. Commission Decision 2000/540/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) For those active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The designated rapporteur Member States submitted draft assessment reports concerning the substances to the Commission on 3 April 2003 (bifentazate) and 16 June 2001 (milbemectin).
- (4) The draft assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 3 June 2005 in the format of the Commission review reports for bifentazate and milbemectin.
- (5) The review of bifentazate and milbemectin did not reveal any open questions or concerns, which would have required a consultation of the Scientific Committee on Plants or of the European Food Safety Authority which has taken over the role of that Committee.
- (6) It has appeared from the various examinations made that plant protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include bifentazate and milbemectin in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances may be granted in accordance with the provisions of that Directive.
- (7) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing provisional authorisations of plant protection products containing bifentazate or milbemectin to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should transform existing provisional authorisations into full authorisations, amend them or withdraw them in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (8) The inclusion of bifentazate in Annex I is based on a dossier covering the use of this active substance on ornamental plants in greenhouses. Other uses are currently not adequately supported by data from the notifier and not all of the risks from such uses have shown to be adequately addressed under the criteria required by Annex VI. If Member States are to grant authorisations for other uses, they should therefore require the data and information necessary to prove that the uses are compatible with the criteria in Directive 91/414/EEC, in particular concerning the effect on human consumers and the environment.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Regulation (EC) No 396/2005 of the European Parliament and of the Council (OJ L 70, 16.3.2005, p. 1).

⁽²⁾ OJ L 92, 9.4.2002, p. 34.

⁽³⁾ OJ L 230, 12.9.2000, p. 14.

- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) 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 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish by 31 May 2006 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 June 2006.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall 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 text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing bifenthrin or milbemectin as active substances by 31 May 2006. By that date, they shall in particular verify that the conditions in Annex I to that Directive relating to bifenthrin and milbemectin, respectively, are met, with the exception of those identified in part B of the entry concerning those active substances, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing bifenthrin or milbemectin as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 30 November 2005 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning bifenthrin and milbemectin, respectively. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing bifenthrin or milbemectin as the only active substance, where necessary, amend or withdraw the authorisation by 31 May 2007 at the latest; or
- (b) in the case of a product containing bifenthrin or milbemectin as one of several active substances, where necessary, amend or withdraw the authorisation by 31 May 2007 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 4

This Directive shall enter into force on 1 December 2005.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 21 September 2005.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

In Annex I the following rows are added at the end of the table:

No	Common Name, Identification Numbers	IUPAC Name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
110	Bifenazate CAS No 149877-41-8 CIPAC No 736	Isopropyl 2-(4-methoxybi-phenyl-3-yl)hydrazino-formate	≥ 950 g/kg	1 December 2005	30 November 2015	PART A Only uses as acaricide may be authorised. PART B In assessing applications to authorise plant protection products containing bifenazate for uses other than on ornamental plants in greenhouses, Member States shall pay particular attention to the criteria in Article 4(1)(b), and shall ensure that any necessary data and information is provided before such an authorization is granted. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on bifenazate, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 3 June 2005 shall be taken into account.
111	Milbemectin Milbemectin is a mixture of M.A ₃ and M.A ₄ CAS No M.A ₃ : 51596-10-2 M.A ₄ : 51596-11-3 CIPAC No 660	M.A ₃ : (10E,14E,16E,22Z)- (1R,4S,5'S,6R,6'R,8R,13R, 20R,21R,24S)-21,24- dihydroxy-5',6',11,13,22- pentamethyl-3,7,19-trioxate- tricyclo[15.6.1.1 ^{4,8} .0 ^{20,24}] pentacosane-10,14,16,22- tetraene-6-spiro-2'- tetrahydropyran-2-one M.A ₄ : (10E,14E,16E,22Z)- (1R,4S,5'S,6R,6'R,8R,13R, 20R,21R,24S)-6'-ethyl- 21,24-dihydroxy- 5',11,13,22-tetramethyl- 3,7,19-trioxatetracyclo [15.6.1.1 ^{4,8} .0 ^{20,24}] pentacosane-10,14,16,22- tetraene-6-spiro-2'- tetrahydropyran-2-one	≥ 950 g/kg	1 December 2005	30 November 2015	PART A Only uses as acaricide or insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on milbemectin, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 3 June 2005 shall be taken into account. In this overall assessment Member States should pay particular attention to the protection of aquatic organisms. Risk mitigation measures should be applied where appropriate.'

(1) Further details on identity and specification of active substances are provided in the review report.

CORRIGENDA**Corrigendum to the amendments to the Rules of Procedure of the Court of Justice of the European Communities**

(Official Journal of the European Union L 203 of 4 August 2005)

On page 20, point 5, in the third line of the first subparagraph of Article 104(3):

for: '... existing case-law, the Court may, after hearing the Advocate ACT, at any time give its decision by ...',

read: '... existing case-law, the Court may, after hearing the Advocate General, at any time give its decision by ...';

in the third line of the second subparagraph of Article 104(3):

for: '... the Statute and after hearing the Advocate ACT, where the answer to the question referred to the Court ...',

read: '... the Statute and after hearing the Advocate General, where the answer to the question referred to the Court ...'.
