

# Official Journal

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### Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 157/2005**  
**of 31 January 2005**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

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

## ANNEX

**to Commission Regulation of 31 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables**

| (EUR/100 kg)                                      |                                   |                       |
|---|-----------------------------------|-----------------------|
| CN code   | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00  | 052                               | 105,5                 |
|   | 204                               | 75,1                  |
|   | 212                               | 176,1                 |
|   | 624                               | 163,5                 |
|   | 999                               | 130,1                 |
| 0707 00 05  | 052                               | 157,0                 |
|   | 999                               | 157,0                 |
| 0709 90 70  | 052                               | 183,9                 |
|   | 204                               | 226,7                 |
|   | 624                               | 56,7                  |
|   | 999                               | 155,8                 |
| 0805 10 20  | 052                               | 43,6                  |
|   | 204                               | 44,5                  |
|   | 212                               | 59,6                  |
|   | 220                               | 37,2                  |
|   | 421                               | 38,1                  |
|   | 448                               | 35,4                  |
|   | 624                               | 44,6                  |
|   | 999                               | 43,3                  |
| 0805 20 10  | 204                               | 62,8                  |
|   | 624                               | 75,9                  |
|   | 999                               | 69,4                  |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | 052                               | 61,9                  |
|   | 204                               | 87,2                  |
|   | 400                               | 78,4                  |
|   | 464                               | 138,7                 |
|   | 624                               | 68,3                  |
|   | 662                               | 36,0                  |
|   | 999                               | 78,4                  |
| 0805 50 10  | 052                               | 63,4                  |
|   | 999                               | 63,4                  |
| 0808 10 80  | 400                               | 89,6                  |
|   | 404                               | 83,0                  |
|   | 720                               | 61,8                  |
|   | 999                               | 78,1                  |
| 0808 20 50  | 388                               | 83,2                  |
|   | 400                               | 89,3                  |
|   | 528                               | 79,2                  |
|   | 720                               | 36,8                  |
|   | 999                               | 72,1                  |

<sup>(1)</sup> 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 158/2005****of 31 January 2005****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(1)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(2)</sup>.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

## ANNEX

**to the Commission Regulation of 31 January 2005 fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

| Product code    | Destination | Unit of measurement | Amount of refunds | Product code    | Destination | Unit of measurement | Amount of refunds |
|-----------------|-------------|---------------------|-------------------|-----------------|-------------|---------------------|-------------------|
| 1001 10 00 9200 | —           | EUR/t               | —                 | 1101 00 15 9130 | A00         | EUR/t               | 0                 |
| 1001 10 00 9400 | A00         | EUR/t               | 0                 | 1101 00 15 9150 | A00         | EUR/t               | 0                 |
| 1001 90 91 9000 | —           | EUR/t               | —                 | 1101 00 15 9170 | A00         | EUR/t               | 0                 |
| 1001 90 99 9000 | A00         | EUR/t               | 0                 | 1101 00 15 9180 | A00         | EUR/t               | 0                 |
| 1002 00 00 9000 | A00         | EUR/t               | 0                 | 1101 00 15 9190 | —           | EUR/t               | —                 |
| 1003 00 10 9000 | —           | EUR/t               | —                 | 1101 00 90 9000 | —           | EUR/t               | —                 |
| 1003 00 90 9000 | A00         | EUR/t               | 0                 | 1102 10 00 9500 | A00         | EUR/t               | 0                 |
| 1004 00 00 9200 | —           | EUR/t               | —                 | 1102 10 00 9700 | A00         | EUR/t               | 0                 |
| 1004 00 00 9400 | A00         | EUR/t               | 0                 | 1102 10 00 9900 | —           | EUR/t               | —                 |
| 1005 10 90 9000 | —           | EUR/t               | —                 | 1103 11 10 9200 | A00         | EUR/t               | 0                 |
| 1005 90 00 9000 | A00         | EUR/t               | 0                 | 1103 11 10 9400 | A00         | EUR/t               | 0                 |
| 1007 00 90 9000 | —           | EUR/t               | —                 | 1103 11 10 9900 | —           | EUR/t               | —                 |
| 1008 20 00 9000 | —           | EUR/t               | —                 | 1103 11 90 9200 | A00         | EUR/t               | 0                 |
| 1101 00 11 9000 | —           | EUR/t               | —                 | 1103 11 90 9800 | —           | EUR/t               | —                 |
| 1101 00 15 9100 | A00         | EUR/t               | 0                 |                 |             |                     |                   |

NB: The product codes and the 'A' series destination codes are set out in the Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

**COMMISSION REGULATION (EC) No 159/2005**  
**of 31 January 2005**  
**fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(1)</sup>, and in particular Article 15(2) thereof,

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which an application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(2)</sup>, allows for the fixing of a corrective amount for the products listed in Article 1(1)(c) of Regulation (EEC) No 1766/92<sup>(3)</sup>. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

<sup>(3)</sup> OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).



## ANNEX

**to the Commission Regulation of 31 January 2005 fixing the corrective amount applicable to the refund on cereals**

| Product code    | Destination | (EUR/t)      |                 |                 |                 |                 |                 |                 |
|-----------------|-------------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                 |             | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 | 5th period<br>7 | 6th period<br>8 |
| 1001 10 00 9200 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1001 10 00 9400 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1001 90 91 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1001 90 99 9000 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1002 00 00 9000 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1003 00 10 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1003 00 90 9000 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1004 00 00 9200 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1004 00 00 9400 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1005 10 90 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1005 90 00 9000 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1007 00 90 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1008 20 00 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1101 00 11 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1101 00 15 9100 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1101 00 15 9130 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1101 00 15 9150 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1101 00 15 9170 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1101 00 15 9180 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1101 00 15 9190 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1101 00 90 9000 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1102 10 00 9500 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1102 10 00 9700 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1102 10 00 9900 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1103 11 10 9200 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1103 11 10 9400 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1103 11 10 9900 | —           | —            | —               | —               | —               | —               | —               | —               |
| 1103 11 90 9200 | A00         | 0            | 0               | 0               | 0               | 0               | —               | —               |
| 1103 11 90 9800 | —           | —            | —               | —               | —               | —               | —               | —               |

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended. The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

**COMMISSION REGULATION (EC) No 160/2005**  
**of 31 January 2005**  
**fixing the export refunds on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(1)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(2)</sup>.
- (3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on malt listed in Article 1(1)(c) of Regulation (EC) No 1784/2003 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

## ANNEX

**to the Commission Regulation of 31 January 2005 fixing the export refunds on malt**

| Product code    | Destination | Unit of measurement | Amount of refunds |
|-----------------|-------------|---------------------|-------------------|
| 1107 10 19 9000 | A00         | EUR/t               | 0,00              |
| 1107 10 99 9000 | A00         | EUR/t               | 0,00              |
| 1107 20 00 9000 | A00         | EUR/t               | 0,00              |

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

**COMMISSION REGULATION (EC) No 161/2005**  
**of 31 January 2005**  
**fixing the corrective amount applicable to the refund on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organization of the market in cereals<sup>(1)</sup>, and in particular Article 15(2),

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(2)</sup> allows for the fixing of a corrective amount for the malt referred

to in Article 1(1)(c) of Regulation (EEC) No 1766/92<sup>(3)</sup>. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 15(3) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

<sup>(3)</sup> OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1104/2003 (OJ L 158, 27.6.2003, p. 1).

## ANNEX

## to the Commission Regulation of 31 January 2005 fixing the corrective amount applicable to the refund on malt

(EUR/t)

| Product code    | Destination | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 | 5th period<br>7 |
|-----------------|-------------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 1107 10 11 9000 | A00         | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 19 9000 | A00         | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 91 9000 | A00         | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 99 9000 | A00         | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 20 00 9000 | A00         | 0            | 0               | 0               | 0               | 0               | 0               |

(EUR/t)

| Product code    | Destination | 6th period<br>8 | 7th period<br>9 | 8th period<br>10 | 9th period<br>11 | 10th period<br>12 | 11th period<br>1 |
|-----------------|-------------|-----------------|-----------------|------------------|------------------|-------------------|------------------|
| 1107 10 11 9000 | A00         | 0               | 0               | 0                | 0                | 0                 | 0                |
| 1107 10 19 9000 | A00         | 0               | 0               | 0                | 0                | 0                 | 0                |
| 1107 10 91 9000 | A00         | 0               | 0               | 0                | 0                | 0                 | 0                |
| 1107 10 99 9000 | A00         | 0               | 0               | 0                | 0                | 0                 | 0                |
| 1107 20 00 9000 | A00         | 0               | 0               | 0                | 0                | 0                 | 0                |

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

**COMMISSION REGULATION (EC) No 162/2005****of 31 January 2005****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(1)</sup> and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice<sup>(2)</sup> and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid<sup>(3)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined.
- (3) The general and implementing rules provided for in Article 13 of Regulation (EC) No 1784/2003 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

<sup>(3)</sup> OJ L 288, 25.10.1974, p. 1.

## ANNEX

**to the Commission Regulation of 31 January 2005 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

*(EUR/t)*

| Product code    | Refund |
|-----------------|--------|
| 1001 10 00 9400 | 0,00   |
| 1001 90 99 9000 | 0,00   |
| 1002 00 00 9000 | 0,00   |
| 1003 00 90 9000 | 0,00   |
| 1005 90 00 9000 | 0,00   |
| 1006 30 92 9100 | 0,00   |
| 1006 30 92 9900 | 0,00   |
| 1006 30 94 9100 | 0,00   |
| 1006 30 94 9900 | 0,00   |
| 1006 30 96 9100 | 0,00   |
| 1006 30 96 9900 | 0,00   |
| 1006 30 98 9100 | 0,00   |
| 1006 30 98 9900 | 0,00   |
| 1006 30 65 9900 | 0,00   |
| 1007 00 90 9000 | 0,00   |
| 1101 00 15 9100 | 0,00   |
| 1101 00 15 9130 | 0,00   |
| 1102 10 00 9500 | 0,00   |
| 1102 20 10 9200 | 52,47  |
| 1102 20 10 9400 | 44,98  |
| 1103 11 10 9200 | 0,00   |
| 1103 13 10 9100 | 67,46  |
| 1104 12 90 9100 | 0,00   |

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

**COMMISSION REGULATION (EC) No 163/2005****of 31 January 2005****fixing the production refund on white sugar used in the chemical industry for the period from 1 to 28 February 2005**

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<sup>(1)</sup>, and in particular the fifth indent of Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of

Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry<sup>(2)</sup> provides that these refunds shall be determined according to the refund fixed for white sugar.

- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 38,519 EUR/100 kg net for the period from 1 to 28 February 2005.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 178, 30.6.2001, p. 63.



**COMMISSION REGULATION (EC) No 164/2005**  
**of 31 January 2005**  
**determining the world market price for unginned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001<sup>(1)</sup>,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton<sup>(2)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme<sup>(3)</sup>. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most

favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 17,560 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 148, 1.6.2001, p. 1.

<sup>(2)</sup> OJ L 148, 1.6.2001, p. 3.

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

**COMMISSION REGULATION (EC) No 165/2005****of 31 January 2005****fixing the import duties in the cereals sector applicable from 1 February 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector <sup>(2)</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

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

## ANNEX I

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

| CN code       | Description                                     | Import duty <sup>(1)</sup><br>(EUR/tonne) |
|---------------|---|---|
| 1001 10 00    | Durum wheat high quality                        | 0,00                                      |
|               | medium quality                                  | 0,00                                      |
|               | low quality                                     | 6,58                                      |
| 1001 90 91    | Common wheat seed                               | 0,00                                      |
| ex 1001 90 99 | Common high quality wheat other than for sowing | 0,00                                      |
| 1002 00 00    | Rye   | 38,38                                     |
| 1005 10 90    | Maize seed other than hybrid                    | 56,23                                     |
| 1005 90 00    | Maize other than seed <sup>(2)</sup>            | 56,23                                     |
| 1007 00 90    | Grain sorghum other than hybrids for sowing     | 38,38                                     |

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

- EUR 3/t, where the port of unloading is on the Mediterranean Sea, or
- EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

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

## ANNEX II

**Factors for calculating duties**

period from 14.1.2005-28.1.2005

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

| Exchange quotations                   | Minneapolis  | Chicago | Minneapolis | Minneapolis        | Minneapolis      | Minneapolis |
|---------------------------------------|--------------|---------|-------------|--------------------|------------------|-------------|
| Product (% proteins at 12 % humidity) | HRS2 (14 %)  | YC3     | HAD2        | Medium quality (*) | Low quality (**) | US barley 2 |
| Quotation (EUR/t)                     | 110,53 (***) | 59,58   | 154,48      | 144,48             | 124,48           | 92,18       |
| Gulf premium (EUR/t)                  | 39,44        | 14,74   | —           |                    |                  | —           |
| Great Lakes premium (EUR/t)           | —            | —       | —           |                    |                  | —           |

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

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

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

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

Freight/cost: Gulf of Mexico–Rotterdam: 29,32 EUR/t; Great Lakes–Rotterdam: — EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)  
0,00 EUR/t (SRW2).

**COMMISSION REGULATION (EC) No 166/2005****of 31 January 2005****fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(1)</sup>, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice<sup>(2)</sup>, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations

without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC<sup>(4)</sup>, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93<sup>(5)</sup>, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 to the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1(1) of Regulation (EC) No 1785/2003, exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, are fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 78.

<sup>(2)</sup> OJ L 270, 21.10.2003, p. 96.

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

<sup>(4)</sup> OJ L 275, 29.9.1987, p. 36.

<sup>(5)</sup> OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

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## ANNEX

**Rates of the refunds applicable from 31 January 2005 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (\*)**

(EUR/100 kg)

| CN code    | Description of products <sup>(1)</sup>   | Rate of refund per 100 kg of basic product |       |
|------------|--|--|-------|
|            |  | In case of advance fixing of refunds       | Other |
| 1001 10 00 | Durum wheat:   |  |       |
|            | – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America  | —  | —     |
|            | – in other cases   | —  | —     |
| 1001 90 99 | Common wheat and meslin:   |  |       |
|            | – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America  | —  | —     |
|            | – in other cases:  |  |       |
|            | – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup>  | —  | —     |
|            | – – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | —  | —     |
|            | – – in other cases   | —  | —     |
| 1002 00 00 | Rye  | —  | —     |
| 1003 00 90 | Barley   |  |       |
|            | – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | —  | —     |
|            | – in other cases   | —  | —     |
| 1004 00 00 | Oats   | —  | —     |
| 1005 90 00 | Maize (corn) used in the form of:  |  |       |
|            | – starch:  |  |       |
|            | – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup>  | 3,748                                      | 3,748 |
|            | – – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | 0,751                                      | 0,751 |
|            | – – in other cases   | 3,748                                      | 3,748 |
|            | – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 <sup>(4)</sup> : |  |       |
|            | – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup>  | 2,811                                      | 2,811 |
|            | – – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | 0,563                                      | 0,563 |
|            | – – in other cases   | 2,811                                      | 2,811 |
|            | – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | 0,751                                      | 0,751 |
|            | – other (including unprocessed)  | 3,748                                      | 3,748 |
|            | Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:  |  |       |
|            | – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup>  | 3,379                                      | 3,379 |
|            | – where goods falling within subheading 2208 <sup>(3)</sup> are exported   | 0,751                                      | 0,751 |
|            | – in other cases   | 3,748                                      | 3,748 |

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

(EUR/100 kg)

| CN code    | Description of products <sup>(1)</sup>      | Rate of refund per 100 kg of basic product |       |
|------------|---|--|-------|
|            |   | In case of advance fixing of refunds       | Other |
| ex 1006 30 | Wholly milled rice:                         |  |       |
|            | – round grain                               | —  | —     |
|            | – medium grain                              | —  | —     |
|            | – long grain                                | —  | —     |
| 1006 40 00 | Broken rice                                 | —  | —     |
| 1007 00 90 | Grain sorghum, other than hybrid for sowing | —  | —     |

<sup>(1)</sup> As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

<sup>(2)</sup> The goods concerned fall in under CN code 3505 10 50.

<sup>(3)</sup> Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

<sup>(4)</sup> For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.



**COMMISSION REGULATION (EC) No 167/2005**  
**of 31 January 2005**

**fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex V to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds<sup>(2)</sup> specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.

- (3) Article 27(3) of Regulation (EC) No 1260/2001 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) and (2) of Regulation (EC) No 1260/2001, and exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

## ANNEX

**Rates of refunds applicable from 31 January 2005 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty <sup>(1)</sup>**

| CN code    | Description | Rate of refund in EUR/100 kg         |       |
|------------|-------------|--------------------------------------|-------|
|            |             | In case of advance fixing of refunds | Other |
| 1701 99 10 | white sugar | 39,76                                | 39,76 |

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

**COMMISSION REGULATION (EC) No 168/2005****of 31 January 2005****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs<sup>(1)</sup>, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1(1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds<sup>(2)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75.

- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.
- (3) Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75, are fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

<sup>(1)</sup> OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(2)</sup> OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

## ANNEX

**Rates of the refunds applicable from 31 January 2005 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

| (EUR/100 kg)  |   |                            |                |
|---------------|---|----------------------------|----------------|
| CN code       | Description   | Destination <sup>(1)</sup> | Rate of refund |
| 0407 00       | Birds' eggs, in shell, fresh, preserved or cooked:  |                            |                |
|               | – Of poultry:   |                            |                |
| 0407 00 30    | – – Other:  |                            |                |
|               | (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90   | 02                         | 6,00           |
|               |   | 03                         | 25,00          |
|               |   | 04                         | 3,00           |
|               | (b) On exportation of other goods   | 01                         | 3,00           |
| 0408          | Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter: |                            |                |
|               | – Egg yolks:  |                            |                |
| 0408 11       | – – Dried:  |                            |                |
| ex 0408 11 80 | – – – Suitable for human consumption:<br>not sweetened  | 01                         | 40,00          |
| 0408 19       | – – Other:  |                            |                |
|               | – – – Suitable for human consumption:   |                            |                |
| ex 0408 19 81 | – – – – Liquid:<br>not sweetened  | 01                         | 20,00          |
| ex 0408 19 89 | – – – – Frozen:<br>not sweetened  | 01                         | 20,00          |
|               | – Other:  |                            |                |
| 0408 91       | – – Dried:  |                            |                |
| ex 0408 91 80 | – – – Suitable for human consumption:<br>not sweetened  | 01                         | 75,00          |
| 0408 99       | – – Other:  |                            |                |
| ex 0408 99 80 | – – – Suitable for human consumption:<br>not sweetened  | 01                         | 19,00          |

<sup>(1)</sup> The destinations are as follows:

01 Third countries, except Bulgaria as from 1 October 2004. For Switzerland and Lichtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported with effect from 1 February 2005,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 All destinations except Switzerland, Bulgaria as from 1 October 2004 and those falling within 02 and 03.

**COMMISSION REGULATION (EC) No 169/2005****of 31 January 2005****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products<sup>(1)</sup>, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e) and (g) of that Regulation and prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds<sup>(2)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.
- (4) However in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.
- (5) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to Regulation (EC) No 1520/2000 or to assimilated products.
- (6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (7) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(3)</sup>, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999 shall be fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 2005.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

<sup>(2)</sup> OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

<sup>(3)</sup> OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

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

Done at Brussels, 31 January 2005.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

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## ANNEX

**Rates of the refunds applicable from 1 February 2005 to certain milk products exported in the form of goods not covered by Annex I to the Treaty <sup>(1)</sup>**

(EUR/100 kg)

| CN code       | Description   | Rate of refund                       |        |
|---------------|---|--------------------------------------|--------|
|               |   | In case of advance fixing of refunds | Other  |
| ex 0402 10 19 | Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):                |                                      |        |
|               | (a) on exportation of goods of CN code 3501   | —                                    | —      |
|               | (b) on exportation of other goods   | 26,53                                | 28,00  |
| ex 0402 21 19 | Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):                            |                                      |        |
|               | (a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported          | 33,12                                | 35,31  |
|               | (b) on exportation of other goods   | 65,70                                | 70,00  |
| ex 0405 10    | Butter, with a fat content by weight of 82 % (PG 6):  |                                      |        |
|               | (a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported | 42,55                                | 46,00  |
|               | (b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat   | 128,43                               | 138,25 |
|               | (c) on exportation of other goods   | 121,18                               | 131,00 |

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

## COMMISSION REGULATION (EC) No 170/2005

of 31 January 2005

fixing the aid for tomatoes for processing for the 2005/06 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

No 2201/96 and Regulation (EC) No 1535/2003 by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union<sup>(3)</sup>.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products<sup>(1)</sup>, and in particular Article 6(1) thereof,

Whereas:

(1) Article 3(3) of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for the implementation of Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables<sup>(2)</sup> stipulates that the Commission is to publish the amount of the aid for tomatoes for processing before 31 January.

(2) For the Member States of the Community as constituted on 30 April 2004, compliance with the national and Community thresholds for processing tomatoes referred to in Article 5(1) of Regulation (EC) No 2201/96 is examined on the basis of the quantities aided in the three preceding marketing years for which definitive data are available for all the Member States in question.

(3) In the case of the Member States which acceded to the European Union on 1 May 2004, compliance with national and Community thresholds for tomatoes for processing is examined on the basis of the quantities for which aid applications for the 2004/05 marketing year were submitted under Article 4 of Regulation (EC) No 416/2004 of 5 March 2004 laying down transitional measures for the application of Council Regulation (EC)

(4) The quantity of tomatoes processed under the aid scheme to be considered when examining compliance with the national and Community thresholds is 128 640 tonnes above the Community threshold. In the case of those Member States which have exceeded their processing threshold, the aid for tomatoes for processing for the 2005/06 marketing year must thus be adjusted in relation to the level set in Article 4(2) of Regulation (EC) No 2201/96, in accordance with Article 5(2) and (4) of that Regulation and Article 3(2) of Regulation (EC) No 416/2004.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 2005/06 marketing year, the aid for tomatoes under Article 2 of Regulation (EC) No 2201/96 shall be:

(a) in Greece, France, Portugal, Italy, Czech Republic, Cyprus, Hungary, Malta, Poland and Slovakia, EUR 34,50 per tonne;

(b) in Spain:

(i) EUR 34,50 per tonne for tomatoes for processing into whole peeled tomatoes,

(ii) EUR 31,29 per tonne for tomatoes intended for other processing.

*Article 2*

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

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

<sup>(2)</sup> OJ L 218, 30.8.2003, p. 14. Regulation as last amended by Regulation (EC) No 2169/2004 (OJ L 371, 18.12.2004, p. 18).

<sup>(3)</sup> OJ L 68, 6.3.2004, p. 12.



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

Done at Brussels, 31 January 2005.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

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**COUNCIL REGULATION (EC) No 171/2005****of 31 January 2005****amending and suspending the application of Regulation (EC) No 2193/2003 establishing additional customs duties on imports of certain products originating in the United States of America**

THE COUNCIL OF THE EUROPEAN UNION,

*Article 2*

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

1. Regulation (EC) No 2193/2003 shall be applicable again with effect from 1 January 2006 or 60 days after the confirmation by the Dispute Settlement Body of the WTO, whichever date is later, that certain aspects of the American Jobs Creation Act of 2004 of the United States of America are inconsistent with the United States' WTO obligations.

Having regard to the proposal from the Commission,

2. Before the expiry of the above deadline, the Commission shall publish a notice in the *Official Journal of the European Union* that such confirmation has been given.

Whereas:

*Article 3*

(1) On 7 May 2003, the Community was authorised by the Dispute Settlement Body of the World Trade Organisation (WTO) to impose countermeasures up to a level of USD 4,043 million in the form of additional 100 % *ad valorem* duties on certain products originating in the United States of America. Consequently, on 8 December 2003 the Community adopted Council Regulation (EC) No 2193/2003 <sup>(1)</sup> establishing additional customs duties on imports of certain products originating in the United States of America.

1. Article 2(1) of Regulation (EC) No 2193/2003 shall be replaced as follows:

'1. A 14% *ad valorem* duty additional to the customs duty applicable under Regulation (EEC) No 2913/92 shall be imposed on the products originating in the United States of America listed in the Annex to this Regulation.'

(2) It is considered that, following the adoption of the American Jobs Creation Act of 2004, the application of additional duties should be suspended and only take effect again on 1 January 2006 or 60 days after the Dispute Settlement Body of the WTO confirms, whichever date is later, the incompatibility of certain aspects of the abovementioned Act with WTO law,

2. The Annex to Regulation (EC) No 2193/2003 shall be replaced by the Annex set out in the Annex to this Regulation.

*Article 4*

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

HAS ADOPTED THIS REGULATION:

With the exception of Article 3, it shall apply with effect from 1 January 2005.

*Article 1*

The application of Regulation (EC) No 2193/2003 is hereby suspended.

Article 3 shall apply with effect from the date Regulation (EC) No 2193/2003 becomes applicable again in accordance with Article 2(1).

<sup>(1)</sup> OJ L 328, 17.12.2003, p. 3.

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

Done at Brussels, 31 January 2005.

*For the Council*

*The President*

J. ASSELBORN

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## ANNEX

## 'ANNEX

The products on which additional duties are to apply are identified by their eight-digit CN codes. The two-digit CN Chapters are given for information purposes only. The description of these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>.

| CN Chapters | Description chapter |            |            |            |            |
|-------------|---------------------|------------|------------|------------|------------|
| 1           |                     |            |            |            |            |
|             | 0101 90 19          | 0106 12 00 | 0106 31 00 | 0106 39 90 |            |
|             | 0106 11 00          | 0106 19 90 | 0106 32 00 | 0106 90 00 |            |
| 2           |                     |            |            |            |            |
|             | 0203 22 11          | 0203 29 90 | 0208 30 00 | 0208 90 40 |            |
|             | 0203 29 55          | 0204 43 10 | 0208 40 90 | 0208 90 95 |            |
|             | 0203 29 59          |            | 0208 50 00 | 0210 19 81 |            |
| 4           |                     |            |            |            |            |
|             |                     | 0404 10 02 | 0406 90 69 | 0408 11 80 |            |
|             | 0402 21 19          | 0406 10 20 | 0406 90 81 | 0408 91 80 |            |
|             | 0403 10 91          | 0406 20 90 | 0406 90 86 | 0409 00 00 |            |
|             | 0403 90 91          | 0406 90 21 | 0406 90 87 | 0410 00 00 |            |
| 5           |                     |            |            |            |            |
|             | 0501 00 00          | 0504 00 00 | 0505 90 00 | 0509 00 10 |            |
|             | 0502 10 00          | 0505 10 10 | 0507 90 00 | 0511 91 10 |            |
|             | 0502 90 00          | 0505 10 90 | 0508 00 00 | 0511 99 10 |            |
| 7           |                     |            |            |            |            |
|             | 0702 00 00          | 0709 40 00 | 0710 21 00 | 0710 90 00 |            |
|             | 0703 10 19          | 0709 59 10 | 0710 22 00 | 0711 40 00 | 0712 90 30 |
|             | 0706 10 00          | 0709 59 90 | 0710 29 00 | 0711 59 00 | 0713 10 90 |
|             | 0706 90 90          | 0709 60 10 | 0710 80 51 | 0711 90 80 | 0713 20 00 |
|             | 0708 10 00          | 0709 60 99 | 0710 80 59 | 0712 31 00 | 0713 31 00 |
|             | 0708 20 00          |            | 0710 80 85 | 0712 32 00 | 0714 10 99 |
|             | 0709 20 00          | 0709 90 90 | 0710 80 95 | 0712 33 00 |            |
| 8           |                     |            |            |            |            |
|             | 0801 11 00          | 0804 30 00 | 0807 20 00 | 0811 10 11 | 0813 10 00 |
|             | 0801 19 00          | 0804 40 00 | 0809 10 00 | 0811 10 90 | 0813 40 95 |
|             | 0801 21 00          |            | 0809 20 05 | 0811 20 31 | 0813 50 99 |
|             | 0801 32 00          |            | 0809 30 10 | 0811 90 50 |            |
|             | 0803 00 19          |            | 0809 30 90 | 0811 90 70 |            |
|             | 0803 00 90          | 0805 90 00 | 0809 40 05 | 0811 90 80 |            |
|             | 0804 20 90          | 0807 19 00 | 0810 40 30 | 0812 10 00 |            |
| 10          |                     |            |            |            |            |
|             | 1008 10 00          | 1008 20 00 | 1008 30 00 |            |            |
| 11          |                     |            |            |            |            |
|             | 1102 30 00          | 1106 20 90 | 1107 10 99 |            |            |
|             | 1103 20 40          | 1106 30 10 | 1108 19 90 |            |            |

<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1989/2004 (OJ L 344, 20.11.2004, p. 5).

| CN Chapters | Description chapter |            |            |            |            |
|-------------|---------------------|------------|------------|------------|------------|
| 12          |                     |            |            |            |            |
|             | 1205 10 90          | 1207 99 20 |            | 1212 99 80 |            |
|             | 1205 90 00          | 1207 99 98 | 1211 10 00 | 1213 00 00 |            |
|             | 1207 10 90          | 1209 10 00 | 1211 20 00 | 1214 10 00 |            |
|             | 1207 20 90          | 1209 22 80 | 1211 30 00 | 1214 90 90 |            |
|             | 1207 40 90          | 1209 23 11 | 1211 40 00 |            |            |
|             | 1207 60 90          | 1209 26 00 |            |            |            |
| 15          |                     |            |            |            |            |
|             | 1501 00 11          | 1507 10 90 | 1513 19 30 | 1515 40 00 | 1521 10 00 |
|             | 1502 00 90          | 1507 90 90 | 1513 19 99 | 1515 50 19 | 1522 00 99 |
|             | 1504 10 10          | 1508 10 90 | 1514 19 90 | 1515 50 99 |            |
|             | 1504 10 99          | 1511 10 10 | 1514 99 90 | 1515 90 40 |            |
|             | 1505 00 10          | 1511 90 99 | 1515 30 10 | 1515 90 91 |            |
|             | 1505 00 90          | 1512 11 91 | 1515 30 90 | 1520 00 00 |            |
| 16          |                     |            |            |            |            |
|             | 1602 31 19          | 1604 14 11 | 1605 20 10 | 1605 40 00 |            |
|             | 1602 41 10          | 1604 14 16 | 1605 20 91 | 1605 90 30 |            |
|             | 1603 00 10          | 1604 30 10 | 1605 20 99 |            |            |
| 17          |                     |            |            |            |            |
|             | 1701 11 90          | 1702 40 10 | 1704 90 65 | 1704 90 81 |            |
|             | 1701 99 10          | 1702 90 99 | 1704 90 71 | 1704 90 99 |            |
|             | 1702 20 90          | 1704 10 19 | 1704 90 75 |            |            |
| 19          |                     |            |            |            |            |
|             | 1901 10 00          | 1902 20 99 | 1904 30 00 | 1905 31 91 | 1905 90 20 |
|             | 1901 20 00          | 1902 30 10 | 1904 90 80 | 1905 31 99 | 1905 90 30 |
|             | 1901 90 91          | 1902 30 90 | 1905 10 00 | 1905 32 11 | 1905 90 45 |
|             | 1902 19 10          | 1904 10 10 | 1905 31 11 | 1905 32 19 |            |
|             | 1902 19 90          | 1904 10 90 | 1905 31 19 | 1905 32 99 |            |
|             | 1902 20 91          | 1904 20 99 | 1905 31 30 | 1905 90 10 |            |
| 20          |                     |            |            |            |            |
|             | 2001 10 00          | 2005 60 00 | 2007 99 39 | 2009 41 10 | 2009 80 38 |
|             | 2001 90 70          | 2005 70 10 | 2007 99 93 | 2009 41 99 | 2009 80 71 |
|             | 2002 10 10          | 2005 70 90 | 2009 31 11 | 2009 49 30 | 2009 80 97 |
|             | 2002 10 90          | 2005 90 50 | 2009 31 19 | 2009 49 99 |            |
|             | 2003 10 30          | 2005 90 70 | 2009 31 99 | 2009 71 99 |            |
|             | 2004 10 99          | 2005 90 80 | 2009 39 31 | 2009 79 19 |            |
|             | 2005 59 00          | 2006 00 38 | 2009 39 39 | 2009 79 99 |            |
| 21          |                     |            |            |            |            |
|             | 2101 11 11          | 2102 20 11 | 2104 20 00 | 2106 90 20 |            |
|             | 2101 11 19          | 2102 30 00 | 2105 00 10 | 2106 90 59 |            |
|             | 2102 10 90          | 2103 90 10 | 2105 00 91 |            |            |

| CN Chapters | Description chapter |            |            |            |            |
|-------------|---------------------|------------|------------|------------|------------|
| 23          |                     |            |            |            |            |
|             | 2301 10 00          | 2305 00 00 | 2306 41 00 | 2306 60 00 |            |
|             | 2301 20 00          |            | 2306 49 00 | 2307 00 90 |            |
|             | 2303 10 90          | 2306 30 00 | 2306 50 00 | 2309 90 41 |            |
| 33          |                     |            |            |            |            |
|             | 3301 23 10          | 3301 29 31 | 3307 41 00 |            |            |
| 34          |                     |            |            |            |            |
|             | 3401 20 10          | 3406 00 11 | 3406 00 19 | 3406 00 90 |            |
| 35          |                     |            |            |            |            |
|             | 3501 10 50          | 3501 10 90 | 3501 90 90 | 3503 00 80 | 3507 10 00 |
| 41          |                     |            |            |            |            |
|             | 4104 41 19          | 4106 32 10 | 4107 19 10 | 4107 99 90 | 4114 10 90 |
|             | 4104 49 19          | 4106 32 90 | 4107 19 90 | 4112 00 00 | 4114 20 00 |
|             | 4105 10 90          | 4107 11 19 | 4107 91 10 | 4113 10 00 | 4115 10 00 |
|             | 4105 30 99          | 4107 11 90 | 4107 91 90 | 4113 20 00 | 4115 20 00 |
|             | 4106 31 10          | 4107 12 19 |            | 4113 90 00 |            |
|             | 4106 31 90          |            | 4107 99 10 | 4114 10 10 |            |
| 42          |                     |            |            |            |            |
|             | 4201 00 00          | 4202 22 10 | 4202 91 80 | 4203 29 10 | 4205 00 00 |
|             | 4202 11 10          | 4202 29 00 | 4202 92 11 | 4203 29 91 | 4206 10 00 |
|             | 4202 11 90          | 4202 31 00 | 4202 92 15 | 4203 29 99 | 4206 90 00 |
|             | 4202 12 91          | 4202 32 10 | 4202 92 98 | 4203 30 00 |            |
|             | 4202 19 90          | 4202 32 90 | 4203 10 00 | 4203 40 00 |            |
|             | 4202 21 00          | 4202 91 10 | 4203 21 00 | 4204 00 10 |            |
| 43          |                     |            |            |            |            |
|             | 4303 90 00          |            |            |            |            |
| 44          |                     |            |            |            |            |
|             | 4401 10 00          | 4407 10 38 | 4408 39 31 | 4411 29 90 | 4418 20 10 |
|             | 4401 21 00          | 4407 10 91 | 4408 39 35 | 4412 22 10 | 4418 20 50 |
|             | 4401 22 00          | 4407 24 90 | 4408 39 55 | 4412 22 91 | 4418 20 80 |
|             | 4401 30 10          | 4407 26 90 | 4408 39 85 | 4412 22 99 | 4418 30 10 |
|             | 4401 30 90          | 4407 29 05 | 4408 39 95 | 4412 23 00 | 4418 30 91 |
|             | 4402 00 00          | 4407 29 69 | 4409 10 11 | 4412 29 20 | 4418 30 99 |
|             | 4403 10 00          | 4407 29 83 | 4409 10 18 | 4412 29 80 | 4418 50 00 |
|             | 4403 20 31          | 4407 29 85 | 4409 20 11 | 4412 92 10 | 4418 90 10 |
|             | 4403 20 39          | 4407 29 95 | 4409 20 91 | 4412 92 91 | 4418 90 90 |
|             | 4403 20 99          | 4407 91 31 | 4409 20 98 | 4412 92 99 | 4419 00 90 |
|             | 4403 41 00          | 4407 92 00 | 4410 21 00 | 4412 99 20 | 4420 10 11 |
|             | 4403 49 10          | 4407 99 30 | 4410 29 00 | 4412 99 80 | 4420 90 91 |
|             | 4403 49 95          | 4407 99 50 | 4410 31 00 | 4414 00 10 | 4420 90 99 |
|             | 4403 92 10          | 4407 99 96 | 4410 32 00 | 4414 00 90 | 4421 10 00 |
|             | 4403 99 51          | 4408 10 15 | 4410 33 00 | 4415 10 90 | 4421 90 91 |
|             | 4404 20 00          | 4408 31 21 | 4410 39 00 | 4415 20 20 |            |
|             | 4407 10 15          | 4408 31 25 | 4411 11 10 | 4415 20 90 |            |
|             | 4407 10 31          | 4408 31 30 | 4411 19 10 | 4418 10 50 |            |
|             | 4407 10 33          | 4408 39 21 | 4411 21 10 | 4418 10 90 |            |

| CN Chapters | Description chapter |            |            |            |            |
|-------------|---------------------|------------|------------|------------|------------|
| 48          |                     |            |            |            |            |
|             | 4801 00 00          | 4804 21 10 | 4806 10 00 | 4810 29 80 | 4816 90 00 |
|             | 4802 40 10          | 4804 21 90 | 4806 20 00 | 4810 31 00 | 4818 10 90 |
|             | 4802 40 90          | 4804 29 10 | 4806 40 10 | 4810 92 10 | 4818 40 11 |
|             | 4802 61 80          | 4804 29 90 | 4806 40 90 | 4810 92 90 | 4818 40 13 |
|             | 4803 00 10          | 4804 41 10 | 4808 10 00 | 4810 99 90 | 4818 40 19 |
|             | 4804 11 90          | 4805 12 00 | 4809 20 10 | 4811 10 00 | 4820 10 10 |
|             | 4804 19 11          | 4805 19 10 | 4809 20 90 | 4813 10 00 | 4820 20 00 |
|             | 4804 19 15          | 4805 19 90 | 4809 90 00 | 4814 30 00 | 4820 40 10 |
|             | 4804 19 19          | 4805 24 00 | 4810 14 20 | 4814 90 90 |            |
|             | 4804 19 31          | 4805 25 00 | 4810 14 80 | 4816 20 00 |            |
|             | 4804 19 90          | 4805 93 20 | 4810 19 10 | 4816 30 00 |            |
| 49          |                     |            |            |            |            |
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| 52          |                     |            |            |            |            |
|             | 5207 90 00          |            |            |            |            |
| 54          |                     |            |            |            |            |
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|             | 5701 10 10          | 5702 10 00 | 5702 41 00 | 5702 92 10 | 5703 90 10 |
|             | 5701 10 90          | 5702 31 10 | 5702 42 00 | 5702 92 90 | 5703 90 90 |
|             | 5701 31 80          | 5702 32 10 | 5702 51 00 | 5702 99 00 | 5704 90 00 |
|             | 5701 90 10          | 5702 32 90 | 5702 59 00 | 5703 10 00 | 5705 00 10 |
|             | 5701 90 90          | 5702 39 00 | 5702 91 00 | 5703 20 19 | 5705 00 90 |
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|             | 6101 20 10          | 6104 13 00 | 6104 51 00 | 6108 21 00 | 6115 20 19 |
|             | 6101 20 90          | 6104 19 00 | 6104 52 00 | 6108 29 00 | 6115 20 90 |
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|             | 6102 20 90          | 6104 29 00 | 6105 90 90 | 6111 30 90 | 6117 10 00 |
|             | 6103 11 00          | 6104 31 00 | 6106 20 00 | 6111 90 00 | 6117 20 00 |
|             | 6103 31 00          | 6104 32 00 | 6106 90 90 | 6112 11 00 | 6117 80 10 |
|             | 6103 32 00          | 6104 39 00 | 6107 12 00 | 6112 12 00 | 6117 80 90 |
|             | 6103 39 00          | 6104 41 00 | 6107 19 00 | 6112 19 00 | 6117 90 00 |
|             | 6103 41 00          | 6104 42 00 | 6107 21 00 | 6112 31 90 |            |
|             | 6104 11 00          | 6104 44 00 | 6107 92 00 | 6112 49 90 |            |
| 62          |                     |            |            |            |            |
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|             | 6201 19 00          | 6203 31 00 | 6204 32 90 | 6206 90 90 | 6211 32 41 |
|             | 6201 91 00          | 6203 32 10 | 6204 33 10 | 6207 11 00 | 6211 33 42 |
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|             | 6202 12 10          | 6203 33 10 | 6204 39 90 | 6207 21 00 | 6211 41 00 |
|             | 6202 12 90          | 6203 33 90 | 6204 41 00 | 6207 22 00 | 6212 30 00 |
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|             | 6202 13 90          | 6203 41 90 | 6204 51 00 | 6208 11 00 | 6214 10 00 |
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|             | 6202 92 00          | 6203 43 31 | 6204 59 10 | 6208 29 00 | 6214 40 00 |
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|             | 6203 12 00          | 6203 49 90 | 6204 61 10 | 6208 99 00 | 6214 90 90 |
|             | 6203 19 10          | 6204 11 00 | 6204 62 33 | 6209 20 00 | 6215 20 00 |
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|             | 6203 22 10          | 6204 13 00 | 6205 10 00 | 6209 90 00 | 6217 90 00 |
|             | 6203 22 80          | 6204 19 90 | 6205 90 10 | 6210 20 00 |            |
|             | 6203 23 10          | 6204 21 00 | 6205 90 90 | 6211 11 00 |            |
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| CN Chapters | Description chapter |            |            |            |            |
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| 63          |                     |            |            |            |            |
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|             | 6301 90 90          | 6302 40 00 | 6303 12 00 | 6304 99 00 | 6306 21 00 |
|             | 6302 10 00          | 6302 51 00 | 6303 91 00 | 6305 20 00 | 6306 22 00 |
|             | 6302 21 00          | 6302 53 90 | 6303 92 10 | 6305 32 89 | 6306 49 00 |
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|             | 6302 29 90          | 6302 91 00 | 6303 99 90 | 6305 33 99 | 6306 99 00 |
|             | 6302 31 00          | 6302 93 10 | 6304 19 10 | 6305 90 00 | 6309 00 00 |
|             | 6302 32 10          | 6302 93 90 | 6304 19 90 | 6306 11 00 | 6310 90 00 |
|             | 6302 32 90          | 6302 99 00 | 6304 92 00 | 6306 12 00 |            |
| 64          |                     |            |            |            |            |
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|             | 6401 99 00          | 6402 99 91 | 6403 59 91 | 6406 10 11 |            |
|             | 6402 12 10          | 6403 12 00 | 6403 91 96 | 6406 10 19 |            |
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| 69          |                     |            |            |            |            |
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|             | 7003 30 00          | 7005 30 00 | 7010 90 55 | 7013 29 91 | 7018 10 19 |
|             | 7004 20 99          | 7007 19 20 | 7010 90 57 | 7013 29 99 | 7018 10 30 |
|             | 7004 90 10          |            | 7010 90 61 | 7013 31 10 | 7018 10 51 |
|             | 7004 90 92          | 7008 00 81 | 7010 90 67 | 7013 31 90 | 7018 10 59 |
|             | 7004 90 98          | 7008 00 89 | 7010 90 71 | 7013 32 00 | 7018 10 90 |
|             | 7005 10 25          | 7010 10 00 | 7011 20 00 | 7013 39 10 | 7018 90 90 |
|             | 7005 10 30          | 7010 20 00 | 7013 10 00 | 7013 39 91 | 7019 31 00 |
|             | 7005 10 80          | 7010 90 41 | 7013 21 11 | 7013 39 99 | 7019 90 30 |
|             | 7005 21 30          | 7010 90 43 | 7013 21 19 | 7013 91 90 | 7020 00 30 |
|             | 7005 21 80          | 7010 90 45 | 7013 21 91 | 7015 90 00 |            |
|             |                     | 7010 90 47 | 7013 21 99 | 7016 10 00 |            |
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|             | 7101 22 00          | 7106 92 20 | 7114 19 00 |            |            |
|             | 7103 10 00          | 7108 13 80 | 7115 10 00 | 7117 19 99 |            |
|             | 7103 91 00          | 7110 19 80 | 7116 10 00 | 7117 90 00 |            |
|             | 7103 99 00          | 7111 00 00 | 7116 20 11 | 7118 10 10 |            |
|             | 7104 90 00          | 7113 11 00 | 7116 20 19 | 7118 10 90 |            |



| CN Chapters | Description chapter |            |            |            |            |
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| 72          |                     |            |            |            |            |
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|             | 7202 49 50          |            |            |            |            |
|             | 7202 50 00          |            |            |            |            |
|             | 7202 60 00          |            |            |            |            |
|             | 7202 80 00          |            |            |            |            |
|             | 7202 91 00          |            |            |            |            |
|             | 7202 92 00          |            |            |            |            |
|             | 7202 93 00          |            |            |            |            |
|             | 7202 99 30          |            |            |            |            |
|             | 7202 99 80          |            |            |            |            |
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|             | 7302 10 23          | 7305 39 00 | 7310 21 11 | 7316 00 00 | 7323 10 00 |
|             | 7303 00 10          | 7306 10 11 | 7310 21 91 | 7317 00 20 | 7323 91 00 |
|             | 7303 00 90          | 7306 30 21 | 7310 21 99 | 7317 00 61 | 7323 92 00 |
|             | 7304 10 10          | 7306 30 59 | 7312 10 79 | 7318 11 00 | 7323 94 10 |
|             | 7304 10 30          | 7306 30 71 | 7312 10 82 | 7318 12 90 | 7323 94 90 |
|             | 7304 39 59          | 7306 30 90 | 7312 10 84 | 7318 13 00 | 7323 99 10 |
|             | 7304 39 91          | 7306 50 99 | 7312 10 86 | 7319 10 00 | 7323 99 91 |
|             | 7304 39 93          | 7306 60 32 | 7312 10 88 | 7319 20 00 | 7324 21 00 |
|             | 7304 39 99          | 7306 60 34 | 7314 20 90 | 7320 90 10 | 7325 10 50 |
|             | 7304 49 10          | 7306 60 91 | 7314 31 00 | 7321 11 10 | 7325 10 92 |
|             | 7304 51 12          | 7306 60 99 | 7314 39 00 | 7321 12 00 | 7326 11 00 |
|             | 7304 51 91          | 7306 90 00 | 7314 41 10 | 7321 81 10 | 7326 19 10 |
|             | 7304 59 32          | 7307 23 10 | 7314 41 90 | 7321 81 90 | 7326 20 30 |
|             | 7304 59 93          | 7307 93 11 | 7315 20 00 | 7321 82 90 |            |
|             | 7305 11 00          | 7307 93 19 | 7315 81 00 | 7321 83 00 |            |
|             | 7305 19 00          | 7308 40 10 | 7315 82 10 | 7321 90 00 |            |
| 74          |                     |            |            |            |            |
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|             | 7403 11 00          | 7403 22 00 | 7407 22 10 | 7409 21 00 | 7415 29 00 |
|             | 7403 12 00          | 7403 23 00 | 7407 22 90 | 7411 10 19 | 7418 19 00 |
|             | 7403 13 00          | 7405 00 00 | 7408 11 00 | 7411 21 90 | 7419 10 00 |
|             | 7403 19 00          | 7407 10 00 | 7408 19 90 | 7411 29 00 | 7419 91 00 |
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|             | 7601 20 99          | 7605 11 00 | 7608 20 30 | 7614 10 00 |            |
|             | 7602 00 11          |            | 7608 20 91 | 7614 90 00 |            |
|             | 7602 00 19          | 7606 11 93 | 7610 10 00 | 7615 11 00 |            |
|             | 7604 10 90          | 7606 12 10 | 7612 10 00 | 7615 19 10 |            |
|             | 7604 21 00          | 7607 11 10 | 7612 90 10 | 7615 19 90 |            |
| 82          |                     |            |            |            |            |
|             | 8201 10 00          | 8202 39 00 | 8207 50 30 | 8211 91 80 | 8215 20 10 |
|             | 8201 20 00          | 8205 10 00 | 8207 60 30 | 8211 92 00 | 8215 20 90 |
|             | 8201 30 00          | 8205 30 00 | 8207 80 11 | 8211 94 00 | 8215 91 00 |
|             | 8201 40 00          | 8205 51 00 | 8207 90 10 | 8214 10 00 | 8215 99 10 |
|             | 8201 50 00          | 8205 59 10 | 8210 00 00 | 8214 20 00 | 8215 99 90 |
|             | 8201 90 00          | 8207 40 10 | 8211 10 00 | 8215 10 20 |            |
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| CN Chapters | Description chapter |            |            |            |            |
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| 83          |                     |            |            |            |            |
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| 84          |                     |            |            |            |            |
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|             | 8403 10 10          | 8419 81 91 | 8432 29 30 | 8451 21 10 | 8462 91 10 |
|             | 8403 10 90          | 8419 89 27 | 8433 30 90 | 8451 30 30 | 8464 10 90 |
|             | 8407 32 10          | 8420 10 10 | 8434 20 00 | 8451 40 00 | 8464 20 20 |
|             | 8407 32 90          | 8420 91 10 | 8437 80 00 | 8451 80 10 | 8464 20 95 |
|             | 8407 33 10          | 8421 91 30 | 8437 90 00 | 8452 10 19 | 8464 90 20 |
|             | 8407 34 91          | 8422 11 00 | 8438 30 00 | 8452 10 90 | 8465 91 10 |
|             | 8408 10 11          | 8422 90 10 | 8438 40 00 | 8452 21 00 | 8465 93 00 |
|             | 8408 10 19          | 8423 10 10 | 8440 10 20 | 8452 29 00 | 8465 95 00 |
|             | 8408 10 24          | 8423 81 10 | 8440 10 30 | 8453 10 00 | 8465 99 10 |
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|             | 8408 10 39          | 8423 81 50 | 8441 10 30 | 8454 30 10 | 8466 20 91 |
|             | 8408 10 49          | 8423 81 90 | 8441 10 40 | 8455 10 00 | 8466 91 20 |
|             | 8408 10 91          | 8423 82 10 | 8441 30 00 | 8455 22 00 | 8467 22 10 |
|             | 8408 10 99          | 8423 82 90 | 8442 50 29 | 8455 30 10 | 8467 29 10 |
|             | 8408 20 31          | 8424 30 05 | 8443 12 00 | 8456 30 11 | 8468 10 00 |
|             | 8408 20 35          | 8424 30 90 | 8443 19 10 | 8456 30 19 | 8469 12 00 |
|             | 8408 20 51          | 8424 81 91 | 8443 19 31 | 8457 30 90 | 8469 20 00 |
|             | 8408 20 55          | 8425 11 90 | 8443 19 35 | 8458 19 20 | 8469 30 00 |
|             | 8408 90 36          | 8425 19 91 | 8443 19 39 | 8458 19 40 | 8470 21 00 |
|             | 8408 90 99          | 8426 11 00 | 8443 21 00 | 8458 19 80 | 8470 29 00 |
|             | 8410 90 10          | 8426 19 00 | 8443 90 10 | 8458 91 20 | 8470 30 00 |
|             | 8412 80 10          | 8426 20 00 | 8444 00 10 | 8458 91 80 | 8470 40 00 |
|             | 8413 70 40          | 8426 30 00 | 8445 11 00 | 8458 99 00 | 8472 10 00 |
|             | 8413 70 50          | 8426 91 10 | 8445 13 00 | 8459 10 00 | 8473 21 90 |
|             | 8413 70 70          | 8426 99 90 | 8445 30 90 | 8459 21 00 | 8474 20 10 |
|             | 8413 70 80          | 8427 10 10 | 8445 40 00 | 8459 31 00 | 8474 32 00 |
|             | 8414 20 91          | 8427 10 90 | 8446 10 00 | 8459 39 00 | 8475 10 00 |
|             | 8414 60 00          | 8427 20 11 | 8446 21 00 | 8459 40 10 | 8477 30 00 |
|             | 8416 10 10          | 8427 20 19 | 8446 29 00 | 8459 40 90 | 8477 80 19 |
|             | 8416 30 00          | 8427 20 90 | 8446 30 00 | 8459 51 00 | 8479 89 30 |
|             | 8418 10 99          | 8428 20 30 | 8447 12 10 | 8459 59 00 | 8479 89 60 |
|             | 8418 21 51          | 8428 39 91 | 8447 12 90 | 8459 61 10 | 8480 10 00 |
|             | 8418 21 59          | 8428 40 00 | 8448 11 00 | 8459 69 10 | 8480 30 90 |
|             | 8418 21 91          | 8428 50 00 | 8448 19 00 | 8460 29 11 | 8480 50 00 |
|             | 8418 21 99          | 8428 60 00 | 8448 31 00 | 8460 29 19 | 8480 60 10 |
|             | 8418 22 00          | 8428 90 79 | 8448 33 10 | 8460 31 00 | 8480 60 90 |
|             | 8418 29 00          | 8429 52 10 | 8448 33 90 | 8460 39 00 | 8480 71 10 |
|             | 8418 30 91          | 8430 10 00 | 8448 42 00 | 8460 90 90 | 8481 80 11 |
|             | 8418 40 91          | 8430 69 00 | 8448 49 00 | 8461 30 90 | 8485 90 10 |
|             | 8418 50 11          | 8431 10 00 | 8448 51 10 | 8461 40 11 |            |
|             | 8418 50 19          | 8431 39 10 | 8448 51 90 | 8461 40 71 |            |
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|             | 8512 10 00          | 8516 79 20 | 8521 10 30 | 8528 12 70 |            |
|             | 8514 20 80          | 8516 79 70 | 8522 90 93 | 8528 12 81 |            |
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|             | 8515 39 18          | 8517 22 00 | 8525 40 19 | 8528 12 91 |            |
|             | 8515 80 91          | 8518 10 20 | 8527 12 90 | 8528 12 94 |            |
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|             | 9501 00 90          | 9503 30 90 | 9503 90 10 |            | 9506 59 00 |
|             | 9502 10 10          | 9503 49 10 | 9503 90 32 |            | 9506 62 10 |
|             | 9502 10 90          | 9503 49 30 | 9503 90 34 | 9505 10 10 | 9506 62 90 |
|             | 9502 91 00          | 9503 49 90 | 9503 90 35 | 9505 10 90 | 9506 69 10 |
|             | 9502 99 00          | 9503 50 00 | 9503 90 37 | 9505 90 00 | 9506 70 10 |
|             | 9503 10 10          | 9503 60 10 |            | 9506 12 00 | 9506 70 30 |
|             | 9503 10 90          | 9503 60 90 |            | 9506 19 00 | 9506 99 10 |
|             | 9503 20 90          | 9503 70 00 | 9503 90 51 | 9506 40 10 | 9507 20 10 |
|             | 9503 30 10          | 9503 80 10 | 9503 90 55 | 9506 40 90 | 9507 30 00 |

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 25 January 2005

**amending Decision 98/695/EC laying down special conditions governing imports of fishery and aquaculture products originating in Mexico, as regards the designation of the competent authority and the model of health certificate**

(notified under document number C(2004) 4564)

(Text with EEA relevance)

(2005/70/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) In Commission Decision 98/695/EC<sup>(2)</sup>, the 'Dirección General de Control Sanitario de Productos y Servicios (DGCSPS) de la Secretaría de Salud' is identified as the competent authority in Mexico for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

(2) Following a restructuring of the Mexican administration, the competent authority has changed to the 'Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)'. This new authority is capable of effectively verifying the application of the rules in force.

(3) The CFPRS 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 98/695/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 98/695/EC is amended as follows:

1. Article 1 is replaced by the following:

*'Article 1*

The "Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)" shall be the competent authority in Mexico for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.'

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

<sup>(2)</sup> OJ L 332, 8.12.1998, p. 9. Decision as amended by Decision 2001/819/EC (OJ L 307, 24.11.2001, p. 22).

2. In Article 3, paragraph 2 is replaced by the following:

‘2. Certificates must bear the name, capacity and signature of the representative of the CFPRS and the latter’s official stamp in a colour different from that of other endorsements.’

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

*Article 2*

This Decision shall apply from 17 March 2005.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 25 January 2005.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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## ANNEX

## 'ANNEX A

**HEALTH CERTIFICATE**

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

Reference No: .....

Country of dispatch: MEXICO

Competent authority: Comisión Federal para la Protección contra Riesgos Sanitarios (CFPRS)

**I. Details identifying the fishery products**

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

**II. Origin of products**

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

.....

**III. Destination of products**

The products are dispatched:

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

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

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

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

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

.....

Name and address of dispatcher: .....

.....

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

.....

#### IV. Health attestation

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

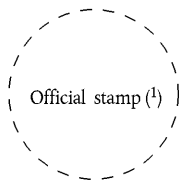
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV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

— The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC and Decision 98/695/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 26 January 2005

**amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption, with respect to Antigua and Barbuda, Hong Kong, El Salvador and Slovakia**

(notified under document number C(2004) 4608)

(Text with EEA relevance)

(2005/71/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 of 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<sup>(1)</sup>, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Decision 97/296/EC of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption<sup>(2)</sup>, lists the countries and territories from which import of fishery products for human consumption is authorised. Part I of the Annex to that Decision lists the countries and territories covered by a specific decision under Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products<sup>(3)</sup>, and part II of that Annex lists the countries and territories meeting the conditions set out in Article 2(2) of Decision 95/408/EC.
- (2) Commission Decisions 2005/72/EC<sup>(4)</sup>, 2005/73/EC<sup>(5)</sup> and 2005/74/EC<sup>(6)</sup> provide for specific import conditions for fishery products originating in Antigua and Barbuda, Hong Kong and El Salvador which should therefore be included in the list in Part I of the Annex to Decision 97/296/EC.
- (3) The list set out in Part I of the Annex to Decision 97/296/EC includes Slovakia. Since that country is now a Member State its name should be deleted from that list.

- (4) In the interests of clarity the lists concerned should be replaced in their entirety.
- (5) Decision 97/296/EC should therefore be amended accordingly.
- (6) This Decision should apply from the same day as Decisions 2005/72/EC, 2005/73/EC and 2005/74/EC as regards the import of fishery products from Antigua and Barbuda, Hong Kong and El Salvador.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 97/296/EC is replaced by the text in the Annex to this Decision.

*Article 2*

This Decision shall apply from 17 March 2005.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 26 January 2005.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

<sup>(1)</sup> 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; corrected in OJ L 195, 2.6.2004, p. 12).

<sup>(2)</sup> OJ L 122, 14.5.1997, p. 21. Decision as last amended by Decision 2004/359/EC (OJ L 113, 20.4.2004, p. 45).

<sup>(3)</sup> OJ L 268, 24.9.1991, p. 15. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

<sup>(4)</sup> See page 49 of this Official Journal.

<sup>(5)</sup> See page 54 of this Official Journal.

<sup>(6)</sup> See page 59 of this Official Journal.



## ANNEX

## 'ANNEX

**List of countries and territories from which importation of fishery products in any form intended for human consumption is authorised***I. Countries and territories covered by a specific decision under Council Directive 91/493/EEC*

AE — UNITED ARAB EMIRATES  
AG — ANTIGUA AND BARBUDA  
AL — ALBANIA  
AN — NETHERLANDS ANTILLES  
AR — ARGENTINA  
AU — AUSTRALIA  
BD — BANGLADESH  
BG — BULGARIA  
BR — BRAZIL  
BZ — BELIZE  
CA — CANADA  
CH — SWITZERLAND  
CI — IVORY COAST  
CL — CHILE  
CN — CHINA  
CO — COLOMBIA  
CR — COSTA RICA  
CS — SERBIA and MONTENEGRO <sup>(1)</sup>  
CU — CUBA  
CV — CAPE VERDE  
EC — ECUADOR  
EG — EGYPT  
FK — FALKLAND ISLANDS  
GA — GABON  
GH — GHANA  
GL — GREENLAND  
GM — GAMBIA  
GN — GUINEA CONAKRY  
GT — GUATEMALA  
GY — GUYANA  
HK — HONG KONG  
HN — HONDURAS  
HR — CROATIA  
ID — INDONESIA

<sup>(1)</sup> Not including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999.

IN — INDIA  
IR — IRAN  
JM — JAMAICA  
JP — JAPAN  
KE — KENYA  
KR — SOUTH KOREA  
KZ — KAZAKHSTAN  
LK — SRI LANKA  
MA — MOROCCO  
MG — MADAGASCAR  
MR — MAURITANIA  
MU — MAURITIUS  
MV — MALDIVES  
MX — MEXICO  
MY — MALAYSIA  
MZ — MOZAMBIQUE  
NA — NAMIBIA  
NC — NEW CALEDONIA  
NG — NIGERIA  
NI — NICARAGUA  
NZ — NEW ZEALAND  
OM — OMAN  
PA — PANAMA  
PE — PERU  
PG — PAPUA NEW GUINEA  
PH — PHILIPPINES  
PF — FRENCH POLYNESIA  
PM — ST PIERRE & MIQUELON  
PK — PAKISTAN  
RO — ROMANIA  
RU — RUSSIA  
SC — SEYCHELLES  
SG — SINGAPORE  
SN — SENEGAL  
SR — SURINAME  
SV — EL SALVADOR  
TH — THAILAND  
TN — TUNISIA  
TR — TURKEY  
TW — TAIWAN  
TZ — TANZANIA  
UG — UGANDA

UY — URUGUAY  
VE — VENEZUELA  
VN — VIETNAM  
YE — YEMEN  
YT — MAYOTTE  
ZA — SOUTH AFRICA  
ZW — ZIMBABWE

II. *Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC*

AM — ARMENIA <sup>(1)</sup>  
AO — ANGOLA  
AZ — AZERBAIJAN <sup>(2)</sup>  
BJ — BENIN  
BS — BAHAMAS  
BY — BELARUS  
CG — REPUBLIC OF CONGO <sup>(3)</sup>  
CM — CAMEROON  
DZ — ALGERIA  
ER — ERITREA  
FJ — FIJI  
GD — GRENADA  
IL — ISRAEL  
MM — MYANMAR  
SB — SOLOMON ISLANDS  
SH — ST HELENA  
TG — TOGO  
US — UNITED STATES OF AMERICA

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<sup>(1)</sup> Authorised only for imports of live crayfish (*Astacus leptodactylus*) intended for direct human consumption.

<sup>(2)</sup> Authorised only for imports of caviar.

<sup>(3)</sup> Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

**COMMISSION DECISION****of 28 January 2005****laying down special conditions for imports of fishery products from Antigua and Barbuda***(notified under document number C(2004) 4609)***(Text with EEA relevance)**

(2005/72/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Antigua and Barbuda to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Antigua and Barbuda on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Fisheries Division of the Ministry of Agriculture, Lands and Fisheries (FD)', is capable of effectively verifying the implementation of the rules in force.
- (4) The FD has provided official assurances on compliance with the standards for health controls and monitoring of live crustaceans as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Antigua and Barbuda, in accordance with Directive 91/493/EEC.
- (6) It is also necessary to draw up a list of approved establishments, factory vessels or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC<sup>(2)</sup>. Those lists should be drawn up on the basis of a communication from the FD to the Commission.

(7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.

(8) 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 'Fisheries Division of the Ministry of Agriculture, Lands and Fisheries (FD)', shall be the competent authority in Antigua and Barbuda identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery products imported into the Community from Antigua and Barbuda shall meet the requirements set out in Articles 3, 4 and 5.

*Article 3*

1. Fishery products shall be live crustaceans.
2. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.
3. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.
4. The health certificate shall bear the name, capacity and signature of the representative of the FD, and the latter's official stamp in a colour different from that of the endorsements.

*Article 4*

The fishery products shall come from approved establishments, cold stores, factory vessels or from registered freezer vessels listed in Annex II.

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

<sup>(2)</sup> OJ L 187, 7.7.1992, p. 41.

*Article 5*

All packages shall bear the words 'ANTIGUA AND BARBUDA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

*Article 6*

This Decision shall apply from 17 March 2005.

*Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2005.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

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ANNEX I

HEALTH CERTIFICATE

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

Reference No: .....

Country of dispatch: ANTIGUA AND BARBUDA

Competent authority: 'Fisheries Division of the Ministry of Agriculture, Land and Fisheries (FD)'

I. Details identifying the fishery products

- Description of fishery/aquaculture<sup>(1)</sup> products: .....
- Species (scientific name): .....
- Presentation of product: .....
- 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/registration number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by FD for export to the EC: .....

III. Destination of products

The products are dispatched

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

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

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

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

.....

Name and address of dispatcher: .....

.....

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

.....

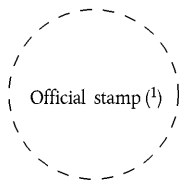
#### IV. Health attestation

— The official inspector hereby certifies that the fishery 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 2005/72/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.

## ANNEX II

## LIST OF ESTABLISHMENTS AND VESSELS

| N° d'agrément/<br>Approval No | Nom/Name                                | Ville/City<br>Région/Region  | Date limite<br>d'agrément/<br>Approval limit | Catégorie/<br>Category |
|-------------------------------|---|------------------------------|--|------------------------|
| L-001                         | Caribbean Seafood                       | St. John's — Antigua         |  | PP                     |
| L-002                         | White's Fish Market                     | St. John's — Antigua         |  | PP                     |
| L-003                         | Lincoln Burton                          | Codrington — Barbuda         |  | PP                     |
| L-004                         | Eric Burton                             | Codrington Village — Barbuda |  | PP                     |
| L-008                         | Reginald Nicholas                       | St. Mary's — Antigua         |  | PP                     |
| L-009                         | The Lobster Shack                       | St. John's — Antigua         |  | PP                     |
| L-010                         | A. B. Supply Sales & Support<br>Service | St. John's — Antigua         |  | PP                     |
| L-013                         | Premier Seafood Ltd.                    | Codrington — Barbuda         |  | PP                     |
| L-014                         | St. John's Fisherman Cooperative        | St. John's — Antigua         |  | PP                     |
| L-015                         | Wesley Beazer                           | Codrington Village — Barbuda |  | PP                     |

*Category Legend:*

PP Processing plant/Établissement.



## COMMISSION DECISION

of 28 January 2005

## laying down special conditions for imports of fishery products from Hong Kong

(notified under document number C(2004) 4612)

(Text with EEA relevance)

(2005/73/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in Hong Kong to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of Hong Kong on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Food and Environmental Hygiene Department (FEHD)', is capable of effectively verifying the implementation of the rules in force.
- (4) The FEHD has provided official assurances on compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from Hong Kong, in accordance with Directive 91/493/EEC.

- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC<sup>(2)</sup>. Those lists should be drawn up on the basis of a communication from the FEHD to the Commission.
- (7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.
- (8) 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 'Food and Environmental Hygiene Department (FEHD)', shall be the competent authority in Hong Kong identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery products imported into the Community from Hong Kong shall meet the requirements set out in Articles 3, 4 and 5.

*Article 3*

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

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

<sup>(2)</sup> OJ L 187, 7.7.1992, p. 41.

3. The health certificate shall bear the name, capacity and signature of the representative of the FEHD, and the latter's official stamp in a colour different from that of the endorsements.

*Article 4*

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

*Article 5*

All packages shall bear the word 'HONG KONG' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

*Article 6*

This Decision shall apply from 17 March 2005.

*Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2005.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

## ANNEX I

## HEALTH CERTIFICATE

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

Reference No: .....

Country of dispatch: HONG KONG

Competent authority: 'Food and Environmental Hygiene Department (FEHD)'

**I. Details identifying the fishery products**

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

**II. Origin of products**

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

.....

**III. Destination of products**

The products are dispatched

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

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

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

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

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

.....

Name and address of dispatcher: .....

.....

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

.....

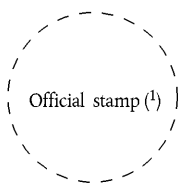
**IV. Health attestation**

— The official inspector hereby certifies that the fishery 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 2005/73/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.

## ANNEX II

## LIST OF ESTABLISHMENTS AND VESSELS

| N° d'agrément/<br>Approval No | Nom/Name   | Ville/City<br>Région/Region | Date limite<br>d'agrément/<br>Approval limit | Catégorie/<br>Category |
|-------------------------------|--|-----------------------------|--|------------------------|
| 08                            | Lee Kum Kee (Hong Kong)<br>Foods Limited CONDEMAR S.A. | Tai Po, N.T                 |  | PP                     |

*Categorie Legend:*

PP Processing plant/Etablissement.

## COMMISSION DECISION

of 27 January 2005

## laying down special conditions for imports of fishery products from El Salvador

(notified under document number C(2004) 4613)

(Text with EEA relevance)

(2005/74/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An inspection has been carried out on behalf of the Commission in El Salvador to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The requirements in the legislation of El Salvador on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Dirección General de Sanidad Vegetal y Animal del Ministerio de Agricultura y Ganadería (DGSVA)', is capable of effectively verifying the implementation of the rules in force.
- (4) The DGSVA has provided official assurances on compliance with the standards for health controls and monitoring of fishery products as set out in Chapter V of the Annex to Directive 91/493/EEC and on the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (5) It is appropriate to lay down detailed provisions concerning fishery products imported into the Community from El Salvador, in accordance with Directive 91/493/EEC.

- (6) It is also necessary to draw up a list of approved establishments, factory vessels, or cold stores, and a list of freezer vessels equipped in accordance with the requirements of Council Directive 92/48/EEC of 16 June 1992 laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1)(a)(i) of Directive 91/493/EEC<sup>(2)</sup>. Those lists should be drawn up on the basis of a communication from the DGSVA to the Commission.
- (7) It is appropriate for this Decision to be applied 45 days after its publication providing for the necessary transitional period.
- (8) 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 'Dirección General de Sanidad Vegetal y Animal del Ministerio de Agricultura y Ganadería (DGSVA)', shall be the competent authority in El Salvador identified for the purposes of verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

*Article 2*

Fishery products imported into the Community from El Salvador shall meet the requirements set out in Articles 3, 4 and 5.

*Article 3*

1. Each consignment shall be accompanied by a numbered original health certificate in accordance with the model set out in Annex I and comprising a single sheet, duly completed, signed and dated.

2. The health certificate shall be drawn up in at least one official language of the Member State where the checks are carried out.

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

<sup>(2)</sup> OJ L 187, 7.7.1992, p. 41.

3. The health certificate shall bear the name, capacity and signature of the representative of the DGSVA, and the latter's official stamp in a colour different from that of the endorsements.

*Article 4*

The fishery products shall come from approved establishments, factory vessels, or cold stores, or from registered freezer vessels listed in Annex II.

*Article 5*

All packages shall bear the words 'EL SALVADOR' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters, except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods.

*Article 6*

This Decision shall apply from 17 March 2005.

*Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 27 January 2005.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

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## ANNEX I

## HEALTH CERTIFICATE

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

Reference No: .....

Country of dispatch: EL SALVADOR

Competent authority: 'Dirección General de Sanidad Vegetal y Animal (DGSVA)'

**I. Details identifying the fishery products**

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

**II. Origin of products**

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

.....

**III. Destination of products**

The products are dispatched

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

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

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

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



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

.....

Name and address of dispatcher: .....

.....

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

.....

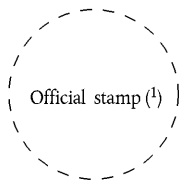
#### IV. Health attestation

— The official inspector hereby certifies that the fishery 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 2005/74/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.

## ANNEX II

## LIST OF ESTABLISHMENTS AND VESSELS

| N° d'agrément/<br>Approval No | Nom/Name  | Ville/City<br>Région/Region | Date limite<br>d'agrément/<br>Approval limit | Catégorie/<br>Category |
|-------------------------------|---|-----------------------------|--|------------------------|
| 47                            | Productos Pesqueros Veralmar  | Departamento de La Union    |  | PP                     |
| 49                            | Productos Pesqueros Calvo<br>Conservas El Salvador                  | Departamento de La Union    |  | PP                     |
| 1A                            | Cámara N° 1 de almacena-<br>miento — Calvo Conservas<br>El Salvador | Departamento de La Union    |  | PP                     |
| 1B                            | Cámara N° 2 de almacena-<br>miento — Calvo Conservas El<br>Salvador | Departamento de La Union    |  | PP                     |
| 1                             | Montelucia (Calvo Pesca El<br>Salvador, S.A. de CV)                 |                             |  | ZV                     |
| 2                             | Monterocio (Calvo Pesca El<br>Salvador, S.A. de CV)                 |                             |  | ZV                     |

*Categorie Legend:*

PP Processing plant/Établissement.

ZV Freezer Vessel/Bateau Congélateur.

**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 2258/2004 of 28 December 2004 fixing the Community withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2005 fishing year**

*(Official Journal of the European Union L 389 of 30 December 2004)*

On page 5, in recital 2, the second sentence should read as follows:

The guide prices for the 2005 fishing year were fixed for all the products concerned by Council Regulation (EC) No 2132/2004 <sup>(2)</sup>.

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<sup>(2)</sup> OJ L 369, 16.12.2004, p. 1.

**Corrigendum to Commission Regulation (EC) No 2259/2004 of 28 December 2004 fixing the Community selling price for the fishery products listed in Annex II to Council Regulation (EC) No 104/2000 for the 2005 fishing year**

*(Official Journal of the European Union L 389 of 30 December 2004)*

On page 13, recital 2, should read as follows:

'Council Regulation (EC) No 2132/2004 <sup>(2)</sup> fixes the guide prices for the 2005 fishing year for all the products concerned.

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<sup>(2)</sup> OJ L 369, 16.12.2004, p. 1.