

COMMISSION REGULATION (EC) No 1460/2005

of 8 September 2005

amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas and reference quantities for certain products originating in Algeria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 ⁽¹⁾, and in particular Article 5(1)(b) thereof,

Whereas:

(1) By its Decision of 18 July 2005 ⁽²⁾, the Council approved the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part.

(2) That Agreement provides, for certain products originating in Algeria, for tariff concessions that apply within the limits of Community tariff quotas and in the framework of reference quantities.

(3) To implement the tariff quotas and reference quantities, it is necessary to amend Regulation (EC) No 747/2001.

(4) Because Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must ⁽³⁾ was repealed by Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector ⁽⁴⁾, the reference in Regulation (EC) No 747/2001 to Regulation (EEC) No 3590/85 should, for reasons of clarity, be replaced by a new reference to Regulation (EC) No 883/2001.

(5) For the year 2005 the volumes of the new tariff quotas should be calculated as a *pro rata* of the basic volumes specified in the Agreement, in proportion to the part of the period elapsed before the date of entry into force of the Agreement.

(6) In order to facilitate the management for the year 2005 of the two tariff quotas already existing in Regulation (EC) No 747/2001 for wines originating in Algeria, the quantities imported within the framework of those quotas should be charged against the corresponding tariff quotas opened in accordance with Regulation (EC) No 747/2001, as amended by this Regulation.

(7) Since the Agreement applies from 1 September 2005, this Regulation should apply from the same date.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 747/2001 is amended as follows:

1. Article 3(1) is replaced by the following text:

‘Article 3

Special conditions for entitlement to the tariff quotas for certain wines

To benefit from the Community tariff quotas mentioned in Annexes I to III under order numbers 09.1001, 09.1107 and 09.1205, the wines shall be accompanied either by a certificate of designation of origin issued by the relevant Algerian, Moroccan or Tunisian authority, in accordance with the model set out in Annex XII, or by a VI 1 document or a VI 2 extract annotated in compliance with Article 32(2) of Regulation (EC) No 883/2001.’

2. Annex I is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 109, 19.4.2001, p. 2. Regulation as last amended by Commission Regulation (EC) No 503/2005 (OJ L 83, 1.4.2005, p. 13).

⁽²⁾ Not yet published in the Official Journal.

⁽³⁾ OJ L 343, 20.12.1985, p. 20.

⁽⁴⁾ OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 908/2004 (OJ L 163, 30.4.2004, p. 56).

Article 2

For the year 2005, the volumes of the Community tariff quotas for which the quota period starts before the date of entry into force of the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, except for the volumes of the tariff quotas for wines with order numbers 09.1001 and

09.1003, shall be reduced in proportion to the part of the period which elapsed before that date.

Article 3

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

It shall apply with effect from 1 September 2005.

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

Done at Brussels, 8 September 2005.

For the Commission

László KOVÁCS

Member of the Commission

ANNEX

‘ANNEX I

ALGERIA

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

PART A:

Tariff quotas

Order No	CN code	TARIC sub-division	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1002	0409 00 00		Natural honey	from 1.1. to 31.12.	100	Exemption
09.1004	0603		Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	from 1.1. to 31.12.	100	Exemption
09.1005	0604		Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	from 1.1. to 31.12.	100	Exemption
09.1006	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1. to 31.3.	5 000	Exemption
09.1007	0809 10 00		Apricots, fresh	from 1.1. to 31.12.	1 000	Exemption ⁽¹⁾
09.1008	0810 10 00		Strawberries, fresh	from 1.11. to 31.3.	500	Exemption
09.1009	1509 1510 00		Olive oil and its fractions, whether or not refined, but not chemically modified Other oils and their fractions, obtained solely from olives, whether or not refined, but not chemically modified, including blends of these oils or fractions with oils or fractions of heading 1509	from 1.1. to 31.12.	1 000	Exemption
09.1010	ex 1512 19 90	10	Refined sunflower-seed oil	from 1.1. to 31.12.	25 000	Exemption
09.1011	2002 10 10		Peeled tomatoes, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1. to 31.12.	300	Exemption
09.1012	2002 90 31 2002 90 39 2002 90 91 2002 90 99		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of not less than 12 % by weight	from 1.1. to 31.12.	300	Exemption
09.1013	2009 50		Tomato juice	from 1.1. to 31.12.	200	Exemption

Order No	CN code	TARIC sub-division	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1014	ex 2009 80 35 ex 2009 80 38 ex 2009 80 79 ex 2009 80 86 ex 2009 80 89 ex 2009 80 99	40, 91 93, 97 40, 80 50, 80 50, 80 15, 92	Apricot juice	from 1.1. to 31.12.	200	Exemption ⁽¹⁾
09.1001	ex 2204 21 79 ex 2204 21 80 ex 2204 21 84 ex 2204 21 85	71 71 51 71	Wines entitled to one of the following designations of origin: Aïn Bessem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding 2 l or less	from 1.1. to 31.12.	224 000 hl	Exemption
09.1003	2204 10 19 2204 10 99 2204 21 10 2204 21 79 ex 2204 21 80 2204 21 84 ex 2204 21 85 ex 2204 21 94 ex 2204 21 98 ex 2204 21 99 2204 29 10 2204 29 65 ex 2204 29 75 2204 29 83 ex 2204 29 84 ex 2204 29 94 ex 2204 29 98 ex 2204 29 99	 71 79 80 71 79 80 20 20 10 10 20 20 20 20 10	Other sparkling wine Other wine of fresh grapes	from 1.1. to 31.12.	224 000 hl	Exemption

⁽¹⁾ The exemption applies only to the *ad valorem* duty.

PART B:

Reference quantities

Order No	CN code	TARIC sub-division	Description of goods	Reference quantity period	Reference quantity volume (in tonnes net weight)	Reference quantity duty
18.0410	0704 10 00		Cauliflowers and headed broccoli, fresh or chilled	from 1.1. to 14.4. and from 1.12. to 31.12.	1 000	Exemption
	0704 20 00		Brussels sprouts, fresh or chilled	from 1.1. to 31.12.		
	0704 90		Other cabbages, kohlrabi, kale and similar edible brassicas, fresh or chilled	from 1.1. to 31.12.		
18.0420	0709 52 00		Truffles, fresh or chilled	from 1.1. to 31.12.	100	Exemption
18.0430	ex 2005 10 00	10 20 40	Homogenised asparagus, carrots and mixtures of vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0440	ex 2005 10 00	30 80	Other homogenised vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than asparagus, carrots and mixtures of vegetables	from 1.1. to 31.12.	200	Exemption
18.0450	2005 51 00		Beans, shelled, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0460	2005 60 00		Asparagus, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0470	2005 90 50		Globe artichokes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0480	2005 90 60		Carrots, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0490	2005 90 70		Mixtures of vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0500	2005 90 80		Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1. to 31.12.	200	Exemption
18.0510	2007 91 90		Jams, fruit jellies, marmalades, purées and pastes, obtained by cooking of citrus fruit, with a sugar content not exceeding 13 % by weight, other than homogenised preparations	from 1.1. to 31.12.	200	Exemption

Order No	CN code	TARIC sub-division	Description of goods	Reference quantity period	Reference quantity volume (in tonnes net weight)	Reference quantity duty
18.0520	2007 99 91		Apple purée, including compotes, with a sugar content not exceeding 13 % by weight	from 1.1. to 31.12.	200	Exemption
18.0530	2007 99 98		Jams, fruit jellies, marmalades, purées and pastes, obtained by cooking of other fruit, with a sugar content not exceeding 13 % by weight, other than homogenised preparations	from 1.1. to 31.12.	200	Exemption'