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

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1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must[(3)] was repealed by Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade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.

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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1460/2005. (See end of Document for details)*

Done at Brussels, 8 September 2005.

For the Commission

László KOVÁCS

Member of the Commission

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1460/2005. (See end of Document for details)*

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,	from 1.1. to 31.12.	100	Exemption

a The exemption applies only to the *ad valorem* duty.

			mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared			
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[a]
09.1008	0810 10 00		Strawberries, fresh	from 1.11. to 31.3.	500	Exemption
09.1009	1509		Olive oil and its fractions, whether or not refined, but not chemically modified	from 1.1. to 31.12.	1 000	Exemption
	1510 00		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			

a The exemption applies only to the *ad valorem* duty.