



## **EC SECONDARY LEGISLATION – FEBRUARY 2005**

### **EU Scrutiny Procedure**

The following items of EC Legislation (Regulations & Decisions) that MAY be directly applicable to the Isle of Man under Protocol 3 have been distributed to the relevant Government Departments, Boards and Offices after scrutiny of the Official Journals European Union. Each item is labelled as to show which Journal it came from (i.e. OJL 1 – Official Journal of Legislation 1).

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### **European Community Secondary Legislation that may be applicable to the Isle of Man by virtue of the terms of Protocol 3**

Commission Regulation (EC) No 4/2005 of 3 January 2005 amending the import duties in the cereals sector applicable from 4 January 2005  
OJL 1

Commission Decision 2005/2/EC of 27 December 2004 setting out the arrangements for Community comparative trials and tests on propagating material of ornamental plants of certain species under Council Directive 98/56/EC for the years 2005 and 2006 (notified under document number C(2004) 5288)  
OJL 1

Commission Decision 2005/3/EC of 3 January 2005 accepting an undertaking offered in connection with the anti-circumvention investigation concerning anti-dumping measures imposed by Council Regulation (EC) No 769/2002 on imports of coumarin originating in the People's Republic of China by imports of coumarin consigned from India or Thailand, whether declared as originating in India or Thailand or not  
OJL 1

Commission Regulation (EC) No 6/2005 of 4 January 2005 correcting Regulations (EC) No 46/2003 and (EC) No 47/2003 as regards mixes of different types of fresh fruit and vegetables in the same sales package  
OJL 2

Commission Decision 2005/5/EC of 27 December 2004 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2005 to 2009 (notified under document number C(2004) 5264)  
OJL 2

Commission Decision 2005/6/EC of 27 December 2004 setting out the arrangements for Community comparative trials and tests on propagating and planting material of *Fragaria x ananassa* Duch. under Council Directive 92/34/EEC for the year 2005 (notified under document number C(2004) 5290)  
OJL 2

Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97  
OJL 3

Commission Regulation (EC) No 9/2005 of 5 January 2005 amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year  
OJL 4

Commission Regulation (EC) No 10/2005 of 5 January 2005 amending the import duties in the cereals sector applicable from 6 January 2005  
OJL 4

Commission Decision 2005/10/EC of 30 December 2004 amending Decision 2004/666/EC as regards the reintroduction of vaccination in certain parts of Italy affected by low pathogenic avian influenza and extending movement control measures (notified under document number C(2004) 5541)  
OJL 4

Commission Regulation (EC) No 17/2005 of 6 January 2005 amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year  
OJL 5

Commission Regulation (EC) No 18/2005 of 6 January 2005 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 7 January 2005  
OJL 5

Commission Decision 2005/13/EC of 3 January 2005 amending Decision 2001/881/EC drawing up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission (notified under document number C(2004) 5598)  
OJL 6

Commission Regulation (EC) No 33/2005 of 10 January 2005 initiating a new exporter review of Council Regulation (EC) No 2604/2000 imposing definitive anti-dumping duties on imports of certain polyethylene terephthalate (PET) originating, inter alia, in India, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration  
OJL 8

Commission Regulation (EC) No 35/2005 of 11 January 2005 establishing unit values for the determination of the customs value of certain perishable goods  
OJL 10

Commission Regulation (EC) No 36/2005 of 12 January 2005 amending Annexes III and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards epidemio-surveillance for transmissible spongiform encephalopathies in bovine, ovine and caprine animals  
OJL 10

Commission Regulation (EC) No 37/2005 of 12 January 2005 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption  
OJL 10

Commission Regulation (EC) No 41/2005 of 13 January 2005 amending the representative prices and the additional import duties for molasses in the sugar sector laid down by Regulation (EC) No 18/2005  
OJL 11

Commission Regulation (EC) No 42/2005 of 13 January 2005 amending the import duties in the cereals sector applicable from 14 January 2005  
OJL 11

Commission Regulation (EC) No 64/2005 of 14 January 2005 fixing the import duties in the cereals sector applicable from 16 January 2005  
OJL 13

Commission Regulation (EC) No 67/2005 of 17 January 2005 amending Regulation (EC) No 2879/2000 laying down detailed rules for applying Council Regulation (EC) No 2702/1999 on measures to provide information on, and to promote, agricultural products in third countries  
OJL 14

Commission Regulation (EC) No 73/2005 of 17 January 2005 amending the import duties in the cereals sector applicable from 18 January 2005  
OJL 14

Commission Regulation (EC) No 75/2005 of 18 January 2005 amending Annexes I, II and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin as regards moxidectin, linear alkyl benzene sulphonic acids with alkyl chain lengths ranging from C9 to C13, containing less than 2,5 % of chains longer than C13 and Acetylisovalerylytosin  
OJL 15

Commission Decision 2005/28/EC of 12 January 2005 amending Decision 93/52/EEC as regards the declaration that certain provinces of Italy are free of brucellosis (*B. melitensis*) and Decision 2003/467/EC as regards the declaration that certain provinces of Italy are free of bovine tuberculosis, bovine brucellosis and enzootic bovine leucosis (notified under document number C(2004) 5548)

OJL 15

Commission Decision 2005/29/EC of 17 January 2005 amending Decision 92/452/EEC as regards embryo collection teams in the United States of America (notified under document number C(2005) 32)

OJL 15

Commission Regulation (EC) No 78/2005 of 19 January 2005 amending Regulation (EC) No 466/2001 as regards heavy metals

OJL 16

Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation

OJL 16

Commission Regulation (EC) No 81/2005 of 19 January 2005 amending Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries

OJL 16

Commission Decision 2005/33/EC of 14 January 2005 amending Decision 2001/556/EC as regards the inclusion of establishments in India in provisional lists of third country establishments from which Member States are authorised to import gelatine intended for human consumption (notified under document number C(2004) 4543)

OJL 16

Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (notified under document number C(2004) 4992)

OJL 16

Decision 2005/22/EC, No 2/2004 of the joint veterinary committee set up under the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 9 December 2004 amending Appendices 1, 2, 3, 4, 5, 6 and 11 to Annex 11 to the Agreement

OJL 17

Council Regulation (EC) No 83/2005 of 18 January 2005 amending Regulation (EC) No 2604/2000 on imports of polyethylene terephthalate originating *inter alia* in the Republic of Korea and Taiwan

OJL 19

Council Regulation (EC) No 84/2005 of 18 January 2005 amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

OJL 19

Commission Regulation (EC) No 86/2005 of 20 January 2005 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 21 January 2005  
OJL 19

Commission Decision 2005/43/EC of 30 December 2004 amending Decision 95/388/EC as regards the updating of the model health certificates for intra-Community trade in semen, ova and embryos of the ovine and caprine species (notified under document number C(2004) 5544)  
OJL 20

Commission Decision 2005/54/EC of 25 January 2005 amending Council Directive 92/34/EEC to extend the derogation relating to import conditions for fruit plant propagating material and fruit plants intended for fruit production from third countries (notified under document number C(2005) 114)  
OJL 22

Commission Decision 2005/55/EC of 25 January 2005 amending Council Directive 92/33/EEC to extend the derogation relating to import conditions for vegetable propagating and planting material from third countries (notified under document number C(2005) 115)  
OJL 22

Commission Regulation (EC, Euratom) No 116/2005 of 26 January 2005 on the treatment of repayments of VAT to non-taxable persons and to taxable persons for their exempt activities, for the purposes of Council Regulation (EC, Euratom) No 1287/2003 on the harmonisation of gross national income at market prices  
OJL 24

Commission Regulation (EC) No 117/2005 of 26 January 2005 introducing Community surveillance of imports of certain footwear products originating in certain third countries  
OJL 24

Commission Regulation (EC) No 121/2005 of 25 January 2005 establishing unit values for the determination of the customs value of certain perishable goods  
OJL 24

Commission Regulation (EC) No 123/2005 of 26 January 2005 amending Regulation (EC) No 466/2001 as regards ochratoxin A  
OJL 25

Commission Regulation (EC) No 128/2005 of 27 January 2005 imposing a provisional anti-dumping duty on imports of hand pallet trucks and their essential parts originating in the People's Republic of China  
OJL 25

Commission Regulation (EC) No 129/2005 of 20 January 2005 concerning the classification of certain goods in the Combined Nomenclature and amending Regulation (EC) No 955/98  
OJL 25

Commission Regulation (EC) No 132/2005 of 27 January 2005 amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year  
OJL 25

Commission Decision 2005/61/EC of 27 January 2005 concerning protection measures in relation to Newcastle disease in Bulgaria and repealing Decision 2004/908/EC (notified under document number C(2005) 145)  
OJL 25

Commission Regulation (EC) No 145/2005 of 28 January 2005 imposing a provisional anti-dumping duty on imports of barium carbonate originating in the People's Republic of China  
OJL 27

Commission Decision 2005/64/EC of 26 January 2005 implementing Council Directive 92/65/EEC as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres (notified under document number C(2005) 118)  
OJL 27

Commission Regulation (EC) No 165/2005 of 31 January 2005 fixing the import duties in the cereals sector applicable from 1 February 2005  
OJL 28

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  
OJL 28

Corrigendum to Commission Regulation (EC) No 165/2005 of 31 January 2005 fixing the import duties in the cereals sector applicable from 1 February 2005 (OJ L 28, 1.2.2005)  
OJL 29

Commission Decision 2005/85/EC of 26 January 2005 imposing special conditions on the import of pistachios and certain products derived from pistachios originating in, or consigned from Iran (notified under document number C(2005) 117)  
OJL 30

Commission Decision 2005/86/EC of 28 January 2005 amending Decision 2003/71/EC as regards its period of validity (notified under document number C(2005) 186)  
OJL 30

Commission Regulation (EC) No 189/2005 of 3 February 2005 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 4 February 2005  
OJL 31

Commission Decision 2005/91/EC of 2 February 2005 establishing the period after which the anti-rabies vaccination is considered as valid (notified under document number C(2005) 190)  
OJL 31

Commission Decision 2005/92/EC of 2 February 2005 as regards animal health conditions, certification and transitional provisions concerning the introduction and storage period for consignments of certain products of animal origin in free zones, free warehouses and premises of operators supplying cross border means of sea transport in the Community (notified under document number C(2005) 191)  
OJL 31

Commission Decision 2005/93/EC of 2 February 2005 as regards transitional provisions concerning the introduction and the storage period for consignments of certain products of animal origin in customs warehouses in the Community (notified under document number C(2005) 192)  
OJL 31

Commission Regulation (EC) No 205/2005 of 4 February 2005 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the Register of protected designations of origin and protected geographical indications (Valdemone — [PDO], Queso Ibores — [PDO], Pera de Jumilla — [PDO], Aceite de Terra Alta or Oli de Terra Alta — [PDO], Sierra de Cádiz — [PDO], Requeijão Serra da Estrela — [PDO], Zafferano dell'Aquila — [PDO], Zafferano di San Gimignano — [PDO], Mantecadas de Astorga — [PGI] and Pan de Cea — [PGI])  
OJL 33

Commission Regulation (EC) No 206/2005 of 4 February 2005 imposing definitive safeguard measures against imports of farmed salmon  
OJL 33

Commission Decision 2005/102/EC of 26 January 2005 amending Decisions 2001/881/EC and 2002/459/EC as regards the list of border inspection posts (notified under document number C(2005) 126)  
OJL 33

Commission Regulation (EC) No 208/2005 of 4 February 2005 amending Regulation (EC) No 466/2001 as regards polycyclic aromatic hydrocarbons  
OJL 34

Commission Regulation (EC) No 209/2005 of 7 February 2005 establishing the list of textile products for which no proof of origin is required on release for free circulation in the Community  
OJL 34

Commission Decision 2005/107/EC of 2 February 2005 amending Annexes I and II to Decision 2002/308/EC establishing lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) (notified under document number C(2005) 188)  
OJL 34

Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene  
OJL 35

Commission Decision 2005/114/EC of 7 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on seeds and propagating material of Gramineae, Medicago sativa L. and Beta, under Council Directives 66/401/EEC and 2002/54/EC started in 2004  
OJL 36

Commission Decision 2005/115/EC of 7 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on propagating and planting material of fruit plants of certain species pursuant to Council Directive 92/34/EEC started in 2004  
OJL 36

Commission Decision 2005/116/EC of 8 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on propagating material of Hosta Tratt. under Council Directive 98/56/EC started in 2004  
OJL 36

Commission Decision 2005/117/EC of 8 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on propagating and planting material of Prunus domestica under Council Directive 92/34/EEC started in 2003  
OJL 36

Commission Regulation (EC) No 213/2005 of 8 February 2005 establishing unit values for the determination of the customs value of certain perishable goods  
OJL 37

Commission Regulation (EC) No 214/2005 of 9 February 2005 amending Annex III to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards monitoring of transmissible spongiform encephalopathies in caprine animals  
OJL 37

Commission Decision 2005/123/EC of 9 February 2005 amending Decision 2004/292/EC on the introduction of the TRACES system and amending Decision 92/486/EEC (notified under document number C(2005) 279)  
OJL 39

Commission Regulation (EC) No 250/2005 of 11 February 2005 amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year  
OJL 42

Commission Decision 2005/125/EC of 11 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on propagating and planting material of Prunus domestica under Council Directive 92/34/EEC started in 2002  
OJL 42

Commission Decision 2005/126/EC of 11 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on propagating material of ornamental plants of certain species under Council Directive 98/56/EC started in 2003  
OJL 42

Commission Regulation (EC) No 252/2005 of 14 February 2005 amending Regulation (EC) No 349/2003 suspending the introduction into the Community of specimens of certain species of wild fauna and flora  
OJL 43

Corrigendum to Commission Regulation (EC) No 1810/2004 of 7 September 2004 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 327, 30.10.2004)  
OJL 43

Commission Regulation (EC) No 255/2005 of 15 February 2005 concerning the permanent authorisations of certain additives in feedingstuffs  
OJL 45



Commission Regulation (EC) No 256/2005 of 15 February 2005 fixing the import duties in the cereals sector applicable from 16 February 2005  
OJL 45

Council Regulation (EC) No 258/2005 of 14 February 2005 amending the anti-dumping measures imposed by Regulation (EC) No 348/2000 on imports of certain seamless pipes and tubes of iron or non-alloy steel originating in Croatia and Ukraine  
OJL 46

Commission Regulation (EC) No 260/2005 of 16 February 2005 amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards rapid tests  
OJL 46

Commission Decision 2005/133/EC of 16 February 2005 partially suspending the definitive anti-dumping duties imposed by Regulation (EC) No 258/2005 on imports of certain seamless pipes and tubes of iron or non-alloy steel originating in Croatia and Ukraine  
OJL 46

Commission Regulation (EC) No 266/2005 of 17 February 2005 concerning the classification of certain goods in the Combined Nomenclature  
OJL 47

Commission Regulation (EC) No 268/2005 of 17 February 2005 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 18 February 2005  
OJL 47

Commission Decision 2005/138/EC of 16 February 2005 amending Decision 2003/828/EC as regards movements of animals from and inside a restricted zone in Portugal, in relation to an outbreak of bluetongue in that Member State (notified under document number C(2005) 335)  
OJL 47

Decision 2005/141/EC, No 1/2005 of the ACP-EC Customs Cooperation Committee of 8 February 2005 derogating from the concept of originating products to take account of the special situation of Cape Verde regarding the production of men's shirts (HS heading 62.05)  
OJL 48

Corrigendum to Commission Regulation (EC) No 316/2004 of 20 February 2004 amending Regulation (EC) No 753/2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products (OJ L 55, 24.2.2004)  
OJL 48

Commission Regulation (EC) No 292/2005 of 21 February 2005 amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1210/2004 for the 2004/2005 marketing year  
OJL 49

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