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COMMISSION REGULATION (EC) No 2095/2005

of 20 December 2005

laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards communication of information on tobacco

(OJ L 335, 21.12.2005, p. 6)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EU) No 173/2011 of 23 February 2011	L 49	16	24.2.2011

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COMMISSION REGULATION (EC) No 2095/2005

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laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards communication of information on tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco ([1]), and in particular Article 21 thereof,

Whereas:

(1) In order to enable the Commission to monitor market developments in the raw tobacco sector covered by the common market organisation established by Regulation (EEC) No 2075/92, Member States are required to communicate the necessary information.

(2) To that end, Commission Regulation (EC) No 604/2004 of 29 March 2004 on the communication of information on tobacco from the 2000 harvest onwards ([2]) was adopted.

(3) The information to be communicated should provide a general overview of the entire Community tobacco market, and should in particular take into account the provisions of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers ([3]) and its implementing rules.

(4) In the interest of efficient administration, the communicated information should be grouped by group of tobacco variety and time limits should be set for its submission.

(5) It is therefore appropriate to adapt the provisions on the information to be communicated accordingly.

(6) For the sake of clarity and rationality, Regulation (EC) No 604/2004 should be repealed and replaced by a new regulation.

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

([1]) OJ L 215, 30.7.1992, p. 70. Regulation as last amended by Regulation (EC) No 1679/2005 (OJ L 271, 15.10.2005, p. 1).
([2]) OJ L 97, 1.4.2004, p. 34.
([3]) OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 118/2005 (OJ L 24, 27.1.2005, p. 15).

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HAS ADOPTED THIS REGULATION:

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Article 1

1. For each harvest, the producing Member States shall notify the Commission, by 31 July of the year following the harvest year, of the following information given as a total and, except for point (a), broken down by the raw tobacco variety groups referred to in paragraph 3:

(a) number of first processing enterprises;

(b) number of farmers;

(c) area in hectares;

(d) quantity delivered in tonnes;

(e) average price, excluding taxes and other levies, paid to farmers;

(f) stocks in tonnes at the end of June of the year following the harvest year concerned, held by the first processor.

The price referred to in point (e) shall be expressed in EUR per kg, using if necessary, the most recent exchange rate set by the European Central Bank prior to 1 January of the year following the harvest year.

2. For each harvest, the producing Member States shall notify the Commission, by 31 July of the ongoing harvest year, of the following information given as a total and broken down by the raw tobacco variety groups referred to in paragraph 3:

(a) estimated area in hectares;

(b) estimated production in tonnes.

3. The variety groups of raw tobacco are:

(a) Group I: Flue-cured: tobacco dried in ovens with controlled air circulation, temperature and humidity, in particular Virginia;

(b) Group II: Light air-cured: tobacco dried in the air under cover, not left to ferment, in particular Burley and Maryland;

(c) Group III: Dark air-cured: tobacco dried in the air under cover, left to ferment naturally before being marketed, in particular Badischer Geudertheimer, Fermented Burley, Havana, Mocny Skroniowski, Nostrano del Brenta and Pulawski;

(d) Group IV: Fire-cured: tobacco dried by fire, in particular Kentucky and Salento;

(e) Group V: Sun-cured: tobacco dried in the sun, also called ‘Oriental varieties’, in particular Basmas, Katerini and Kaba-Koulak.

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4. Member States growing less than 3 000 hectares in the preceding harvest year may notify only the information referred to in points (b) and (c) of paragraph 1 and paragraph 2(a) and only given as a total without breakdown by raw tobacco variety groups.

5. The notifications referred to in paragraphs 1, 2 and 4 shall be made in accordance with Commission Regulation (EC) No 792/2009 ([1]).

Article 2

Member States shall take the measures necessary to ensure that the economic operators concerned, including producer organisations, provide them with the information required within the relevant time limits.

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Article 3

1. Regulation (EC) No 604/2004 is repealed.

However, it shall continue to apply to communications in respect of the 2005 harvest.

2. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex IV.

Article 4

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

It shall apply from 1 January 2006.

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

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([1]) OJ L 228, 1.9.2009, p. 3.

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ANNEX IV

Correlation table

Regulation (EC) No 604/2004	This Regulation
Articles 1 and 2	Articles 1 and 2
Article 3	—
Article 4	Article 3
Article 5	Article 4
Annexes I, II and III	Annexes IB, II and III
—	Annex IA
Annex IV	—
Annex V	Annex IV