COMMISSION REGULATION (EC) No 286/2005

of 18 February 2005

on granting of import licences for cane sugar for the purposes of certain tariff quotas and preferential agreements

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 [1],

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations [2],

Having regard to Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 [3], and in particular Article 5(4) thereof,

Whereas:

(1) Article 9 of Regulation (EC) No 1159/2003 lays down detailed rules on determining the delivery obligations at zero duty for products falling within CN code 1701 expressed as white sugar equivalent for imports originating in countries which are parties to the ACP Protocol and the India Agreement.

(2) Commission Regulation (EC) No 221/2005 of 10 February 2005 fixing the quantities of the delivery obligations for sugar cane to be imported under the ACP Protocol and the India Agreement for the 2004/05 delivery period [4] fixed a delivery obligation for Congo, India and Mozambique higher than all the import licence applications submitted to date for the 2004/05 delivery period.

(3) Under these circumstances, and in the interests of clarity, it should be indicated that the limits concerned have not been reached,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of import licence applications presented from 7 to 11 February 2005 in line with Article 5(1) of Regulation (EC) No 1159/2003 licences shall be issued for the quantities indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 February 2005.

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

Done at Brussels, 18 February 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

Director-General for Agriculture and Rural Development

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[1] 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).

[2] OJ L 146, 20.6.1996, p. 1.

[3] OJ L 162, 1.7.2003, p. 25. Regulation as amended by Regulation (EC) No 1409/2004 (OJ L 256, 3.8.2004, p. 11).

[4] OJ L 39, 11.2.2005, p. 15.

ANNEX

ACP—INDIA preferential sugar

Title II of Regulation (EC) No 1159/2003

2004/05 marketing year

Country	Week of 7.-11.2.2005: percentage of requested quantity to be granted	Limit
Barbados	100	
Belize	0	reached
Congo	100	
Fiji	100	
Guyana	100	
India	100	
Côte d'Ivoire	100	
Jamaica	100	
Kenya	100	
Madagascar	100	
Malawi	100	
Mauritius	100	
Mozambique	100	
Saint Kitts and Nevis	100	
Swaziland	100	
Tanzania	100	
Trinidad and Tobago	100	
Zambia	100	
Zimbabwe	0	reached

Special preferential sugar

Title III of Regulation (EC) No 1159/2003

2004/05 marketing year

Country	Week of 7.-11.2.2005: percentage of requested quantity to be granted	Limit
India	100	
ACP	100	

CXL concessions sugar

Title IV of Regulation (EC) No 1159/2003

2004/05 marketing year

Country	Week of 7.-11.2.2005: percentage of requested quantity to be granted	Limit
Brazil	0	reached
Cuba	100	
Other third countries	0	reached