

COMMISSION REGULATION (EC) No 436/2005

of 17 March 2005

amending Regulation (EC) No 796/2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 796/2004⁽²⁾ lays down the rules for the application of Regulation (EC) No 1782/2003, *inter alia*, concerning the conditions for the verification of the tetrahydrocannabinol content in hemp growth.
- (2) In accordance with Article 33(2) of Regulation (EC) No 796/2004, the Member States have notified the results of the tests to determine the tetrahydrocannabinol levels in the hemp varieties sown in 2004. Those results should be taken into account when drawing up the list of hemp varieties in respect of area-related aid schemes in the

coming marketing years and the list of varieties temporarily accepted for 2005/06. Certain of these varieties should be submitted to the procedure B provided for in Annex I to Regulation (EC) No 796/2004.

- (3) Regulation (EC) No 796/2004 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 796/2004 is replaced by the text in the Annex to this Regulation.

Article 2

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 the 2005/06 marketing year.

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

Done at Brussels, 17 March 2005

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ 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).

⁽²⁾ OJ L 141, 30.4.2004, p. 18. Regulation as amended by Regulation (EC) No 239/2005 (OJ L 42, 12.2.2005, p. 3).

ANNEX

'ANNEX II

VARIETIES OF HEMP GROWN FOR FIBRE ELIGIBLE FOR DIRECT PAYMENTS

(a) Hemp grown for fibre

Beniko
Carmagnola
CS
Delta-Llosa
Delta 405
Dioica 88
Epsilon 68
Ferimon — Férimon
Fibranova
Fibrimon 24
Futura 75
Juso 14
Red Petiole
Santhica 23
Santhica 27
Uso-31

(b) Hemp grown for fibre authorised in the 2005/2006 marketing year

Bialobrzeskie
Chamaeleon⁽¹⁾
Cannacomp
Fasamo
Fedora 17
Felina 32
Felina 34 — Félina 34
Fibriko TC
Finola
Lipko
Silesia⁽²⁾
Tiborszálási
UNIKO-B

⁽¹⁾ For the marketing year 2005/06 procedure B of Annex I shall apply.

⁽²⁾ Only in Poland, as authorised by Commission Decision 2004/297/EC (OJ L 97, 1.4.2004, p. 66).'