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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

NOTICE TO READERS

BG: Настоящият брой на Официален вестник е публикуван на испански, чешки, датски, немски, естонски, гръцки, английски, френски, италиански, латвийски, литовски, унгарски, малтийски, нидерландски, полски, португалски, словашки, словенски, фински и шведски език.

Поправката, включена в него, се отнася до актове, публикувани преди разширяването на Европейския съюз от 1 януари 2007 г.

CS: Tento Úřední věstník se vydává ve španělštině, češtině, dánštině, němčině, estonštině, řečtině, angličtině, francouzštině, italštině, lotyštině, litevštině, maďarštině, maltštině, nizozemštině, polštině, portugalsštině, slovenštině, slovinštině, finštině a švédštině.

Tisková oprava zde uvedená se vztahuje na akty uveřejněné před rozšířením Evropské unie dne 1. ledna 2007.

DA: Denne EU-Tidende offentliggøres på dansk, engelsk, estisk, finsk, fransk, græsk, italiensk, lettisk, litauisk, maltesisk, nederlandsk, polsk, portugisisk, slovakisk, slovensk, spansk, svensk, tjekkisk, tysk og ungarsk.

Berigtigelserne heri henviser til retsakter, som blev offentliggjort før udvidelsen af Den Europæiske Union den 1. januar 2007.

DE: Dieses Amtsblatt wird in Spanisch, Tschechisch, Dänisch, Deutsch, Estnisch, Griechisch, Englisch, Französisch, Italienisch, Lettisch, Litauisch, Ungarisch, Maltesisch, Niederländisch, Polnisch, Portugiesisch, Slowakisch, Slowenisch, Finnisch und Schwedisch veröffentlicht.

Die darin enthaltenen Berichtigungen beziehen sich auf Rechtsakte, die vor der Erweiterung der Europäischen Union am 1. Januar 2007 veröffentlicht wurden.

EL: Η παρούσα Επίσημη Εφημερίδα δημοσιεύεται στην ισπανική, τσεχική, δανική, γερμανική, εσθονική, ελληνική, αγγλική, γαλλική, ιταλική, λεττονική, λιθουανική, ουγγρική, μαλτέζικη, ολλανδική, πολωνική, πορτογαλική, ολοβακική, σλοβενική, φινλανδική και σουηδική γλώσσα.

Τα διορθωτικά που περιλαμβάνει αναφέρονται σε πράξεις που δημοσιεύθηκαν πριν από τη διεύρυνση της Ευρωπαϊκής Ένωσης την 1η Ιανουαρίου 2007.

EN: This Official Journal is published in Spanish, Czech, Danish, German, Estonian, Greek, English, French, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Slovak, Slovenian, Finnish and Swedish.

The corrigenda contained herein refer to acts published prior to enlargement of the European Union on 1 January 2007.

ES: El presente Diario Oficial se publica en español, checo, danés, alemán, estonio, griego, inglés, francés, italiano, letón, lituano, húngaro, maltés, neerlandés, polaco, portugués, eslovaco, esloveno, finés y sueco.

Las correcciones de errores que contiene se refieren a los actos publicados con anterioridad a la ampliación de la Unión Europea del 1 de enero de 2007.

ET: Käesolev Euroopa Liidu Teataja ilmub hispaania, tšehhi, taani, saksa, eesti, kreeka, inglise, prantsuse, itaalia, läti, leedu, ungari, malta, hollandi, poola, portugali, slovaki, slovneeni, soome ja rootsi keeles.

Selle parandustega viidatakse aktidele, mis on avaldatud enne Euroopa Liidu laienemist 1. jaanuaril 2007.

FI: Tämä virallinen lehti on julkaistu espanjan, tšekin, tanskan, saksan, viron, kreikan, englannin, ranskan, italian, latvian, liettuan, unkarin, maltan, hollannin, puolan, portugalil, slovakin, sloveenin, suomen ja ruotsin kielellä.

Lehden sisältämät oikaisut liittyvät ennen Euroopan unionin laajentumista 1. tammikuuta 2007 julkaistuihin säädöksiin.

FR: Le présent Journal officiel est publié dans les langues espagnole, tchèque, danoise, allemande, estonienne, grecque, anglaise, française, italienne, lettone, lituanienne, hongroise, maltaise, néerlandaise, polonaise, portugaise, slovaque, slovène, finnoise et suédoise.

Les rectificatifs qu'il contient se rapportent à des actes publiés antérieurement à l'élargissement de l'Union européenne du 1^{er} janvier 2007.

HU: Ez a Hivatalos Lap spanyol, cseh, dán, német, észt, görög, angol, francia, olasz, lett, litván, magyar, máltai, holland, lengyel, portugál, szlovák, szlovén, finn és svéd nyelven jelenik meg.

Az itt megjelent helyesbítések elsősorban a 2007. január 1-jei európai uniós bővítéssel kapcsolatos jogszabályokra vonatkoznak.

IT: La presente Gazzetta ufficiale è pubblicata nelle lingue spagnola, ceca, danese, tedesca, estone, greca, inglese, francese, italiana, lettone, lituana, ungherese, maltese, olandese, polacca, portoghese, slovacca, slovena, finlandese e svedese.

Le rettifiche che essa contiene si riferiscono ad atti pubblicati anteriormente all'allargamento dell'Unione europea del 1° gennaio 2007.

LT: Šis Oficialusis leidinys išleistas ispanų, čekų, danų, vokiečių, estų, graikų, anglų, prancūzų, italų, latvių, lietuvių, vengrų, maltiečių, olandų, lenkų, portugalų, slovakių, slovėnų, suomių ir švedų kalbomis.

Čia išspausdintas teisės aktų, paskelbtų iki Europos Sąjungos plėtros 2007 m. sausio 1 d., klaidų ištaisymas.

LV: Šis *Oficiālais Vēstnesis* publicēts spāņu, čehu, dāņu, vācu, igauņu, grieķu, angļu, franču, itāļu, latviešu, lietuviešu, ungāru, maltiešu, holandiešu, poļu, portugāļu, slovāku, slovēņu, somu un zviedru valodā.

Šeit minētie labojumi attiecas uz tiesību aktiem, kas publicēti pirms Eiropas Savienības paplašināšanās 2007. gada 1. janvārī.

MT: Dan il-Ġurnal Uffiċjali hu ppubblikat fil-ligwa Spanjola, Ċeka, Dania, Ġermania, Estonjana, Griega, Ingħia, Franċia, Taljana, Latvjana, Litwana, Ungeria, Maltija, Olandia, Pollakka, Portugalia, Slovakkja, Slovena, Finlandia u vedia.

Il-corrigenda li tinstab hawnhekk tirreferi għal atti ppubblikati qabel it-tkabbir ta' l-Unjoni Ewropea fl-1 ta' Jannar 2007.

NL: Dit Publicatieblad wordt uitgegeven in de Spaanse, de Tsjechische, de Deense, de Duitse, de Estse, de Griekse, de Engelse, de Franse, de Italiaanse, de Letse, de Litouwse, de Hongaarse, de Maltese, de Nederlandse, de Poolse, de Portugese, de Slowaakse, de Sloveense, de Finse en de Zweedse taal.

De rectificaties in dit Publicatieblad hebben betrekking op besluiten die vóór de uitbreiding van de Europese Unie op 1 januari 2007 zijn gepubliceerd.

PL: Niniejszy Dziennik Urzędowy jest wydawany w językach: hiszpańskim, czeskim, duńskim, niemieckim, estońskim, greckim, angielskim, francuskim, włoskim, łotewskim, litewskim, węgierskim, maltańskim, niderlandzkim, polskim, portugalskim, słowackim, słoweńskim, fińskim i szwedzkim.

Sprostowania zawierają odniesienia do aktów opublikowanych przed rozszerzeniem Unii Europejskiej dnia 1 stycznia 2007 r.

PT: O presente Jornal Oficial é publicado nas línguas espanhola, checa, dinamarquesa, alemã, estónia, grega, inglesa, francesa, italiana, letã, lituana, húngara, maltesa, neerlandesa, polaca, portuguesa, eslovaca, eslovena, finlandesa e sueca.

As rectificações publicadas neste Jornal Oficial referem-se a actos publicados antes do alargamento da União Europeia de 1 de Janeiro de 2007.

RO: Prezentul Jurnal Oficial este publicat în limbile spaniolă, cehă, daneză, germană, estonă, greacă, engleză, franceză, italiană, letonă, lituaniană, maghiară, malteză, olandeză, polonă, portugheză, slovacă, slovenă, finlandeză și suedeză.

Rectificările conținute în acest Jurnal Oficial se referă la acte publicate anterior extinderii Uniunii Europene din 1 ianuarie 2007.

SK: Tento úradný vestník vychádza v španielskom, českom, dánskom, nemeckom, estónskom, gréckom, anglickom, francúzskom, talianskom, lotyšskom, litovskom, maďarskom, maltskom, holandskom, poľskom, portugalskom, slovenskom, slovinskom, fínskom a švédskom jazyku.

Korigendá, ktoré obsahuje, odkazujú na akty uverejnené pred rozšírením Európskej únie 1. januára 2007.

SL: Ta Uradni list je objavljen v španskem, češkem, danskem, nemškem, estonskem, grškem, angleškem, francoskem, italijanskem, latvijskem, litovskem, madžarskem, malteškem, nizozemskem, poljskem, portugalskem, slovaškem, slovenskem, finskem in švedskem jeziku.

Vsebovani popravki se nanašajo na akte objavljene pred širitvijo Evropske unije 1. januarja 2007.

SV: Denna utgåva av *Europeiska unionens officiella tidning* publiceras på spanska, tjeckiska, danska, tyska, estniska, grekiska, engelska, franska, italienska, lettiska, litauiska, ungerska, maltesiska, nederländska, polska, portugisiska, slovakiska, slovenska, finska och svenska.

Rättelserna som den innehåller avser rättsakter som publicerades före utvidgningen av Europeiska unionen den 1 januari 2007.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing*(Official Journal of the European Union L 409 of 30 December 2006)*

Regulation (EC) No 1966/2006 should read as follows:

**COUNCIL REGULATION (EC) No 1966/2006
of 21 December 2006****on electronic recording and reporting of fishing activities and on means of remote sensing**

THE COUNCIL OF THE EUROPEAN UNION,

the presence of vessels in a given area. The combination of all these means increases the accuracy of the information.

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

- (4) Articles 22(1) and 23(3) of Regulation (EC) No 2371/2002 respectively provide that the Council is to decide in 2004 on the obligation to electronically record and transmit relevant information relating to fishing activities, including landing or transshipments of catches and sales note, and on the obligation to set up a means of remote sensing.

Having regard to the opinion of the European Parliament,

Whereas:

- (5) Pilot projects on electronic recording and reporting as well as on remote sensing have been carried out during recent years by Member States and other countries. They have proved to be valid and cost-effective.

(1) Council Regulation (EC) No 2371/2002 ⁽¹⁾ establishes a framework designed to ensure the conservation and the sustainable exploitation of fisheries resources under the Common Fisheries Policy.

- (6) Article 6 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the Common Fisheries Policy ⁽²⁾ foresees that the masters of Community fishing vessels shall keep a logbook of their operations.

(2) Objectives of conservation and sustainable exploitation of the fisheries resources are achieved through conditions governing access to waters and resources, namely by limiting catches and fishing effort and by adopting technical measures related to fishing techniques and gears and sizes of catches.

- (7) Article 22 of Regulation (EC) No 2371/2002 stipulates that fisheries products shall only be sold from a fishing vessel to registered buyers or at registered auctions.

(3) Therefore, in order to soundly manage fishing opportunities and in order to achieve these objectives, there is a need to monitor fisheries activities through the most appropriate means. Control on quantities caught is mainly carried out by collecting information on catches, landings, transshipments, transports and sales, while control on fishing effort is mainly carried out by collecting information on the characteristics of the vessel, time spent on fishing and gears used. Furthermore, remote control technologies enable fisheries control authorities to monitor

- (8) Article 9 of Regulation (EEC) No 2847/93 foresees that auction centres or other bodies or persons authorised by Member States which are responsible for the first marketing of fishery products shall, upon first sale, submit a sales note to the competent authorities in whose territory the first marketing takes place.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

(9) Article 8 of Regulation (EEC) No 2847/93 foresees that the master of each Community fishing vessel having an overall length equal to, or more than, 10 m, or his representative, shall after each trip and within 48 hours of landing submit a declaration to the competent authorities of the Member State where the landing takes place.

(10) Article 9 of Regulation (EEC) No 2847/93 also foresees that where the first marketing of fisheries products does not take place in the Member State where the products have been landed, the Member State responsible for monitoring the first marketing shall ensure that a copy of the sales note is submitted to the authorities responsible for monitoring the landing of the products concerned as soon as possible.

(11) Article 19 of Regulation (EEC) No 2847/93 requires Member States to create computerised databases and to establish a validation system comprising in particular cross-checks and verification of data.

(12) Article 9 of Council Regulation (EEC) No 2847/93 also foresees that a take-over declaration which is the responsibility of the holder of this declaration shall be submitted to the competent authorities when the products are not offered for sale or are intended for sale at a later date.

(13) Remote sensing should only be used where there is clear evidence of a cost benefit in relation to the use only of traditional control means such as fishery patrol vessels and aircraft in the detection of fishing vessels operating illegally.

(14) Conditions under which electronic recording and reporting, as well as means of remote sensing, are to be used for control purpose should therefore be established.

(15) The formats which national competent authorities will use to exchange information for control and inspection purposes should be defined in detailed implementing rules.

(16) A Member State should be free to decide on the formats for transmission of data used by vessels flying its flag.

(17) Investments related to implementation of control technologies are eligible under the framework of the Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾.

(18) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Electronic recording and reporting

1. The master of a Community fishing vessel shall record by electronic means information relating to fishing activities, which he is required to record in a logbook and a transhipment declaration as defined in the relevant Community legislation, and shall send it by electronic means to the competent authority of the Flag State.

2. The master of a Community fishing vessel or his representative shall record by electronic means information relating to fishing activities, which is required to be recorded in a landing declaration as defined in the relevant Community legislation, and shall send it by electronic means to the competent authority of the Flag State.

3. The first sales note and, where appropriate, take-over declaration shall be electronically recorded and transmitted to the competent authorities in whose territory the first marketing takes place by a registered buyer, a registered auction or other entity or person authorised by Member States that are responsible for the first sale of fishery products.

4. Member States shall have the necessary administrative and technical structures enabling them to receive, treat, cross-check and transmit, by electronic means, the information contained, at a minimum, in the logbook, transhipment declaration, landing declaration, sales note and take-over declaration referred to in paragraphs 1, 2 and 3.

Article 2

Periodicity and authenticity of data

1. The master of the fishing vessel shall transmit relevant logbook data at least once a day. He shall also send such data at the request of the competent authority of the Flag State. He shall in any event transmit the relevant logbook data after the last fishing operation has been completed and before entering into port.

2. Logbook, transhipment declaration and landing declaration data recorded by the competent authority of the Flag State shall be deemed authentic under conditions established under national law.

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

3. First sales note and take-over declaration information and data recorded by the competent authority of a Member State shall be deemed authentic under conditions established under national law.

Article 3

Phasing in

1. The obligation to electronically record and transmit the data mentioned in Article 1 paragraphs 1 and 2 shall apply to masters of fishing vessels exceeding 24 m length overall within 24 months of the entry into force of the implementing rules referred to in Article 5 and to masters of fishing vessels exceeding 15 m length overall within 42 months of entry into force of the implementing rules.

2. Notwithstanding the provisions of paragraph 1, a Member State may oblige or authorise, as of the date falling 12 months after the entry into force of the implementing rules referred to in Article 5, masters of fishing vessels referred to in paragraph 1 and of 15 m or less length overall flying its flag to electronically record and transmit the data mentioned in Article 1 paragraphs 1 and 2.

3. The competent authorities of a Coastal Member State shall accept electronic reports received from the Flag Member State containing the data from fishing vessels referred to in paragraph 2.

4. The obligation to electronically record and transmit sales notes and, where appropriate, take-over declarations shall apply from 1 January 2009 to registered buyers, registered auctions, or other entities or persons authorised by Member States that are responsible for the first sale of fishery products with an annual financial turnover in first sales of fishery products in excess of EUR 400 000.

Article 4

Remote sensing

As from 1 January 2009 and where there is clear evidence of a cost benefit in relation to the traditional control means in the detection of fishing vessels operating illegally, Member States shall ensure that their Fisheries Monitoring Centres possess the technical capacity allowing them to match the positions derived by remotely sensed images sent to earth by satellites or other equivalent systems with the data received by the vessel

monitoring system, in order to assess the presence of fishing vessels in a given area.

Article 5

Detailed rules

Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure referred to Article 30 (2) of Regulation (EC) No 2371/2002. These rules shall lay down in particular:

1. the conditions under which national competent authorities will exchange information for control and inspection purposes while ensuring confidentiality and ensuring that coastal Member States can access this information;
2. the content of the messages to be transmitted;
3. the formats which national competent authorities will use to exchange information for control and inspection purposes;
4. the conditions for the recording and submission of sales note and takeover declaration data;
5. provisions that allow a Member State to extend the electronic reporting obligation to fishing vessels as foreseen in Article 3(2);
6. exemptions from the requirements to submit electronic landing declarations and conditions and notification requirements to inform the Coastal state of such exemptions;
7. exemptions, in order to reduce the administrative burden on operators, from certain control provisions in Community rules for fishing vessels that electronically record and transmit the information referred to in Article 1 (1) and (2);
8. provisions for recording and transmitting data mentioned in Article 1 in the case of technical failure.

Article 6

Entry into force

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

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

Done at Brussels, 21 December 2006.

For the Council

The President

J. KORKEAOJA

Corrigendum to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94

(Official Journal of the European Union L 409 of 30 December 2006)

Regulation (EC) No 1967/2006 should read as follows:

COUNCIL REGULATION (EC) No 1967/2006

of 21 December 2006

concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) The provisions of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾ apply to the Mediterranean Sea.

(2) By Decision 98/392/EC ⁽²⁾ the Council has concluded the United Nations Convention on the Law of the Sea, which contains principles and rules relating to the conservation and management of the living resources of the high seas. In accordance with the rules of that Convention, the Community endeavours to coordinate the management and conservation of living aquatic resources with other coastal States.

(3) Pursuant to Decision 98/416/EC ⁽³⁾ the Community is a Contracting Party to the Agreement on the General Fisheries Commission of the Mediterranean, (hereinafter the GFCM). The GFCM agreement provides a framework for regional cooperation on the conservation and management of Mediterranean marine resources by adopting recommendations in the area covered by the GFCM Agreement which become binding on the Contracting Parties.

(4) The biological, social and economic characteristics of the Mediterranean fisheries require the Community to establish a specific management framework.

(5) The Community has undertaken to apply the precautionary approach in taking measures designed to protect and conserve living aquatic resources and marine ecosystems and to provide for their sustainable exploitation.

(6) The management system provided for in this Regulation covers operations relating to the fishing of Mediterranean stocks carried out by Community vessels whether in Community waters or in international waters, by third country vessels in Member States fishing zones or by citizens of the Union in the Mediterranean High Sea.

(7) However, so that scientific research is not impeded, this Regulation should not apply to any operations required for the purposes of such research.

(8) It is necessary to establish an effective management framework, through an appropriate sharing of responsibilities between the Community and the Member States.

(9) The strict protection of certain marine species already afforded by Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ⁽⁴⁾ and applicable to marine waters under Member States' sovereignty should be extended to the Mediterranean High Sea.

(10) Council Decision 1999/800/EC of 22 October 1999 on concluding the Protocol concerning specially protected areas and biological diversity in the Mediterranean, and on accepting the annexes to that Protocol (Barcelona Convention) ⁽⁵⁾, provides, in addition to the provisions relating to the conservation of sites of Mediterranean importance, for drawing up lists of endangered or threatened species and species whose exploitation is regulated.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 179, 23.6.1998, p. 1.

⁽³⁾ OJ L 190, 4.7.1998, p. 34.

⁽⁴⁾ OJ L 206, 22.7.1992, p. 7. Directive as last amended by Regulation (EC) No 1882/2003 of the European Council and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽⁵⁾ OJ L 322, 14.12.1999, p. 1.

- (11) It is necessary to adopt new technical measures for fishing replacing those laid down in Council Regulation (EC) No 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean ⁽¹⁾ to take account of new scientific advice. Account should also be taken of the main elements of the Action Plan on the conservation and sustainable exploitation of fishery resources in the Mediterranean Sea under the common fisheries policy.
- (12) Regulation (EC) No 1626/94 should therefore be repealed.
- (13) Excessive catches of undersized individuals should be avoided. To that end it is necessary to protect certain areas where juveniles congregate, taking account of the local biological conditions.
- (14) Fishing gear that is too harmful to the marine environment or leads to the depletion of certain stocks should be prohibited or more strictly regulated.
- (15) In order to avoid further increases in mortality rates for juveniles and to substantially reduce the amount of discards of dead marine organisms by fishing vessels, it is appropriate to provide for increases in mesh sizes and hook sizes for trawl nets, bottom-set nets and longlines used for fishing for certain species of marine organisms and for the mandatory use of square-meshed netting.
- (16) In order to allow for a transitional period, before increasing the mesh size of bottom trawl nets, it is appropriate to determine some characteristics in the rigging of the trawl nets that will enhance the selectivity of the currently used mesh size.
- (17) The management of fishing effort should be the main tool to deliver sustainable fisheries in the Mediterranean Sea. To that end it is appropriate to determine the overall dimensions of the main types of passive fishing gears to limit one factor which affects the fishing effort deployed.
- (18) Part of the coastal zone should be reserved for selective fishing gears used by small-scale fishermen, in order to protect nursery areas and sensitive habitats and enhance the social sustainability of Mediterranean fisheries.
- (19) It is appropriate to determine the minimum landing sizes of certain marine organisms in order both to improve their exploitation and to set standards upon which Member States can build their management system for coastal fisheries. To this end, the selectivity of a certain fishing gear should correspond, as closely as possible, to the minimum landing size established for a certain species or group of species caught by that gear.
- (20) In order not to hinder artificial restocking or transplantation of fish stocks and other marine organisms, operations necessary for the conduct of such activities should be permitted, provided they are compatible with the sustainability of the species concerned.
- (21) Since leisure fisheries are very important in the Mediterranean, it is necessary to ensure that they are carried out in a manner that does not significantly interfere with commercial fishing, is compatible with sustainable exploitation of living aquatic resources and complies with Community obligations in respect of regional fishery organisations.
- (22) In view of the specific characteristics of many Mediterranean fisheries, which are restricted to certain geographical sub-zones, and taking into account the tradition of applying effort management system at sub-regional level, it is appropriate to provide for the establishment of Community and national management plans, combining in particular effort management with specific technical measures.
- (23) In order to ensure an efficient control of fishing activities, certain specific measures complementary to or more stringent than those provided by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽²⁾ should be taken. In particular, there is a need to lower the current threshold of 50 kg of live-weight equivalent, for species other than highly migratory and small pelagic species caught in the Mediterranean Sea that must be recorded in the logbook.
- (24) Since Community fisheries account for more than 75 % of the catches of the swordfish in the Mediterranean Sea, it is appropriate to lay down management measures. In order to ensure that these measures are effective, the technical measures for the conservation of certain stocks of highly migratory species should emanate from the competent regional fisheries organisations. Accordingly, the Commission should submit suitable proposals to the GFCM and the International Commission for the Conservation of Atlantic Tuna (ICCAT) as appropriate. The absence of an agreement within a specified period of time will not prevent the EU from adopting measures to this effect until a definitive agreement is reached on a multilateral basis.
- (25) Specific provisions concerning fishing in the waters around Malta have been introduced by Council Regulation (EC) No 813/2004, in accordance with the Act of Accession and in particular Article 21 and Annex III thereof. It is appropriate to maintain such provisions.

⁽¹⁾ OJ L 171, 6.7.1994, p. 1. Regulation as last amended by Regulation (EC) No 813/2004 (OJ L 185, 24.5.2004, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

(26) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.

(27) Amendments to the Annexes to this Regulation should also be adopted in accordance with Decision 1999/468/EC,

HAS ADOPTED THIS REGULATION:

CHAPTER I

SCOPE AND DEFINITIONS

Article 1

Scope

1. This Regulation shall apply:

- (a) to the conservation, management and exploitation of living aquatic resources where such activities are pursued
 - (i) in the maritime waters of the Mediterranean Sea to the east of the line 5 °36' W (hereinafter Mediterranean Sea) falling under the sovereignty or jurisdiction of Member States;
 - (ii) by Community fishing vessels in the Mediterranean Sea outside the waters referred to in (i);
 - (iii) by nationals of Member States, without prejudice to the primary responsibility of the flag State, in the Mediterranean Sea, outside the waters referred to in (i); and
- (b) to marketing of fishery products caught in the Mediterranean Sea.

2. This Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigations, which are carried out with the permission and under the authority of the Member State or Member States concerned.

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

- 1. 'towed gears' means any fishing gear, with the exclusion of troll lines, towed either by the engine power of the fishing vessel or hauled by means of winches with the fishing vessel either anchored or slowly under way, including in particular towed nets and dredges;
 - (a) 'towed nets' means trawl nets, boat seines and shore seines;

- (i) 'trawl nets' means nets which are actively towed by the main boat engine and consisting of a cone- or pyramid-shaped body (as trawl body) closed at the back by a cod-end and which can extend at the opening by the wings or can be mounted on a rigid frame. Horizontal opening is either obtained by otter boards or provided by a beam or frame of variable shape and size. Such nets can be towed either on the bottom (bottom trawl net) or in midwater (pelagic trawl net);

- (ii) 'boat seines' means surrounding nets and towed seines which are operated and hauled by means of ropes and winches from a boat under way or at anchor and not towed by means of the main boat engine, consist of two lateral wings and a central bunt either in the form of a spoon or with a bag in the rearmost part and may operate from the surface to the bottom depending on the target species;

- (iii) 'shore seines' means surrounding nets and towed seines set from a boat and operated from the shore;

- (b) 'dredges' means gears which are either actively towed by the main boat engine (boat dredge) or hauled by a motorised winch from an anchored vessel (mechanised dredge) to catch bivalves, gastropods or sponges and which consist of a net bag or metal basket mounted on a rigid frame or rod of variable size and shape whose lower part may carry a scraper blade that can be either rounded, sharp or toothed, and may or may not be equipped with skids and diving boards. Some dredges are equipped with hydraulic equipment (hydraulic dredges). Dredges pulled by hand or by manual winch in shallow waters with or without a boat to catch bivalves, gastropods or sponges (hand dredges) shall not be considered towed gears for the purpose of this Regulation;

- 2. 'fishing protected area' means a geographically-defined sea area in which all or certain fishing activities are temporarily or permanently banned or restricted in order to improve the exploitation and conservation of living aquatic resources or the protection of marine ecosystems;

- 3. 'bottom-set net' means a trammel net, a bottom-set gillnet or a combined bottom-set net;

- (a) 'trammel net' means any net made up of two or more pieces of net hung jointly in parallel on a single headline, fixed, or capable of being fixed by any means to the bottom of the sea;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

- (b) 'bottom-set gillnet' means any net made up of a single piece of net held vertically in the water by floats and weights fixed or capable of being fixed by any means to the bottom of the sea and maintain the gear in place either close to the bottom or floating in the water column;
- (c) 'combined bottom-set net' means any bottom-set gillnet combined with a trammel net which constitutes the lower part;
4. 'surrounding nets' means nets which catch fish by surrounding them both from the sides and from below. They may or may not be equipped with a purse line.
- (a) 'purse seines' means any surrounding net the bottom of which is drawn together by means of a purse line at the bottom of the net, which passes through a series of rings along the ground rope, enabling the net to be pursed and closed. Purse seines may be used to catch small pelagic species, large pelagic species or demersal species;
5. 'traps' means fishing gear which is fixed to or deployed on the bottom and which acts as a trap to catch marine species. They are constructed in the form of a basket, pot, barrel or cage, and in the majority of cases they comprise a rigid or semi-rigid frame made of various material (wood, wicker, metal rods, wire netting, etc.) that may or may not be covered with netting. They have one or more funnels or mouths with smooth ends that allow species to enter the internal chamber. They may be used separately or in groups. When used in groups a main line carries numerous traps on branch lines of variable length and spacing depending on the target species;
6. 'longlines' means a fishing gear which comprises a main line carrying numerous hooks on branch lines (snoods) of variable length and spacing depending on the target species. It may be deployed either vertically or horizontally to the sea surface; it may be set either at or near the bottom (bottom-set longline) or drifting in midwater or near the surface (surface longline);
7. 'hooks' means a bent, sharpened piece of steel wire usually with barb. The point of a hook may be either straight or even reversed and curved; the shank can be of varying length and form and its cross section can be round (regular) or flattened (forged). The total length of a hook shall be measured as the maximum overall length of the shank from the tip of the hook which serves for fastening the line and is usually shaped as an eye, to the apex of the bend. The width of a hook shall be measured as the greatest horizontal distance from the external part of the shank to the external part of the barb;
8. 'leisure fisheries' means fishing activities exploiting living aquatic resources for recreation or sport;
9. 'fishing aggregating devices (FADs)' means any equipment floating on the sea surface and aggregating underneath either juveniles or adult specimens of highly migratory species;
10. 'St Andrew's cross' is a grab which employs a scissor-like action to harvest either the bivalve mollusc *Pinna nobilis* or the red coral from the sea-bed;
11. 'seagrass bed' means an area where the seabed is characterised by the dominant presence of phanerogams, or where such vegetation has existed and is in need of restoration action. Seagrass is a collective terms for the species *Posidonia oceanica*, *Cymodocea nodosa*, *Zoostera marina* and *Zoostera noltii*;
12. 'coralligenous habitat' means an area where the seabed is characterised by the dominant presence of a specific biological community named 'coralligenous', or where such community has existed and is in need of restoration action. Coralligenous is a collective term for a very complex biogenic structure given by the continuous overlapping over a pre-existent rocky or hard substratum of calcareous strata mainly deriving from the building activity of encrusting calcareous coralline red algae and animal organisms such as Porifera, ascidians, cnidarians (horny corals, seafans, etc.), bryozoans, serpulids and annelids, together with other limestone-fixer organisms;
13. 'märl bed' means an area where the seabed is characterised by the dominant presence of a specific biological community named 'märl', or where such a community has existed and is in need of restoration action. Märl is a collective term for a biogenic structure due to several species of coralline red algae (Corallinaceae), which have hard calcium skeletons and grow as unattached free-living branched, twig-like or nodular coralline algae on the seabed, forming accumulations within the ripples of mudflats or sandflats seabeds. Märl beds are usually composed of one or a variable combination of red algae, in particular *Lithothamnion coralloides* and *Phymatolithon calcareum*;
14. 'direct restocking' means the activity of releasing live wild animals of selected species in waters where they occur naturally, in order to use the natural production of the aquatic environment to increase the number of individuals available for fisheries and/or to increase the natural recruitment;
15. 'transplantation' means the process by which a species is intentionally transported and released by humans within areas of established populations and continuing genetic flow where it occurs;
16. 'non-indigenous species' means a species whose historically known natural range occurs outside the area of interest;
17. 'introduction' means the process by which a non-indigenous species is intentionally moved and released by humans into any area which is outside of its historically known natural range.

CHAPTER II

PROTECTED SPECIES AND HABITATS

Article 3

Protected species

1. The deliberate catching, retention on board, transshipment or landing of marine species referred to in Annex IV to Directive 92/43/EEC shall be prohibited except when a derogation has been granted according to Article 16 of Directive 92/43/EEC.

2. Notwithstanding paragraph 1, the retention on board, transshipment or landing of specimens of marine species referred to in paragraph 1 which have been incidentally caught shall be authorised as far as this activity is necessary to secure assistance for the recovery of the individual animals and provided that the competent national authorities concerned have been duly informed in advance.

Article 4

Protected habitats

1. Fishing with trawl nets, dredges, purse seines, boat seines, shore seines or similar nets above seagrass beds of, in particular, *Posidonia oceanica* or other marine phanerogams shall be prohibited.

By way of derogation from the first subparagraph, the use of purse seines, boat seines or similar nets, whose overall drop and behaviour in fishing operations mean that the purse-line, the lead-line or the hauling ropes do not touch the seagrass bed, may be authorised within management plans provided for under either Articles 18 or 19 of this Regulation.

2. Fishing with trawl nets, dredges, shore seines or similar nets above coralligenous habitats and maërl beds shall be prohibited.

3. The use of towed dredges and trawl nets fisheries at depths beyond 1 000 m shall be prohibited.

4. The prohibition established in paragraphs 1, subparagraph 1 and paragraph 2 shall, from the date of entry into force of this Regulation, apply to all Natura 2000 sites, all special protected areas and all specially protected areas of Mediterranean interest (SPAMI) which have been designated for the purpose of the conservation of these habitats under either Directive 92/43/EEC or Decision 1999/800/EC.

5. By way of derogation from subparagraph 1 of paragraph 1, fishing by vessels of less than or equal to 12 metres overall length and engine power of less than or equal to 85 kW with bottom towed nets traditionally undertaken on *Posidonia* beds may be authorised by the Commission in accordance with the procedure provided in Article 30(2) of Regulation (EC) No 2371/2002 provided that:

- (i) the fishing activities concerned are regulated by a management plan provided for under Article 19 of this Regulation;

- (ii) the fishing activities concerned affect not more than 33 % of the area covered by seagrass beds of *Posidonia oceanica* within the area covered by the management plan;

- (iii) the fishing activities concerned affect not more than 10 % of seagrass beds in the territorial waters of the Member State concerned.

Fishing activities authorised pursuant to this paragraph shall:

- (a) fulfil the requirements of Article 8(1)(h), Article 9(3)(2) and Article 23;
- (b) be regulated in order to ensure that catches of species mentioned in Annex III are minimal.

However, Article 9(3)(1) shall not apply.

Whenever a fishing vessel, operating under the provisions of this paragraph, is withdrawn from the fleet with public funds the special fishing permit to undertake this fishing activity shall be withdrawn and shall not be reissued.

Member States concerned shall establish a monitoring plan and report to the Commission every three years from the entry into force of this Regulation on the status of the seagrass beds of *Posidonia oceanica* affected by bottom towed nets activities and the list of fishing vessels authorised. The first report shall be communicated to the Commission before 31 July 2009.

6. Member States shall take appropriate steps to ensure the collection of scientific information with a view to the identification and mapping of habitats to be protected under this Article.

CHAPTER III

FISHING PROTECTED AREAS

Article 5

Information procedure establishing fishing protected areas

Member States shall provide to the Commission, for the first time before 31 December 2007, information relevant to the establishment of fishing protected areas, and to the possible management measures to be applied therein, both in waters under their jurisdiction and beyond where the protection of nursery areas, of spawning grounds or of the marine ecosystem from harmful effects of fishing requires special measures.

Article 6

Community fishing protected areas

1. On the basis of information provided pursuant to Article 5 of this Regulation, as well as any other relevant information for the same purpose, the Council shall designate, within two years from the adoption of this Regulation, fishing protected areas occurring essentially beyond the territorial seas of Member States, concerning the types of fishing activities banned or authorised in such areas.

2. The Council may subsequently designate other fishing protected areas, or change their delimitation and management rules established therein, on the basis of new relevant scientific information.

3. Member States and the Commission shall take appropriate steps to ensure adequate collection of scientific information with a view to scientific identification and mapping of areas to be protected in accordance with this Article.

Article 7

National fishing protected areas

1. Member States shall designate, within two years from the adoption of this Regulation and on the basis of information provided pursuant to Article 5 of this Regulation, further fishing protected areas, with respect to the fishing protected areas already established by the time of entering into force of this Regulation, within their territorial waters in which fishing activities may be banned or restricted in order to conserve and manage living aquatic resources or maintain or improve the conservation status of marine ecosystems. The competent authorities of the Member States concerned shall decide on the fishing gears that may be used in those protected areas, as well as the appropriate technical rules which shall not be less stringent than Community legislation.

2. Member States may subsequently designate other fishing protected areas or change the delimitations and management rules established under paragraph 1 on the basis of new relevant scientific information. Member States and the Commission shall take appropriate steps to ensure adequate collection of scientific information with a view to scientific identification and mapping of areas to be protected in accordance with this Article.

3. The measures referred to in paragraphs 1 and 2 shall be notified to the Commission. In applying provisions in paragraphs 1 and 2, Member States shall inform the Commission of the scientific, technical, and legal reasons underpinning the requirement of special measures.

4. When a proposed fishing protected area within the territorial waters of a Member State is liable to affect the vessels of another Member State, it shall be designated only after the Commission, the Member State and the Regional Advisory Council concerned have been consulted in accordance with the procedure set out in Article 8(3) to (6) of Regulation (EC) No 2371/2002.

5. If the Commission considers that the fisheries management measures notified pursuant to paragraph 3 are not sufficient to ensure a high level of protection of resources and the environment, it may, after having consulted the Member State, ask it to amend the measure or may propose that the Council designate a fishing protected area or adopt fisheries management measures in respect of the waters concerned.

CHAPTER IV

RESTRICTIONS CONCERNING FISHING GEARS

Article 8

Prohibited fishing gears and practices

1. The following shall not be used for fishing or kept on board:

- (a) toxic, soporific or corrosive substances;
- (b) electric shock generators;
- (c) explosives;
- (d) substances that can explode if mixed;
- (e) towed devices for harvesting red coral or other type of corals or coral-like organisms;
- (f) pneumatic hammers or other percussive instruments for the collection, in particular, of bivalve molluscs digging within the rocks;
- (g) St Andrew's cross and similar grabs for harvesting, in particular, red coral or other type of corals or coral-like organisms;
- (h) panels of netting smaller than 40mm mesh size opening for bottom trawlers.

2. Bottom-set nets shall not be used to catch the following species: albacore (*Thunnus alalunga*), bluefin tuna (*Thunnus thynnus*), swordfish (*Xiphias gladius*), ray's bream (*Brama brama*), sharks (*Hexanchus griseus*; *Cetorhinus maximus*; Alopiidae; Carcharhinidae; Sphyrnidae; Isuridae and Lamnidae).

By way of derogation, accidental by-catches of no more than three specimens of the shark species referred to in the first subparagraph above may be retained on board or landed provided that they are not protected species under Community law.

3. The catching, keeping on board, transshipping, landing, storing, selling and displaying or offering for sale of date shell (*Lithophaga lithophaga*) and common piddock (*Pholas dactylus*) shall be prohibited.

4. Spear-guns shall be prohibited if used in conjunction with underwater breathing apparatus (aqualung) or at night from sunset to dawn.

5. The catching, keeping on board, transshipping, landing, storing, selling and displaying or offering for sale of berried female crawfish (*Palinuridae* spp.) and berried female lobster (*Homarus gammarus*) shall be prohibited. Berried female crawfish and berried female lobster shall be returned to sea immediately after accidental catching or may be used for direct restocking and transplantation within management plans established pursuant to either Articles 18 or 19 of this Regulation.

Article 9

Minimum mesh sizes

1. The use for fishing and the keeping on board of a towed net, a surrounding net or a gillnet shall be prohibited, unless the mesh size in that part of the net having the smallest meshes complies with paragraphs 3 to 6 of this Article.

2. The mesh size shall be determined by the procedures specified in Commission Regulation (EC) No 129/2003 ⁽¹⁾.

3. For towed nets, other than those referred to in paragraph 4, the minimum mesh size shall be:

- (1) until 30 June 2008: 40 mm;
- (2) from 1 July 2008, the net referred to in point 1 shall be replaced by a square-meshed net of 40 mm at the cod-end or, at the duly justified request of the shipowner, by a diamond meshed net of 50 mm.

In relation to the previous subparagraph, fishing vessels shall be authorised to use and keep on board only one of the two types of net;

(3) The Commission shall submit a report on the implementation of this paragraph to the European Parliament and the Council by 30 June 2012, on the basis of which as well as on the basis of the information delivered by Member States before 31 December 2011 it shall propose due adjustments where appropriate.

4. For trawl nets targeting sardine and anchovy, where these species account for at least 80 % of the catch in live weight after sorting, the minimum mesh size shall be 20 mm.

5. For surrounding nets the minimum mesh size shall be 14 mm.

6. (a) Bottom-set gillnets shall not have a mesh size opening smaller than 16 mm.

(b) For bottom-set gillnets targeting red sea bream, where this species accounts for at least 20 % of the catch in live weight, the minimum mesh size shall be 100 mm.

7. A Member State may allow a derogation from the provisions set out in paragraphs 3, 4 and 5 for boat seines and shore seines which are affected by a management plan as referred to in Article 19 and provided that the fisheries concerned are highly selective, have a negligible effect on the marine environment and are not affected by provisions in Article 4(5).

8. Member States shall provide up-to-date scientific and technical justifications for such a derogation.

⁽¹⁾ OJ L 22, 25.1.2003, p. 5.

Article 10

Minimum hook size

The use for fishing and the keeping on board of any longlines with hooks of a total length less than 3,95 cm and of a width less than 1,65 cm shall be prohibited for any fishing vessel using longlines and landing or having on board a quantity of red sea-bream (*Pagellus bogaraveo*) that constitutes more than 20 % of the catch in live weight after sorting.

Article 11

Attachments to and rigging of trawl nets

1. The mesh in any part of the net shall not be obstructed or otherwise effectively diminished except by devices permitted by Commission Regulation (EEC) No 3440/84 ⁽²⁾ or listed in Annex I(a) to this Regulation.

2. The rigging of trawl nets shall comply with the technical specifications laid down in Annex I(b) to this Regulation.

Article 12

Dimensions of fishing gears

It shall be prohibited to carry on board or to deploy at sea fishing gear not in compliance with the dimensions specified in Annex II.

Article 13

Minimum distances and depths for the use of fishing gears

1. The use of towed gears shall be prohibited within 3 nautical miles of the coast or within the 50 m isobath where that depth is reached at a shorter distance from the coast.

By way of derogation from the first subparagraph, the use of dredges shall be authorised within 3 nautical miles irrespective of the depth provided that the catch of species other than shellfish does not exceed 10 % of the total live weight of the catch.

2. The use of trawl nets shall be prohibited within 1,5 nautical miles of the coast. The use of boat dredges and of hydraulic dredges shall be prohibited within 0,3 nautical miles of the coast.

3. The use of purse seines shall be prohibited within 300 meters of the coast or within the 50 metres isobath where that depth is reached at a shorter distance from the coast.

A purse seine shall not be deployed at depths less than 70 % of the overall drop of the purse seine itself as measured in Annex II to this Regulation.

⁽²⁾ OJ L 318, 7.12.1984, p. 23. Regulation as last amended by Regulation (EEC) No 2122/89 (OJ L 203, 15.7.1989, p. 21).

4. The use of dredges for sponge fishing shall be prohibited within the 50 m isobath and shall not be undertaken within 0,5 nautical miles of the coast.

5. At the request of a Member State, the Commission, in accordance with the procedure provided in Article 30(2) of Regulation (EC) No 2371/2002, shall allow a derogation from paragraphs 1, 2 and 3, on condition that such derogation is justified by particular geographical constraints, such as the limited size of coastal platforms along the entire coastline of a Member State or the limited extent of trawlable fishing grounds, where the fisheries have no significant impact on the marine environment and affect a limited number of vessels, and provided that those fisheries cannot be undertaken with another gear and are subject to a management plan as referred to in Articles 18 or 19. Member States shall provide up-to-date scientific and technical justifications for such derogation.

6. By way of derogation from paragraph 2, trawl nets may be temporarily used until 31 December 2007 at a shorter distance from the coast than 1,5 nautical miles provided that depth is greater than the 50 metres isobath.

7. By way of derogation from paragraph 3, purse seines may be temporarily used until 31 December 2007 at a shorter distance from the coast than 300 metres or at a depth less than the 50 metres isobath but not less than the 30 metres isobath. Purse seine may be temporarily used, until 31 December 2007 at depths less than 70 % of the overall drop of the purse seine itself as measured in Annex II to this Regulation.

8. By way of derogation from paragraph 2, both boat dredges and hydraulic dredges may be temporarily used until 31 December 2007 at a shorter distance from the coast than 0,3 nautical miles.

9. The derogation referred to in paragraph 5 shall apply only to fishing activities already authorised by Member States and to vessels with a track record in the fishery of more than five years and shall not involve any future increase in fishing effort provided. A list of authorised fishing vessels and their characteristics shall be communicated to the Commission by 30 April 2007 and a comparison with the characteristics of this fleet on 1 January 2000 shall be reported.

In addition these fishing activities shall:

- (a) fulfil the requirements of Article 4, Article 8(1)(h), Article 9 (3)(2) and Article 23;
- (b) not interfere with the activities of vessels using gears other than trawls, seines or similar towed nets;
- (c) be regulated in order to ensure that catches of species mentioned in Annex III, with the exception of mollusc bivalves, are minimal;
- (d) not target cephalopods.

Member States concerned shall establish a monitoring plan and report to the Commission every three years from the entry into force of this Regulation. The first report shall be communicated to the Commission before 31 July 2009. In the light of these reports the Commission may take actions in accordance with Article 18 or Article 19(9) of this Regulation.

10. Derogations from paragraphs 1 and 2 shall be allowed for fisheries benefiting from a derogation under Article 4(5) of this Regulation and in accordance with the procedure provided in Article 30(2) of Regulation (EC) No 2371/2002.

11. By way of derogation from paragraph 2, the use of trawl nets between 0,7 and 1,5 nautical miles off the coast shall be authorised subject to the following conditions:

- sea-depth shall not be less than the 50 metres isobath,
- particular geographical constraints such as the limited size of coastal platforms along the entire coastline of the Member State or the limited extension of trawlable fishing grounds,
- no significant impact on the marine environment,
- compliance with subparagraph 3(a) and (b) of paragraph 9,
- it shall not entail any increase in fishing effort with respect to what is already authorised by Member States.

Member States shall notify to the Commission by 30 September 2007 the modalities for applying this derogation. This notification shall include a list of authorised fishing vessels and zones, as identified by geographic coordinates both on land and at sea.

Member States concerned shall monitor the fishing activities in the zones concerned and ensure a scientific evaluation. The results of the scientific evaluation shall be communicated to the Commission every three years from the entry into force of this Regulation. The first report shall be communicated to the Commission by 31 July 2009.

If the Commission, on the basis of the notifications provided by Member States in accordance with subparagraphs 2 and 3, or of new scientific advice, considers that the conditions for a derogation are not met, it may, after having consulted the Member State concerned, ask it to amend the derogation or may propose to the Council appropriate measures for the protection of the resources and the environment.

Article 14

Transitional derogations to the minimum mesh size and minimum distance from the coast for the use of fishing gears

1. Any fishing gear referred to in Article 9(3), (4) and (5), the minimum mesh size of which is smaller than that established therein, and the use of which is in accordance with national law

in force on 1 January 1994, may be used until 31 May 2010 even if it does not fulfil the requirements of Article 13(9).

2. Any fishing gear referred to in Article 13(1), (2) and (3), used at a shorter distance from the coast than that established therein, and the use of which is in accordance with national law in force on 1 January 1994, may be used until 31 May 2010 even if it does not fulfil the requirements of Article 13(9).

3. Paragraphs 1 and 2 apply unless the Council decides otherwise, acting by a qualified majority on a proposal from the Commission and in the light of scientific evidence.

CHAPTER V

MINIMUM SIZES OF MARINE ORGANISMS

Article 15

Minimum sizes of marine organisms

1. A marine organism which is smaller than the minimum size specified in Annex III (hereinafter undersized marine organisms) shall not be caught, retained on board, transhipped, landed, transferred, stored, sold, displayed or offered for sale.

2. The size of marine organisms shall be measured in accordance with Annex IV. If more than one method of measuring size is permitted, the marine organisms shall be deemed to be of the required size if at least one of the stipulated measurements is equal to or greater than the relevant minimum size.

3. Paragraph 1 shall not apply to fries of sardine landed for human consumption if caught by boat seines or shore seines and authorised in accordance with national provisions established in a management plan as referred to in Article 19, provided that the stock of sardine concerned is within safe biological limits.

Article 16

Direct restocking and transplantation

1. By way of derogation from Article 15, undersized marine organisms may be caught, retained on board, transhipped, landed, transferred, stored, sold, displayed or offered for sale live for the purpose of direct restocking or transplantation with the permission and under the authority of the Member State where those activities take place.

2. Member States shall ensure that the capture of undersized marine organisms for the purposes referred to in paragraph 1 is carried out in a manner that is compatible with any Community management measure applicable to the species concerned.

3. Marine organisms caught for the purposes specified in paragraph 1 shall be either returned to the sea or be used for extensive aquaculture. If subsequently recaptured, they may be

sold, stored, displayed or offered for sale providing that they meet the requirements specified in Article 15.

4. The introduction and transplantation of and direct restocking with non-indigenous species shall be prohibited except when carried out according to paragraph (b) of Article 22 of Council Directive 92/43/EEC.

CHAPTER VI

NON-COMMERCIAL FISHING

Article 17

Leisure fisheries

1. The use of towed nets, surrounding nets, purse seines, boat dredges, mechanised dredges, gillnets, trammel nets and combined bottom-set nets shall be prohibited for leisure fisheries. The use of longlines for highly migratory species shall also be prohibited for leisure fisheries.

2. Member States shall ensure that leisure fisheries are conducted in a manner compatible with the objectives and rules of this Regulation.

3. Member States shall ensure that catches of marine organisms resulting from leisure fisheries are not marketed. Nevertheless, by way of exception, the marketing of species caught in sportive competitions may be authorised provided that the profits from their sale are used for charitable purposes.

4. Member States shall take measures both to record and to ensure separate collection of data on catches resulting from leisure fisheries in respect of the highly migratory species listed in Annex I to Council Regulation (EC) 973/2001⁽¹⁾ and occurring in the Mediterranean.

5. Member States shall regulate underwater fishing with spearguns in particular to fulfil the obligations set out in Article 8(4).

6. Member States shall inform the Commission of all measures adopted pursuant to this Article.

CHAPTER VII

MANAGEMENT PLANS

Article 18

Community-level management plans

1. The Council may adopt management plans for specific Mediterranean fisheries, in particular, in areas totally or partially beyond the territorial waters of Member States. These plans may, in particular, include:

(a) fishing effort management measures;

⁽¹⁾ OJ L 137, 19.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 831/2004 (OJ L 127, 29.4.2004, p. 33).

- (b) specific technical measures, including where appropriate temporary derogations to the rules of this Regulation when such derogations are necessary for the operation of the fisheries and provided that the sustainable exploitation of the concerned resources is ensured by the management plan;
- (c) the extension of compulsory use of vessel monitoring systems or similar systems for vessels between 10 m and 15 m in length overall;
- (d) temporary or permanent restrictions to zones, reserved to certain gears or to vessels having undertaken obligations in the framework of the management plan.

Management plans shall provide for the issuing of special fishing permits in accordance with Regulation (EC) No 1627/94 ⁽¹⁾.

Notwithstanding the provisions of Article 1(2) of Regulation (EC) No 1627/94, vessels of an overall length of less than 10 m may be required to have a special fishing permit.

2. Member States and/or a Regional Advisory Council for the Mediterranean Sea may submit suggestions to the Commission on matters relating to the setting up of management plans. The Commission shall reply to such requests within three months of receipt.

3. Member States and the Commission shall ensure adequate scientific monitoring of the management plans. In particular, certain management measures for fisheries exploiting short-life species shall be revised each year to take into account changes that are likely to occur in the recruitment strength.

Article 19

Management plans for certain fisheries in territorial waters

1. Member States shall adopt, by 31 December 2007, management plans for fisheries conducted by trawl nets, boat seines, shore seines, surrounding nets and dredges within their territorial waters. Article 6(2), (3) and (4), first subparagraph, of Regulation (EC) No 2371/2002 shall apply to those management plans.

2. Member States may subsequently designate other management plans on the basis of new relevant scientific information.

3. Member States shall ensure adequate scientific monitoring of the management plans. In particular, certain management measures for fisheries exploiting short-life species shall be revised each year to take into account changes that are likely to occur in the recruitment strength.

4. Management plans may include measures which go beyond the provisions of this Regulation for the purpose of:

- (a) increasing the selectivity of fishing gear;
- (b) reducing discards;
- (c) limiting the fishing effort.

5. The measures to be included in the management plans shall be proportionate to the objectives, the targets and the expected time frame, and shall have regard to:

- (a) the conservation status of the stock or stocks;
- (b) the biological characteristics of the stock or stocks;
- (c) the characteristics of the fisheries in which the stocks are caught;
- (d) the economic impact of the measures on the fisheries concerned.

6. Management plans shall provide for the issuing of special fishing permits in accordance with Regulation (EC) No 1627/94.

Notwithstanding the provisions of Article 1(2) of Regulation (EC) No 1627/94, vessels of an overall length of less than 10 m may be required to have a special fishing permit.

7. Management plans referred to in paragraph 1 shall be notified to the Commission by 30 September 2007 for it to present its observations before the plan is adopted. Management plans referred to in paragraph 2 shall be notified to the Commission six months in advance of the foreseen date of entry into force. The Commission shall communicate the plans to the other Member States.

8. Where a management plan is likely to affect the vessels of another Member State, it shall be adopted only after consultation of the Commission, the Member State and the Regional Advisory Council concerned in accordance with the procedure set out in Article 8(3) to (6) of Regulation (EC) No 2371/2002.

9. If the Commission, on the basis of the notification referred to in paragraph 7 or of new scientific advice, considers that a management plan adopted pursuant to either paragraph 1 or paragraph 2 is not sufficient to ensure a high level of protection of resources and the environment, it may, after having consulted the Member State, ask it to amend the plan or may propose to the Council appropriate measures for the protection of the resources and the environment.

CHAPTER VIII

CONTROL MEASURES

Article 20

Catch of target species

1. The percentages referred to in Article 9(4) and (6), Article 10 and Article 13(1) shall be calculated as the proportion by live weight of all living aquatic organisms on board after sorting or on landing. They may be calculated on the basis of one or more representative samples.

2. In the case of fishing vessels from which quantities of living aquatic organisms have been transhipped, the quantities transhipped shall be taken into account when calculating the percentages referred to in paragraph 1.

⁽¹⁾ OJ L 171, 6.7.1994, p. 7.

*Article 21***Transhipment**

Only masters of fishing vessels who complete a logbook in accordance with Article 6 of Regulation (EEC) No 2847/93 may tranship living aquatic organisms to other vessels, or receive transhipments of such organisms from other vessels.

*Article 22***Designated ports**

1. Catches of bottom trawlers, pelagic trawlers, purse seines, surface longliners, boat dredges and hydraulic dredges shall be landed and marketed for the first time only at any of the ports designated by the Member States.

2. Member States shall notify to the Commission by 30 April 2007 a list of designated ports. The Commission shall transmit the list to the other Member States.

*Article 23***Monitoring of catches**

In Article 6(2) of Regulation (EEC) No 2847/93 the second sentence shall be replaced by the following:

‘For the fisheries operations in the Mediterranean Sea any amount greater than 15 kg of live-weight equivalent retained on board of any species indicated on a list adopted in conformity with paragraph 8 must be recorded in the logbook.

However, for highly migratory species and small pelagic species any amount greater than 50 kg of live-weight equivalent must be recorded in the logbook.’.

*Article 24***Register of vessels authorised to fish in the GFCM Agreement area**

1. Before 1 June 2007 each Member State shall send the Commission, through the accustomed data-processing support, a list of the vessels of more than 15 metres overall length flying its flag and registered in its territory that it authorises to fish in the GFCM area by issue of a fishing permit.

2. The list indicated in paragraph 1 shall include the following information:

- (a) vessel's Community fleet register number (CFR), and external marking as defined in Annex I to Council Regulation (EC) No 26/2004 ⁽¹⁾;
- (b) period authorised for fishing and/or transhipment;
- (c) fishing gears used.

3. The Commission shall send the list to the GFCM Executive Secretariat before 1 July 2007 so that these vessels can be entered on the GFCM register of vessels more than 15 metres in overall length authorised to fish in the GFCM Agreement area (hereinafter referred to as the GFCM register).

4. Any change to be made to the list indicated in paragraph 1 shall be notified to the Commission for transmission to the GFCM Executive Secretariat, the same procedure applying, at least 10 working days before the vessel begins fishing activity in the GFCM area.

5. Community fishing vessels more than 15 metres in overall length that are not entered on the list indicated in paragraph 1 shall not fish, retain on board, tranship or land any type of fish or shellfish within the GFCM area.

6. Member States shall take the necessary measures to ensure that:

- (a) only vessels flying their flag that are included in the list indicated in paragraph 1 and hold on board a fishing permit issued by them are authorised, under the terms of the permit, to carry out fishing activities in the GFCM area;
- (b) no fishing permit is issued to vessels that have carried out illegal, unregulated and unreported fishing in the GFCM area or elsewhere (IUU fishing), unless the new owners provide adequate documentary evidence that the previous owners and operators have no longer any legal, beneficial or financial interest in, or exercise any control over, their vessels, or that their vessels neither take part in nor are associated with IUU fishing;
- (c) to the extent possible, their national legislation prohibits owners and operators of vessels flying their flag that are included in the list indicated in paragraph 1 from taking part in or being associated with fishing activities in the GFCM Agreement area by vessels not on the GFCM register;
- (d) to the extent possible, their national legislation requires owners of vessels flying their flag that are included in the list indicated in paragraph 1 to be nationals or legal entities within the flag Member State;
- (e) their vessels comply with all the relevant GFCM conservation and management measures.

7. Member States shall take the necessary measures to prohibit fishing, retention on board, transhipment and landing of fish and shellfish caught in the GFCM area by vessels more than 15 metres in overall length that are not on the GFCM register.

8. Member States shall without delay pass on to the Commission any information showing that there are strong reasons for suspecting that vessels more than 15 metres in overall length that are not on the GFCM register are fishing for or transhipping fish and shellfish in the GFCM Agreement area.

⁽¹⁾ OJ L 5, 9.1.2004, p. 25.

CHAPTER IX

MEASURES FOR HIGHLY MIGRATORY SPECIES*Article 25***Swordfish fisheries**

The Council shall decide on technical measures for the protection of juvenile swordfish in the Mediterranean Sea before 31 December 2007.

CHAPTER X

MEASURES FOR THE WATERS AROUND MALTA*Article 26***The 25-mile management zone around Malta**

1. The access of Community vessels to the waters and resources in the zone extending up to 25 nautical miles from baselines around the Maltese islands (hereinafter the management zone) shall be regulated as follows:

- (a) fishing within the management zone shall be limited to fishing vessels smaller than 12 metres overall length using other than towed gears;
- (b) the total fishing effort of those vessels, expressed in terms of the overall fishing capacity, shall not exceed the average level observed in 2000-2001 that corresponds to 1 950 vessels with an overall engine power and tonnage of 83 000 kW and 4 035 GT respectively.

2. By way of derogation from paragraph 1(a), trawlers not exceeding an overall length of 24 metres shall be authorised to fish in certain areas within the management zone, as described in Annex V(a) to this Regulation, subject to the following conditions:

- (a) the overall fishing capacity of the trawlers allowed to operate in the management zone must not exceed the ceiling of 4 800 kW;
- (b) the fishing capacity of any trawler authorised to operate at a depth of less than 200 metres must not exceed 185 kW; the isobath of 200 metres of depth shall be identified by a broken line, the waypoints of which are listed in Annex V (b) to this Regulation;
- (c) trawlers fishing in the management zone shall hold a special fishing permit in accordance with Article 7 of Regulation (EC) No 1627/94 laying down general provisions concerning special fishing permits and shall be included in a list containing their external marking and vessel's Community fleet register number (CFR) as defined in Annex I to Regulation (EC) No 26/2004 to be provided to the Commission annually by the Member States concerned;
- (d) the capacity limits laid down in points (a) and (b) shall be periodically re-evaluated, following advice from relevant scientific bodies concerning their effects on the conservation of stocks.

3. If the overall fishing capacity referred to in paragraph 2(a) exceeds the overall fishing capacity of trawlers with an overall length equal to, or less than, 24 metres and operating in the management zone in the reference period 2000-2001 (hereinafter referred to as the reference fishing capacity), the Commission shall, in accordance with the procedure laid down in Article 29, allocate this surplus of available fishing capacity between the Member States taking into account the interest of the Member States requesting an authorisation.

The reference fishing capacity corresponds to 3 600 kW.

4. Special fishing permits for the surplus of available fishing capacity referred to in paragraph 3 shall be issued only to vessels included in the Community fleet register at the date of application of this Article.

5. If the overall fishing capacity of the trawlers authorised to operate in the management zone in accordance with paragraph 2(c) exceeds the ceiling laid down in paragraph 2(a), because that ceiling has been lowered after the revision provided for in paragraph 2(d), the Commission shall allocate fishing capacity between Member States on the following basis:

- (a) fishing capacity in kW corresponding to vessels having fished in the zone during the period 2000-2001 shall rank first;
- (b) fishing capacity in kW corresponding to vessels having fished at any other time in the zone shall rank second;
- (c) any remaining fishing capacity for other vessels shall be divided between the Member States taking into account the interests of the Member States requesting an authorisation.

6. By way of derogation from paragraph 1(a), vessels fishing with purse seines or longlines and vessels fishing for dolphinfish in accordance with Article 27 shall be authorised to operate within the management zone. They shall be granted a special fishing permit in accordance with Article 7 of Regulation (EC) No 1627/94 and shall be included in a list containing their external marking and vessel's Community fleet register number (CFR) as defined in Annex I to Regulation (EC) No 26/2004, to be provided to the Commission by each Member State. The fishing effort shall anyhow be controlled in order to safeguard the sustainability of these fisheries in the zone.

7. The master of any trawler authorised to fish in the management zone in accordance with paragraph 2 which is not equipped with VMS shall signal each entry into and exit from the management zone to its authorities and to the authorities of the coastal state.

*Article 27***Dolphinfish fishery**

1. It shall be prohibited to fish dolphinfish (*Coryphaena* spp.) within the management zone by fish aggregating devices (FADs) from 1 January to 5 August each year.

2. The number of vessels participating in the dolphinfish fishery within the zone shall not exceed 130.

3. The Maltese authorities shall establish FAD course lines and allocate each FAD course line to Community fishing vessels at the latest by that 30 June each year. Community fishing vessels flying a flag other than of Malta shall not be authorised to operate a FAD course line within the 12-mile zone.

The Commission shall, in accordance with the procedure laid down in Article 29, establish the criteria to be applied for the establishment and allocation of FAD course lines.

4. Fishing vessels authorised to participate in dolphinfish fishery shall be granted a special fishing permit in accordance with Article 7 of Regulation (EC) No 1627/94 and shall be included in a list containing their external marking and vessel's Community fleet register number (CFR) as defined in Annex I to Regulation (EC) No 26/2004 to be provided to the Commission by the Member State concerned. Notwithstanding the provisions of Article 1(2) of Regulation (EC) No 1627/94, vessels of an overall length of less than 10 metres shall be required to have a special fishing permit.

CHAPTER XI

FINAL PROVISIONS

Article 28

Decision-making procedure

Except where otherwise provided for in this Regulation, the Council shall act in accordance with the procedure referred to in Article 37 of the Treaty.

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

Done at Brussels, 21 December 2006.

Article 29

Implementing rules

Detailed rules for the implementation of Articles 26 and 27 of this Regulation shall be adopted in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.

Article 30

Amendments

Amendments to the Annexes shall be adopted in accordance with the procedure referred to in Article 30(3) of Regulation (EC) No 2371/2002.

Article 31

Repeal

Regulation (EC) No 1626/94 is repealed.

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 VI.

Article 32

Entry into force

This Regulation shall enter into force on the 30th day following its publication in the *Official Journal of the European Union*.

For the Council

The President

J. KORKEAOJA

ANNEX I

Technical conditions for attachments to and rigging of trawl nets

Definitions

For the purposes of this Annex:

- (a) 'multiple twine netting' means netting constructed of two or more twines, where the twines can be separated between the knots without damage to the twine structure;
- (b) 'knotless netting' means netting which is composed of meshes of four sides of approximately equal length in which the corners of the meshes are formed by the interweaving of the twines of two adjacent sides of the mesh;
- (c) 'square-meshed netting' means a construction of netting mounted so that of the two sets of parallel lines formed by the mesh bars, one set is parallel to and the other at right angles to the long axis of the net;
- (d) 'the trawl body' means the tapered section in the front part of a trawl net;
- (e) 'the extension piece' means the untapered section, made of one or more panels, between the trawl body and the cod-end;
- (f) 'the cod-end' means the rearmost part of a trawl net, of net of the same mesh size, having either a cylindrical or a tapering shape, whose transversal cross-sections are nearly a circle of the same or decreasing radius respectively;
- (g) 'balloon cod-end' means any cod-end composed of one or more adjoining panels, of net of the same mesh size, whose number of meshes increases going to the rearmost part of the gear causing an extension of the transversal length, with respect to the longitudinal axis of the net, and of the circumference of the cod-end;
- (h) 'pocket type cod-end' means any cod-end whose vertical height diminishes towards the rearmost part of the cod-end and whose transversal cross-sections are nearly an ellipse of the same or decreasing major axis. The rearmost part of the cod-end is either composed by a single folded panel or by transversally lacing together, with respect to the longitudinal axis of the net, the rearmost upper and lower panels;
- (i) 'transversal lacing rope' means any external or internal rope running transversally, with respect to the longitudinal axis of the net, in the rearmost part of the cod-end either along the join between two upper and lower panels or along the bend of the single rearmost panel. It can be either a prolongation of the lateral lacing rope or a separate rope;
- (j) 'circumference-perimeter' of any cross section in a diamond mesh netting of a trawl net shall be calculated as the number of meshes in that cross section multiplied by the stretched mesh size;
- (k) 'circumference-perimeter' of any cross section in a square mesh netting of a trawl net shall be calculated as the number of meshes in that cross section multiplied by the mesh side length.

(A) *Authorised attachments to trawl nets*

1. Notwithstanding Article 8 of Regulation (EEC) No 3440/84 either a transversal, with respect to the longitudinal axis of the net, or lengthways zip-fastener mechanical device may be used to close the opening for emptying the pocket-type cod-end.
2. The transversal zip-fastener shall be attached at a distance which is not more than 1 metre from the rear meshes of the cod-end.

(B) *Rigging requirements*

1. A balloon cod-end shall be prohibited in trawl nets. Within any single cod-end the number of equal sized meshes around any circumference of the cod-end shall not increase from the front end to the rear end.
2. The circumference of the rearmost part of the trawl body (the tapered section) or of the extension piece (the untapered section) shall not be smaller than the circumference of the front end of the cod-end *sensu stricto*. In the case of a square mesh cod-end, in particular, the circumference of the rearmost part of the trawl body or of the extension piece shall be from two to four times the circumference of the front end of the cod-end *sensu stricto*.

3. Square mesh panels may be inserted into any towed net and shall be placed in front of any extension piece or at any point between the front of any extension piece and the posterior of the cod-end. It shall not be obstructed in any way by either internal or external attachments. It shall be constructed of knotless netting or of netting constructed with non-slip knots, and shall be inserted in such a way that the meshes remain fully open at all times while fishing. Detailed rules for further technical specifications of square mesh panels shall be adopted in accordance with the procedure laid down in Article 29 of this Regulation.
 4. Analogously, technical devices with a view of improving selectivity of trawl nets, other than that referred to in point (b) 3, may be authorised in accordance with the procedure referred to in Article 29 of this Regulation.
 5. The carrying on board or the use of any towed net the cod-end of which is constructed wholly or in part of any type of netting material made of meshes other than square mesh or diamond mesh shall be prohibited unless authorised in accordance with the procedure referred to in Article 29 of this Regulation.
 6. Paragraphs 4 and 5 shall not apply to any boat seine the cod-end of which has a mesh size smaller than 10 mm.
 7. By way of modification of Article 6(4) of Regulation (EEC) No 3440/84 the mesh size of the strengthening bag shall not be less than 120 mm for bottom trawlers if the cod-end mesh is smaller than 60 mm. This provision shall apply only to the Mediterranean Sea and shall be without prejudice to other Community waters. If the cod-end mesh size is equal to or greater than 60 mm then Article 6(4) of Regulation (EEC) No 3440/84 shall apply.
 8. The pocket type cod-end shall not have more than one opening to empty.
 9. The length of the transversal lacing rope shall be not less than 20 % of the circumference of the cod-end.
 10. The circumference of the strengthening bag, as defined in Article 6 of Regulation No 3440/84, shall not be less than 1,3 times that of the cod-end for bottom trawl nets.
 11. The carrying on board or the use of any towed net constructed wholly or in part in the cod-end of single twine netting materials having a twine thickness of more than 3,0 millimetres shall be prohibited.
 12. The carrying on board or the use of any towed net constructed wholly or in part in the cod-end of netting materials consisting of multiple twines shall be prohibited.
 13. Netting materials having a twine thickness greater than 6 mm shall be prohibited in any part of a bottom trawl net.
-

ANNEX II

Requirements relating to the characteristics of fishing gear

Definitions

For the purposes of this Annex:

- (a) the length of nets shall be defined by the length of the float line. The length of bottom-set and drifting nets may be also defined on the basis of the weight or volume of its mass;
- (b) the drop of nets shall be defined as the sum of the height of the meshes (including knots) when wet and stretched perpendicular to the float line.

1. Dredges

The maximum breadth of dredges shall be 3 m, except in the case of dredges for sponge fishing.

2. Surrounding nets (purse seines and seines without purse lines)

The length of netting shall be restricted to 800 m and the drop to 120 m, except in the case of tuna seines.

3. Bottom-set nets

3.1. Trammel nets and bottom-set gillnets

- 1. The maximum drop of a trammel net shall not exceed 4 m.
- 2. The maximum drop of a bottom-set gillnet shall not exceed 10 m.
- 3. It shall be prohibited to have on board or set more than 6 000 m of trammel net, bottom-set gillnet per vessel, taking into account that, as from January 2008, in the case of a single fisherman, such nets may not exceed 4 000 metres, to which a further 1 000 metres may be added for a second fisherman and another 1 000 metres for a third one. Until 31 December 2007 such nets shall not exceed 5 000 metres in the case of single or a second fisherman and 6 000 metres for a third one.
- 4. Monofilament or twine diameter of the bottom-set gillnet shall not exceed 0,5mm.
- 5. By way of derogation from paragraph 2, a bottom-set gillnet of maximum length shorter than 500 m may have a maximum drop up to 30 m. It shall be prohibited to have on board or set more than 500 m of bottom-set gillnet when it exceeds the drop limit of 10 m as established in paragraph 2.

3.2. Combined bottom-set nets (trammel nets plus gillnets)

- 1. The maximum drop of a combined bottom-set net shall not exceed 10 m.
- 2. It shall be prohibited to have on board or set more than 2 500 m of combined nets per vessel.
- 3. Monofilament or twine diameter of the gillnet shall not exceed 0,5 mm.
- 4. By way of derogation from paragraph 1, a combined bottom-set net of maximum length of 500 m may have a maximum drop of 30 m. It shall be prohibited to have on board or set more than 500 m of combined bottom-set when it exceeds the drop limit of 10 m as established in paragraph 1.

4. Bottom-set longline

1. It shall be prohibited to have on board or set more than 1 000 hooks per person on board within the overall limit of 5 000 hooks per vessel.
2. By way of derogation from paragraph 1 each vessel undertaking fishing trips longer than three days may have on board a maximum number of 7 000 hooks.

5. Traps for deep-water crustacean fishery

It shall be prohibited to have on board or set more than 250 traps per vessel.

6. Surface-set longline (floating)

It shall be prohibited to have on board or set more than:

1. 2 000 hooks per vessel for vessels targeting bluefin tuna (*Thunnus thynnus*) where this species account for at least 70 % of the catch in live weight after sorting;
2. 3 500 hooks for vessels targeting swordfish (*Xyphias gladius*) where this species account for at least 70 % of the catch in live weight after sorting;
3. 5 000 hooks per vessel for vessels targeting albacore (*Thunnus alalunga*) where this species account for at least 70 % of the catch in live weight after sorting;
4. By way of derogation from subparagraphs 1, 2 and 3 each vessel undertaking fishing trips longer than two days may have on board an equivalent number of spare hooks.

7. Trawl nets

Technical specifications limiting the maximum dimension of floatline, groundrope, circumference or perimeter of trawl nets along with the maximum number of nets in multi-rig trawl nets shall be adopted, by October 2007, in accordance with the procedure laid down in Article 30 of this Regulation.

ANNEX III

Minimum sizes of marine organisms

Scientific name	Common name	Minimum size
1. Fishes		
<i>Dicentrarchus labrax</i>	Sea bass	25 cm
<i>Diplodus annularis</i>	Annular sea bream	12 cm
<i>Diplodus puntazzo</i>	Sharpsnout sea bream	18 cm
<i>Diplodus sargus</i>	White sea bream	23 cm
<i>Diplodus vulgaris</i>	Two-banded sea bream	18 cm
<i>Engraulis encrasicolus</i> (*)	European anchovy	9 cm
<i>Epinephelus</i> spp.	Groupers	45 cm
<i>Lithognathus mormyrus</i>	Stripped sea bream	20 cm
<i>Merluccius merluccius</i> (***)	Hake	20 cm
<i>Mullus</i> spp.	Red mullet	11 cm
<i>Pagellus acarne</i>	Spanish sea bream	17 cm
<i>Pagellus bogaraveo</i>	Red sea bream	33 cm
<i>Pagellus erythrinus</i>	Common pandora	15 cm
<i>Pagrus pagrus</i>	Common sea bream	18 cm
<i>Polyprion americanus</i>	Wreckfish	45 cm
<i>Sardina pilchardus</i> (**)	European sardine	11 cm
<i>Scomber</i> spp.	Mackerel	18 cm
<i>Solea vulgaris</i>	Common sole	20 cm
<i>Sparus aurata</i>	Gilt-head sea bream	20 cm
<i>Trachurus</i> spp.	Horse mackerel, scad	15 cm
2. Crustaceans		
<i>Homarus gammarus</i>	Lobster	300 mm TL 105 mm CL
<i>Nephrops norvegicus</i>	Norway lobster	20 mm CL 70 mm TL
<i>Palinuridae</i>	Crawfish	90 mm CL
<i>Parapenaeus longirostris</i>	Deep-water rose shrimp	20 mm CL
3. Mollusc bivalves		
<i>Pecten jacobaeus</i>	Scallop	10 cm

Scientific name	Common name	Minimum size
<i>Venerupis</i> spp.	Carpet clams	25 mm
<i>Venus</i> spp.	Venus shells	25 mm

TL = total length; CL = carapace length.

(*) Anchovy: Member States may convert the minimum size into 110 specimens per kg;

(**) Sardine: Member States may convert the minimum size into 55 specimens per kg;

(***) Hake: Nevertheless, until 31 December 2008 a margin of tolerance of 15 % of weight will be permitted for hake between 15 and 20 cm. This tolerance limit shall be complied with by both individual vessels, at sea or at the place of landing, and at the markets of first sale after landing. This limit shall also be complied with in any subsequent commercial transaction at national and international level.

ANNEX IV

Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster (*Nephrops norvegicus*) shall be measured as shown in Figure 2:
 - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
 - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
3. The size of a lobster (*Homarus gammarus*) shall be measured as shown in Figure 3:
 - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
 - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
4. The size of a crawfish (Palinuridae) shall be measured as shown in Figure 4 as the length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace.
5. The size of any bivalve mollusc shall be measured as shown in Figure 5, across the longest part of the shell.

Figure 1

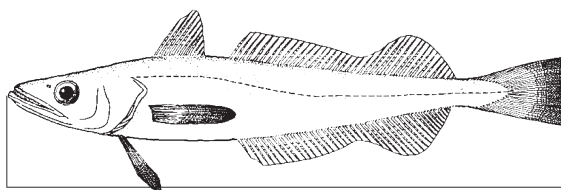
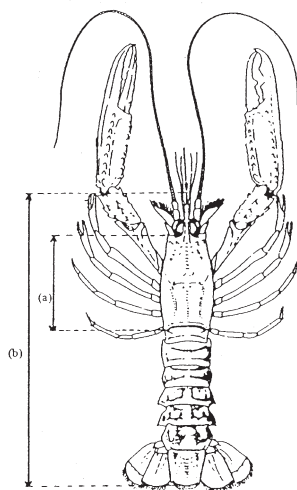


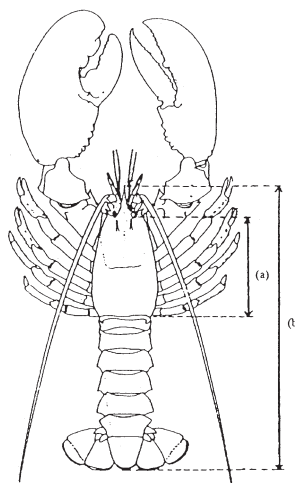
Figure 2



(Nephrops)

Norway lobster

Figure 3



(Homarus)

Lobster

- (a) Carapace length
(b) Total length

Figure 4

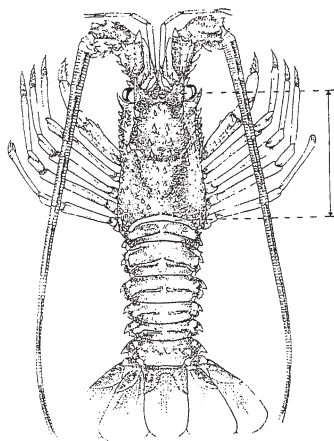
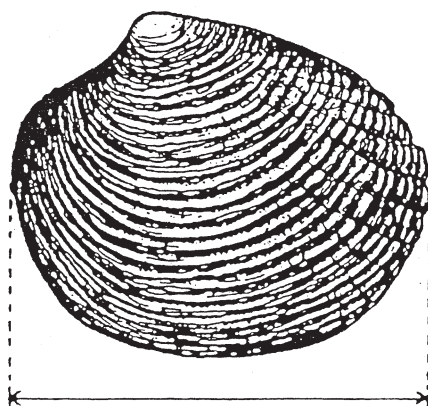


Figure 5



ANNEX V

25-mile management zone around Maltese Islands

(a) Authorised trawlable areas to the approaches of the Maltese islands: geographic coordinates

Zone A	Zone H
A1 — 36,0172°N, 4,1442°E	H1 — 35,6739°N, 14,6742°E
A2 — 36,0289°N, 14,1792°E	H2 — 35,4656°N, 14,8459°E
A3 — 35,9822°N, 14,2742°E	H3 — 35,4272°N, 14,7609°E
A4 — 35,8489°N, 14,3242°E	H4 — 35,5106°N, 14,6325°E
A5 — 35,8106°N, 14,2542°E	H5 — 35,6406°N, 14,6025°E
A6 — 35,9706°N, 14,2459°E	
Zone B	Zone I
B1 — 35,7906°N, 14,4409°E	I1 — 36,1489°N, 14,3909°E
B2 — 35,8039°N, 14,4909°E	I2 — 36,2523°N, 14,5092°E
B3 — 35,7939°N, 14,4959°E	I3 — 36,2373°N, 14,5259°E
B4 — 35,7522°N, 14,4242°E	I4 — 36,1372°N, 14,4225°E
B5 — 35,7606°N, 14,4159°E	
B6 — 35,7706°N, 14,4325°E	
Zone C	Zone J
C1 — 35,8406°N, 14,6192°E	J1 — 36,2189°N, 13,9108°E
C2 — 35,8556°N, 14,6692°E	J2 — 36,2689°N, 14,0708°E
C3 — 35,8322°N, 14,6542°E	J3 — 36,2472°N, 14,0708°E
C4 — 35,8022°N, 14,5775°E	J4 — 36,1972°N, 13,9225°E
Zone D	Zone K
D1 — 36,0422°N, 14,3459°E	K1 — 35,9739°N, 14,0242°E
D2 — 36,0289°N, 14,4625°E	K2 — 36,0022°N, 14,0408°E
D3 — 35,9989°N, 14,4559°E	K3 — 36,0656°N, 13,9692°E
D4 — 36,0289°N, 14,3409°E	K4 — 36,1356°N, 13,8575°E
	K5 — 36,0456°N, 13,9242°E
Zone E	Zone L
E1 — 35,9789°N, 14,7159°E	L1 — 35,9856°N, 14,1075°E
E2 — 36,0072°N, 14,8159°E	L2 — 35,9956°N, 14,1158°E
E3 — 35,9389°N, 14,7575°E	L3 — 35,9572°N, 14,0325°E
E4 — 35,8939°N, 14,6075°E	L4 — 35,9622°N, 13,9408°E
E5 — 35,9056°N, 14,5992°E	
Zone F	Zone M
F1 — 36,1423°N, 14,6725°E	M1 — 36,4856°N, 14,3292°E
F2 — 36,1439°N, 14,7892°E	M2 — 36,4639°N, 14,4342°E
F3 — 36,0139°N, 14,7892°E	M3 — 36,3606°N, 14,4875°E
F4 — 36,0039°N, 14,6142°E	M4 — 36,3423°N, 14,4242°E
	M5 — 36,4156°N, 14,4208°E
Zone G	Zone N
G1 — 36,0706°N, 14,9375°E	N1 — 36,1155°N, 14,1217°E
G2 — 35,9372°N, 15,0000°E	N2 — 36,1079°N, 14,0779°E
G3 — 35,7956°N, 14,9825°E	N3 — 36,0717°N, 14,0264°E
G4 — 35,7156°N, 14,8792°E	N4 — 36,0458°N, 14,0376°E
G5 — 35,8489°N, 14,6825°E	N5 — 36,0516°N, 14,0896°E
	N6 — 36,0989°N, 14,1355°E

(b) Geographic coordinates of some way-points along the 200m isobath within the 25-mile management zone

ID	Latitude	Longitude
1	36,3673°N	14,5540°E
2	36,3159°N	14,5567°E
3	36,2735°N	14,5379°E
4	36,2357°N	14,4785°E
5	36,1699°N	14,4316°E
6	36,1307°N	14,3534°E
7	36,1117°N	14,2127°E
8	36,1003°N	14,1658°E
9	36,0859°N	14,152°E
10	36,0547°N	14,143°E
11	35,9921°N	14,1584°E
12	35,9744°N	14,1815°E
13	35,9608°N	14,2235°E
14	35,9296°N	14,2164°E
15	35,8983°N	14,2328°E
16	35,867°N	14,4929°E
17	35,8358°N	14,2845°E
18	35,8191°N	14,2753°E
19	35,7863°N	14,3534°E
20	35,7542°N	14,4316°E
21	35,7355°N	14,4473°E
22	35,7225°N	14,5098°E
23	35,6951°N	14,5365°E
24	35,6325°N	14,536°E
25	35,57°N	14,5221°E
26	35,5348°N	14,588°E
27	35,5037°N	14,6192°E
28	35,5128°N	14,6349°E
29	35,57°N	14,6717°E
30	35,5975°N	14,647°E
31	35,5903°N	14,6036°E
32	35,6034°N	14,574°E
33	35,6532°N	14,5535°E
34	35,6726°N	14,5723°E
35	35,6668°N	14,5937°E
36	35,6618°N	14,6424°E

ID	Latitude	Longitude
37	35,653°N	14,6661°E
38	35,57°N	14,6853°E
39	35,5294°N	14,713°E
40	35,5071°N	14,7443°E
41	35,4878°N	14,7834°E
42	35,4929°N	14,8247°E
43	35,4762°N	14,8246°E
44	36,2077°N	13,947°E
45	36,1954°N	13,96°E
46	36,1773°N	13,947°E
47	36,1848°N	13,9313°E
48	36,1954°N	13,925°E
49	35,4592°N	14,1815°E
50	35,4762°N	14,1895°E
51	35,4755°N	14,2127°E
52	35,4605°N	14,2199°E
53	35,4453°N	14,1971°E

ANNEX VI

Correlation table

Regulation (EC) No 1626/94	Present Regulation
Article 1(1)	Article 1(1)
Article 1(2) first subparagraph	Article 7, Article 17 and Article 19
Article 1(2) second subparagraph	Article 3
Article 2(1) and (2)	Article 8
Article 2(3)	Article 13(5), Article 17 and Article 19
Article 3(1) first subparagraph	Article 13(1) first subparagraph and (5)
Article 3(1) second subparagraph	Article 13(5), Article 14(2) and (3), Article 19
Article 3(1) third (1a) subparagraph	Article 4, Article 13(9), Article 13(10), Article 19
Article 3(2)	Article 13(1) second subparagraph and (8) and Article 19
Article 3(3)	Article 4, Article 13(10) and Article 19
Article 3(4)	Article 13(3) and (7) and Article 19
Article 4	Article 7
Article 5	Article 12 and Annex II
Article 6(1) first subparagraph and Article 6(2)	Article 9(1) and (2)
Article 6(1) second subparagraph	Article 9(7), Article 14(1) and (3)
Article 6(3)	Annex II Definitions
Article 7	Article 22
Article 8(1) and (3)	Article 15, Annex III and Annex IV
Article 8a	Article 26
Article 8b	Article 27
Article 9	Article 1(2)
Article 10a	Article 29
Article 11	Article 32
Annex I	Article 3 and Article 4
Annex II	Article 11, Annex I and Annex II
Annex III	Article 9(3), (4) and (5)
Annex IV	Annex III
Annex V(b)	Annex V

**Corrigendum to Council Regulation (EC) No 1968/2006 of 21 December 2006 concerning
Community financial contributions to the International Fund for Ireland (2007 to 2010)**

(Official Journal of the European Union L 409 of 30 December 2006)

Regulation (EC) No 1968/2006 should read as follows:

**COUNCIL REGULATION (EC) No 1968/2006
of 21 December 2006
concerning Community financial contributions to the International Fund for Ireland (2007 to 2010)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) The International Fund for Ireland (hereinafter 'the Fund') was established in 1986 by the Agreement of 18 September 1986 between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the International Fund for Ireland (hereinafter the Agreement) in order to promote economic and social advance, and to encourage contact, dialogue and reconciliation between nationalists and unionists throughout Ireland, in implementation of one of the objectives specified by the Anglo-Irish Agreement of 15 November 1985.
- (2) The Community, recognising that the objectives of the Fund are a reflection of those pursued by itself, has provided financial contributions to the Fund from 1989. For the period 2005 to 2006 EUR 15 million was committed from the Community budget for each of the years 2005 and 2006 in accordance with Council Regulation (EC) No 177/2005 of 24 January 2005 on Community financial contributions to the International Fund for Ireland ⁽¹⁾. That Regulation will expire on 31 December 2006.
- (3) The assessments carried out in accordance with Article 5 of Regulation (EC) No 177/2005 have confirmed the need for further support for activities of the Fund, while continuing reinforcing synergy of objectives and coordination with Structural Funds interventions, in particular with the Special Programme for Peace and Reconciliation in

Northern Ireland and the Border Counties of Ireland (hereinafter the PEACE programme) set up in accordance with Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽²⁾.

- (4) The peace process in Northern Ireland requires a continuation of Community support to the Fund beyond 31 December 2006. In recognition of the special effort for the peace process, the PEACE programme has been allocated additional support from the Structural Funds for the period 2007 to 2013 pursuant to paragraph 22 of Annex II to Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999.
- (5) At its meeting in Brussels on 15 and 16 December 2005, the European Council called on the Commission to take the necessary steps with a view to continued Community support for the Fund as it enters the crucial final phase of its work up to 2010.
- (6) The main purpose of this Regulation is to support peace and reconciliation through a wider range of activities than those covered by the Structural Funds, and which extend beyond the scope of the Community's policy on economic and social cohesion.
- (7) The Community contribution to the Fund should take the form of financial contributions for the years 2007, 2008, 2009 and 2010, thus terminating at the same time as the life of the Fund.
- (8) In allocating the Community contribution, the Fund should give priority to projects of a cross-border or cross-community nature, in such a way as to complement the activities funded by the PEACE programme for the period 2007 to 2010.

⁽¹⁾ OJ L 30, 3.2.2005, p. 1.

⁽²⁾ OJ L 161, 26.6.1999, p. 1. Regulation as last amended by Regulation (EC) No 173/2005 (OJ L 29, 2.2.2005, p. 3) and repealed and replaced by Regulation (EC) No 1083/2006 (OJ L 210, 31.7.2006, p. 210) as of 1 January 2007.

- (9) In accordance with the Agreement, all financial contributors to the Fund participate as observers at the meetings of the Board of the International Fund for Ireland.
- (10) It is vital to ensure proper coordination between the activities of the Fund and those financed under the Community Structural Funds provided for by Article 159 of the Treaty, in particular the PEACE programme.
- (11) Assistance from the Fund should be regarded as effective only in so far as it brings about sustainable economic and social improvement and is not used as a substitute for other public or private expenditure.
- (12) An assessment reviewing the closure provisions of the Fund should be carried out before 1 July 2008.
- (13) A financial reference amount, within the meaning of Point 38 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾ is inserted in this Regulation for the entire duration of the programme, without the powers of the budgetary authority as defined by the Treaty being affected thereby.
- (14) The amount of the Community contribution to the Fund should be EUR 15 million for each of the years 2007, 2008, 2009, and 2010, expressed in current values.
- (15) The Fund strategy launched for the final phase of its activities (2006 to 2010) and entitled 'Sharing this Space' focuses on four key areas: building foundations for reconciliation in the most marginalised communities, building bridges for contact between divided communities, moving towards a more integrated society and leaving a legacy. Consequently, the ultimate aim of the Fund and of this Regulation is, therefore, to encourage inter-community reconciliation.
- (16) The Community support will contribute to reinforcing solidarity between the Member States and between their peoples.
- (17) The adoption of this Regulation is considered necessary to attain the objectives of the Community in the course of operation of the common market. Since the Treaty does not specifically provide the necessary powers, this Regulation should be adopted on the basis of Article 308 of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

The financial reference amount for the implementation of the International Fund for Ireland (hereinafter the Fund) for the period 2007 to 2010 shall be EUR 60 million.

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

Annual appropriations shall be authorised by the budgetary authority within the limit of the financial framework.

Article 2

The contribution shall be used by the Fund in accordance with the Agreement of 18 September 1986 between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the International Fund for Ireland (hereinafter the Agreement).

In allocating the contribution the Fund shall give priority to projects of a cross-border or cross-community nature, in such a way as to complement the activities financed by the Structural Funds, and especially those of the PEACE programme operating in Northern Ireland and the Border Counties of Ireland.

The contribution shall be used in such a way as to bring about sustainable economic and social improvement in the areas concerned. It shall not be used as a substitute for other public and private expenditure.

Article 3

The Commission shall represent the Community as an observer at the meetings of the Board of the Fund (hereinafter the Board).

The Fund shall be represented as an observer at the Monitoring Committee meetings of the PEACE programme, and of other Structural Funds interventions as appropriate.

Article 4

The Commission shall, in cooperation with the Fund's Board, determine appropriate procedures to foster coordination at all levels between the Fund and the managing authorities and implementing bodies set up under the Structural Funds interventions concerned, in particular under the PEACE programme.

Article 5

The Commission shall, in cooperation with the Fund's Board, determine appropriate publicity and information procedures in order to publicise the Community's contribution to the projects financed by the Fund.

Article 6

By 30 June 2008 at the latest, the Fund shall submit to the Commission its strategy for the closure of the activities of the Fund, including:

- (a) an action plan with projected payments and a foreseen winding up date;
- (b) a de-commitment procedure;

- (c) the treatment of any residual amounts and interest received at the closure of the Fund.

and shall continue payments as soon as they are considered justified.

Subsequent payments to the Fund are conditional on the Commission's approval of the closure strategy. If the strategy for closure is not submitted by 30 June 2008, payments to the Fund shall be interrupted until the strategy is received.

Article 7

1. The Commission shall administer the contributions.

Subject to paragraph 2 the annual contribution shall be paid in instalments as follows:

- (a) a first advance payment of 40 % shall be made after the Commission has received an undertaking, signed by the Chairman of the Fund's Board, to the effect that the Fund shall comply with the conditions for the grant of the contribution set out in this Regulation;
- (b) a second advance payment of 40 % shall be made six months later;
- (c) a final payment of 20 % shall be made after the Commission has received and accepted the Fund's annual activity report and audited accounts for the year in question.

2. Before paying out an instalment the Commission shall carry out an assessment of the Fund's financial needs on the basis of the Fund's cash balance at the time scheduled for each payment. If following that assessment, the Fund's financial needs do not justify payment of one of those instalments, the payment concerned shall be suspended. The Commission shall review that decision on the basis of new information provided by the Fund

Article 8

A contribution from the Fund may be allocated to an operation which receives or is due to receive financial assistance under a Structural Funds intervention, only if the sum of that financial assistance plus 40 % of the contribution from the Fund does not exceed 75 % of the operation's total eligible costs.

Article 9

A final report should be submitted to the Commission six months before the winding up date foreseen in the strategy for closure referred in point (a) of the first paragraph of Article 6 or six months after the last Community payment, whichever happens first, and should include all the necessary information that would enable the Commission to evaluate the implementation of the assistance and the attainment of the objectives.

Article 10

The final year contribution shall be paid following the financial needs analysis referred to in Article 7(2) and provided the Fund's performance respects the closure strategy provided for in Article 6.

Article 11

The final date of eligibility of expenditure is 31 December 2013.

Article 12

This Regulation shall enter into force on 1 January 2007.

It shall expire on 31 December 2010.

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

Done at Brussels, 21 December 2006.

For the Council

The President

J. KORKEAOJA

Corrigendum to Decision No 1/2006 of the EU-Bulgaria association Council 2006/1001/EC of 31 May 2006 concerning the improvement of the trade arrangements for processed agricultural products provided in Protocol 3 to the Europe Agreement

(Official Journal of the European Union L 409 of 30 December 2006)

Decision No 2006/1001/EC reads as follows:

DECISION No 1/2006 OF THE EU-BULGARIA ASSOCIATION COUNCIL

of 31 May 2006

concerning the improvement of the trade arrangements for processed agricultural products provided in Protocol 3 to the Europe Agreement

(2006/1001/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽¹⁾, and in particular Article 1(2) of Protocol 3 thereto,

Whereas:

- (1) Protocol 3, as replaced by the Protocol adjusting trade aspects of the Europe Agreement ⁽²⁾, lays down the trade arrangements for processed agricultural products between the Community and Bulgaria. Protocol 3 was last amended by Decision No 2/2002 of EU-Bulgaria Association Council ⁽³⁾.
- (2) New trade improvements have recently been negotiated to facilitate economic convergence in preparation for accession and lay down concessions in the form of complete liberalisation of trade for certain processed agricultural products, reduced duties or tariff quotas for others.
- (3) Under Article 1(2) of Protocol 3, the Association Council decides on any amendment to the duties referred to in Annexes I and II to the Protocol and on the increase in or abolition of tariff quotas. The duties applied may be reduced in response to reductions resulting from mutual concessions relating to processed agricultural products.
- (4) For the importation of certain goods no customs duties should be applied. For certain other goods tariff quotas should be opened; those quotas should be reduced by the quantities of goods subject to the tariff quotas applied from 1 October 2004 in accordance with Council Regulation (EC) No 1676/2004 of 24 September 2004 adopting autonomous and transitional measures concerning the

importation of certain processed agricultural products originating in Bulgaria and the exportation of certain processed products to Bulgaria ⁽⁴⁾ and in accordance with the Bulgarian Council of Minister's Decree No 262 of 27.9.2004 as last amended by Decree 293 of 2.11.2004.

- (5) For processed agricultural products no export refunds should be granted under Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾.
- (6) For processed agricultural products originating in Bulgaria and exported to the Community no export refunds should be granted,

HAS DECIDED AS FOLLOWS:

Article 1

From 1 October 2004, the customs duties set out in Annex I shall apply to the importation into the Community of goods originating in Bulgaria listed in that Annex.

From 1 October 2004, the customs duties set out in Annex II shall apply to the importation into Bulgaria of goods originating in the Community listed in that Annex.

Article 2

Processed agricultural products not listed in Annex I to the Treaty establishing the European Community originating in the Community and exported to Bulgaria shall not be eligible for export refunds granted under Regulation (EC) No 1043/2005.

⁽¹⁾ OJ L 358, 31.12.1994, p. 3.

⁽²⁾ OJ L 112, 29.4.1999, p. 3.

⁽³⁾ OJ L 18, 23.1.2003, p. 23.

⁽⁴⁾ OJ L 301, 28.9.2004, p. 1.

⁽⁵⁾ OJ L 172, 5.7.2005, p. 24.

Processed agricultural products not listed in Annex I to the Treaty originating in Bulgaria and exported to the Community shall not be eligible for export refunds in Bulgaria.

Where technical requirements need to be adopted as a consequence of the abolition of export refunds, they shall be decided, as the case may be, by the Commission or by Bulgarian legislation.

Article 3

The tariff quotas referred to in Annex III and Annex IV shall be opened from 1 October to 31 December 2004 and from 1 January to 31 December of the following years under the conditions laid down therein.

The volumes for the year 2004 shall be reduced on a pro rata basis according to the period, to one fourth, except for tariff quotas under order No 09.5463, No 09.5487 and No 09.5479.

The quantities benefiting from tariff quotas opened under Regulation (EC) No 1676/2004 and put in free circulation from 1 October 2004 shall be fully counted against the quantities provided in the tariff quotas set out in Annex III.

The quantities benefiting from tariff quotas under order No 09.5463, No 09.5487 and No 09.5479 opened under

Commission Regulation (EC) No 1446/2002 of 8 August 2002 on the suspension and opening of tariff quotas applicable to the importation into the Community of certain processed agricultural products originating in Bulgaria ⁽¹⁾, and put in free circulation from 1 January to 30 September 2004, shall be fully counted against the quantities provided in the corresponding tariff quotas set out in Annex III.

The quantities benefiting from tariff quotas in Bulgaria and put into free circulation from 1 October 2004 shall be fully counted against the quantities provided in the tariff quotas set out in Annex IV.

Article 4

This Decision shall enter into force on the first day of the month following that of its adoption.

Done at Brussels, 31 May 2006.

For the Association Council

The President

I. KALFIN

⁽¹⁾ OJ L 213, 9.8.2002, p. 3.

ANNEX I

Duties applicable upon imports into the Community of goods originating in Bulgaria

CN Code	Description	Duty			
		(3)	(4)	(5)	(6)
(1)	(2)	From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:				
0403 10	– Yoghurt:				
	– – Flavoured or containing added fruit, nuts or cocoa:				
	– – – In powder, granules or other solid forms, of a milk fat content, by weight:				
0403 10 51	– – – – Not exceeding 1,5 %	0 % + 64,1 EUR/ 100 kg	0	0	0
0403 10 53	– – – – Exceeding 1,5 % but not exceeding 27 %	0 % + 87,9 EUR/ 100 kg	0	0	0
0403 10 59	– – – – Exceeding 27 %	0 % + 113,9 EUR/ 100 kg	0	0	0
	– – – Other, of a milk fat content, by weight:				
0403 10 91	– – – – Not exceeding 3 %	0 % + 8,3 EUR/ 100 kg	0	0	0
0403 10 93	– – – – Exceeding 3 % but not exceeding 6 %	0 % + 11,4 EUR/ 100 kg	0	0	0
0403 10 99	– – – – Exceeding 6 %	0 % + 17,9 EUR/ 100 kg	0	0	0
0403 90	– Other:				
	– – Flavoured or containing added fruit, nuts or cocoa:				
	– – – In powder, granules or other solid forms, of a milkfat content, by weight:				
0403 90 71	– – – – Not exceeding 1,5 %	0 % + 64,1 EUR/ 100 kg	0	0	0
0403 90 73	– – – – Exceeding 1,5 % but not exceeding 27 %	0 % + 87,9 EUR/ 100 kg	0	0	0
0403 90 79	– – – – Exceeding 27 %	0 % + 113,9 EUR/ 100 kg	0	0	0
	– – – Other, of a milkfat content, by weight:				
0403 90 91	– – – – Not exceeding 3	0 % + 8,3 EUR/ 100 kg	0	0	0
0403 90 93	– – – – Exceeding 3 % but not exceeding 6 %	0 % + 11,4 EUR/ 100 kg	0	0	0
0403 90 99	– – – – Exceeding 6 %	0 % + 17,9 EUR/ 100 kg	0	0	0
0405	Butter and other fats and oils derived from milk; dairy spreads:				
0405 20	– Dairy spreads:				
0405 20 10	– – Of a fat content, by weight, of 39 % or more but less than 60 %	0	0	0	0
0509 00	Natural sponges of animal origin:				
0509 00 90	– Other	0	0	0	0
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:				
0710 40 00	– Sweet corn	0	0	0	0

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:				
0711 90	– Other vegetables; mixtures of vegetables:				
	– – Vegetables:				
0711 90 30	– – – Sweet corn	0	0	0	0
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products:				
	– Vegetable saps and extracts:				
1302 13 00	– – Of hops	0	0	0	0
1302 20	– Pectic substances, pectinates and pectates:				
1302 20 10	– – Dry	0	0	0	0
1302 20 90	– – Other	0	0	0	0
1505	Wool grease and fatty substances derived therefrom (including lanolin):				
1505 00 10	– Wool grease, crude	0	0	0	0
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading 1516:				
1517 10	– Margarine, excluding liquid margarine:				
1517 10 10	– – Containing, by weight, more than 10 % but not more than 15 % of milk fats	0 % + 19,1 EUR/100 kg	0 % + 12,7 EUR/100 kg	0 % + 6,3 EUR/100 kg	0
1517 90	– Other:				
1517 90 10	– – Containing, by weight, more than 10 % but not more than 15 % of milk fats	0 % + 19,1 EUR/100 kg	0	0	0
	– – Other:				
1517 90 93	– – – Edible mixtures or preparations of a kind used as mould-release preparations	1,9	0	0	0
1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurised, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included:				
1518 00 10	– Linxyn	0	0	0	0
1518 00 91	– – Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurised, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 1516	0	0	0	0
	– – Other:				
1518 00 95	– – – Inedible mixtures or preparations of animal or of animal and vegetable fats and oils and their fractions	0	0	0	0
1518 00 99	– – – Other	0	0	0	0
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured:				

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
1521 90	– Other:				
1521 90 99	– – – Other	0	0	0	0
1522 00	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes:				
1522 00 10	– Degras	0	0	0	0
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:				
1702 50 00	– Chemically pure fructose	0	0	0	0
1702 90	– Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose:				
1702 90 10	– – Chemically pure maltose	0	0	0	0
1704	Sugar confectionery (including white chocolate), not containing cocoa:				
1704 10	– Chewing gum, whether or not sugar-coated:				
	– – Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose):				
1704 10 11	– – – Gum in strips	0	0	0	0
1704 10 19	– – – Other	0	0	0	0
	– – Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose):				
1704 10 91	– – – Gum in strips	0	0	0	0
1704 10 99	– – – Other	0	0	0	0
1704 90	– Other:				
1704 90 10	– – Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	0	0	0	0
1704 90 30	– – White chocolate	0	0	0	0
	– – Other:				
1704 90 51	– – – Pastes, including marzipan, in immediate packings of a net content of 1 kg or more	0	0	0	0
1704 90 55	– – – Throat pastilles and cough drops	0	0	0	0
1704 90 61	– – – Sugar coated (panned) goods	0	0	0	0
	– – – Other:				
1704 90 65	– – – – Gum confectionery and jelly confectionery including fruit pastes in the form of sugar confectionery	0	0	0	0
1704 90 71	– – – – Boiled sweets whether or not filled	0	0	0	0
1704 90 75	– – – – Toffees, caramels and similar sweets	0	0	0	0
	– – – – Other:				
1704 90 81	– – – – – Compressed tablets	0	0	0	0
Ex17 04 90 99 (Code Taric 1704 90 99 10)	– – – – – Other (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	0	0	0	0
1806	Chocolate and other food preparations containing cocoa:				
1806 10	– Cocoa powder, containing added sugar or other sweetening matter:				

CN Code	Description	Duty			
		(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
1806 10 20	-- Containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	0	0	0
1806 10 30	-- Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	0	0	0
1806 20	- Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:				
1806 20 10	-- Containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat	0	0	0	0
1806 20 30	-- Containing a combined weight of 25 % or more, but less than 31 % of cocoa butter and milk fat	0	0	0	0
	-- Other:				
1806 20 50	---- Containing 18 % or more by weight of cocoa butter	0	0	0	0
1806 20 70	---- Chocolate milk crumb	0	0	0	0
ex 1806 20 80 (Code Taric 1806 20 80 10)	---- Chocolate flavour coating, (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	0	0	0	0
ex 1806 20 95 (Code Taric 1806 20 95 10)	---- Other, (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	0	0	0	0
	- Other, in blocks, slabs or bars:				
1806 31 00	-- Filled	(*)	0	0	0
1806 32	-- Not filled:				
1806 32 10	---- With added cereal, fruit or nuts	(*)	0	0	0
1806 32 90	---- Other	(*)	0	0	0
1806 90	- Other:				
	-- Chocolate and chocolate products:				
	---- Chocolates, whether or not filled:				
1806 90 11	----- Containing alcohol	(*)	0	0	0
1806 90 19	----- Other	(*)	0	0	0
	---- Other:				
1806 90 31	----- Filled	(*)	0	0	0
1806 90 39	----- Not filled	(*)	0	0	0
1806 90 50	-- Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	(*)	0	0	0
1806 90 60	-- Spreads containing cocoa	(*)	0	0	0
1806 90 70	-- Preparations containing cocoa for making beverages	(*)	0	0	0
Ex18 06 90 90 (Code Taric 1806 90 90 11 and 1806 90 90 91)	-- Other, (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	(*)	0	0	0

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:				
1901 10 00	– Preparations for infant use, put up for retail sale	0	0	0	0
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of heading 1905	0	0	0	0
1901 90	– Other:				
	– – Malt extract:				
1901 90 11	– – – With a dry extract content of 90 % or more by weight	0	0	0	0
1901 90 19	– – – Other	0	0	0	0
	– – Other:				
1901 90 91	– – – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404	0	0	0	0
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared:				
	– Uncooked pasta, not stuffed or otherwise prepared:				
1902 11 00	– – Containing eggs	0	0	0	0
1902 19	– – Other:				
1902 19 10	– – – Containing no common wheat flour or meal	0	0	0	0
1902 19 90	– – – Other	0	0	0	0
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared:				
	– – Other:				
1902 20 91	– – – Cooked	0	0	0	0
1902 20 99	– – – Other	0	0	0	0
1902 30	– Other pasta:				
1902 30 10	– – Dried	0	0	0	0
1902 30 90	– – Other	0	0	0	0
1902 40	– Couscous:				
1902 40 10	– – Unprepared	0	0	0	0
1902 40 90	– – Other	0	0	0	0
1903 00 00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	0	0	0	0

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included:				
1904 10	– Prepared foods obtained by the swelling or roasting of cereals or cereal products:				
1904 10 10	-- Obtained from maize	0	0	0	0
1904 10 30	-- Obtained from rice	0	0	0	0
1904 10 90	-- Other	0	0	0	0
1904 20	– Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:				
1904 20 10	-- Preparation of the Müsli type based on unroasted cereal flakes	0	0	0	0
	-- Other:				
1904 20 91	---- Obtained from maize	0	0	0	0
1904 20 95	---- Obtained from rice	0	0	0	0
1904 20 99	---- Other	0	0	0	0
1904 30 00	– Bulgur wheat	0	0	0	0
1904 90	– Other:				
1904 90 10	-- Rice	0	0	0	0
1904 90 80	-- Other	0	0	0	0
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:				
1905 10 00	– Crispbread	0	0	0	0
1905 20	– Gingerbread and the like:				
1905 20 10	-- Containing by weight less than 30 % of sucrose (including invert sugar expressed as sucrose)	0	0	0	0
1905 20 30	-- Containing by weight 30 % or more but less than 50 % of sucrose (including invert sugar expressed as sucrose)	0	0	0	0
1905 20 90	-- Containing by weight 50 % or more of sucrose (including invert sugar expressed as sucrose)	0	0	0	0
	– Sweet biscuits; waffles and wafers:				
1905 31	-- Sweet biscuits:				
	---- Completely or partially coated or covered with chocolate or other preparations containing cocoa:				
1905 31 11	----- In immediate packings of a net content not exceeding 85g	0	0	0	0
1905 31 19	----- Other	0	0	0	0
	---- Other:				
1905 31 30	----- Containing 8 % or more by weight of milk fats	0	0	0	0
	----- Other:				
1905 31 91	----- Sandwich biscuits	0	0	0	0
1905 31 99	----- Other	0	0	0	0
1905 32	-- Waffles and wafers:				
1905 32 05	---- with a water content exceeding 10 % by weight	0	0	0	0
	---- Other				

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
1905 32 11	----- Completely or partially coated or covered with chocolate or other preparations containing cocoa: ----- In immediate packings of a net content not exceeding 85g	0	0	0	0
1905 32 19	----- Other	0	0	0	0
	----- Other:				
1905 32 91	----- Salted, whether or not filled	0	0	0	0
1905 32 99	----- Other	0	0	0	0
1905 40	- Rusks, toasted bread and similar toasted products:				
1905 40 10	-- Rusks	0	0	0	0
1905 40 90	-- Other	0	0	0	0
1905 90	- Other:				
1905 90 10	-- Matzos	0	0	0	0
1905 90 20	-- Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	0	0	0	0
	-- Other:				
1905 90 30	--- Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5 % of sugars and not more than 5 % of fat	0	0	0	0
1905 90 45	--- Biscuits	0	0	0	0
1905 90 55	--- Extruded or expanded products, savoury or salted	0	0	0	0
	--- Other:				
1905 90 60	----- With added sweetening matter	0	0	0	0
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:				
2001 90	- Other:				
2001 90 30	-- Sweet corn (Zea mays var. saccharata)	0	0	0	0
2001 90 40	-- Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch	0	0	0	0
2001 90 60	-- Palm hearts	0	0	0	0
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:				
2004 10	- Potatoes:				
	-- Other:				
2004 10 91	--- In the form of flour, meal or flakes	0	0	0	0
2004 90	- Other vegetables and mixtures of vegetables:				
2004 90 10	-- Sweet corn(Zea mays var. saccharata)	0	0	0	0
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:				
2005 20	- Potatoes:				
2005 20 10	-- In the form of flour, meal or flakes	0	0	0	0
2005 80 00	- Sweet corn(Zea mays var. saccharata)	0	0	0	0
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:				
	- Nuts, groundnuts and other seeds, whether or not mixed together:				
2008 11	-- Groundnuts:				

CN Code	Description	Duty			
		(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
2008 11 10	--- Peanut butter	0	0	0	0
2008 91 00	-- Palm hearts	0	0	0	0
2008 99	-- Other:				
2008 99 85	----- Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	0	0	0	0
2008 99 91	----- Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch	0	0	0	0
2101	Extracts, essences and concentrates, of coffee, tea or maté, and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:				
	– Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:				
2101 11	-- Extracts, essences and concentrates:				
2101 11 11	---- With a coffee-based dry matter content of 95 % or more by weight	0	0	0	0
2101 11 19	---- Other	0	0	0	0
2101 12	-- Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:				
2101 12 92	---- Preparations with a basis of these extracts, essences or concentrates of coffee	0	0	0	0
2101 12 98	---- Other	0	0	0	0
2101 20	– Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté:				
2101 20 20	-- Extracts, essences or concentrates	0	0	0	0
	-- Preparations:				
2101 20 98	---- Other	0	0	0	0
2101 30	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:				
	-- Roasted chicory and other roasted coffee substitutes:				
2101 30 11	---- Roasted chicory	0	0	0	0
2101 30 19	---- Other	0	0	0	0
	-- Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:				
2101 30 91	---- Of roasted chicory	0	0	0	0
2101 30 99	---- Other	0	0	0	0
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 3002); prepared baking powders:				
2102 10	– Active yeasts:				
2102 10 10	-- Culture yeast	0	0	0	0
	-- Baker's yeast:				
2102 10 90	-- Other	0	0	0	0
2102 20	– Inactive yeasts; other single-cell micro-organisms, dead:				
	-- Inactive yeasts:				
2102 20 11	---- In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg.	0	0	0	0
2102 20 19	---- Other	0	0	0	0
2102 30 00	– Prepared baking powders	0	0	0	0

CN Code	Description	Duty			
(1)	(2)	(3)	(4)	(5)	(6)
		From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:				
2103 10 00	– Soya sauce	0	0	0	0
2103 20 00	– Tomato ketchup and other tomato sauces	2,5	0	0	0
2103 30	– Mustard flour and meal and prepared mustard:				
2103 30 90	– – Prepared mustard	0	0	0	0
2103 90	– Other:				
2103 90 90	– – Other	0	0	0	0
2104	Soups and broths and preparations therefor; homogenised composite food preparations:				
2104 10	– Soups and broths and preparation therefor:				
2104 10 10	– – Dried	3	0	0	0
2104 10 90	– – Other	3	0	0	0
2104 20 00	– Homogenised composite food preparations	3,6	0	0	0
2105 00	Ice cream and other edible ice, whether or not containing cocoa:				
2105 00 10	– Containing no milk fats or containing less than 3 % by weight of such fats	0 % + 13,5 EUR/ 100 kg MAX 17,4 % + 8,4 EUR/ 100 kg	0	0	0
2105 00 91	– Containing by weight of milk fats: – – 3 % or more but less than 7 %	0 % + 25,9 EUR/ 100 kg MAX 16,2 % + 6,3 EUR/ 100kg	0	0	0
2105 00 99	– – 7 % or more	0 % + 36,4 EUR/ 100 kg MAX 16 % + 6,2 EUR/ 100 kg	0	0	0
2106	Food preparations not elsewhere specified or included:				
2106 10	– Protein concentrates and textured protein substances:				
2106 10 20	– – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	0	0	0	0
2106 10 80	– – Other	0	0	0	0
2106 90	– Other:				
2106 90 10	– – Cheese fondues	0	0	0	0
2106 90 20	– – Compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages	0	0	0	0
2106 90 92	– – Other: – – – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	0	0	0	0
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009:				
2202 10 00	– Waters including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	0	0	0	0
2202 90	– Other:				

CN Code	Description	Duty			
		(3)	(4)	(5)	(6)
(1)	(2)	From 1.10. to 31.12.2004 (%)	From 1.1. to 31.12.2005 (%)	From 1.1. to 31.12.2006 (%)	From 1.1.2007 onward (%)
2202 90 10	-- Not containing products of headings 0401 to 0404 or fat obtained from products of headings 0401 to 0404	0	0	0	0
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:				
2205 10	– In containers holding 2 litres or less:				
2205 10 10	-- Of an actual alcoholic strength by volume of 18 % vol., or less	0	0	0	0
2205 90	– Other:				
2205 90 10	-- Of an actual alcoholic strength by volume of 18 % vol., or less	0	0	0	0
2403	Other manufactured tobacco and manufactured tobacco substitutes; 'homogenized' or 'reconstituted' tobacco; tobacco extracts and essences:				
2403 10	– Smoking tobacco, whether or not containing tobacco substitutes in any proportion:				
2403 10 10	-- In immediate packings of a net content not exceeding 500 g	50,5	33,7	16,8	0
2403 10 90	-- Other	50,5	33,7	16,8	0
	– Other:				
2403 91 00	-- 'Homogenized' or 'reconstituted' tobacco	11,1	7,4	3,7	0
2403 99	-- Other:				
2403 99 10	---- Chewing tobacco and snuff	28	18,7	9,3	0
2403 99 90	---- Other	11,1	7,4	3,7	0
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils:				
3301 90	– Other:				
3301 90 10	-- Terpenic by-products of the deterpenation of essential oils	0	0	0	0
	-- Extracted oleoresins:				
3301 90 90	-- Other	0	0	0	0
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as a raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:				
3302 10	– Of a kind used in the food or drink industries:				
	-- Of the kind used in the drink industries:				
	---- Preparations containing all flavouring agents characterising a beverage:				
	----- Other:				
3302 10 21	----- Containing no milkfats, sucrose, isoglucose, glucose, or starch or containing, by weight, less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch	0	0	0	0
3302 10 29	----- Other	0	0	0	0

(*) Trade provision laid down in Protocol 3 should continue to apply.

ANNEX II

Duties applicable upon imports into Bulgaria of goods originating in the Community

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:				
0403 10	– Yoghurt:				0
	– – Flavoured or containing added fruit, nuts or cocoa:				
	– – – In powder, granules or other solid forms, of a milk fat content, by weight:				
0403 10 51	– – – – Not exceeding 1,5 %	32	22,4	12,8	
0403 10 53	– – – – Exceeding 1,5 % but not exceeding 27 %	32	22,4	12,8	
0403 10 59	– – – – Exceeding 27 %	32	22,4	12,8	
	– – – Other, of a milk fat content, by weight:				
0403 10 91	– – – – Not exceeding 3 %	40	28	16	
0403 10 93	– – – – Exceeding 3 % but not exceeding 6 %	40	28	16	
0403 10 99	– – – – Exceeding 6 %	40	28	16	
0403 90	– Other:				
	– – Flavoured or containing added fruit, nuts or cocoa:				
	– – – In powder, granules or other solid forms, of a milkfat content, by weight:				
0403 90 71	– – – – Not exceeding 1,5 %	32	22,4	12,8	
0403 90 73	– – – – Exceeding 1,5 % but not exceeding 27 %	32	22,4	12,8	
0403 90 79	– – – – Exceeding 27 %	32	22,4	12,8	
	– – – Other, of a milkfat content, by weight:				
0403 90 91	– – – – Not exceeding 3 %	40	28	16	
0403 90 93	– – – – Exceeding 3 % but not exceeding 6 %	40	28	16	
0403 90 99	– – – – Exceeding 6 %	40	28	16	
0405	Butter and other fats and oils derived from milk; dairy spreads:				0
0405 20	– Dairy spreads:				
0405 20 10	– – Of a fat content, by weight, of 39 % or more but less than 60 %	5,6	3,2	0	
0405 20 30	– – Of a fat content, by weight, of 60 % or more but not exceeding 75 %	5,6	3,2	0	
0501 00 00	Human hair, unworked, whether or not washed or scoured; waste of human hair	0	0	0	0
0502	Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair:				

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
0502 10 00	– Pigs', hogs' or boars' bristles and hair and waste thereof	0	0	0	0
0502 90 00	– Other	0	0	0	0
0503 00 00	Horsehair and horsehair waste, whether or not put up as a layer with or without supporting material	0	0	0	0
0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers:	0	0	0	0
0506	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products:				
0506 10 00	– Ossein and bones treated with acid	0	0	0	0
0506 90 00	– Other	0	0	0	0
0507	Ivory, tortoise-shell, whalebone and whalebone hair; horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products:	0	0	0	0
0508 00 00	Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttle-bone, unworked or simply prepared but not cut to shape, powder and waste thereof	0	0	0	0
0509 00	Natural sponges of animal origin:	0	0	0	0
0510 00 00	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh chilled, frozen or otherwise provisionally preserved	0	0	0	0
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:				
0710 40 00	– Sweet corn	18	12	6	0
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:				
0711 90	– Other vegetables; mixtures of vegetables:				
0711 90 30	– – – Sweet corn	0	0	0	0
0903 00 00	Maté	0	0	0	0
1212 20 00	– Algae and seaweeds	0	0	0	0
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products:				
	– Vegetable saps and extracts:				
1302 12 00	– – Of liquorice	0	0	0	0
1302 13 00	– – Of hops	0	0	0	0

CN Code (1)	Description (2)	Duties			
		(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
1302 14 00	-- Of pyrethrum or of the roots of plants containing rotenone	0	0	0	0
1302 19	-- Other:				
1302 19 30	--- Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations	0	0	0	0
	--- Other:				
1302 19 91	---- Medicinal	0	0	0	0
1302 20	- Pectic substances and pectates:				
1302 20 10	-- Dry	0	0	0	0
1302 20 90	-- Other	0	0	0	0
	- Mucilages and thickeners, whether or not modified, derived from vegetable products:				
1302 31 00	-- Agar-agar	0	0	0	0
1302 32	-- Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or sugar seeds:				
1302 32 10	--- Of locust beans or locust bean seeds	0	0	0	0
1404	Vegetable products not elsewhere specified or included				
1404 90 00	- Other	0	0	0	0
1505	Wool grease and fatty substances derived therefrom (including lanolin):				
1505 00 10	- Wool grease, crude	0	0	0	0
1505 00 90	- Other	0	0	0	0
1506 00 00	Other animal fats and oils of their fractions, whether or not refined, but not chemically modified	0	0	0	0
1515 90 15	Jojoba and oitica oils; myrtle wax and Japan wax; their fractions	0	0	0	0
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, interesterified, re-esterified or elaidinised, whether or not refined, but not further prepared				
1516 20	- Vegetable fats and oils and their fractions				
1516 20 10	-- Hydrogenated castor oil, so called 'opal-wax'	0	0	0	0
	-- Other				
1516 20 91	--- In immediate packings of a net content not exceeding 1 kg	0	0	0	0
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:				
1517 90	- Other:				
1517 90 10	-- Containing more than 10 % but not more than 15 % by weight of milk fats	16,8	11,2	5,6	0
	-- Other:				
1517 90 93	--- Edible mixtures or preparations of a kind used as mould release preparations	15	10	5	0

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurised, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included:				
1518 00 10	– Linosyn				
1518 00 91	-- Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurised, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516	0	0	0	0
1518 00 95	--- Inedible mixtures or preparations of animal or of animal and vegetable fats and oils and their fractions				
1518 00 99	---- Other				
1520 00 00	Glycerol, crude; glycerol waters and glycerol lyes	0	0	0	0
1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured:				
1521 10 00	– Vegetable waxes	0	0	0	0
1521 90	– Other	0	0	0	0
1522 00	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes:				
1522 00 10	– Degras	0	0	0	0
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:				
1702 50 00	– Chemically pure fructose	7	4	0	0
1702 90	– Other, including invert sugar:				
1702 90 10	-- Chemically pure maltose	17,5	10	0	0
1704	Sugar confectionery (including white chocolate), not containing cocoa:	0	0	0	0
1704 10	– Chewing gum, whether or not sugar-coated:				
	-- Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose):				
1704 10 11	--- Gum in strips				
1704 10 19	--- Other				
	-- Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose):				
1704 10 91	--- Gum in strips				
1704 10 99	--- Other				
1704 90	– Other:	23,6	15,7	7,8	0
1803	Cocoa paste, whether or not defatted:	0	0	0	0
1804 00 00	Cocoa butter, fat and oil	0	0	0	0

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	0	0	0	0
1806	Chocolate and other food preparations containing cocoa:				
1806 10	– Cocoa powder, containing added sugar or other sweetening matter:	26,2	17,5	8,7	0
1806 20	– Other preparations in block, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:	18,7	12,5	6,2	0
	– Other, in blocks, slabs or bars:				
1806 31 00	-- Filled	18,7	12,5	6,2	0
1806 32	-- Not filled	18,7	12,5	6,2	0
1806 90	– Other:	16,8	11,2	5,6	0
	-- Chocolate and chocolate products:				
	--- Chocolates, whether or not filled:				
1806 90 11	---- Containing alcohol				
1806 90 19	---- Other				
	--- Other:				
1806 90 31	---- filled				
1806 90 39	---- Not filled				
1806 90 50	-- Sugar confectionery and substitutes therefore made from sugar substitution products, containing cocoa				
1806 90 60	-- spreads containing Cocoa				
1806 90 70	-- preparations containing Cocoa for making beverages				
ex 1806 90 90	-- Other, (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))				
ex 1806 90 90	-- Other, (containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	22,5	22,5	22,5	0
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:				
1901 10 00	– Preparations for infant use, put up for retail sale	0	0	0	0
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of heading 1905	24,5	14	0	0
1901 90	– Other:				
	-- Malt extract:				
1901 90 11	--- With a dry extract content of 90 % or more by weight	21	12	0	0
1901 90 19	--- Other	21	12	0	0
	-- Other:				

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
1901 90 91	--- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404	5,6	3,2	0	0
1901 90 99	--- Other	5,6	3,2	0	0
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared:	20	15	10	0
	- Uncooked pasta, not stuffed or otherwise prepared:				
1902 11 00	-- Containing eggs				
1902 19	-- Other:				
1902 20	- Stuffed pasta, whether or not cooked or otherwise prepared:				
(excl.. 1902 20 10 (0 % in accordance with 'fish agreement')					
1902 30	- Other pasta				
1902 40	- Couscous				
1903 00 00	Tapioca and substitutes therefore prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	0	0	0	0
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn-flakes); cereals (other than maize (corn)), in grain form, or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included:				
1904 10	- Prepared foods obtained by the swelling or roasting of cereals or cereal products:	15,7	9	0	0
1904 20	- Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:	17,5	10	0	0
1904 30 00	- Bulgur wheat	17,5	10	0	0
1904 90	- Other:	17,5	10	0	0
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:				0
1905 10 00	- Crispbread	9	6	3	
1905 20	- Gingerbread and the like:	24	16	8	
	-- Sweet biscuits; waffles and wafers:				
1905 31	-- Sweet biscuits	16,8	11,2	5,6	
1905 32	-- Waffles and wafers:	16,8	11,2	5,6	
1905 40	- Rusks, toasted bread and similar toasted products:	24	16	8	
1905 90	- Other:				
1905 90 10	-- Matzos	16,8	11,2	5,6	
1905 90 20	-- Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	16,8	11,2	5,6	

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
1905 90 30	--- Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5 % of sugars and not more than 5 % of fat	18,7	12,5	6,2	
1905 90 45	--- Biscuits	18,7	12,5	6,2	
1905 90 55	--- Extruded or expanded products, savoury or salted	18,7	12,5	6,2	
	--- Other:				
1905 90 60	---- With added sweetening matter	18,7	12,5	6,2	
1905 90 90	---- Other	25	25	25	
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:				
2001 90	- Other:				
2001 90 30	-- Sweet corn (Zea mays var. saccharata)	12,6	7,2	0	0
2001 90 40	-- Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch	0	0	0	0
2001 90 60	-- Palm hearts	0	0	0	0
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:				
2004 10	- Potatoes:			0	0
	-- Other:				
2004 10 91	--- In the form of flour, meal or flakes	25,2	14,4		
2004 90	- Other vegetables and mixtures of vegetables:				
2004 90 10	-- Sweet corn(Zea mays var. saccharata)	12,6	7,2		
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:			0	0
2005 20	- Potatoes:				
2005 20 10	-- In the form of flour, meal or flakes	25,2	14,4		
2005 80 00	- Sweet corn(Zea mays var. saccharata)	8,4	4,8		
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:				
	- Nuts, groundnuts and other seeds, whether or not mixed together:				
2008 11	-- Groundnuts:				
2008 11 10	--- Peanut butter	17,5	10	0	0
2008 99	-- Other:				
	--- Not containing added spirit:				
	---- Not containing added sugar:				
2008 99 85	----- Maize (corn), other than sweet corn (Zea mays var. saccharata)	21	12	0	0
2008 99 91	----- Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch	0	0	0	0

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2101	Extracts, essences and concentrates, of coffee, tea or maté, and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof: – Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:				
2101 11	-- Extracts, essences and concentrates:	0	0	0	0
2101 12	-- Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:	0	0	0	0
2101 20	– Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté	0	0	0	0
2101 30	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof	0	0	0	0
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 3002); prepared baking powders:				
2102 10	– Active yeasts:				
2102 10 10	-- Culture yeast	42	24	0	0
	-- Baker yeast:				
2102 10 31	---- dried	12,6	7,2	0	0
2102 10 39	---- other	20	20	20	0
2102 10 90	-- other	15,7	9	0	0
2102 20	– Inactive yeasts; other single-cell micro-organisms, dead	5,6	3,2	0	0
2102 30 00	– Prepared baking powders	5,6	3,2	0	0
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:				
2103 10 00	– Soya sauce	14	8	0	0
2103 20 00	– Tomato ketchup and other tomato sauces	18,7	12,5	6,2	0
2103 30	– Mustard flour and meal and prepared mustard:				
2103 30 10	-- Mustard flour	17,5	10	0	0
2103 30 90	-- Prepared mustard	18,9	10,8	0	0
2103 90	– Other:				
2103 90 10	-- Mango chutney, liquid	0	0	0	0
2103 90 30	-- Aromatic bitters of an alcoholic strength by volume of 44,2 to 49,2 % vol containing from 1,5 to 6 % by weight of gentian, spices and various ingredients and from 4 to 10 % of sugar, in containers holding 0,5 litre or less	5,6	3,2	0	0
2103 90 90	-- other	5,6	3,2	0	0
2104	Soups and broths and preparations therefore; homogenised composite food preparations:	26,2	17,5	8,7	0
2105 00	Ice cream and other edible ice, whether or not containing cocoa	21,7	14,5	7,2	0
2106	Food preparations not elsewhere specified or included:				
2106 10	– Protein concentrates and textured protein substances:	5,6	3,2	0	0
2106 90	– Other:				
2106 90 10	-- Cheese fondues	2,1	1,2	0	0

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2106 90 20	-- Compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages	28	16	0	0
2106 90 92	--- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch:	2,1	1,2	0	0
2106 90 98	--- Other	3	3	0	0
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow:				
2201 10	- Mineral waters and aerated waters:				
	-- Natural mineral waters:				
2201 10 11	--- Not carbonated	16,8	11,2	5,6	0
2201 10 19	--- Other	16,8	11,2	5,6	0
ex 2201 10 90	--- Not carbonated	27	18	9	0
ex 2201 10 90	--- Other	16,8	11,2	5,6	0
2201 90 00	- Other	2,2	1,5	0,7	0
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009:				0
2202 10 00	- Waters including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	27	18	9	
2202 90	- Other:	11,2	7,5	3,7	
2203 00	Beer made from malt	29 % MIN 8,14 EUR/hl	29 % MIN 8,14 EUR/hl	29 % MIN 8,14 EUR/hl	0 (*)
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:				
2205 10	- In containers holding 2 litres or less:	15,7	9	0	0
2205 90	- Other:	1,12 EUR/ % vol/hl + 5,5 EUR/hl	0,6 EUR/ % vol/hl + 3,16 EUR/hl	0	0
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength:				0 (*)
2207 10 00	- Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher	24 EUR/hl	24 EUR/hl	24 EUR/hl	
2207 20 00	- Ethyl alcohol and other spirits, denatured, of any strength	13 EUR/hl	13 EUR/hl	13 EUR/hl	
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:				0 (*)
2208 20	- Spirits obtained by distilling grape wine or grape marc:				
	-- In containers holding 2 litres or less:				
2208 20 12	--- Cognac	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	10 % MIN 0,09 EUR/ % vol/hl + 0,53 EUR/hl	
2208 20 14	--- Armagnac	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	10 % MIN 0,09 EUR/ % vol/hl + 0,53 EUR/hl	

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2208 20 26	--- Grappa	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	10 % MIN 0,09 EUR/ % vol/hl + 0,53 EUR/hl	0 (*)
2208 20 27	--- Brandy de Jerez	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	10 % MIN 0,09 EUR/ % vol/hl + 0,53 EUR/hl	
2208 20 29	--- Other	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	15 % MIN 0,13 EUR/ % vol/hl + 0,79 EUR/hl	10 % MIN 0,09 EUR/ % vol/hl + 0,53 EUR/hl	
	-- In containers holding more than 2 litres:				
2208 20 40	--- Raw distillate	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
	--- Other:				
2208 20 62	---- Cognac:	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
2208 20 64	---- Armagnac	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
2208 20 86	---- Grappa	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
2208 20 87	---- Brandy de Jerez	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
2208 20 89	---- Other	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	40 % MIN 0,33 EUR/ % vol/hl + 2,15 EUR/hl	
2208 30	- Whiskies:				
	-- Bourbon whiskey, in containers holding:				
2208 30 11	--- 2 litres or less	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	10 % MIN 0,84 EUR/ % vol/hl + 2,31 EUR/hl	
2208 30 19	--- More than 2 litres	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	
	-- Scotch whisky:				
	--- Malt whisky, in containers holding:				
2208 30 32	---- 2 litres or less	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	10 % MIN 0,84 EUR/ % vol/hl + 2,31 EUR/hl	
2208 30 38	---- More than 2 litres	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	
	--- Blended whisky, in containers holding:				
2208 30 52	---- 2 litres or less	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	10 % MIN 0,84 EUR/ % vol/hl + 2,31 EUR/hl	
2208 30 58	---- More than 2 litres	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	
	--- Other, in containers holding:				
2208 30 72	---- 2 litres or less	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	10 % MIN 0,84 EUR/ % vol/hl + 2,31 EUR/hl	
2208 30 78	---- More than 2 litres	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	
	-- Other in containers holding:				

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2208 30 82	--- 2 litres or less	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	15 % MIN 1,26 EUR/ % vol/hl + 3,45 EUR/hl	10 % MIN 0,84 EUR/ % vol/hl + 2,31 EUR/hl	
2208 30 88	--- More than 2 litres	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	20 % MIN 1,68 EUR/ % vol/hl + 4,6 EUR/hl	
2208 40	- Rum and taffia: -- In containers holding 2 litres or less				
2208 40 11	--- Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol (with a 10 % tolerance) --- Other:	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	
2208 40 31	---- Of a value exceeding 7,9 EUR per litre of pure alcohol	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	
2208 40 39	---- Other -- In containers holding more than 2 litres:	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,45 EUR/ % vol/hl + 1,6 EUR/hl	
2208 40 51	--- Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol (with a 10 % tolerance) -- Other:	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 40 91	---- Of a value exceeding 2 EUR per litre of pure alcohol	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 40 99	---- Other	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,9 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 50	- Gin and Geneva: -- Gin, in containers holding:				
2208 50 11	--- 2 litres or less	20 % MIN 0,40 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,40 EUR/ % vol/hl + 1,6 EUR/hl	20 % MIN 0,40 EUR/ % vol/hl + 1,6 EUR/hl	
2208 50 19	--- More than 2 litres -- Geneva, in containers holding:	40 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	40 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 50 91	--- 2 litres or less	20 % MIN 0,50 EUR/ % vol/hl + 3,2 EUR/hl	20 % MIN 0,50 EUR/ % vol/hl + 3,2 EUR/hl	20 % MIN 0,50 EUR/ % vol/hl + 3,2 EUR/hl	
2208 50 99	--- More than 2 litres	40 % MIN 1,0 EUR/ % vol/hl + 6,4 EUR/ hl	40 % MIN 1,0 EUR/ % vol/hl + 6,4 EUR/ hl	40 % MIN 1,0 EUR/ % vol/hl + 6,4 EUR/ hl	
2208 60	- Vodka: -- Of an alcoholic strength by volume of 45,4 % vol or less in containers holding:				
2208 60 11	--- 2 litres or less	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	
2208 60 19	--- more than 2 litres -- Of an alcoholic strength by volume of more than 45,4 % vol in containers holding:	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 60 91	--- 2 litres or less	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	15 % MIN 0,60 EUR/ % vol/hl + 2,4 EUR/hl	

0 (*)

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2208 60 99	--- more than 2 litres	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	20 % MIN 0,8 EUR/ % vol/hl + 3,2 EUR/ hl	
2208 70	- Liqueurs and cordials:				0 (*)
2208 70 10	-- In containers holding 2 litres or less	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 70 90	-- In containers holding more than 2 litres	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
2208 90	- Other:				0 (*)
	-- Arrack, in containers holding:				
2208 90 11	--- 2 litres or less	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 19	--- More than 2 litres	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
	-- Plum, pear or cherry spirit (excluding liqueurs), in containers holding:				
2208 90 33	--- 2 litres or less:	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 38	--- More than 2 litres:	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
	-- Other spirits and other spirituous beverages, in containers holding:				
	--- 2 litres or less:				
2208 90 41	----- Ouzo	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
	----- Other:				
	----- Spirits (excluding liqueurs):				
	----- Distilled from fruit:				
2208 90 45	----- Calvados	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 48	----- Other	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
	----- Other:				
2208 90 52	----- Corn	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 54	----- Tequila	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 56	----- Other	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
2208 90 69	----- Other spirituous beverages	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	36 % MIN 0,68 EUR/ % vol/hl + 4,05 EUR/hl	
	--- More than 2 litres:				0 (*)
	--- Spirits (excluding liqueurs):				
2208 90 71	----- Distilled from fruit	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
2208 90 75	----- Tequila	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
2208 90 77	----- Other	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
2208 90 78	----- Other spirituous beverages	40 % MIN 0,75 EUR/ % vol/hl + 4,5EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
	-- Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % volume, in containers holding:				
2208 90 91	--- 2 litres or less	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
2208 90 99	--- More than 2 litres	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	40 % MIN 0,75 EUR/ % vol/hl + 4,5 EUR/hl	
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes:				
2402 10 00	- Cigars, cheroots and cigarillos, containing tobacco	36	36	36	0 (*)
2402 20	- Cigarettes containing tobacco:	50 % MIN 9,6 EUR/ 1 000p	50 % MIN 9,6 EUR/ 1 000p	50 % MIN 9,6 EUR/ 1 000p	0 (*)
2402 90 00	- Other	50 % MIN 9,6 EUR/ 1 000p	50 % MIN 9,6 EUR/ 1 000p	50 % MIN 9,6 EUR/ 1 000p	0 (*)
2403	Other manufactured tobacco and manufactured tobacco substitutes; 'homogenized' or 'reconstituted' tobacco; tobacco extracts and essences:				
2403 10	- Smoking tobacco, whether or not containing tobacco substitutes in any proportion:	30	20	10	0 (*)
	- Other:				
2403 91 00	-- 'Homogenized' or 'reconstituted' tobacco	2,2	1,5	0,7	0 (*)
2403 99	-- Other:	2,2	1,5	0,7	0 (*)
2905	Acyclic alcohols and their halogenated, sulpho-nated, nitrated or nitrosated derivatives:				
	- Other polyhydric alcohols:				
2905 43 00	-- Mannitol	0	0	0	0
2905 44	-- D-glucitol (sorbitol):	0	0	0	0
2905 45 00	-- Glycerol	0	0	0	0
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils:				
3301 90	- Other:				
3301 90 10	-- Terpenic by-products of the deterpenation of essential oils	0	0	0	0
	-- Extracted oleoresins				
3301 90 21	--- Of liquorice and hops	0	0	0	0
3301 90 30	--- Other	0	0	0	0
3301 90 90	-- Other	0	0	0	0
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as a raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:				
3302 10	- Of a kind used in the food or drink industries				
	-- Of the type used in the drink industries:				

CN Code	Description	Duties			
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
3302 10 10	--- Preparations containing all flavouring agents characterizing a beverage: ---- Of an actual alcoholic strength by volume exceeding 0,5 %	30 % MIN 0,25 EUR/ % vol/hl + 1,35 EUR/hl	20 % MIN 0,17 EUR/ % vol/hl + 1,05 EUR/hl	10 % MIN 0,08 EUR/ % vol/hl + 0,53EUR/hl	0
3302 10 21	----- Containing no milkfats, sucrose, isoglucose, glucose, or starch or containing, by weight, less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch	0	0	0	0
3302 10 29	----- Other	0	0	0	0
3501	Casein, caseinates and other casein derivatives; casein glues:				
3501 10	- Casein:				
3501 10 10	-- For the manufacture of regenerated textile fibres	0	0	0	0
3501 10 50	-- For industrial uses other than the manufacture of foodstuffs or fodder	0	0	0	0
3501 10 90	-- Other	0	0	0	0
3501 90	- Other:				
3501 90 90	-- Other	0	0	0	0
3505	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches:				
3505 10	- Dextrins and other modified starches:				
3505 10 10	-- Dextrins	0	0	0	0
	-- Other modified starches:				
3505 10 90	--- Other	0	0	0	0
3505 20	- Glues				
3505 20 10	-- Containing, by weight, less than 25 % of starches or dextrins or other modified starches	0	0	0	0
3505 20 30	-- Containing, by weight, 25 % or more but less than 55 % of starches or dextrins or other modified starches	0	0	0	0
3505 20 50	-- Containing, by weight, 55 % or more but less than 80 % of starches or dextrins or other modified starches	0	0	0	0
3505 20 90	-- Containing by weight 80 % or more of starches or dextrins or other modified starches	0	0	0	0
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:				
3809 10	- With a basis of amylaceous substances:				
3809 10 10	-- Containing by weight of such substances less than 55 %	0	0	0	0
3809 10 30	-- Containing by weight of such substances 55 % or more but less than 70 %	0	0	0	0
3809 10 50	-- Containing by weight of such substances 70 % or more but less than 83 %	0	0	0	0

CN Code	Description	Duties			
		(3)	(4)	(5)	(6)
(1)	(2)	(3)	(4)	(5)	(6)
		1.10. -31.12.2004 (%)	1.1.2005 -31.12.2005 (%)	1.1.2006 -31.12.2006 (%)	From 1.1.2007 onward (%)
3809 10 90	-- Containing by weight of such substances 83 % or more	0	0	0	0
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols	0	0	0	0
3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:				
3824 60	-- Sorbitol other than that of subheading 2905 44:				
	-- in aqueous solution:				
3824 60 11	--- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	0	0	0
3824 60 19	--- Other	0	0	0	0
	-- Other:				
3824 60 91	--- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	0	0	0
3824 60 99	--- Other	0	0	0	0

(*) to be confirmed early 2006.

ANNEX III

Duty free quotas of imports into the Community of goods originating in Bulgaria

Order N°	CN Code	Description	Annual tariff quotas (tons)	Yearly increase from 2005 on (tons)
(1)	(2)	(3)	(4)	(5)
09.5920	ex 0405 0405 20 0405 20 30	Butter and other fats and oils derived from milk; dairy spreads: – Dairy spreads: – – Of a fat content, by weight, of 60 % or more but not exceeding 75 %	200	20
09.5921	ex 1704 1704 90 ex 1704 90 99 (TARIC Code 1704 90 99 90)	Sugar confectionery (including white chocolate), not containing cocoa: – Other: – – – – – Other (products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	100	10
09.5922	ex 1806 1806 10 1806 10 90 1806 20 ex 1806 20 80 (TARIC code 1806 20 80 90) ex 1806 20 95 (TARIC Code 1806 20 95 90)	Chocolate and other food preparations containing cocoa: – Cocoa powder, containing added sugar or other sweetening matter: – – Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose – Other preparations in block, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg: – – – Chocolate flavour coating (containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)) – – – Other, (containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	50	5
09.5923	ex 1806 ex 1806 90 ex 1806 90 90 (TARIC Code 1806 90 90 19 and 1806 90 90 99)	Chocolate and other food preparations containing cocoa: – Other: – – Other, (containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	50	5
09.5463	ex 1806 1806 31 00 to ex 1806 90 90 (TARIC code 1806 90 90 11 and 1806 90 90 91)	Chocolate and other food preparations containing cocoa: – Other Chocolate and other food preparations containing cocoa (excluding products containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	704 (*)	—

Order N°	CN Code	Description	Annual tariff quotas (tons)	Yearly increase from 2005 on (tons)
(1)	(2)	(3)	(4)	(5)
09.5924	ex 1901 1901 90 99	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included: --- Other	100	10
09.5925	ex 1905 1905 90 1905 90 90	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: - Other: ---- Other	200	20
09.5487	2103 20 00	Tomato ketchup and other tomato sauces	2 600 (**)	—
09.5479	2105 00	Ice cream and other edible ice, whether or not containing cocoa	116 (**)	—
09.5926	ex 2106 2106 90 2106 90 98	Food preparations not elsewhere specified or included: - Other: --- Other	500	50
09.5927	ex 2202 2202 90 2202 90 91 2202 90 95 2202 90 99	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009: - Other: -- Other, containing by weight of fat obtained from the products of heading Nos 0401 to 0404: --- Less than 0,2 % --- 0,2 % or more but less than 2 % --- 2 % or more	2 000	500
09.5928	ex 2905 2905 43 00 2905 44 2905 44 11 2905 44 19 2905 44 91 2905 44 99	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: - Other polyhydric alcohols: -- Mannitol -- D-glucitol (sorbitol): --- In aqueous solution: ---- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content ---- Other --- Other: ---- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content ---- Other	100	10
09.5929	ex 3505 3505 10 3505 10 10 3505 10 90	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches: - Dextrins and other modified starches: -- Dextrins -- Other modified starches: --- Other	2 000	500
09.5930	ex 3505 3505 20 3505 20 10	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches: - Glues: -- Containing, by weight, less than 25 % of starches or dextrins or other modified starches	100	10

Order N°	CN Code	Description	Annual tariff quotas (tons)	Yearly increase from 2005 on (tons)
(1)	(2)	(3)	(4)	(5)
	3505 20 30	-- Containing, by weight, 25 % or more but less than 55 % of starches or dextrins or other modified starches		
	3505 20 50	-- Containing, by weight, 55 % or more but less than 80 % of starches or dextrins or other modified starches		
	3505 20 90	-- Containing by weight 80 % or more of starches or dextrins or other modified starches		
09.5931	ex 3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:	500	50
	3809 10	-- With a basis of amylaceous substances:		
	3809 10 10	-- Containing by weight of such substances less than 55 %		
	3809 10 30	-- Containing by weight of such substances 55 % or more but less than 70 %		
	3809 10 50	-- Containing by weight of such substances 70 % or more but less than 83 %		
	3809 10 90	-- Containing by weight of such substances 83 % or more		
09.5934	ex 3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:	100	10
	3824 60	-- Sorbitol other than that of subheading 2905 44:		
		-- in aqueous solution:		
	3824 60 11	--- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content		
	3824 60 19	--- Other		
		-- Other:		
	3824 60 91	--- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content		
	3824 60 99	--- Other		

(*) Quotas opened only for 2004. The duties will be 0 from 1st January 2005 onward.

(**) Quotas opened only for 2004. For quantities in excess of quota, the duty set out in annex I will apply. The duties will be 0 from 1 January 2005 onward.

ANNEX IV

Tariff quotas of imports into Bulgaria of goods originating in the Community

CN Code	Description	Quota from date of application - 31.12.2004 (tonnes)	Quota 1.1.2005 - 31.12.2005 (tonnes)	Quota 1.1.2006 - 31.12.2006 (tonnes)	Duty within quota %
(1)	(2)	(3)	(4)	(5)	(6)
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:				
0710 40 00	– Sweet corn	500	550	600	0
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:				
1702 50	– Chemically pure fructose	45	50		0
1702 90 10	– – Chemically pure maltose				
1704	Sugar confectionery (including white chocolate), not containing cocoa:				
1704 90	– Other:	900	990	1 080	0
1806	Chocolate and other food preparations containing cocoa:				
1806 10	– Cocoa powder, containing added sugar or other sweetening matter	350	385	420	0
1806 20	– Other preparations in block, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg	250	275	300	0
ex 1806 90 90	– – Other, (containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose))	50	55	60	0
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared:	1 000	1 100	1 200	0
	– Uncooked pasta, not stuffed or otherwise prepared:				
1902 11 00	– – Containing eggs				
1902 19	– – Other				
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared:				
1902 30	– Other Pasta				
1902 40	– Couscous				
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:				
1904 20 10	– – preparation of the Müsli type based on unroasted cereal flakes	150	165		0
1904 90	– Other				

CN Code	Description	Quota from date of application - 31.12.2004 (tonnes)	Quota 1.1.2005 - 31.12.2005 (tonnes)	Quota 1.1.2006 - 31.12.2006 (tonnes)	Duty within quota %
(1)	(2)	(3)	(4)	(5)	(6)
1905 (excluding 1905 90 90)	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	3 000	3 300	3 600	0
1905 90 90	---- Other	500	550	600	0
2004	Other vegetables prepared or otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006 - other				
2004 10 91	--- In the form of flour, meals or flakes	300			20
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:				
2005 20	- Potatoes:				
2005 20 10	-- In the form of flour, meal or flakes	500	550		10
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:				
2008 11 10	--- Peanut butter	50	55		0
2103	Sauces and preparations therefore; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:				
2103 10 00	- Soya sauce	50	55		0
2104	Soups and broths and preparations therefore; homogenised composite food preparations:	650	715	780	0
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow:	50	200	400	0
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009:	4 480	4 928	5 376	0
2203 00	Beer made from malt	40 000 hl	40 000 hl	40 000 hl	12
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:				
2208 60	- Vodka:				
	-- of an alcoholic strength by volume of 45,4 % vol or less in containers holding:	2 380 hl	4 000 hl	4 000 hl	0
2208 60 11	---- 2 litres or less				
	-- of an alcoholic strength by volume of more than 45,4 % vol in containers holding:				
2208 60 91	---- 2 litres or less				
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as a raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:				
	-- Of the type used in the drink industries:				
	--- Preparations containing all flavouring agents characterizing a beverage:				
3302 10 10	---- Of an actual alcoholic strength by volume exceeding 0,5 %	100 hl	110 hl	120 hl	0

Corrigendum to Council Joint Action 2006/1002/CFSP of 21 December 2006 amending Joint Action 2001/554/CFSP on the establishment of a European Union Institute for Security Studies

(Official Journal of the European Union L 409 of 30 December 2006)

Joint Action 2006/1002/CFSP should read as follows:

**COUNCIL JOINT ACTION 2006/1002/CFSP
of 21 December 2006**

amending Joint Action 2001/554/CFSP on the establishment of a European Union Institute for Security Studies

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) On 20 July 2001, the Council adopted Joint Action 2001/554/CFSP on the establishment of a European Union Institute for Security Studies ⁽¹⁾.
- (2) On 28 July 2006, pursuant to Article 19 of that Joint Action, the Secretary-General/High Representative presented a report on the implementation of the Joint Action with a view to its possible review.
- (3) On 22 September 2006, the Political and Security Committee (PSC), in its role of exercising political supervision over the activities of the Institute, took note of that report and recommended that the Council amend the Joint Action as appropriate in the light thereof.
- (4) Joint Action 2001/554/CFSP should be amended accordingly,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2001/554/CFSP is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'Article 2

Mission

The Institute shall contribute to the development of the CFSP, in particular the ESDP, in coherence with the European Security Strategy. To that end, it shall conduct academic research and policy analysis, organise seminars and carry out information and communication activities in that field. The Institute's work shall *inter alia* contribute to the transatlantic dialogue. It shall involve a network of exchanges with other research institutes and think-tanks both inside and outside the European Union. The Institute's output shall be distributed as widely as possible, except as regards classified information, to which the Council's

security regulations adopted by Decision 2001/264/EC (*) shall apply.;

(*) OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2005/952/EC (OJ L 346, 29.12.2005, p. 18).

2. Article 5(5) shall be replaced by the following:

'5. Decisions of the Board shall be taken on a vote by the representatives of the Member States by qualified majority, the votes being weighted in accordance with the third subparagraph of Article 23(2) of the Treaty, without prejudice to Article 12(2) of this Joint Action. The Board shall adopt its rules of procedure.;

3. In Article 6, the following paragraph 3a shall be inserted:

'3a. If the Board so decides, taking into account the financial implications, following the adoption of the annual budget by unanimity of the representatives of the Member States, the Director may be assisted by a Deputy Director, in particular in the execution of the tasks of the Institute in accordance with Article 2.

The Director shall appoint the Deputy Director after approval by the Board. The Deputy Director shall be appointed for a period of three years, with the possible extension of one three-year term.;

4. Article 7 shall be replaced by the following:

'Article 7

Staff

1. The staff of the Institute, consisting of researchers and administrative staff, shall have the status of contract staff members and shall be recruited from among nationals of the Member States.

2. The Institute's researchers and the Deputy Director shall be recruited on the basis of merit and academic expertise with regard to the CFSP and, in particular, the ESDP, through fair and transparent competition procedures.;

⁽¹⁾ OJ L 200, 25.7.2001, p. 1.

5. Article 10 shall be replaced by the following:

'Article 10

Work programme

1. By 30 September each year, the Director shall establish a draft annual work programme for the following year, accompanied by indicative long-term perspectives for the following years, and shall submit it to the Board.

2. By 30 November of each year, the Board shall approve the annual work programme.';

6. Article 11(3) shall be replaced by the following:

'3. The income of the Institute shall consist of contributions from the Member States according to the gross national income (GNI) scale. With the agreement of the Director, additional contributions may be accepted from individual Member States or from other sources for specific activities.';

7. Article 12 shall be replaced by the following:

'Article 12

Budgetary procedure

1. By 30 September each year, the Director shall submit to the Board an annual draft budget for the Institute covering administrative expenditure, operational expenditure and expected income for the following financial year.

2. By 30 November of each year, the Board shall approve the annual budget of the Institute by unanimity of the representatives of the Member States.

3. In the case of unavoidable, exceptional or unforeseen circumstances, the Director may propose a draft amending budget to the Board. The Board, with due regard to any urgency, shall approve the amending budget by unanimity of the representatives of the Member States.';

8. Article 17 shall be replaced by the following:

'Article 17

Secondment

1. Visiting researchers may for limited time periods be seconded to the Institute by Member States and third states, with the agreement of the Director, to participate in the activities of the Institute in accordance with Article 2.

2. With the agreement of the Director, experts from Member States and officials from EU institutions or agencies may be seconded to the Institute for a fixed period, either to posts within the Institute's organisational structure or for specific tasks and projects.

3. Staff members may be seconded for a fixed period in the interest of the service to a post outside the Institute, in accordance with the provisions relating to the staff of the Institute.

4. The provisions relating to secondment shall be adopted by the Board on a proposal from the Director.';

9. The following Article shall be inserted:

'Article 18 a

Association of the Commission

The Commission shall be closely associated with the work of the Institute. The Institute shall, as necessary, establish working relations with the Commission with a view to exchanging expertise and advice in areas of mutual interest.';

10. Article 19 shall be replaced by the following:

'Article 19

Reporting

By 31 July 2011 at the latest, the SG/HR shall present a report to the Council on the functioning of the Institute accompanied, if necessary, by appropriate recommendations with a view to its further development.';

11. Article 20(1), (2), (4) and (5) shall be deleted.

Article 2

This Joint Action shall enter into force on the day of its adoption.

Article 3

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 21 December 2006.

For the Council

The President

J. KORKEAOJA