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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 509/2006
of 20 March 2006
on agricultural products and foodstuffs as traditional specialities guaranteed

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 ⁽¹⁾,

Whereas:

- (1) The production, manufacture and distribution of agricultural products and foodstuffs play an important role in the Community economy.
- (2) The diversification of agricultural production should be encouraged. The promotion of traditional products with specific characteristics could be of considerable benefit to the rural economy, particularly in less-favoured or remote areas, both by improving the income of farmers and by retaining the rural population in these areas.
- (3) For the sound running of the internal market in foodstuffs, economic operators should be provided with instruments allowing them to enhance the market value of their products while protecting consumers against improper practices and guaranteeing fair trade.
- (4) Council Regulation (EEC) No 2082/92 of 14 July 1992 on certificates of specific character for agricultural products and foodstuffs ⁽²⁾ defines the certificates of specific character, and the term 'traditional speciality guaranteed' was introduced by Commission Regulation (EEC) No 1848/93 ⁽³⁾, which lays down the detailed rules for applying Regulation (EEC) No 2082/92. The certificates of specific character, more commonly referred to as 'traditional specialities guaranteed', meet consumer demand for traditional products with specific characteristics. Given the diversity of products on the

market and the abundance of information concerning them, consumers should, in order to be able to make better choices, be provided with clear and succinct information regarding the specific characteristics of these foodstuffs.

- (5) With a view to clarification, the term 'certificate of specific character' should be abandoned in favour of 'traditional speciality guaranteed' alone, which is easier to understand and, in order to make the goal of this Regulation more explicit for producers and consumers alike, the term 'specific character' should be precisely defined and a definition of the term 'traditional' should be introduced.
- (6) Certain producers would like to derive market value from traditional agricultural products or traditional foodstuffs the inherent characteristics of which distinguish them clearly from similar products or foodstuffs. In order to protect the consumer, the traditional speciality guaranteed should be subject to inspection. Such a voluntary system, enabling operators to make known the quality of an agricultural product or a foodstuff throughout the Community, should offer every guarantee in order to ensure that any references which may be made to the quality in the trade are substantiated.
- (7) The labelling of agricultural products and foodstuffs is subject to the general rules laid down in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽⁴⁾. In view of their specific character, however, special additional provisions should be adopted for traditional specialities guaranteed. In order to make for easier and quicker identification of traditional specialities guaranteed produced within the Community, use of the indication 'traditional speciality guaranteed' or the associated Community symbol should be made obligatory on their labelling, while affording operators a reasonable amount of time to adjust to this requirement.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 208, 24.7.1992, p. 9. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽³⁾ OJ L 168, 10.7.1993, p. 35. Regulation as last amended by Regulation (EC) No 2167/2004 (OJ L 371, 18.12.2004, p. 8).

⁽⁴⁾ OJ L 109, 6.5.2000, p. 29. Directive as last amended by Directive 2003/89/EC (OJ L 308, 25.11.2003, p. 15).

- (8) To ensure compliance with, and the consistency of, the traditional specialities guaranteed, producers organised into groups should themselves define specific characteristics in a product specification. The option of registering a traditional speciality guaranteed should be open to third-country producers.
- (9) The traditional specialities guaranteed protected within the Community should be subject to control arrangements, based on Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽¹⁾, as well as control arrangements to ensure that operators comply with the product specification before marketing agricultural products and foodstuffs.
- (10) To qualify for protection, traditional specialities guaranteed should be registered at Community level. Entry in a register should also provide information to those involved in the trade and to consumers.
- (11) The national authorities of the Member State concerned should scrutinise each application for registration in accordance with minimum common rules, including a procedure for raising objections at national level, in order to ensure that the agricultural product or foodstuff concerned is traditional and has specific characteristics. The Commission should subsequently undertake a scrutiny to ensure a uniform approach towards applications for registration lodged by the Member States and by third-country producers.
- (12) In order to improve the efficiency of the registration procedure, vexatious and unjustified objections should not be entertained and the grounds on which the Commission assesses the admissibility of objections sent to it should be specified. The right to object should be granted to citizens of third countries with a legitimate interest, under the same criteria as those applying to Community producers. These criteria should be evaluated in relation to the territory of the Community. In the light of the experience gained, the period for consultations where objections are made should be adjusted.
- (13) Provisions should be introduced to clarify the scope of the protection granted under this Regulation, stating in particular that this Regulation should apply without prejudice to existing rules concerning trademarks and geographical indications.
- (14) In order to avoid creating unfair conditions of competition, any producer, including third-country producers, should be able to use either a registered name together with a particular indication and, where appropriate, the Community symbol associated with the indication 'traditional specialities guaranteed' or a name registered as such, provided that the agricultural product or foodstuff which is produced or processed complies with the requirements of the relevant specification and the producer employs the services of authorities or bodies for verification in accordance with this Regulation.
- (15) If they are to be attractive to producers and reliable for consumers, indications relating to the specific character of an agricultural product or a foodstuff should be granted legal protection and be subject to controls.
- (16) Member States should be authorised to charge a fee to cover the costs incurred.
- (17) 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⁾.
- (18) Provisions should be introduced to identify the rules in this Regulation that apply to applications for registration which reach the Commission before its entry into force. Operators should be permitted a reasonable amount of time to adapt both the private control bodies and the labelling of agricultural products and foodstuffs marketed as traditional specialities guaranteed.
- (19) In the interests of clarity and transparency, Regulation (EEC) No 2082/92 should be repealed and replaced by this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation lays down the rules under which a traditional speciality guaranteed may be recognised for:

- (a) the agricultural products intended for human consumption listed in Annex I to the Treaty;
- (b) the foodstuffs listed in Annex I to this Regulation.

Annex I hereto may be amended in accordance with the procedure referred to in Article 18(2).

⁽¹⁾ OJ L 165, 30.4.2004, p. 1. Corrected version in OJ L 191, 28.5.2004, p. 1.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

2. This Regulation shall apply without prejudice to other specific Community provisions.

3. Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services⁽¹⁾ shall not apply to the traditional specialities guaranteed covered by this Regulation.

Article 2

Definitions

1. For the purposes of this Regulation:

- (a) 'specific character' means the characteristic or set of characteristics which distinguishes an agricultural product or a foodstuff clearly from other similar products or foodstuffs of the same category;
- (b) 'traditional' means proven usage on the Community market for a time period showing transmission between generations; this time period should be the one generally ascribed to one human generation, at least 25 years;
- (c) 'traditional speciality guaranteed' means a traditional agricultural product or foodstuff recognised by the Community for its specific character through its registration under this Regulation;
- (d) 'group' means any association, irrespective of its legal form or composition, of producers or processors working with the same agricultural product or foodstuff.

2. The characteristic or set of characteristics referred to in paragraph 1(a) may relate to the product's intrinsic features such as its physical, chemical, microbiological or organoleptic features, or to the product's production method or to specific conditions that pertain during its production.

The presentation of an agricultural product or a foodstuff is not regarded as a characteristic within the meaning of paragraph 1(a).

The specific characteristic defined in paragraph 1(a) may not be restricted to qualitative or quantitative composition, or to a mode of production, laid down in Community or national legislation, in standards set by standardisation bodies or in voluntary standards; however, this rule shall not apply where the said legislation or standard has been established in order to define the specificity of a product.

Other interested parties may join the group referred to in paragraph 1(d).

Article 3

Register

The Commission shall keep a register of the traditional specialities guaranteed recognised throughout the Community under this Regulation.

The register shall have two lists of traditional specialities guaranteed, according to whether or not use of the name of the product or foodstuff is reserved to producers who comply with the product specification.

Article 4

Requirements as regards products and names

1. In order to appear in the register referred to in Article 3, an agricultural product or foodstuff shall either be produced using traditional raw materials or be characterised by a traditional composition or a mode of production and/or processing reflecting a traditional type of production and/or processing.

Registration shall not be permitted in the case of an agricultural product or foodstuff the specific character of which is due to its provenance or geographic origin. The use of geographic terms shall be authorised in a name without prejudice to Article 5(1).

2. To be registered, the name shall:

- (a) be specific in itself, or
- (b) express the specific character of the agricultural product or foodstuff.

3. A specific name as referred to in paragraph (2)(a) shall be traditional and comply with national provisions or be established by custom.

A name expressing specific character, as referred to in paragraph (2)(b), may not be registered if:

- (a) it refers only to claims of a general nature used for a set of agricultural products or foodstuffs, or to those provided for by particular Community legislation;
- (b) it is misleading, a particular example being a reference to an obvious characteristic of the product or one that does not correspond to the specification and is therefore likely to mislead the consumer as to the product's characteristics.

⁽¹⁾ OJ L 204, 21.7.1998, p. 37.

*Article 5***Restrictions on the use of names**

1. This Regulation shall apply without prejudice to Community rules or those of the Member States governing intellectual property and in particular those concerning geographical indications and trademarks.
2. The name of a plant variety or breed of animal may form part of the name of a traditional speciality guaranteed, provided that it is not misleading as regards the nature of the product.

*Article 6***Product specification**

1. In order to qualify as a traditional speciality guaranteed (TSG), an agricultural product or foodstuff shall comply with a product specification.
2. The product specification shall include:
 - (a) the name referred to in Article 4(2), in one or more languages, indicating whether the group applies for registration with or without reservation of the name and whether the group applies to benefit from the provisions of Article 13(3);
 - (b) a description of the agricultural product or foodstuff including its main physical, chemical, microbiological or organoleptic characteristics;
 - (c) a description of the production method that the producers must follow, including where appropriate the nature and characteristics of the raw materials or ingredients used and the method of preparation of the agricultural product or foodstuff;
 - (d) the key elements that define the product's specific character and, where appropriate, the reference basis used;
 - (e) the key elements that prove the product's traditional character as laid down in the first subparagraph of Article 4(1);
 - (f) the minimum requirements and procedures to check the specific character.

*Article 7***Application for registration**

1. Only a group shall be entitled to apply for registration of a traditional speciality guaranteed.

Several groups from different Member States or third countries may submit a joint application.

2. A group may lodge a registration application only for the agricultural products or foodstuffs it produces or obtains.
3. The application for registration shall include at least:
 - (a) the name and address of the applicant group;
 - (b) the product specification provided for in Article 6;
 - (c) the name and address of the authorities or bodies verifying compliance with the provisions of the specification, and their specific tasks;
 - (d) the documents proving the product's specific and traditional character.
4. If the group is established in a Member State, the application shall be lodged with that Member State.

The Member State shall scrutinise each application by appropriate means in order to check that it is justified and meets the conditions laid down in this Regulation.

5. As part of the scrutiny referred to in the second subparagraph of paragraph 4, Member States shall initiate a national objection procedure, ensuring adequate publication of the application and providing for a reasonable period in which any natural or legal person having a legitimate interest and established or resident on its territory may lodge an objection to the application.

The Member State shall consider the admissibility of the objections received in the light of the criteria referred to in the first subparagraph of Article 9(3).

6. If the Member State considers that the requirements of Articles 4, 5 and 6 are met, it shall forward to the Commission:
 - (a) the name and address of the applicant group;
 - (b) the product specification referred to in Article 6;
 - (c) the name and address of the authorities or bodies verifying compliance with the provisions of the specification, and their specific tasks;
 - (d) a declaration by the Member State that it considers that the application submitted by the group meets the conditions laid down in this Regulation and the provisions adopted for its implementation.

7. Where an application for an agricultural product or foodstuff comes from a group in a third country, it shall be sent to the Commission either directly or through the authorities of that country, and shall comprise the information laid down in paragraph 3.

8. The documents referred to in this Article sent to the Commission shall be in one of the official languages of the institutions of the European Union or be accompanied by a certified translation in one of those languages.

Article 8

Scrutiny by the Commission

1. The Commission shall scrutinise by appropriate means the application received pursuant to Article 7 to check that it is justified and meets the conditions laid down in this Regulation. This scrutiny should not exceed a period of 12 months.

The Commission shall, each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission to the Commission.

2. Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the conditions laid down in this Regulation are met, it shall publish in the *Official Journal of the European Union* the information referred to in Article 7(3)(a), (b) and (c).

Where this is not the case, the Commission shall decide to reject the application, following the procedure referred to in Article 18(2).

Article 9

Objections

1. Within six months from the date of publication in the *Official Journal of the European Union* provided for in the first subparagraph of Article 8(2), any Member State or third country may object to the registration proposed by lodging a duly substantiated statement with the Commission.

2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than that applying for the registration or in a third-country, may also object to the proposed registration by lodging a duly substantiated statement.

In the case of natural or legal persons established or resident in a Member State, such statement shall be lodged with that Member State within a time-limit permitting an objection in accordance with paragraph 1.

In the case of natural or legal persons established or resident in a third country, the statement shall be lodged with the Commission, either directly or via the authorities of the third country concerned, within the time-limit set in paragraph 1.

3. Statements of objection shall be admissible only if they are received by the Commission within the time-limit set in paragraph 1 and if they show:

(a) non-compliance with the conditions referred to in Articles 2, 4 and 5; or

(b) in the case of an application under Article 13(2), that use of the name is lawful, renowned and economically significant for similar agricultural products or foodstuffs.

The Commission shall check the admissibility of objections.

The criteria referred to in the first subparagraph shall be evaluated in relation to the territory of the Community.

4. If the Commission receives no admissible objection under paragraph 3, it shall register the name.

The registration shall be published in the *Official Journal of the European Union*.

5. If an objection is admissible under paragraph 3, the Commission shall invite the interested parties to engage in appropriate consultations.

If the interested parties reach an agreement within six months they shall notify the Commission of all the factors which enabled that agreement to be reached, including the applicant's and the objector's opinions. If the details published in accordance with Article 8(2) have not been amended or have been amended in only a minor way, the Commission shall proceed in accordance with paragraph 4 of this Article. The Commission shall otherwise repeat the scrutiny referred to in Article 8(1).

If no agreement is reached, the Commission shall take a decision in accordance with the procedure referred to in Article 18(2), having regard to fair and traditional usage and the actual likelihood of confusion.

The decision shall be published in the *Official Journal of the European Union*.

6. The documents referred to in this Article sent to the Commission shall be drafted in an official language of the institutions of the European Union or be accompanied by a certified translation in one of those languages.

*Article 10***Cancellation**

Where the Commission, in accordance with the detailed rules referred to in Article 19(f), takes the view that compliance with the conditions of the specification for an agricultural product or foodstuff covered by a traditional speciality guaranteed is no longer ensured, it shall initiate the procedure referred to in Article 18(2) for the cancellation of the registration, which shall be published in the *Official Journal of the European Union*.

*Article 11***Amending the product specification**

1. An amendment of a product specification may be requested by a Member State at the request of a group established on its territory, or by a group established in a third-country. In the latter case, the application shall be sent to the Commission either directly or through the authorities of that third country.

Applications shall demonstrate a legitimate economic interest and describe the amendments sought and the justification therefore.

Applications for approval of an amendment shall follow the procedure provided for in Articles 7, 8 and 9.

However, if the only amendments proposed are minor ones, the Commission shall decide to approve the change without recourse to the procedure in Article 8(2) and Article 9.

The Commission shall publish, where appropriate, the minor amendments in the *Official Journal of the European Union*.

2. The Member State shall ensure that any producer or processor applying the product specification for which an amendment has been requested is informed of the publication. In addition to statements of objection referred to in Article 9(3), statements of objection demonstrating an economic interest in the production of the traditional speciality guaranteed shall be admissible.

3. Where the amendment concerns a temporary change in the specification resulting from the imposition of obligatory sanitary or phytosanitary measures by the public authorities, the request shall be forwarded to the Commission by the Member State at the request of a group of producers or by a group established in a third-country. The procedure referred to in the fourth subparagraph of paragraph 1 shall apply.

*Article 12***Names, indication and symbol**

1. Only producers complying with the product specification may refer to a traditional speciality guaranteed on the labelling, advertising or other documents relating to an agricultural product or foodstuff.

2. Where reference is made to a traditional speciality guaranteed on the labelling of an agricultural product or foodstuff produced within the Community, the registered name accompanied either by the Community symbol or the indication 'traditional speciality guaranteed' shall appear thereon.

3. The indication referred to in paragraph 2 shall be optional on the labelling of traditional specialities guaranteed which are produced outside the Community.

*Article 13***Detailed rules on the registered name**

1. From the date of publication as laid down in Article 9(4) or (5), a name entered in the register provided for in Article 3 may be used only to identify the agricultural product or foodstuff corresponding to the product specification as a traditional speciality guaranteed in accordance with the rules laid down in Article 12. However, registered names may continue to be used on the labelling of products not corresponding to the registered specification, but the indication 'traditional speciality guaranteed', the abbreviation 'TSG' or the associated Community symbol may not be indicated thereon.

2. However, a traditional speciality guaranteed may be registered with reservation of the name for an agricultural product or foodstuff corresponding to the published product specification, provided that the group so requested in its application for registration and the procedure provided for in Article 9 does not show that the name is used in a lawful, renowned and economically significant manner for similar agricultural products or foodstuffs. From the date of publication laid down in Article 9(4) or (5), the name, even where unaccompanied by the indication 'traditional speciality guaranteed', the abbreviation 'TSG' or the associated Community symbol, may no longer be used on the labelling of similar agricultural products or foodstuffs not satisfying the registered specification.

3. In the case of names whose registration is sought in a single language, the group may specify in the product specification that, when the product is marketed, the label may contain, in addition to the name of the product in the original language, an indication in the other official languages that the product has been obtained in accordance with the tradition of the region, Member State or third-country from which the application originated.

*Article 14***Official controls**

1. Member States shall designate the competent authority or authorities responsible for controls in respect of the obligations established by this Regulation in conformity with Regulation (EC) No 882/2004.

2. Member States shall ensure that any operator complying with this Regulation is entitled to be covered by a system of official controls.

3. The Commission shall make public the name and address of the authorities and bodies referred to in paragraph 1 or in Article 15 and update it periodically.

*Article 15***Verification of compliance with specifications**

1. In respect of agricultural products and foodstuffs produced within the Community, verification of compliance with the specifications, before placing the product on the market, shall be ensured by:

- one or more competent authorities referred to in Article 14, and/or
- one or more control bodies within the meaning of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body.

The cost of such verification of compliance with the specifications shall be borne by the operators subject to those controls.

2. In respect of agricultural products and foodstuffs produced in a third-country, verification of compliance with the specifications, before placing the product on the market, shall be ensured by:

- one or more public authorities designated by the third-country, and/or
- one or more product certification bodies.

3. The product certification bodies referred to in paragraphs 1 and 2 shall comply with and, from 1 May 2010 be accredited in accordance with, European standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

4. Where the authorities referred to in paragraphs 1 and 2 have chosen to verify compliance with the specifications, they shall offer adequate guarantees of objectivity and impartiality,

and have at their disposal the qualified staff and resources necessary to carry out their functions.

*Article 16***Producer declarations to designated authorities or bodies**

1. A producer in a Member State intending to produce a traditional speciality guaranteed for the first time, even if belonging to the group that made the initial application, shall notify this fact beforehand to the designated authorities or bodies referred to in Article 14(3) of the Member State in which the producer is established, as instructed by the competent authorities referred to in Article 14(1).

2. A third-country producer intending to produce a traditional speciality guaranteed for the first time, even if belonging to the group making the initial application, shall notify this fact beforehand to the designated authorities or bodies referred to in Article 14(3), if need be as instructed by the producer group or authority of the third-country.

*Article 17***Protection**

1. Member States shall take the necessary measures to ensure legal protection against any misuse or misleading use of the term 'traditional speciality guaranteed', the abbreviation 'TSG' and the associated Community symbol and against any imitation of names registered and reserved under Article 13(2).

2. Registered names shall be protected against any practice liable to mislead the consumer, including practices suggesting that an agricultural product or foodstuff is a traditional speciality guaranteed recognised by the Community.

3. Member States shall take all appropriate measures to ensure that sales descriptions used at national level do not give rise to confusion with names registered and reserved under Article 13(2).

*Article 18***Committee procedure**

1. The Commission shall be assisted by the Standing Committee on Traditional Specialities Guaranteed.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its own Rules of Procedure.

*Article 19***Implementing rules and transitional provisions**

1. In accordance with the procedure referred to in Article 18(2), detailed rules shall be adopted for the implementation of this Regulation. They shall cover in particular:

- (a) the information that must be included in the product specification referred to in Article 6(2);
- (b) the submission of an application for registration under Article 7(1) by groups based in different Member States or third-countries;
- (c) the transmission to the Commission of the applications referred to in Articles 7(3) and (6), and in Article 7(7) and the applications for amendments referred to in Article 11;
- (d) the register of traditional specialities guaranteed referred to in Article 3;
- (e) the objections referred to in Article 9, including rules on adequate consultations between the interested parties;
- (f) the cancellation of a traditional speciality guaranteed registration as referred to in Article 10;
- (g) the indication and symbol referred to in Article 12;
- (h) a definition of the minor nature of the amendments referred to in the fourth subparagraph of Article 11(1);
- (i) the conditions for checking compliance with the product specifications.

2. Names already registered under Regulation (EEC) No 2082/92 on the date of entry into force of this Regulation shall be automatically entered in the register referred to in

Article 3. The relevant specifications shall be deemed to be the specifications referred to in Article 6(1).

3. In respect of pending applications, statements and requests received by the Commission before the date of entry into force of this Regulation:

- (a) the procedures in Article 7 shall not apply;
- (b) where the specification includes elements not listed in Article 6, the Commission may request a new version of the product specification compatible with that Article, if it is necessary to be able to proceed with the application.

*Article 20***Fees**

Member States may charge a fee to cover their costs, including those incurred in scrutinising applications for registration, statements of objection, applications for amendments and requests for cancellations under this Regulation.

*Article 21***Repeal**

Regulation (EEC) No 2082/92 is hereby repealed.

References made to the repealed Regulation shall be construed as being made to this Regulation and should be read in accordance with the correlation table in Annex II.

*Article 22***Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

However, Article 12(2) shall apply with effect from 1 May 2009, without prejudice to products already placed on the market before that date.

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

Done at Brussels, 20 March 2006.

For the Council
The President
J. PRÖLL

ANNEX I

Foodstuffs referred to in Article 1(1)(b)

- Beer,
 - Chocolate and other food preparations containing cocoa,
 - Confectionery, bread, pastry, cakes, biscuits and other baker's wares,
 - Pasta, whether or not cooked or stuffed,
 - Pre-cooked meals,
 - Prepared condiment sauces,
 - Soups or broths,
 - Beverages made from plant extracts,
 - Ice-creams and sorbets.
-

ANNEX II

CORRELATION TABLE

Regulation (EEC) No 2082/92	This Regulation
Article 1(1) first subparagraph	Article 1(1) first subparagraph
Article 1(1) second subparagraph	Article 1(1) second subparagraph
Article 1(2) and (3)	Article 1(2) and (3)
Article 2(1) first subparagraph	Article 2(1) (point (a))
Article 2(1) second subparagraph	Article 2(2) second subparagraph
Article 2(1) third subparagraph	Article 2(2) third subparagraph
Article 2(2) first sentence	Article 2(1) (point (d))
Article 2(2) second sentence	Article 2(2) fourth subparagraph
Article 2(3)	Article 2(1) (point (c))
—	Article 2(1) (point (b))
—	Article 2(2) first subparagraph
Article 3	Article 3
Article 4(1)	Article 4(1) first subparagraph
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—	Article 5
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Article 7(1)	Article 7(1)
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—	Article 7(7) and (8)
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—	Article 8(1)
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COUNCIL REGULATION (EC) No 510/2006**of 20 March 2006****on the protection of geographical indications and designations of origin for agricultural products and foodstuffs**

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 ⁽¹⁾,

Whereas:

- (1) The production, manufacture and distribution of agricultural products and foodstuffs play an important role in the Community economy.
- (2) The diversification of agricultural production should be encouraged so as to achieve a better balance between supply and demand on the markets. The promotion of products having certain characteristics can be of considerable benefit to the rural economy, particularly in less-favoured or remote areas, by improving the incomes of farmers and by retaining the rural population in these areas.
- (3) A constantly increasing number of consumers attach greater importance to the quality of foodstuffs in their diet rather than to quantity. This quest for specific products generates a demand for agricultural products or foodstuffs with an identifiable geographical origin.
- (4) In view of the wide variety of products marketed and the abundance of product information provided, the consumer should, in order to be able to make the best choices, be given clear and succinct information regarding the product origin.
- (5) The labelling of agricultural products and foodstuffs is subject to the general rules laid down in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of

the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽²⁾. In view of their specific nature, additional special provisions should be adopted for agricultural products and foodstuffs from a defined geographical area requiring producers to use the appropriate Community symbols or indications on packaging. The use of such symbols or indications should be made obligatory in the case of Community designations, on the one hand, to make this category of products and the guarantees attached to them better known to consumers and, on the other, to permit easier identification of these products on the market so as to facilitate checks. A reasonable length of time should be allowed for operators to adjust to this obligation.

- (6) Provision should be made for a Community approach to designations of origin and geographical indications. A framework of Community rules on a system of protection permits the development of geographical indications and designations of origin since, by providing a more uniform approach, such a framework ensures fair competition between the producers of products bearing such indications and enhances the credibility of the products in the consumer's eyes.
- (7) The rules provided for should apply without interfering with existing Community legislation on wines and spirit drinks.
- (8) The scope of this Regulation should be limited to certain agricultural products and foodstuffs for which a link exists between product or foodstuff characteristics and geographical origin. However, its scope could be enlarged to encompass other agricultural products or foodstuffs.
- (9) In the light of existing practices, two different types of geographical description should be defined, namely protected geographical indications and protected designations of origin.
- (10) An agricultural product or foodstuff bearing such a description should meet certain conditions set out in a specification.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 109, 6.5.2000, p. 29. Directive as last amended by Directive 2003/89/EC (OJ L 308, 25.11.2003, p. 15).

- (11) To qualify for protection in the Member States, geographical indications and designations of origin should be registered at Community level. Entry in a register should also provide information to those involved in the trade and to consumers. To ensure that Community-registered names meet the conditions laid down by this Regulation, applications should be examined by the national authorities of the Member State concerned, subject to compliance with minimum common provisions, including a national objection procedure. The Commission should subsequently be involved in a scrutiny procedure to ensure that applications satisfy the conditions laid down by this Regulation and that the approach is uniform across the Member States.
- (12) The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement 1994, contained in Annex 1C to the Agreement establishing the World Trade Organisation) contains detailed provisions on the availability, acquisition, scope, maintenance and enforcement of intellectual property rights.
- (13) The protection afforded by this Regulation, subject to registration, should be open to the geographical indications of third countries where these are protected in their country of origin.
- (14) The registration procedure should enable any natural or legal person having a legitimate interest in a Member State or a third country to exercise their rights by notifying their objections.
- (15) There should be procedures to permit amendment of specifications on request of groups having a legitimate interest, after registration, in the light of technological progress and cancellation of the geographical indication or designation of origin for an agricultural product or foodstuff, in particular if that product or foodstuff ceases to conform to the specification on the basis of which the geographical indication or designation of origin was granted.
- (16) The designations of origin and geographical indications protected on Community territory should be subject to a monitoring system of official controls, based on a system of checks in line with Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽³⁾, including a system of checks to ensure compliance with the specification of the agricultural products and foodstuffs concerned.
- (17) Member States should be authorised to charge a fee to cover the costs incurred.
- (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 ⁽⁴⁾.
- (19) The names already registered under Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽⁵⁾ on the date of entry into force of this Regulation should continue to be protected under this Regulation and automatically included in the register. Provision should also be made for transitional measures applicable to registration applications received by the Commission before the entry into force of this Regulation.
- (20) In the interests of clarity and transparency, Regulation (EEC) No 2081/92 should be repealed and replaced by this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation lays down the rules on the protection of designations of origin and geographical indications for agricultural products intended for human consumption listed in Annex I to the Treaty and for foodstuffs listed in Annex I to this Regulation and for agricultural products listed in Annex II to this Regulation.

It shall not, however, apply to wine-sector products, except wine vinegars, or to spirit drinks. This paragraph shall be without prejudice to the application of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽⁶⁾.

Annexes I and II to this Regulation may be amended in accordance with the procedure referred to in Article 15(2).

2. This Regulation shall apply without prejudice to other specific Community provisions.

⁽³⁾ OJ L 165, 30.4.2004, p. 1. Corrected version in OJ L 191, 28.5.2004, p. 1.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 208, 24.7.1992, p. 1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽⁶⁾ OJ L 179, 14.7.1999, p. 1.

3. Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services ⁽⁷⁾ shall not apply to the designations of origin and geographical indications covered by this Regulation.

Article 2

Designation of origin and geographical indication

1. For the purpose of this Regulation:

(a) 'designation of origin' means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff:

- originating in that region, specific place or country,
- the quality or characteristics of which are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and
- the production, processing and preparation of which take place in the defined geographical area;

(b) 'geographical indication' means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff:

- originating in that region, specific place or country, and
- which possesses a specific quality, reputation or other characteristics attributable to that geographical origin, and
- the production and/or processing and/or preparation of which take place in the defined geographical area.

2. Traditional geographical or non-geographical names designating an agricultural product or a foodstuff which fulfil the conditions referred to in paragraph 1 shall also be considered as designations of origin or geographical indications.

3. Notwithstanding paragraph 1(a), certain geographical designations shall be treated as designations of origin where the raw materials for the products concerned come from a geographical area larger than, or different from, the processing area, provided that:

(a) the production area of the raw materials is defined;

(b) special conditions for the production of the raw materials exist; and

(c) there are inspection arrangements to ensure that the conditions referred to in point (b) are adhered to.

The designations in question must have been recognised as designations of origin in the country of origin before 1 May 2004.

Article 3

Generic nature, conflicts with names of plant varieties, animal breeds, homonyms and trademarks

1. Names that have become generic may not be registered.

For the purposes of this Regulation, a 'name that has become generic' means the name of an agricultural product or a foodstuff which, although it relates to the place or the region where this product or foodstuff was originally produced or marketed, has become the common name of an agricultural product or a foodstuff in the Community.

To establish whether or not a name has become generic, account shall be taken of all factors, in particular:

(a) the existing situation in the Member States and in areas of consumption;

(b) the relevant national or Community laws.

2. A name may not be registered as a designation of origin or a geographical indication where it conflicts with the name of a plant variety or an animal breed and as a result is likely to mislead the consumer as to the true origin of the product.

3. A name wholly or partially homonymous with that of a name already registered under this Regulation shall be registered with due regard for local and traditional usage and the actual risk of confusion. In particular:

(a) a homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name is accurate as far as the actual territory, region or place of origin of the agricultural products or foodstuffs in question is concerned;

(b) the use of a registered homonymous name shall be subject to there being a sufficient distinction in practice between the homonym registered subsequently and the name already on the register, having regard to the need to treat the producers concerned in an equitable manner and not to mislead the consumer.

⁽⁷⁾ OJ L 204, 21.7.1998, p. 37.

4. A designation of origin or geographical indication shall not be registered where, in the light of a trademark's reputation and renown and the length of time it has been used, registration is liable to mislead the consumer as to the true identity of the product.

Article 4

Product specification

1. To be eligible for a protected designation of origin (PDO) or a protected geographical indication (PGI), an agricultural product or foodstuff shall comply with a product specification.

2. The product specification shall include at least:

- (a) the name of the agricultural product or foodstuff comprising the designation of origin or the geographical indication;
- (b) a description of the agricultural product or foodstuff, including the raw materials, if appropriate, and principal physical, chemical, microbiological or organoleptic characteristics of the product or the foodstuff;
- (c) the definition of the geographical area and, where appropriate, details indicating compliance with the requirements of Article 2(3);
- (d) evidence that the agricultural product or the foodstuff originates in the defined geographical area referred to in Article 2(1)(a) or (b), as the case may be;
- (e) a description of the method of obtaining the agricultural product or foodstuff and, if appropriate, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group within the meaning of Article 5(1) so determines and gives reasons why the packaging must take place in the defined geographical area to safeguard quality or ensure the origin or ensure control;
- (f) details bearing out the following:
 - (i) the link between the quality or characteristics of the agricultural product or foodstuff and the geographical environment referred to in Article 2(1)(a) or, as the case may be,
 - (ii) the link between a specific quality, the reputation or other characteristic of the agricultural product or foodstuff and the geographical origin referred to in Article 2(1)(b);

(g) the name and address of the authorities or bodies verifying compliance with the provisions of the specification and their specific tasks;

(h) any specific labelling rule for the agricultural product or foodstuff in question;

(i) any requirements laid down by Community or national provisions.

Article 5

Application for registration

1. Only a group shall be entitled to apply for registration.

For the purposes of this Regulation, 'group' means any association, irrespective of its legal form or composition, of producers or processors working with the same agricultural product or foodstuff. Other interested parties may participate in the group. A natural or legal person may be treated as a group in accordance with the detailed rules referred to in Article 16(c).

In the case of a name designating a trans-border geographical area or a traditional name connected to a trans-border geographical area, several groups may lodge a joint application in accordance with the detailed rules referred to in Article 16(d).

2. A group may lodge a registration application only for the agricultural products or foodstuffs which it produces or obtains.

3. The application for registration shall include at least:

(a) the name and address of the applicant group;

(b) the specification provided for in Article 4;

(c) a single document setting out the following:

(i) the main points of the specification: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area,

(ii) a description of the link between the product and the geographical environment or geographical origin referred to in Article 2(1)(a) or (b), as the case may be, including, where appropriate, the specific elements of the product description or production method justifying the link.

4. Where the registration application relates to a geographical area in a given Member State, the application shall be addressed to that Member State.

The Member State shall scrutinise the application by appropriate means to check that it is justified and meets the conditions of this Regulation.

5. As part of the scrutiny referred to in the second subparagraph of paragraph 4, the Member State shall initiate a national objection procedure ensuring adequate publication of the application and providing for a reasonable period within which any natural or legal person having a legitimate interest and established or resident on its territory may lodge an objection to the application.

The Member State shall consider the admissibility of objections received in the light of the criteria referred to in the first subparagraph of Article 7(3).

If the Member State considers that the requirements of this Regulation are met, it shall take a favourable decision and forward to the Commission the documents referred to in paragraph 7 for a final decision. If not, the Member State shall decide to reject the application.

The Member State shall ensure that its favourable decision is made public and that any natural or legal person having a legitimate interest has means of appeal.

The Member State shall ensure that the version of the specification on which its favourable decision is based is published, and assure electronic access to the specification.

6. The Member State may, on a transitional basis only, grant protection under this Regulation at national level to the name, and, where appropriate, an adjustment period, with effect from the date on which the application is lodged with the Commission.

The adjustment period provided for in the first subparagraph may be granted only on condition that the undertakings concerned have legally marketed the products in question, using the names concerned continuously for at least the past five years and have made that point in the national objection procedure referred to in the first subparagraph of paragraph 5.

Such transitional national protection shall cease on the date on which a decision on registration under this Regulation is taken.

The consequences of such transitional national protection, where a name is not registered under this Regulation, shall be the sole responsibility of the Member State concerned.

The measures taken by Member States under the first subparagraph shall produce effects at national level only, and they shall have no effect on intra-Community or international trade.

7. In respect of any favourable decision as referred to in the third subparagraph of paragraph 5, the Member State concerned shall forward to the Commission:

- (a) the name and address of the applicant group;
- (b) the single document referred to in paragraph 3(c);
- (c) a declaration by the Member State that it considers that the application lodged by the group and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted for its implementation;
- (d) the publication reference of the specification referred to in the fifth subparagraph of paragraph 5.

8. Member States shall introduce the laws, regulations or administrative provisions necessary to comply with paragraphs 4 to 7 not later than 31 March 2007.

9. Where the registration application concerns a geographical area situated in a third country, it shall comprise the elements provided for in paragraph 3 and also proof that the name in question is protected in its country of origin.

The application shall be sent to the Commission, either directly or via the authorities of the third country concerned.

10. The documents referred to in this Article sent to the Commission shall be in one of the official languages of the institutions of the European Union or accompanied by a certified translation in one of those languages.

Article 6

Scrutiny by the Commission

1. The Commission shall scrutinise by appropriate means the application received pursuant to Article 5 to check that it is justified and meets the conditions laid down in this Regulation. This scrutiny should not exceed a period of 12 months.

The Commission shall, each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission to the Commission.

2. Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the conditions laid down in this Regulation are met, it shall publish in the *Official Journal of the European Union* the single document and the reference to the publication of the specification referred to in the fifth subparagraph of Article 5(5).

Where this is not the case, the Commission shall decide, to reject the application, following the procedure referred to in Article 15(2).

Article 7

Objection/decision on registration

1. Within six months from the date of publication in the *Official Journal of the European Union* provided for in the first subparagraph of Article 6(2), any Member State or third country may object to the registration proposed, by lodging a duly substantiated statement with the Commission.

2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than that applying for the registration or in a third country, may also object to the proposed registration by lodging a duly substantiated statement.

In the case of natural or legal persons established or resident in a Member State, such statement shall be lodged with that Member State within a time-limit permitting an objection in accordance with paragraph 1.

In the case of natural or legal persons established or resident in a third country, such statement shall be lodged with the Commission, either directly or via the authorities of the third country concerned, within the time limit-set in paragraph 1.

3. Statements of objection shall be admissible only if they are received by the Commission within the time-limit set in paragraph 1 and if they:

- (a) show non-compliance with the conditions referred to in Article 2; or
- (b) show that the registration of the name proposed would be contrary to paragraphs 2, 3 and 4 of Article 3; or
- (c) show that the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or of a trademark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 6(2); or

(d) give details from which it can be concluded that the name for which registration is requested is generic within the meaning of Article 3(1).

The Commission shall check the admissibility of objections.

The criteria referred to in points (b), (c) and (d) of the first subparagraph shall be evaluated in relation to the territory of the Community, which in the case of intellectual property rights refers only to the territory or territories where the said rights are protected.

4. If the Commission receives no admissible objection under paragraph 3, it shall register the name.

The registration shall be published in the *Official Journal of the European Union*.

5. If an objection is admissible under paragraph 3, the Commission shall invite the interested parties to engage in appropriate consultations.

If the interested parties reach an agreement within six months, they shall notify the Commission of all the factors which enabled that agreement to be reached, including the applicant's and the objector's opinions. If the details published in accordance with Article 6(2) have not been amended or have been amended in only a minor way, to be defined in accordance with Article 16(h), the Commission shall proceed in accordance with paragraph 4 of this Article. The Commission shall otherwise repeat the scrutiny referred to in Article 6(1).

If no agreement is reached, the Commission shall take a decision in accordance with the procedure referred to in Article 15(2), having regard to fair and traditional usage and the actual likelihood of confusion.

The decision shall be published in the *Official Journal of the European Union*.

6. The Commission shall maintain updated a register of protected designations of origin and protected geographical indications.

7. The documents referred to in this Article sent to the Commission shall be drafted in an official language of the institutions of the European Union or accompanied by a certified translation into one of those languages.

*Article 8***Names, indications and symbols**

1. A name registered under this Regulation may be used by any operator marketing agricultural product or foodstuffs conforming to the corresponding specification.
2. In the case of the agricultural products and foodstuffs originating in the Community marketed under a name registered in accordance with this Regulation, the indications 'protected designation of origin' and 'protected geographical indication' or the Community symbols associated with them shall appear on the labelling.
3. In the case of agricultural products and foodstuffs originating in third countries marketed under a name registered in accordance with this Regulation the indications referred to in paragraph 2 and the Community symbols associated with them may equally appear on the labelling.

*Article 9***Approval of changes to specifications**

1. A group satisfying the conditions of Article 5(1) and (2) and having a legitimate interest may apply for approval of an amendment to a specification, in particular to take account of developments in scientific and technical knowledge or to redefine the geographical area referred to in Article 4(2)(c).

Applications shall describe and give reasons for the amendments requested.

2. Where the amendment involves one or more amendments to the single document, the amendment application shall be covered by the procedure laid down in Articles 5, 6 and 7. However, if the proposed amendments are only minor, the Commission shall decide whether to approve the application without following the procedure laid down in Article 6(2) and Article 7 and in the case of approval shall proceed to publication of the elements referred to in Article 6(2).

3. Where the amendment does not involve any change to the single document, the following rules shall apply:

- (i) where the geographical area is in a given Member State, that Member State shall express its position on the approval of the amendment and, if it is in favour, shall publish the amended specification and inform the Commission of the amendments approved and the reasons for them;
- (ii) where the geographical area is in a third country, the Commission shall determine whether to approve the proposed amendment.

4. Where the amendment concerns a temporary change in the specification resulting from the imposition of obligatory

sanitary or phytosanitary measures by the public authorities, the procedures set out in paragraph 3 shall apply.

*Article 10***Official controls**

1. Member States shall designate the competent authority or authorities responsible for controls in respect of the obligations established by this Regulation in conformity with Regulation (EC) No 882/2004.
2. Member States shall ensure that any operator complying with this Regulation is entitled to be covered by a system of official controls.
3. The Commission shall make public the name and address of the authorities and bodies referred to in paragraph 1 or in Article 11 and update it periodically.

*Article 11***Verification of compliance with specifications**

1. In respect of geographical indications and designations of origin relating to a geographical area within the Community, verification of compliance with the specifications, before placing the product on the market, shall be ensured by:

- one or more competent authorities referred to in Article 10 and/or
- one or more control bodies within the meaning of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body.

The costs of such verification of compliance with the specifications shall be borne by the operators subject to those controls.

2. In respect of the geographical indications and designations of origin relating to a geographical area in a third country, verification of compliance with the specifications, before placing the product on the market, shall be ensured by:

- one or more public authorities designated by the third country and/or
- one or more product certification bodies.

3. The product certification bodies referred to in paragraphs 1 and 2 shall comply with and, from 1 May 2010 be accredited in accordance with European standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

4. Where, the authorities referred to in paragraphs 1 and 2, have chosen to verify compliance with the specifications, they shall offer adequate guarantees of objectivity and impartiality, and have at their disposal the qualified staff and resources necessary to carry out their functions.

Article 12

Cancellation

1. Where the Commission, in accordance with the detailed rules referred to in Article 16(k), takes the view that compliance with the conditions of the specification for an agricultural product or foodstuff covered by a protected name is no longer ensured, it shall initiate the procedure referred to in Article 15(2) for the cancellation of the registration, which shall be published in the *Official Journal of the European Union*.

2. Any natural or legal person having a legitimate interest, may request cancellation of the registration, giving reasons for the request.

The procedure provided for in Articles 5, 6 and 7 shall apply *mutatis mutandis*.

Article 13

Protection

1. Registered names shall be protected against:

- (a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration in so far as those products are comparable to the products registered under that name or in so far as using the name exploits the reputation of the protected name;
- (b) any misuse, imitation or evocation, even if the true origin of the product is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation' or similar;
- (c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;
- (d) any other practice liable to mislead the consumer as to the true origin of the product.

Where a registered name contains within it the name of an agricultural product or foodstuff which is considered generic, the use of that generic name on the appropriate agricultural product or foodstuff shall not be considered to be contrary to points (a) or (b) in the first subparagraph.

2. Protected names may not become generic.

3. In the case of names for which registration is applied for under Article 5, provision may be made for a transitional period of up to five years under Article 7(5), solely where a statement of objection has been declared admissible on the grounds that registration of the proposed name would jeopardise the existence of an entirely or partly identical name or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 6(2).

A transitional period may also be set for undertakings established in the Member State or third country in which the geographical area is located, provided that the undertakings concerned have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in Article 6(2) and have noted that point in the national objection procedure referred to in the first and second subparagraphs of Article 5(5) or the Community objection procedure referred to in Article 7(2). The combined total of the transitional period referred to in this subparagraph and the adjustment period referred to in Article 5(6) may not exceed five years. Where the adjustment period referred to in Article 5(6) exceeds five years, no transitional period shall be granted.

4. Without prejudice to Article 14, the Commission may decide to allow, under the procedure provided for in Article 15(2), the coexistence of a registered name and an unregistered name designating a place in a Member State or in a third country where that name is identical to the registered name, provided that all the following conditions are met:

- (a) the identical unregistered name has been in legal use consistently and equitably for at least 25 years before 24 July 1993;
- (b) it is shown that the purpose of its use has not at any time been to profit from the reputation of the registered name and that the consumer has not been nor could be misled as to the true origin of the product;
- (c) the problem resulting from the identical names was raised before registration of the name.

The registered name and the identical unregistered name concerned may co-exist for a period not exceeding a maximum of 15 years, after which the unregistered name shall cease to be used.

Use of the unregistered geographical name concerned shall be authorised only where the country of origin is clearly and visibly indicated on the label.

Article 14

Relations between trademarks, designations of origin and geographical indications

1. Where a designation of origin or a geographical indication is registered under this Regulation, the application for registration of a trademark corresponding to one of the situations referred to in Article 13 and relating to the same class of product shall be refused if the application for registration of the trademark is submitted after the date of submission of the registration application to the Commission.

Trademarks registered in breach of the first subparagraph shall be invalidated.

2. With due regard to Community law, a trademark the use of which corresponds to one of the situations referred to in Article 13 which has been applied for, registered, or established by use, if that possibility is provided for by the legislation concerned, in good faith within the territory of the Community, before either the date of protection of the designation of origin or geographical indication in the country of origin or before 1 January 1996, may continue to be used notwithstanding the registration of a designation of origin or geographical indication, provided that no grounds for its invalidity or revocation exist as specified by First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks ⁽⁸⁾ or Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark ⁽⁹⁾.

Article 15

Committee procedure

1. The Commission shall be assisted by the Standing Committee on Protected Geographical Indications and Protected Designations of Origin.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its own Rules of Procedure.

Article 16

Implementing rules

In accordance with the procedure referred to in Article 15(2), detailed rules shall be adopted for the implementation of this Regulation. They shall cover in particular:

- (a) a list of the raw materials referred to in Article 2(3);
- (b) the information that must be included in the product specification referred to in Article 4(2);
- (c) the conditions under which a natural or legal person may be treated as a group;
- (d) the submission of a registration application for a name designating a trans-border geographical area as referred to in the third subparagraph of Article 5(1);
- (e) the content and method of transmission to the Commission of the documents referred to in Articles 5(7) and (9);
- (f) objections referred to in Article 7, including rules on appropriate consultations between the interested parties;
- (g) the indications and symbols referred to in Article 8;
- (h) a definition of minor amendments as referred to in the second subparagraph of Article 7(5) and in Article 9(2), bearing in mind that a minor amendment cannot relate to the essential characteristics of the product or alter the link;
- (i) the register of designations of origin and geographical indications provided for in Article 7(6);
- (j) the conditions for checking compliance with the product specifications;
- (k) the conditions for cancellation of registration.

Article 17

Transitional provisions

1. The names that, on the date of entry into force of this Regulation, are listed in the Annex of Commission Regulation (EC) No 1107/96 ⁽¹⁰⁾ and those listed in the Annex of Commission on Regulation (EC) No 2400/96 ⁽¹¹⁾ shall be automatically entered in the register referred to in Article 7(6) of this Regulation. The corresponding specifications shall be deemed to be the specifications referred to in Article 4(1). Any specific transitional provisions associated with such registrations shall continue to apply.

⁽¹⁰⁾ Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 148, 21.6.1996, p. 1). Regulation as last amended by Regulation (EC) No 704/2005 (OJ L 118, 5.5.2005, p. 14).

⁽¹¹⁾ Commission Regulation (EC) No 2400/96 of 17 December 1996 on the entry of certain names in the 'Register of protected designation of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 327, 18.12.1996, p. 11). Regulation as last amended by Regulation (EC) No 417/2006 (OJ L 72, 11.3.2006, p. 8).

⁽⁸⁾ OJ L 40, 11.2.1989, p. 1.

⁽⁹⁾ OJ L 11, 14.1.1994, p. 1.

2. In respect of pending applications, statements and requests received by the Commission before the date of entry into force of this Regulation:

- (a) the procedures in Article 5 shall not apply, without prejudice to Article 13(3); and
- (b) the summary of the specification drawn up in conformity with Commission Regulation (EC) No 383/2004⁽¹²⁾ shall replace the single document referred to in Article 5(3)(c).

3. The Commission may adopt, if necessary, other transitional provisions in accordance with the procedure referred to in Article 15(2).

Article 18

Fees

Member States may charge a fee to cover their costs, including those incurred in scrutinising applications for registration, statements of objection, applications for amendments and requests for cancellations under this Regulation.

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

Done at Brussels, 20 March 2006.

Article 19

Repeal

Regulation (EEC) No 2081/92 is hereby repealed.

References made to the repealed Regulation shall be construed as being made to this Regulation and should be read in accordance with the correlation table in Annex III.

Article 20

Entry into force

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

However, Article 8(2) shall apply with effect from 1 May 2009, without prejudice to products already placed on the market before that date.

For the Council
The President
J. PRÖLL

⁽¹²⁾ Commission Regulation (EC) No 383/2004 of 1 March 2004 laying down detailed rules for applying Council Regulation (EEC) No 2081/92 as regards the summary of the main points of the product specifications (OJ L 64, 2.3.2004, p. 16).

ANNEX I

Foodstuffs referred to in Article 1(1)

- beers,
 - beverages made from plant extracts,
 - bread, pastry, cakes, confectionery and other baker's wares,
 - natural gums and resins,
 - mustard paste,
 - pasta.
-

*ANNEX II***Agricultural products referred to in Article 1(1)**

- hay,
 - essential oils,
 - cork,
 - cochineal (raw product of animal origin),
 - flowers and ornamental plants,
 - wool,
 - wicker,
 - scutched flax.
-

ANNEX III

CORRELATION TABLE

Regulation (EEC) No 2081/92	This Regulation
Article 1	Article 1
Article 2(1)	—
Article 2(2)	Article 2(1)
Article 2(3)	Article 2(2)
Article 2(4)	Article 2(3), first subparagraph
Article 2(5)	—
Article 2(6)	Article 2(3), second subparagraph
Article 2(7)	—
First, second and third subparagraphs of Article 3(1)	First, second and third subparagraphs of Article 3(1)
Article 3(1), fourth subparagraph	—
Article 3(2)	Article 3(2)
Article 3(3)	—
Article 4	Article 4
Article 5(1), (2) and (3)	Article 5(1), (2) and (3)
Article 5(4)	Article 5(4), first subparagraph
Article 5(5), first subparagraph	Article 5(4), second subparagraph
—	Article 5(5)
Article 5(5), second subparagraph	Article 5(6), first subparagraph
—	Article 5(6), second subparagraph
Article 5(5), third subparagraph	Article 5(6), third subparagraph
Article 5(5), fourth and fifth subparagraphs	Article 5(6), fourth and fifth subparagraphs
Article 5(5) sixth, seventh and eighth subparagraphs	—
—	Article 5(7)
Article 5(6)	Article 5(8)
—	Article 5(9) and (10)
Article 6(1), first subparagraph	Article 6(1), first subparagraph
Article 6(1), second subparagraph	—
Article 6(1), third subparagraph	Article 6(1), second subparagraph
Article 6(2)	Article 6(2), first subparagraph
Article 6(3) and (4)	Article 7(4)
Article 6(5), first subparagraph	Article 6(2), second subparagraph
Article 6(5), second subparagraph	—
Article 6(6), first subparagraph	—
Article 6(6), second subparagraph	Article 3(3)
Article 7(1)	Article 7(1)
Article 7(2)	—
Article 7(3)	Article 7(2), first subparagraph
—	Article 7(2), second and third subparagraph
Article 7(4)	Article 7(3)
Article 7(5)	Article 7(5)
—	Article 7(6) and (7)
—	Article 8(1)

Regulation (EEC) No 2081/92	This Regulation
Article 8	Article 8(2)
—	Article 8(3)
Article 9, first subparagraph	Article 9(1)
Article 9, second and third subparagraphs	Article 9(2)
—	Article 9(3) and (4)
—	Article 10(1)
Article 10(1)	—
Article 10(2)	Article 11(1)
—	Article 11(2)
Article 10(3)	Article 11(3) and (4)
Article 10(4)	—
Article 10(5)	Article 10(3)
Article 10(6)	Article 10(2)
Article 10(7)	Article 11(1), second subparagraph
Article 11(1) to (3)	—
Article 11(4)	Article 12(1)
Article 11a(a)	Article 12(2)
Article 11a(b)	—
Articles 12 to 12d	—
Article 13(1)	Article 13(1)
Article 13(3)	Article 13(2)
Article 13(4)	Article 13(3), first subparagraph
—	Article 13(3), second subparagraph
Article 13(5)	Article 13(4)
Article 14(1) and (2)	Article 14(1) and (2)
Article 14(3)	Article 3(4)
Article 15	Article 15
Article 16	Article 16
—	Articles 17 to 19
Article 18	Article 20
Annex I	Annex I
Annex II	Annex II

COUNCIL REGULATION (EC) No 511/2006

of 27 March 2006

amending Regulation (EC) No 1531/2002 imposing a definitive anti-dumping duty on imports of colour television receivers originating, *inter alia*, in the People's Republic of China

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the basic Regulation), and in particular Articles 8 and 9 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) In August 2002, by Regulation (EC) No 1531/2002⁽²⁾, the Council imposed a definitive anti-dumping duty on imports of colour television receivers (the product concerned) originating, *inter alia*, in the People's Republic of China (the PRC).
- (2) In parallel, the Commission, by Decision 2002/683/EC⁽³⁾, accepted a joint undertaking (the undertaking) offered by Haier Electrical Appliances Corp. Ltd, Hisense Import & Export Co. Ltd, Konka Group Co. Ltd, Sichuan Changhong Electric Co. Ltd, Skyworth Multimedia International (Shenzhen) Co. Ltd, TCL King Electrical Appliances (Hui Zhou) Co. Ltd and Xiamen Overseas Chinese Electronic Co. Ltd, (the Companies) in conjunction with the China Chamber of Commerce for Import and Export of Machinery and Electronics Products (CCCME).
- (3) As a result, imports into the Community of the product concerned of PRC origin, produced by the Companies, and of a type covered by the undertaking (the product covered by the undertaking), were exempt from the definitive anti-dumping duties.

B. FAILURE TO COMPLY WITH THE UNDERTAKING

- (4) The undertaking offered by the Companies obliges them to, *inter alia*, export the product covered by the undertaking to the first independent customer in the

Community at, or above, certain minimum import price levels (MIPs) and to respect certain quantitative ceilings laid down in the undertaking. These price levels and ceilings eliminate the injurious effects of dumping.

- (5) For the purposes of ensuring compliance with the undertaking, CCCME and the Companies also agreed to provide all information considered necessary by the Commission and to allow on-the-spot verification visits at their premises in order to verify the accuracy and veracity of data submitted in the said quarterly reports.
- (6) As noted in recital 239 of Regulation (EC) No 1531/2002, the undertaking specifically provides that a breach by any of the Companies or the CCCME shall be considered as a breach of the undertaking by all signatories. Failure to cooperate with the European Commission in monitoring the undertaking is considered as a breach of the undertaking.
- (7) In this regard, the Commission requested to carry out on-the-spot verification visits at the premises of CCCME and of the two companies with the largest reported volume of sales of the product concerned, namely Xiamen Overseas Chinese Electronic Co. Ltd and Konka Group Co. Ltd. The Commission sent pre-verification letters to CCCME, Xiamen Overseas Chinese Electronic Co. Ltd and Konka Group Co. Ltd with an indication of the dates for the on-the-spot verification. The CCCME and Xiamen Overseas Chinese Electronic Co. Ltd confirmed the acceptance of the on-the-spot verification visit requested by the Commission. However, Konka Group Co. Ltd refused to accept an on-the-spot verification visit, thereby breaching the undertaking.
- (8) Commission Decision 2006/258/EC⁽⁴⁾ sets out in more detail the nature of the breach found.
- (9) In view of the breach, acceptance of the undertaking offered by the Companies in conjunction with the CCCME has been withdrawn by Decision No 2006/258/EC. A definitive anti-dumping duty should therefore be imposed forthwith on imports of the product concerned exported to the Community by the companies concerned.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 231, 29.8.2002, p. 1.

⁽³⁾ OJ L 231, 29.8.2002, p. 42.

⁽⁴⁾ See page 63 of this Official Journal.

- (10) In accordance with Article 8(9) of the basic Regulation, the rate of the anti-dumping duty must be established on the basis of the facts established within the context of the investigation which led to the undertaking. As the investigation in question was concluded by a final determination as to dumping and resulting injury by Regulation (EC) No 1531/2002, it is considered appropriate that the definitive anti-dumping rate be set at the level and in the form imposed by that Regulation, namely 44,6 % of the net, cif free-at-Community-frontier price, before duty.

C. AMENDMENT TO REGULATION (EC) No 1531/2002

- (11) In view of the above, Regulation (EC) No 1531/2002 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1531/2002 is hereby amended as follows:

1. Article 3, Annex I and Annex II shall be repealed;
2. Articles 4 and 5 shall become Articles 3 and 4 respectively.

Article 2

This Regulation shall enter into force on the 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, 27 March 2006.

For the Council
The President
H. GORBACH

COMMISSION REGULATION (EC) No 512/2006**of 30 March 2006****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 30 March 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	99,1
	204	46,6
	212	102,0
	999	82,6
0707 00 05	052	138,6
	628	155,5
	999	147,1
0709 90 70	052	69,4
	204	49,8
	999	59,6
0805 10 20	052	63,9
	204	40,8
	212	48,7
	220	43,2
	400	58,7
	624	62,3
	999	52,9
0805 50 10	052	41,3
	624	63,4
	999	52,4
0808 10 80	388	79,3
	400	128,3
	404	97,8
	508	81,7
	512	74,0
	528	118,9
	720	87,9
	999	95,4
0808 20 50	388	79,2
	512	73,5
	528	73,6
	720	129,3
	999	88,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 513/2006**of 30 March 2006****adopting temporary provisions for the issue of import licences applied for pursuant to Regulation (EC) No 565/2002 establishing the method for managing tariff quotas and introducing a system of certificates of origin for garlic imported from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular Article 31(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 565/2002 ⁽²⁾ lays down that Member States are to notify licence applications to the Commission on Mondays and Thursdays each week and issue the licences on the fifth working day following the date on which the application was lodged, provided that the Commission has not taken any measures during that period.
- (2) Thursday 13, Friday 14 and Monday 17 April 2006 are Commission holidays. The issue of licences applied for

between Monday 10 and Friday 14 April 2006 should therefore be postponed.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for between Monday 10 and Friday 14 April 2006 pursuant to Regulation (EC) No 565/2002 shall be issued on Friday 21 April 2006, provided that the Commission has not taken any measures during that period in accordance with Article 8(2) of that Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 86, 3.4.2002, p. 11. Regulation amended by Regulation (EC) No 537/2004 (OJ L 86, 24.3.2004, p. 9).

COMMISSION REGULATION (EC) No 514/2006**of 30 March 2006****derogating from Regulation (EC) No 824/2000 as regards the period for delivering cereals into intervention in some Member States in the 2005/06 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Under Commission Regulation (EC) No 824/2000 of 19 April 2000 establishing procedures for the taking-over of cereals by intervention agencies and laying down methods of analysis for determining the quality of cereals ⁽²⁾, should an offer be admissible, operators are informed as soon as possible of the delivery schedule. To this end, under Article 4(3) of that Regulation the final delivery to the intervention centre for which the offer is made must take place not later than the end of the fourth month following the month during which the offer was received.
- (2) The 2005/06 marketing year is the second year of application of the intervention mechanism for cereals in the Member States which joined the European Community on 1 May 2004.
- (3) Good weather conditions again led to a bumper harvest in 2005 in the new Member States, resulting in domestic market prices below the intervention price. As a result, since the intervention period was opened in November 2005, relatively large quantities of cereals have been offered for intervention. Due to the large quantities

offered for intervention and their geographical spread, it is not possible to comply with the delivery deadline of 31 March 2006. To allow sufficient quantities of cereals offered to be taken over, the delivery period should be extended, and a derogation should therefore be made from Regulation (EC) No 824/2000.

- (4) Given the urgency of the market situation, which requires immediate measures, provision should be made for the immediate application of the measures provided for in this Regulation.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the third subparagraph of Article 4(3) of Regulation (EC) No 824/2000, in the 2005/06 marketing year the last delivery of cereals offered for intervention in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia must take place not later than the end of the seventh month following the month during which the offer was received, and in any event not later than 31 July 2006.

Article 2

This Regulation shall enter into force on the day of 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, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 21. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 100, 20.4.2000, p. 31. Regulation as last amended by Regulation (EC) No 1068/2005 (OJ L 174, 7.7.2005, p. 65).

COMMISSION REGULATION (EC) No 515/2006

of 30 March 2006

establishing a transitional measure for the 2005/06 marketing year on funding the storage of cereals offered for intervention in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first subparagraph of Article 41 thereof,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Whereas:

- (1) At the request of certain Member States, Commission Regulation (EC) No 514/2006 ⁽²⁾ extends by three months, for the 2005/06 marketing year, the deadline for delivering cereals offered for intervention in the Member States which joined the European Community on 1 May 2004, although it does not authorise delivery beyond 31 July 2006.
- (2) This measure may give rise to additional storage costs for cereals delivered by this new deadline but after the time-limit initially laid down in the third subparagraph of Article 4(3) of Commission Regulation (EC) No 824/2000 of 19 April 2000 establishing procedures for the taking-over of cereals by intervention agencies and laying down methods of analysis for determining the quality of cereals ⁽³⁾.

- (3) In accordance with Article 6 of Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽⁴⁾, the EAGGF Guarantee Section covers expenditure on the physical operations involved in storage. Member State expenditure on the reimbursement of any additional storage costs, as referred to above, should be treated as expenditure arising from storage costs normally borne by the intervention agencies, and provision should be made for that expenditure to be funded by the EAGGF Guarantee Section on the basis of the same standard amount, account also being taken of the monthly increase added to the intervention price, as provided for in Article 4(3) of Regulation (EC) No 1784/2003.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Where the cereals offered for intervention in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia have been effectively taken over by the intervention agency after the deadline laid down in the third subparagraph of Article 4(3) of Commission Regulation (EC) No 824/2000, Member State expenditure in respect of storage costs incurred between that deadline and the date of actual delivery to the warehouse designated in the delivery schedule, which must be before the deadline laid down in Regulation (EC) No 514/2006, shall be treated as expenditure of the type referred to in Article 6 of Regulation (EEC) No 1883/78.

Article 2

The standard amount referred to in the first paragraph of Article 6 of Regulation (EEC) No 1883/78 shall be calculated on the basis of the standard amount reimbursed by the Community to the Member States for the storage of cereals purchased for intervention during the 2005/06 marketing year, as laid down in the Commission Decision of 12 October 2005 ⁽⁵⁾, i.e. EUR 1,31 per tonne per month, from which shall be deducted the monthly increase provided for in Article 4(3) of Regulation (EC) No 1784/2003, i.e. EUR 0,46 per tonne per month, which has been added to the intervention price for each month after the deadline laid down in the third subparagraph of Article 4(3) of Regulation (EC) No 824/2000.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ See page 31 of this Official Journal.

⁽³⁾ OJ L 100, 20.4.2000, p. 31. Regulation as last amended by Regulation (EC) No 1068/2005 (OJ L 174, 7.7.2005, p. 65).

⁽⁴⁾ OJ L 216, 5.8.1978, p. 1. Regulation as last amended by Regulation (EC) No 695/2005 (OJ L 114, 4.5.2005, p. 1).

⁽⁵⁾ C(2005) 3752. Decision not published.

Such expenditure shall be taken into account in the context of the annual expenditure referred to in Article 1 of Council Regulation (EEC) No 3492/90 ⁽¹⁾ as expenditure on the physical operations involved in the buying-in of products by intervention agencies.

Article 3

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

It shall apply to the 2005/06 marketing year.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 337, 4.12.1990, p. 3.

COMMISSION REGULATION (EC) No 516/2006**of 30 March 2006****fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 31 March 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾, is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 12. Regulation as amended by Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

⁽³⁾ OJ L 145, 27.6.1968, p. 12. Regulation as amended by Regulation (EC) No 1422/95.

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 31 March 2006

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽¹⁾
1703 10 00 ⁽²⁾	11,66	—	0
1703 90 00 ⁽²⁾	11,66	—	0

⁽¹⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 517/2006**of 30 March 2006****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.
- (4) In special cases, the amount of the refund may be fixed by other legal instruments.

- (5) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.
- (8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.
- (9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 31 MARCH 2006 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	21,97 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	21,97 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	21,97 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	21,97 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,2389
1701 99 10 9100	S00	EUR/100 kg	23,89
1701 99 10 9910	S00	EUR/100 kg	23,89
1701 99 10 9950	S00	EUR/100 kg	23,89
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,2389

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and the provisional application of the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 518/2006**of 30 March 2006****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾, to the products listed in the Annex to the last mentioned Regulation.
- (4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes

account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

- (5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The abovementioned refunds must be fixed every month; they may be altered in the intervening period.
- (8) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (9) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 6).

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

- (10) In order to prevent any abuses associated with the reimportation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.
- (11) In view of the above, refunds for the products in question should be fixed at the appropriate amounts.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d), (f), (g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto to this Regulation.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

EXPORT REFUNDS ON SYRUPS AND CERTAIN OTHER SUGAR PRODUCTS EXPORTED WITHOUT FURTHER PROCESSING APPLICABLE FROM 31 MARCH 2006 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	23,89 ⁽¹⁾
1702 60 10 9000	S00	EUR/100 kg dry matter	23,89 ⁽¹⁾
1702 60 80 9100	S00	EUR/100 kg dry matter	45,38 ⁽²⁾
1702 60 95 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,2389 ⁽³⁾
1702 90 30 9000	S00	EUR/100 kg dry matter	23,89 ⁽¹⁾
1702 90 60 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,2389 ⁽³⁾
1702 90 71 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,2389 ⁽³⁾
1702 90 99 9900	S00	EUR/1 % sucrose × net 100 kg of product	0,2389 ⁽³⁾ ⁽⁴⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	23,89 ⁽¹⁾
2106 90 59 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,2389 ⁽³⁾

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are defined as follows:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, except for sugar incorporated into the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and the provisional application of the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 6 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 519/2006**of 30 March 2006****fixing the maximum export refund for white sugar to certain third countries for the 22nd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1138/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾ and in particular the second indent of Article 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1138/2005 of 15 July 2005 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾, for the 2005/2006 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1138/2005 a maximum export refund shall be fixed,

as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 22nd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1138/2005 the maximum amount of the export refund shall be 27,260 EUR/100 kg.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 185, 16.7.2005, p. 3.

COMMISSION REGULATION (EC) No 520/2006**of 30 March 2006****fixing the production refund on white sugar used in the chemical industry for the period from 1 to 30 April 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the fifth indent of Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of

Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽²⁾ provides that these refunds shall be determined according to the refund fixed for white sugar.

- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 23,731 EUR/100 kg net for the period from 1 to 30 April 2006.

Article 2

This Regulation shall enter into force on 1 April 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 521/2006
of 30 March 2006
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽²⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 30 March 2006 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
 2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
 2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
 2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

C10: All destinations.

COMMISSION REGULATION (EC) No 522/2006
of 30 March 2006
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 1(4) of Commission Regulation (EC) No 174/1999 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8.

ANNEX

Export refunds on milk and milk products applicable from 31 March 2006

Code produit	Destination	Unité de mesure	Montant des restitutions	Code produit	Destination	Unité de mesure	Montant des restitutions
0401 30 31 9100	L02	EUR/100 kg	13,20	0402 21 91 9350	L02	EUR/100 kg	39,84
	L20	EUR/100 kg	18,86		L21	EUR/100 kg	51,12
0401 30 31 9400	L02	EUR/100 kg	20,62	0402 21 91 9500	L02	EUR/100 kg	42,80
	L20	EUR/100 kg	29,47		L21	EUR/100 kg	54,94
0401 30 31 9700	L02	EUR/100 kg	22,75	0402 21 99 9100	L02	EUR/100 kg	39,19
	L20	EUR/100 kg	32,49		L21	EUR/100 kg	50,30
0401 30 39 9100	L02	EUR/100 kg	13,20	0402 21 99 9200	L02	EUR/100 kg	39,42
	L20	EUR/100 kg	18,86		L21 (1)	EUR/100 kg	50,61
0401 30 39 9400	L02	EUR/100 kg	20,62	0402 21 99 9300	L02	EUR/100 kg	39,84
	L20	EUR/100 kg	29,47		L21	EUR/100 kg	51,12
0401 30 39 9700	L02	EUR/100 kg	22,75	0402 21 99 9400	L02	EUR/100 kg	42,03
	L20	EUR/100 kg	32,49		L21	EUR/100 kg	53,96
0401 30 91 9100	L02	EUR/100 kg	25,92	0402 21 99 9500	L02	EUR/100 kg	42,80
	L20	EUR/100 kg	37,04		L21	EUR/100 kg	54,94
0401 30 99 9100	L02	EUR/100 kg	25,92	0402 21 99 9600	L02	EUR/100 kg	45,83
	L20	EUR/100 kg	37,04		L21	EUR/100 kg	58,82
0401 30 99 9500	L02	EUR/100 kg	38,10	0402 21 99 9700	L02	EUR/100 kg	47,52
	L20	EUR/100 kg	54,43		L21	EUR/100 kg	61,03
0402 10 11 9000	L02	EUR/100 kg	4,14	0402 21 99 9900	L02	EUR/100 kg	49,51
	L21 (1)	EUR/100 kg	5,00		L21	EUR/100 kg	63,55
0402 10 19 9000	L02	EUR/100 kg	4,14	0402 29 15 9200	L02	EUR/100 kg	4,14
	L21 (1)	EUR/100 kg	5,00		L20	EUR/100 kg	5,00
0402 10 91 9000	L02	EUR/100 kg	4,14	0402 29 15 9300	L02	EUR/100 kg	35,03
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	44,94
0402 10 99 9000	L02	EUR/100 kg	4,14	0402 29 15 9500	L02	EUR/100 kg	36,55
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	46,92
0402 21 11 9200	L02	EUR/100 kg	4,14	0402 29 15 9900	L02	EUR/100 kg	38,94
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	50,00
0402 21 11 9300	L02	EUR/100 kg	35,03	0402 29 19 9300	L02	EUR/100 kg	35,03
	L21	EUR/100 kg	44,94		L20	EUR/100 kg	44,94
0402 21 11 9500	L02	EUR/100 kg	36,55	0402 29 19 9500	L02	EUR/100 kg	36,55
	L21	EUR/100 kg	46,92		L20	EUR/100 kg	46,92
0402 21 11 9900	L02	EUR/100 kg	38,94	0402 29 19 9900	L02	EUR/100 kg	38,94
	L21 (1)	EUR/100 kg	50,00		L20	EUR/100 kg	50,00
0402 21 17 9000	L02	EUR/100 kg	4,14	0402 29 91 9000	L02	EUR/100 kg	39,19
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	50,30
0402 21 19 9300	L02	EUR/100 kg	35,03	0402 29 99 9100	L02	EUR/100 kg	39,19
	L21	EUR/100 kg	44,94		L20	EUR/100 kg	50,30
0402 21 19 9500	L02	EUR/100 kg	36,55	0402 29 99 9500	L02	EUR/100 kg	42,03
	L21	EUR/100 kg	46,92		L20	EUR/100 kg	53,96
0402 21 19 9900	L02	EUR/100 kg	38,94	0402 91 11 9370	L02	EUR/100 kg	4,13
	L21 (1)	EUR/100 kg	50,00		L20	EUR/100 kg	5,90
0402 21 91 9100	L02	EUR/100 kg	39,19	0402 91 19 9370	L02	EUR/100 kg	4,13
	L21	EUR/100 kg	50,30		L20	EUR/100 kg	5,90
0402 21 91 9200	L02	EUR/100 kg	39,42	0402 91 31 9300	L02	EUR/100 kg	4,88
	L21 (1)	EUR/100 kg	50,61		L20	EUR/100 kg	6,97
				0402 91 39 9300	L02	EUR/100 kg	4,88
					L20	EUR/100 kg	6,97

Code produit	Destination	Unité de mesure	Montant des restitutions	Code produit	Destination	Unité de mesure	Montant des restitutions
0402 91 99 9000	L02	EUR/100 kg	15,93	0404 90 23 9150	L02	EUR/100 kg	38,94
	L20	EUR/100 kg	22,76		L20	EUR/100 kg	50,00
0402 99 11 9350	L02	EUR/100 kg	10,55	0404 90 29 9110	L02	EUR/100 kg	39,19
	L20	EUR/100 kg	15,08		L20	EUR/100 kg	50,30
0402 99 19 9350	L02	EUR/100 kg	10,55	0404 90 29 9115	L02	EUR/100 kg	39,42
	L20	EUR/100 kg	15,08		L20	EUR/100 kg	50,61
0402 99 31 9150	L02	EUR/100 kg	10,95	0404 90 29 9125	L02	EUR/100 kg	39,84
	L20	EUR/100 kg	15,65		L20	EUR/100 kg	51,12
0402 99 31 9300	L02	EUR/100 kg	9,53	0404 90 29 9140	L02	EUR/100 kg	42,80
	L20	EUR/100 kg	13,62		L20	EUR/100 kg	54,94
0402 99 39 9150	L02	EUR/100 kg	10,95	0404 90 81 9100	L02	EUR/100 kg	4,14
	L20	EUR/100 kg	15,65		L20	EUR/100 kg	5,00
0403 90 11 9000	L02	EUR/100 kg	4,09	0404 90 83 9110	L02	EUR/100 kg	4,14
	L20	EUR/100 kg	4,93		L20	EUR/100 kg	5,00
0403 90 13 9200	L02	EUR/100 kg	4,09	0404 90 83 9130	L02	EUR/100 kg	35,03
	L20	EUR/100 kg	4,93		L20	EUR/100 kg	44,94
0403 90 13 9300	L02	EUR/100 kg	34,70	0404 90 83 9150	L02	EUR/100 kg	36,55
	L20	EUR/100 kg	44,55		L20	EUR/100 kg	46,92
0403 90 13 9500	L02	EUR/100 kg	36,23	0404 90 83 9170	L02	EUR/100 kg	38,94
	L20	EUR/100 kg	46,50		L20	EUR/100 kg	50,00
0403 90 13 9900	L02	EUR/100 kg	38,61	0404 90 83 9936	L02	EUR/100 kg	10,55
	L20	EUR/100 kg	49,55		L20	EUR/100 kg	15,08
0403 90 19 9000	L02	EUR/100 kg	38,84	0405 10 11 9500	L02	EUR/100 kg	69,83
	L20	EUR/100 kg	49,86		L20	EUR/100 kg	94,15
0403 90 33 9400	L02	EUR/100 kg	34,70	0405 10 11 9700	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	44,55		L20	EUR/100 kg	96,50
0403 90 33 9900	L02	EUR/100 kg	38,61	0405 10 19 9500	L02	EUR/100 kg	69,83
	L20	EUR/100 kg	49,55		L20	EUR/100 kg	94,15
0403 90 59 9310	L02	EUR/100 kg	13,20	0405 10 19 9700	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	18,86		L20	EUR/100 kg	96,50
0403 90 59 9340	L02	EUR/100 kg	19,32	0405 10 30 9100	L02	EUR/100 kg	69,83
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	94,15
0403 90 59 9370	L02	EUR/100 kg	19,32	0405 10 30 9300	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	96,50
0403 90 59 9510	L02	EUR/100 kg	19,32	0405 10 30 9700	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	96,50
0404 90 21 9120	L02	EUR/100 kg	3,54	0405 10 50 9300	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	4,27		L20	EUR/100 kg	96,50
0404 90 21 9160	L02	EUR/100 kg	4,14	0405 10 50 9500	L02	EUR/100 kg	69,83
	L20	EUR/100 kg	5,00		L20	EUR/100 kg	94,15
0404 90 23 9120	L02	EUR/100 kg	4,14	0405 10 50 9700	L02	EUR/100 kg	71,57
	L20	EUR/100 kg	5,00		L20	EUR/100 kg	96,50
0404 90 23 9130	L02	EUR/100 kg	35,03	0405 10 90 9000	L02	EUR/100 kg	74,19
	L20	EUR/100 kg	44,94		L20	EUR/100 kg	100,04
0404 90 23 9140	L02	EUR/100 kg	36,55	0405 20 90 9500	L02	EUR/100 kg	65,47
	L20	EUR/100 kg	46,92		L20	EUR/100 kg	88,27
				0405 20 90 9700	L02	EUR/100 kg	68,08
					L20	EUR/100 kg	91,79

Code produit	Destination	Unité de mesure	Montant des restitutions	Code produit	Destination	Unité de mesure	Montant des restitutions
0405 90 10 9000	L02	EUR/100 kg	89,33	0406 90 21 9900	L04	EUR/100 kg	39,43
	L20	EUR/100 kg	120,44		L40	EUR/100 kg	56,30
0405 90 90 9000	L02	EUR/100 kg	71,44	0406 90 23 9900	L04	EUR/100 kg	35,35
	L20	EUR/100 kg	96,33		L40	EUR/100 kg	50,82
0406 10 20 9230	L04	EUR/100 kg	12,99	0406 90 25 9900	L04	EUR/100 kg	34,67
	L40	EUR/100 kg	16,24		L40	EUR/100 kg	49,63
0406 10 20 9630	L04	EUR/100 kg	19,96	0406 90 27 9900	L04	EUR/100 kg	31,39
	L40	EUR/100 kg	24,94		L40	EUR/100 kg	44,95
0406 10 20 9640	L04	EUR/100 kg	29,32	0406 90 31 9119	L04	EUR/100 kg	29,03
	L40	EUR/100 kg	36,65		L40	EUR/100 kg	41,60
0406 10 20 9650	L04	EUR/100 kg	24,44	0406 90 33 9119	L04	EUR/100 kg	29,03
	L40	EUR/100 kg	30,55		L40	EUR/100 kg	41,60
0406 10 20 9830	L04	EUR/100 kg	9,08	0406 90 35 9190	L04	EUR/100 kg	41,33
	L40	EUR/100 kg	11,33		L40	EUR/100 kg	59,45
0406 10 20 9850	L04	EUR/100 kg	10,99	0406 90 35 9990	L04	EUR/100 kg	41,33
	L40	EUR/100 kg	13,74		L40	EUR/100 kg	59,45
0406 20 90 9913	L04	EUR/100 kg	21,76	0406 90 37 9000	L04	EUR/100 kg	39,25
	L40	EUR/100 kg	27,20		L40	EUR/100 kg	56,18
0406 20 90 9915	L04	EUR/100 kg	29,54	0406 90 61 9000	L04	EUR/100 kg	44,68
	L40	EUR/100 kg	36,93		L40	EUR/100 kg	64,65
0406 20 90 9917	L04	EUR/100 kg	31,41	0406 90 63 9100	L04	EUR/100 kg	44,02
	L40	EUR/100 kg	39,24		L40	EUR/100 kg	63,49
0406 20 90 9919	L04	EUR/100 kg	35,08	0406 90 63 9900	L04	EUR/100 kg	42,31
	L40	EUR/100 kg	43,86		L40	EUR/100 kg	61,32
0406 30 31 9730	L04	EUR/100 kg	3,91	0406 90 69 9910	L04	EUR/100 kg	42,93
	L40	EUR/100 kg	9,17		L40	EUR/100 kg	62,22
0406 30 31 9930	L04	EUR/100 kg	3,91	0406 90 73 9900	L04	EUR/100 kg	36,12
	L40	EUR/100 kg	9,17		L40	EUR/100 kg	51,75
0406 30 31 9950	L04	EUR/100 kg	5,69	0406 90 75 9900	L04	EUR/100 kg	36,84
	L40	EUR/100 kg	13,34		L40	EUR/100 kg	52,98
0406 30 39 9500	L04	EUR/100 kg	3,91	0406 90 76 9300	L04	EUR/100 kg	32,71
	L40	EUR/100 kg	9,17		L40	EUR/100 kg	46,82
0406 30 39 9700	L04	EUR/100 kg	5,69	0406 90 76 9400	L04	EUR/100 kg	36,63
	L40	EUR/100 kg	13,34		L40	EUR/100 kg	52,44
0406 30 39 9930	L04	EUR/100 kg	5,69	0406 90 76 9500	L04	EUR/100 kg	33,92
	L40	EUR/100 kg	13,34		L40	EUR/100 kg	48,15
0406 30 39 9950	L04	EUR/100 kg	6,44	0406 90 78 9100	L04	EUR/100 kg	35,88
	L40	EUR/100 kg	15,09		L40	EUR/100 kg	52,42
0406 40 50 9000	L04	EUR/100 kg	34,48	0406 90 78 9300	L04	EUR/100 kg	35,54
	L40	EUR/100 kg	43,09		L40	EUR/100 kg	50,76
0406 40 90 9000	L04	EUR/100 kg	35,41	0406 90 78 9500	L04	EUR/100 kg	34,55
	L40	EUR/100 kg	44,26		L40	EUR/100 kg	49,04
0406 90 13 9000	L04	EUR/100 kg	39,25	0406 90 79 9900	L04	EUR/100 kg	29,35
	L40	EUR/100 kg	56,18		L40	EUR/100 kg	42,19
0406 90 15 9100	L04	EUR/100 kg	40,57	0406 90 81 9900	L04	EUR/100 kg	36,63
	L40	EUR/100 kg	58,06		L40	EUR/100 kg	52,44
0406 90 17 9100	L04	EUR/100 kg	40,57	0406 90 85 9930	L04	EUR/100 kg	40,16
	L40	EUR/100 kg	58,06		L40	EUR/100 kg	57,80

Code produit	Destination	Unité de mesure	Montant des restitutions	Code produit	Destination	Unité de mesure	Montant des restitutions
0406 90 85 9970	L04	EUR/100 kg	36,84	0406 90 87 9971	L04	EUR/100 kg	35,97
	L40	EUR/100 kg	52,98		L40	EUR/100 kg	51,50
0406 90 86 9200	L04	EUR/100 kg	35,61	0406 90 87 9972	L04	EUR/100 kg	15,21
	L40	EUR/100 kg	52,80		L40	EUR/100 kg	21,86
0406 90 86 9400	L04	EUR/100 kg	38,16	0406 90 87 9973	L04	EUR/100 kg	35,33
	L40	EUR/100 kg	55,80		L40	EUR/100 kg	50,57
0406 90 86 9900	L04	EUR/100 kg	40,16	0406 90 87 9974	L04	EUR/100 kg	37,84
	L40	EUR/100 kg	57,80		L40	EUR/100 kg	53,93
0406 90 87 9300	L04	EUR/100 kg	33,16	0406 90 87 9975	L04	EUR/100 kg	37,52
	L40	EUR/100 kg	49,00		L40	EUR/100 kg	53,02
0406 90 87 9400	L04	EUR/100 kg	33,86	0406 90 87 9979	L04	EUR/100 kg	35,35
	L40	EUR/100 kg	49,49		L40	EUR/100 kg	50,82
0406 90 87 9951	L04	EUR/100 kg	35,97	0406 90 88 9300	L04	EUR/100 kg	29,29
	L40	EUR/100 kg	51,50		L40	EUR/100 kg	43,13
				0406 90 88 9500	L04	EUR/100 kg	30,20
					L40	EUR/100 kg	43,15

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2006/2007 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Article 20a of Regulation (EC) No 174/1999, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200: 28,00 EUR/100 kg

The destinations are defined as follows:

L02: Andorra and Gibraltar.

L20: All destinations except L02, Ceuta, Melilla, Holy See (Vatican City State), the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L21: All destinations except L02, Ceuta, Melilla, Holy See (Vatican City State), the United States of America, Bulgaria and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L02, L04, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Bulgaria, Romania, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

**COMMISSION REGULATION (EC) No 523/2006
of 30 March 2006**

**fixing the maximum export refund for butter in the framework of the standing invitation to tender
provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 28 March 2006.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 28 March 2006, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—
Butter	ex 0405 10 19 9700	102,40
Butteroil	ex 0405 90 10 9000	123,90

COMMISSION REGULATION (EC) No 524/2006**of 30 March 2006****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.
- (2) 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⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate

precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

- (5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.
- (6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 172, 5.7.2005, p. 24.

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 31 March 2006 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	4,72	5,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	20,25	21,93
	(b) on exportation of other goods	46,72	50,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	52,84	57,50
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	95,92	103,75
	(c) on exportation of other goods	88,67	96,50

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 525/2006**of 30 March 2006****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular Article 27(5)(a) and (15) thereof,

Whereas:

- (1) Article 27(1) and (2) of Regulation (EC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex V to that Regulation.
- (2) 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, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

- (4) Article 27(3) of Regulation (EC) No 1260/2001 lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and (2) of Regulation (EC) No 1260/2001, and exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 987/2005 (OJ L 167, 29.6.2005, p. 12).

⁽²⁾ OJ L 172, 5.7.2005, p. 24.

ANNEX

Rates of refunds applicable from 31 March 2006 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	23,89	23,89

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 526/2006**of 30 March 2006****fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds for skimmed milk powder ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the tenders submitted in response to the invitation to

tender, it is appropriate to fix a maximum export refund for the tendering period ending on 28 March 2006.

- (3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 28 March 2006, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be 7,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

COMMISSION REGULATION (EC) No 527/2006**of 30 March 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 500/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 91, 29.3.2006, p. 6.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 31 March 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	37,21	0,12
1701 11 90 ⁽¹⁾	37,21	3,74
1701 12 10 ⁽¹⁾	37,21	0,00
1701 12 90 ⁽¹⁾	37,21	3,44
1701 91 00 ⁽²⁾	38,95	5,78
1701 99 10 ⁽²⁾	38,95	2,65
1701 99 90 ⁽²⁾	38,95	2,65
1702 90 99 ⁽³⁾	0,39	0,29

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.

⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 528/2006**of 30 March 2006****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 1809/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal from third countries was opened pursuant to Commission Regulation (EC) No 1809/2005⁽²⁾.
- (2) Pursuant to Article 7 of Commission Regulation (EC) No 1839/95⁽³⁾, the Commission, acting under the procedure laid down in Article 25 of Regulation (EC) No 1784/2003, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 24 to 30 March 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1809/2005, the maximum reduction in the duty on maize imported shall be 29,90 EUR/t and be valid for a total maximum quantity of 2 014 t.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 291, 5.11.2005, p. 4.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 529/2006**of 30 March 2006****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1058/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

Having regard to the Treaty establishing the European Community,

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

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

Whereas:

HAS ADOPTED THIS REGULATION:

(1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1058/2005 ⁽²⁾.

Article 1

No action shall be taken on the tenders notified from 24 to 30 March 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

(2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 174, 7.7.2005, p. 12.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 530/2006**of 30 March 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 1059/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 1059/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 24 to 30 March 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 1059/2005.

Article 2

This Regulation shall enter into force on 31 March 2006.

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

Done at Brussels, 30 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 174, 7.7.2005, p. 15.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 March 2006

repealing Decision 2002/683/EC accepting an undertaking offered in connection with the anti-dumping proceeding concerning imports of colour television receivers originating, *inter alia*, in the People's Republic of China

(2006/258/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the basic Regulation), and in particular Article 8 thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) In August 2002, by Regulation (EC) No 1531/2002⁽²⁾, the Council imposed a definitive anti-dumping duty on imports of colour television receivers (the product concerned) originating, *inter alia*, in the People's Republic of China (the PRC).
- (2) In parallel, the Commission, by Decision 2002/683/EC⁽³⁾, accepted a joint undertaking (the undertaking) by Haier Electrical Appliances Corp., Ltd, Hisense Import & Export Co., Ltd, Konka Group Co., Ltd, Sichuan Changhong Electric Co., Ltd, Skyworth Multimedia International (Shenzhen) Co., Ltd, TCL King Electrical Appliances (Hui Zhou) Co., Ltd and Xiamen Overseas Chinese Electronic Co., Ltd (the Companies), in conjunction with the China Chamber of Commerce for Import and Export of Machinery and Electronics Products (CCCME).

- (3) As a result, imports into the Community of the product concerned of PRC origin, produced by the Companies, and of a type covered by the undertaking (the product covered by the undertaking), were exempted from the definitive anti-dumping duties.

B. BREACHES OF THE UNDERTAKING

1. Obligations of companies with undertakings

- (4) The undertaking offered by the Companies obliges them to, *inter alia*, export the product covered by the undertaking to the first independent customer in the Community at or above certain minimum import price levels (MIPs) and to respect certain quantitative ceilings laid down in the undertaking. These price levels and ceilings eliminate the injurious effects of dumping.
- (5) For the purposes of ensuring compliance with the undertaking, CCCME and the Companies also agreed to provide all information considered necessary by the Commission and to allow on-spot verification visits at their premises in order to permit verifications of the accuracy and veracity of data submitted in the said quarterly reports.
- (6) As noted in recital 239 of Regulation (EC) No 1531/2002, the undertaking specifically provides that a breach by any of the Companies or the CCCME shall be considered as a breach of the undertaking by all signatories. Failure to cooperate with the European Commission in monitoring the undertaking is considered as a breach of the undertaking.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 231, 29.8.2002, p. 1.

⁽³⁾ OJ L 231, 29.8.2002, p. 42.

(7) In this regard, the Commission requested to carry out on-spot verification visits at the premises of CCCME and of the two companies with the largest reported volume of sales of the product concerned, namely Xiamen Overseas Chinese Electronic Co., Ltd and Konka Group Co., Ltd. The Commission sent pre-verification letters to CCCME, Xiamen Overseas Chinese Electronic Co., Ltd and Konka Group Co., Ltd with an indication of the dates for the on-spot verification.

2. Results of the verification request

- (8) The CCCME and Xiamen Overseas Chinese Electronic Co., Ltd confirmed the acceptance of the verification visit requested by the Commission. However, Konka Group Co., Ltd refused to accept a verification visit.
- (9) The company was requested to clarify whether this was its final position and was reminded that according to Clause 5.6 of the undertaking, the Companies undertook to cooperate in providing all information considered necessary by the European Commission for the purpose of ensuring compliance with the joint undertaking and to allow officials of the European Commission to verify all information and data furnished. This included the possibility of these officials performing on-spot investigations at the premises of the Companies and/or the CCCME, even at short notice.
- (10) By letter, the company Konka Group Co., Ltd, confirmed that they had no interest to cooperate and this position taken by the company was furthermore confirmed by the CCCME.
- (11) Accordingly, the CCCME and the Companies were informed of the essential facts and considerations on the basis of which it was intended to withdraw the Commission's acceptance of the undertaking, due to the breach of the undertaking by Konka Group Co.,

Ltd, and to impose the definitive anti-dumping duty in its place. A period was granted within which representations could be made both in writing and orally. No comments were received.

C. REPEAL OF DECISION 2002/683/EC

- (12) In the light of the above, it is considered that acceptance of the undertaking offered by the Companies in conjunction with the CCCME, should be withdrawn. Decision 2002/683/EC accepting an undertaking should be repealed.
- (13) In parallel to this Decision, the Council, by Regulation (EC) No 511/2006 ⁽¹⁾ has amended Regulation (EC) No 1531/2002 so as to impose a definitive anti-dumping duty on imports exported to the Community by the companies concerned of colour television receivers,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2002/683/EC is hereby repealed.

Article 2

This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 6 March 2006.

For the Commission
Peter MANDELSON
Member of the Commission

⁽¹⁾ See page 26 of this Official Journal.

COMMISSION DECISION

of 27 March 2006

amending Annex II to Council Decision 79/542/EEC as regards regionalisation for Argentina and the model certificates relating to the importation of bovine fresh meat from Brazil*(notified under document number C(2006) 896)***(Text with EEA relevance)**

(2006/259/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽¹⁾, and in particular points (1) and (4) of Article 8 and Article 9(4) thereof,

Whereas:

(1) Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat ⁽²⁾ provides that imports of those animals and meat are to meet the requirements set out in the appropriate model certificates drawn up under that Decision.

(2) Argentina has confirmed an outbreak of foot and mouth disease (type O) in the Province of Corrientes in the Department of San Lu s del Palmar and has immediately informed the Commission on 8 February 2006.

(3) It is necessary, in order to protect the health status of the Community, to take regionalisation measures temporarily suspending imports of de-boned meat coming from bovines originating from that Department and the surrounding Departments of Ber n de Astrada, Capital, General Paz, Empedrado, Itati, Mburucuy  and San Cosme.

(4) The first notification of a suspicion of foot and mouth disease to the Argentinean veterinary authorities was on 4 February 2006. However, the veterinary authorities have suspended certification of exports of meat from animals slaughtered after the 4 January 2006. Consignments of such meat from bovines slaughtered on or after 4 January 2006 from those Departments should be suspended. However by way of derogation from that suspension consignments with a certification signed between 4 January to 4 February 2006 for de-boned and matured meat from bovines slaughtered during the period from 4 January 2006 to 4 February 2006 and already dispatched to the Community should be permitted to be imported into the Community.

(5) Following a recent Commission mission to Brazil it appears that although the traceability systems have been substantially improved, some further improvements are necessary in order to avoid possible contacts between animals of different status. It is also necessary to improve the efficacy of foot and mouth disease vaccination and the ability to demonstrate lack of circulation of foot and mouth disease virus taking into account that only de-boned and matured bovine meat is imported into the Community.

(6) It is appropriate as an additional measure to provide for supplementary guarantees concerning animal contacts, vaccination and surveillance.

(7) Account needs to be taken of the non-vaccination foot and mouth policy in the State of Santa Catarina.

(8) Annex II to Decision 79/542/EEC should therefore be amended accordingly.

(9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 18, 23.1.2002, p. 11.

⁽²⁾ OJ L 146, 14.6.1979, p. 15. Decision as last amended by Commission Decision 2006/9/EC (OJ L 7, 12.1.2006, p. 23).

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

The Annex to Decision 79/542/EEC is amended in accordance with the Annex to this Decision:

Done at Brussels, 27 March 2006.

Article 2

This Decision shall apply from 31 March 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

In Annex II to Decision 79/542/EEC, Part I and the list of Models of veterinary certificates and the Model 'BOV' in Part II are replaced by the following:

'ANNEX II
(FRESH MEAT)

Part 1

LIST OF THIRD COUNTRIES OR PARTS THEREOF (*)

Country	Code of Territory	Description of territory	Veterinary certificate		Specific conditions
			Model(s)	SG	
1	2	3	4	5	6
AL — Albania	AL-0	Whole country	—		
AR — Argentina	AR-0	Whole country	EQU		
	AR-1	The Provinces of Buenos Aires, Catamarca, Corrientes (except the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mbucuruyá, San Cosme and San Luís del Palmar), Entre Ríos, La Rioja, Mendoza, Misiones, Neuquen, Rio Negro, San Juan, San Luis, Santa Fe, and Tucuman.	BOV	A	1 and 2
	AR-2	La Pampa and Santiago del Estero	BOV	A	1 and 2
	AR-3	Cordoba	BOV	A	1 and 2
	AR-4	Chubut, Santa Cruz and Tierra del Fuego	BOV, OVI, RUW, RUF		1
	AR-5	Formosa (only the territory of Ramon Lista) and Salta (only the department of Rivadavia.)	BOV	A	1 and 2
	AR-6	Salta (only the departments of General Jose de San Martin, Oran, Iruya, and Santa Victoria)	BOV	A	1 and 2
	AR-7	Chaco, Formosa (except the territory of Ramon Lista), Salta (except the departments of General Jose de San Martin, Rivadavia, Oran, Iruya, and Santa Victoria), Jujuy	BOV	A	1 and 2
	AR-8	Chaco, Formosa, Salta, Jujuy, with the exception of the buffer area of 25 Km from the border with Bolivia and Paraguay that extends from the Santa Catalina District in the Province of Jujuy, to the Laishi District in the Province of Formosa	BOV	A	1 and 2
	AR-9	The buffer area of 25 Km from the border with Bolivia and Paraguay that extends from the Santa Catalina District in the Province of Jujuy, to the Laishi District in the Province of Formosa	—		
	AR-10	Part of the Province of Corrientes: the departments of Berón de Astrada, Capital, Empedrado, General Paz, Itati, Mbucuruyá, San Cosme and San Luís del Palmar	BOV	A	1 and 2
AU — Australia	AU-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW		
BA — Bosnia Herzegovina	BA-0	Whole country	—		

1	2	3	4	5	6
BG — Bulgaria ^a	BG-0	Whole country	EQU		
	BG-1	The provinces of Varna, Dobrich, Silistra, Choumen, Targovitchte, Razgrad, Rousse, V.Tarnovo, Gabrovo, Plevna, Lovetch, Plovdic, Smolian, Pasardjik, Sofia district, Sofia city, Pernik, Kustendil, Blagoevgrad, Vratza, Montana and Vidin	BOV, OVI, RUW, RUF		
	BG-2	The provinces of Bourgas, Jambol, Sliven, Starazagora, Hasskovo, Kardjali and the 20-km-wide corridor on the border with Turkey	—		
BH — Bahrain	BH-0	Whole country	—		
BR — Brazil	BR-0	Whole country	EQU		
	BR-1	Part of the State of Minas Gerais (except regional delegations of Oliveira, Passos, São Gonçalo de Sapucaí, Setelagoas and Bambuí); State of Espírito Santo; State of Goiás and; Part of the State of Mato Grosso comprising the regional unit of Cuiabá (except for the municipalities of San Antonio de Leverger, Nossa Senhora do Livramento, Pocone and Barão de Melgaço), the regional unit of Cáceres (except for the municipality of Cáceres), the regional unit of Lucas do Rio Verde, the regional unit of Rondonópolis (except for the municipality of Itiquira), the regional unit of Barra do Garça and the regional unit of Barra do Burges.	BOV	A and H	1 and 2
	BR-2	State of Rio Grande do Sul	BOV	A and H	1 and 2
	BR-3	Part of the State of Mato Grosso do Sul comprising the municipality of Sete Quedas	BOV	A and H	1 and 2
	BR-4	Part of the State of Mato Grosso do Sul (except for the municipalities of: Sonora, Aquidauana, Bodoqueno, Bonito, Caracol, Coxim, Jardim, Ladario, Miranda, Pedro Gomes, Porto Murtinho, Rio Negro, Rio Verde of Mato Grosso and Corumbá), State of Paraná, and State of São Paulo	BOV	A and H	1 and 2
	BR-5	State of Paraná, State of Mato Grosso do Sul and State of São Paulo.	—	—	1
	BR-6	State of Santa Catarina	BOV	A and H	1 and 2
	BW — Botswana	BW-0	Whole country	EQU, EQW	
BW-1		The veterinary disease control zones 5, 6, 7, 8, 9 and 18	BOV, OVI, RUF, RUW	F	1 and 2
BW-2		The veterinary disease control zones 10, 11, 12, 13 and 14	BOV, OVI, RUF, RUW	F	1 and 2

1	2	3	4	5	6
BY — Belarus	BY-0	Whole country	—		
BZ — Belize	BZ-0	Whole country	BOV, EQU		
CA — Canada	CA-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW, RUF, RUW,	G	
CH — Switzerland	CH-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW		
CL — Chile	CL-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF		
CN — China (People's Republic of)	CN-0	Whole country	—		
CO — Colombia	CO-0	Whole country	EQU		
	CO-1	The zone included within the borderlines from the point where the Murri River flows into the Atrato River, downstream along the Atrato River to where it flows into the Atlantic Ocean from this point to the Panamanian border following the Atlantic coast-line to Cabo Tiburón; from this point to the Pacific Ocean following the Columbian-Panamanian border; from this point to the mouth of the Valle River along the Pacific coast and from this point along a straight line to the point where the Murri River flows into the Atrato River.	BOV	A	2
	CO-3	The zone included within the borderlines from the mouth of the Sinu River on the Atlantic Ocean, upstream along the Sinu River to its head-Waters of Alto Paramillo, from this point to Puerto Rey on the Atlantic Ocean, following the borderline between the Department of Antiquia and Córdoba, and from this point to the mouth of the Sinu River along the Atlantic coast.	BOV	A	2
CR — Costa Rica	CR-0	Whole country	BOV, EQU		
CU — Cuba	CU-0	Whole country	BOV, EQU		
DZ — Algeria	DZ-0	Whole country	—		
ET — Ethiopia	ET-0	Whole country	—		
FK — Falkland Islands	FK-0	Whole country	BOV, OVI, EQU		
GL — Greenland	GL-0	Whole country	BOV, OVI, EQU, RUF, RUW		
GT — Guatemala	GT-0	Whole country	BOV, EQU		
HK — Hong Kong	HK-0	Whole country	—		
HN — Honduras	HN-0	Whole country	BOV, EQU		

1	2	3	4	5	6
HR — Croatia	HR-0	Whole country	BOV, OVI, EQU, RUF, RUW		
IL — Israel	IL-0	Whole country	—		
IN — India	IN-0	Whole country	—		
IS — Iceland	IS-0	Whole country	BOV, OVI, EQU, RUF, RUW		
KE — Kenya	KE-0	Whole country	—		
MA — Morocco	MA-0	Whole country	EQU		
MG — Madagascar	MG-0	Whole country	—		
MK — former Yugoslav Republic of Macedonia (***)	MK-0	Whole country	OVI, EQU		
MU — Mauritius	MU-0	Whole country	—		
MX — Mexico	MX-0	Whole country	BOV, EQU		
NA — Namibia	NA-0	Whole country	EQU, EQW		
	NA-1	South of the cordon fences which extend from Palgrave Point in the west to Gam in the east	BOV, OVI, RUF, RUW	F	2
NC — New Caledonia	NC-0	Whole country	BOV, RUF, RUW		
NI — Nicaragua	NI-0	Whole country	—		
NZ — New Zealand	NZ-0	Whole country	BOV, OVI, POR, EQU, RUF, RUW, SUF, SUW		
PA — Panama	PA-0	Whole country	BOV, EQU		
PY — Paraguay	PY-0	Whole country	EQU		
	PY-1	Chaco central and San Pedro areas	BOV	A	1 and 2
RO — Romania ^a	RO-0	Whole country	BOV, OVI, EQU, RUW, RUF		
RU — Russia	RU-0	Whole country	—		
	RU-1	Region of Murmansk, Yamolo-Nemets autonomous area	RUF		
SV — El Salvador	SV-0	Whole country	—		

1	2	3	4	5	6
SZ — Swaziland	SZ-0	Whole country	EQU, EQW		
	SZ-1	Area west of the "red line" fences which extends northwards from the river Usutu to the frontier with South Africa west of Nkalashane,	BOV, RUF, RUW	F	2
	SZ-2	The veterinary foot and mouth surveillance and vaccination control areas as gazetted as a Statutory Instrument under legal notice number 51 of 2001	BOV, RUF, RUW	F	1 and 2
TH — Thailand	TH-0	Whole country	—		
TN — Tunisia	TN-0	Whole country	—		
TR — Turkey	TR-0	Whole country	—		
	TR-1	The provinces of Amasya, Ankara, Aydin, Balikesir, Bursa, Cankiri, Corum, Denizli, Izmir, Kastamonu, Kutahya, Manisa, Usak, Yozgat and Kirikkale	EQU		
UA — Ukraine	UA-0	Whole country	—		
US — United States	US-0	Whole country	BOV, OVI, POR, EQU, SUF, SUW, RUF, RUW	G	
XM — Montenegro	XM-0	Whole custom territory (****)	BOV, OVI, EQU		
XS — Serbia (**)	XS-0	Whole custom territory (****)	BOV, OVI, EQU		
UY — Uruguay	UY-0	Whole country	EQU		
			BOV	A	1 and 2
			OVI	A	1 and 2
ZA — South Africa	ZA-0	Whole country	EQU, EQW		
	ZA-1	The whole country except: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28°, and — the district of Camperdown, in the province of KwaZuluNatal	BOV, OVI, RUF, RUW	F	2
ZW — Zimbabwe	ZW-0	Whole country	—		

(*) Without prejudice to specific certification requirements provided for by Community agreements with third countries.

(**) Not including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

(***) The former Yugoslav Republic of Macedonia; provisional code that does not prejudice in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject in the United Nations.

(****) Serbia and Montenegro are Republics with individual customs territory forming a State Union and therefore have to be listed separately.

— = No certificate laid down and fresh meat imports are prohibited (except for those species where indicated in the line for the whole country).

^a = Only applicable until this Accessing State becomes a Member States of the European Union.

Specific conditions referred to in column 6

"1": Geographic and timing restrictions:

Code of Territory	Veterinary certificate		Time period/dates for which importation into the Community is authorised or not authorised in relation to dates of slaughter/killing of animals from which the meat was obtained	
	Model	SG		
AR-1	BOV	A	Before and including 31 January 2002	Not authorised
			After and including 1 February 2002	Authorised
AR-2	BOV	A	Before and including 8 March 2002	Not authorised
			After and including 9 March 2002	Authorised
AR-4	BOV, OVI, RUW, RUF	—	Before and including 28 February 2002	Not authorised
			After and including 1 March 2002	Authorised
AR-5	BOV	A	From 1 February 2002 to 10 July 2003 (inclusive)	Authorised
			After and including 11 July 2003	Not Authorised
AR-6	BOV	A	From 1 February 2002 to 4 September 2003 (inclusive)	Authorised
			After and including 5 September 2003	Not Authorised
AR-7	BOV	A	From 1 February 2002 to 7 October 2003 (inclusive)	Authorised
			After and including 8 October 2003	Not Authorised
AR-8	BOV	A	Before and including 17 March 2005	see AR-5, AR-6 and AR-7 for periods when the specific territories within the area referred to in AR-8 were not authorised
			After and including 18 March 2005	Authorised
AR-10	BOV	A	Before and including 3 January 2006	Authorised
			After and including 4 January 2006 except for consignments already on their way before the 4 February to the Community certified between 4 January and 4 February 2006.	Not authorised
BR-1	BOV	A+H	After 1 December 2001	Authorised
BR-2	BOV	A+H	Before and including 30 November 2001	Not authorised
			After and including 1 December 2001	Authorised
BR-3	BOV	A+H	Before and including 31 October 2002	Authorised
			After and including 1 November 2002	Not authorised
BR-4	BOV	A+H	After and including 1 December 2001 until and including 29 September 2005	Authorised

Code of Territory	Veterinary certificate		Time period/dates for which importation into the Community is authorised or not authorised in relation to dates of slaughter/killing of animals from which the meat was obtained	
	Model	SG		
BR 5	BOV		After and including 30 September 2005	Not authorised
BR-6	BOV	A	After 1 December 2001	Authorised
BW-1	BOV, OVI, RUW, RUF	A	Before and including 7 July 2002	Not authorised
			After and including 8 July to 22 December 2002	Authorised
			After and including 23 December 2002 to 6 June 2003	Not authorised
			After and including 7 June 2003	Authorised
BW-2	BOV, OVI, RUW, RUF	A	Before and including 6 March 2002	Not authorised
			After and including 7 March 2002	Authorised
PY-1	BOV	A	Before and including 31 August 2002	Not authorised
			After and including 1 September 2002 to 19 February 2003	Authorised
			After and including 20 February 2003	Not authorised
SZ-2	BOV, RUF, RUW	A	Before and including 3 August 2003	Not authorised
			After and including 4 August 2003	Authorised
UY-0	BOV, OVI	A	Before and including 31 October 2001	Not authorised
			After and including 1 November 2001	Authorised

"2": Category restrictions:

No offal authorised (except, in the case of bovine species, diaphragm and masseter muscles).

Part 2

MODELS OF VETERINARY CERTIFICATES

Model(s):

"BOV": Model of veterinary certificate for fresh meat of domestic bovine animals (*Bos taurus*, *Bison bison*, *Bubalus bubalis* and their cross-breeds).

"POR": Model of veterinary certificate for fresh meat of domestic porcine animals (*Sus scrofa*).

"OVI": Model of veterinary certificate for fresh meat of domestic sheep (*Ovis aries*) and goats (*Capra hircus*).

"EQU": Model of veterinary certificate for fresh meat of domestic equine animals (*Equus caballus*, *Equus asinus* and their cross-breeds).

"RUF": Model of veterinary certificate for fresh meat of farmed non-domestic animals other than *suidae* and *solipeds*.

"RUW": Model of veterinary certificate for fresh meat of wild non-domestic animals other than *suidae* and *solipeds*.

"SUF": Model of veterinary certificate for fresh meat of farmed non-domestic *suidae*.

"SUW": Model of veterinary certificate for fresh meat of wild non-domestic *suidae*.

"EQW": Model of veterinary certificate for fresh meat of wild non-domestic *solipeds*.

SG (Supplementary guarantees)

- "A": guarantees regarding the maturation, pH measurement and boning of fresh meat, excluding offal, certified according to the models of certificates BOV (point 10.6), OVI (point 10.6), RUF (point 10.7) and RUW (point 10.4).
- "B": guarantees regarding matured trimmed offal as described in the model of certificate BOV (point 10.6).
- "C": guarantees regarding laboratory test for classical swine fever in the carcasses from which fresh meat certified according to the model of certificate SUW (point 10.3 bis) was obtained.
- "D": guarantees regarding swill feed on holding(s) of animals from which fresh meat certified according to models of certificate POR (point 10.3 d) was obtained.
- "E": guarantees regarding tuberculosis test in the animals from where fresh meat certified according to the model of certificate BOV (point 10.4 d) was obtained.
- "F": guarantees regarding the maturation and de-boning of fresh meat, excluding offal, certified according to the models of certificates BOV (point 10.6), OVI (point 10.6), RUF (point 10.7) and RUW (point 10.4).
- "G": guarantees regarding 1, exclusion of offals and spinal cord; and 2, testing and origin of cervid animals in relation to chronic wasting disease as referred to in the models of certificates RUF (point 9.2.1) and RUW (point 9.3.1).
- "H": supplementary guarantees required for Brazil concerning animal contacts, vaccination programmes and surveillance. However as the State of Santa Catarina in Brazil does not vaccinate against foot and mouth disease the reference to a vaccination programme is not applicable for meat coming from animals originating and slaughtered in that State.

Notes

- (a) Veterinary certificates shall be produced by the exporting country, based on the models appearing in Part 2 of Annex II, according to the layout of the model that corresponds to the meats concerned. They shall contain, in the numbered order that appears in the model, the attestations that are required for any third country and, as the case may be, those supplementary guarantees that are required for the exporting third country or part thereof.
- (b) A separate and unique certificate must be provided for meat that is exported from a single territory appearing in columns 2 and 3 of Part 1 of Annex II which is consigned to the same destination and transported in the same railway wagon, lorry, aircraft or ship.
- (c) The original of each certificate shall consist of a single page, both sides, or, where more text is required, it shall be in such a form that all pages needed are part of an integrated whole and indivisible.
- (d) It shall be drawn up in at least one of the official languages of the EU Member State in which the inspection at the border post shall be carried out and of the EU Member State of destination. However, these Member States may allow other languages, if necessary, accompanied by an official translation.
- (e) If for reasons of identification of the items of the consignment (schedule in point 8.3 of the model of certificate), additional pages are attached to the certificate, these pages shall also be considered as forming part of the original of the certificate by the application of the signature and stamp of the certifying official veterinarian, in each of the pages.
- (f) When the certificate, including additional schedules referred to in (e), comprises more than one page, each page shall be numbered — (page number) of (total number of pages) — at the bottom and shall bear the code number of the certificate that has been designated by the competent authority at the top.
- (g) The original of the certificate must be completed and signed by an official veterinarian. In doing so, the competent authorities of the exporting country shall ensure that the principles of certification equivalent to those laid down in Council Directive 96/93/EC are followed. The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermarked.
- (h) The original of the certificate must accompany the consignment at the EU border inspection post.

Model BOV

1. Consignor (name and address in full)	VETERINARY CERTIFICATE for fresh meat of domestic bovines ⁽¹⁾, consigned to the European Community No ⁽²⁾ ORIGINAL																																																																		
2. Consignee (name and address in full)	3. Origin of the meat ⁽³⁾ 3.1 Country: 3.2 Code of territory:																																																																		
5. Intended destination of the meat 5.1 EU Member State: 5.2 Establishment Name, and address Approval or registration number (where applicable)	4. Competent Authority 4.1 Ministry: 4.2 Service: 4.3 Local/Regional level:																																																																		
7. Means of transport and consignment identification ⁽⁴⁾ 7.1 (Lorry, Rail-wagon, Ship, or Aircraft) ⁽⁵⁾ 7.2 Registration number(s), ship name or flight number:	6. Place of loading for exportation 7.3 Consignment identification details ⁽⁶⁾ :																																																																		
8. Identification of the meat 8.1 Meat from: (animal species). 8.2 Temperature conditions of the meat included in this consignment: chilled/frozen ⁽⁵⁾ 8.3 Individual identification of the meat included in this consignment:																																																																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="width: 20%;">Nature of cuts ⁽⁷⁾</th> <th colspan="3" style="text-align: center;">Approval number of the establishments</th> <th rowspan="2" style="width: 15%;">Number of packages/pieces</th> <th rowspan="2" style="width: 10%;">Net weight (kg)</th> </tr> <tr> <th style="width: 15%;">Slaughterhouse</th> <th style="width: 15%;">Cutting/Manufacturing</th> <th style="width: 15%;">Cold store</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr> <td colspan="3" style="text-align: right;">Total</td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					Nature of cuts ⁽⁷⁾	Approval number of the establishments			Number of packages/pieces	Net weight (kg)	Slaughterhouse	Cutting/Manufacturing	Cold store																																																	Total					
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	Slaughterhouse	Cutting/Manufacturing	Cold store																																																																
Total																																																																			
9. Public Health attestation I, the undersigned official veterinarian, hereby certify, that: 9.1 the fresh meat has been obtained, prepared, handled and stored under the health conditions governing production and control laid down in European Community legislation ⁽⁸⁾ and it is, therefore, considered as such to be fit for human consumption; ⁽⁵⁾ [and the minced meat was produced and deep-frozen in manufacturing establishments, in accordance with the requirements laid down in European Community legislation ⁽⁸⁾]; 9.2 the fresh meat, or the packages of meat, bear an official health mark to the effect that the meat has been wholly dressed and inspected in the establishments indicated under point 8.3 that are approved for exportation to the European Community; 9.3 the means of transport and the loading conditions of this consignment meet the hygiene requirements laid down in European Community legislation ⁽⁸⁾ ;																																																																			

9.4 with regard to bovine spongiform encephalopathy (BSE),⁽⁸⁾

⁽⁵⁾⁽⁹⁾ either [the fresh meat does not contain bovine material other than those derived from animals born, continuously reared and slaughtered in the territory described under point 3, and/or from animals born and continuously reared in the territory of⁽³⁾⁽⁹⁾, and imported and slaughtered in the territory described under point 3.]

⁽⁵⁾⁽¹⁰⁾ or [(insert the relevant text of European Parliament and Council Regulation 999/2001 (as last amended))
.....
.....
.....]

10. Animal Health attestation

I, the undersigned official veterinarian, hereby certify, that the fresh meat described above:

10.1 has been obtained in the territory with code:⁽³⁾ which, at the date of issuing this certificate:

(a) has been free for 12 months from rinderpest, and during the same period no vaccination against this disease has taken place, and

⁽⁵⁾ either [(b) has been free for 12 months from foot-and-mouth disease, and during the same period no vaccination against this disease has taken place;]

⁽⁵⁾ or [(b) has been considered free from foot-and-mouth disease since (date), without having had cases/outbreaks afterwards, and authorised to export this meat by Commission Decision 2006/259/EC, of 27 March 2006;]

⁽⁵⁾⁽¹¹⁾ or [(b) vaccination programmes against foot-and-mouth disease are being officially carried out and controlled in domestic bovine animals;]

⁽⁵⁾⁽¹⁸⁾ or [(b) has a systematic vaccination programme against foot-and-mouth disease and from herds where the efficacy of this vaccination programme is controlled by the competent veterinary authority through a regular serological surveillance indicating adequate antibody levels and which also demonstrates the absence of foot-and-mouth virus circulation;]

⁽⁵⁾⁽¹⁸⁾ or [(b) has been free for 12 months from foot-and-mouth disease, and during the same period no vaccination against this disease has taken place and is controlled by the competent veterinary authority through a regular surveillance demonstrating the absence of foot-and-mouth infection;]

10.2 has been obtained from animals that:

⁽⁵⁾ [have remained in the territory described under point 10.1 since birth, or for at least the last three months before slaughter;]

⁽⁵⁾ and/or [have been introduced on (date) into the territory described under point 10.1, from the territory with code⁽³⁾ that at that date was authorised to export such animals to the European Community;]

⁽⁵⁾ and/or [have been introduced on (date) into the territory described under point 10.1, from the EU Member State ;]

10.3 has been obtained from animals coming from holdings in which:

(a) none of the animals present therein have been vaccinated against [foot-and-mouth disease or]⁽¹²⁾ rinderpest, and

⁽⁵⁾ either [(b) in these holdings, and in the holdings situated in their vicinity within 10 km, there has been no case/outbreak of foot-and-mouth disease or rinderpest during the previous 30 days,]

⁽⁵⁾⁽¹³⁾ or [(b) there is no official restriction for health reasons and where, in these holdings and in the holdings situated in their vicinity within 25 km, there has been no case/outbreak of foot-and-mouth disease or rinderpest during the previous 60 days, and,

(c) they have remained for at least 40 days before direct dispatch to the slaughterhouse;]

⁽⁵⁾⁽¹⁸⁾ [(d) animals have not been introduced from non-approved EC areas during the last 3 months;]

⁽⁵⁾⁽¹⁴⁾ or [(b) there is no official restriction for health reasons and where, in these holdings and in the holdings situated in their vicinity within 10 km, there has been no case/outbreak of foot-and-mouth disease or rinderpest during the previous 12 months, and

(c) they have remained for at least 40 days before direct dispatch to the slaughterhouse;]

10.4 has been obtained from animals which:

(a) have been transported from their holdings in vehicles, cleaned and disinfected before loading, to an approved slaughterhouse without contact with other animals which did not comply with the conditions mentioned above,

(b) at the slaughterhouse, have passed ante-mortem health inspection during the 24 hours before slaughter and, in particular, have shown no evidence of the diseases mentioned under point 10.1 above,

(c) have been slaughtered on or between⁽¹⁵⁾

⁽⁵⁾⁽¹⁶⁾ [(d) have reacted negatively to an official intra-dermal tuberculosis test carried out within 3 months before slaughter;]

⁽⁵⁾⁽¹⁸⁾ [(e) at the slaughterhouse have been kept prior to slaughter completely separate from animals the meat of which is not intended for the European Community]

10.5 has been obtained in an establishment around which, within a radius of 10 km, there has been no case/outbreak of the diseases mentioned under point 10.1 above during the previous 30 days or, in the event of a case of disease, the preparation of meat for exportation to the European Community has been authorised only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment under the control of an official veterinarian;

10.6

(⁵) either [has been obtained and prepared without contact with other meats not complying with the conditions required above;]

(⁵)(¹³) or [contains [boneless meat] [and] [minced meat] (⁵), obtained only from de-boned meat other than offal that was obtained from carcasses in which the main accessible lymphatic glands have been removed, which have been submitted to maturation at a temperature above + 2 °C for at least 24 hours before the bones were removed and in which the pH value of the meat was below 6.0 when tested electronically in the middle of the longissimus-dorsi muscle after maturation and before de-boning, and has been kept strictly separate from meat not conforming to the requirements mentioned above during all stages of its production, de-boning and storage until it has been packed in boxes or cartons for further storage in dedicated areas.]

(⁵)(¹⁷) or [contains [boneless meat], [and] [minced meat] (⁵), obtained only from de-boned meat other than offal that was obtained from carcasses in which the main accessible lymphatic glands have been removed, which have been submitted to maturation at a temperature above + 2 °C for at least 24 hours before the bones were removed, and has been kept strictly separate from meat not conforming to the requirements mentioned above during all stages of its production, de-boning and storage until it has been packed in boxes or cartons for further storage in dedicated areas.]

(⁵)(¹⁴) or (a) contains only trimmed-offal which have matured at an ambient temperature of more than + 2 °C for at least three hours, or, in the case of diaphragm and masseter muscles, for at least 24 hours;

(b) has been kept strictly separate from meat not conforming to the requirements mentioned above during all stages of its production, trimming and storage until it has been packed in boxes or cartons for further storage in dedicated areas; and

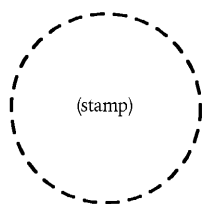
(c) has been packed in leak-proof and sealed boxes/containers which bear labels indicating "MEAT-OFFAL FOR HEAT-TREATMENT", the name and the address of the EU processing establishment of destination.]

11. Animal welfare attestation

I, the undersigned official veterinarian, hereby certify, that the fresh meat described above derives from animals which have been treated in the slaughterhouse before and at the time of slaughter or killing in accordance with the relevant provisions of European Community legislation (⁸).

Official stamp and signature

Done at, on



(signature of official veterinarian)

(name in capital letters, qualifications and title)

Notes

- (1) Fresh meat means all parts, whether fresh, chilled or frozen, fit for human consumption of domestic cattle (*Bos taurus*, *Bison bison*, *Bubalus bubalis* and their cross-breeds), including deep-frozen minced meat.
In the case of trimmed-offal fulfilling the supplementary guarantees mentioned under (14) below, after importation, it must be conveyed without delay to the processing establishment of destination.
- (2) Issued by the competent authority.
- (3) Country and code of territory as appearing in Part 1 of Annex II to Council Decision 79/542/EEC (as last amended).
- (4) The registration number(s) of rail-wagon or lorry and the name of the ship should be given as appropriate. If known, the flight number of the aircraft.
In case of transport in containers or boxes, the total number, their registration and seal numbers, if present, should be indicated under point 7.3.
- (5) Keep as appropriate.
- (6) Complete if appropriate.
- (7) If appropriate, indicate "matured" and/or "minced". If frozen, indicate the date of freezing (mm/yy) of the cuts/pieces.
Trimmed offal of domestic bovines must be exclusively those offal from which the bones, cartilage, trachea and main bronchi, lymphatic glands adhering connective tissue, fat and mucus have been completely removed. Whole masseter muscles, incised in accordance with paragraph 41, A (a) of Chapter VIII of Annex I to Council Directive 64/433/EEC (as last amended), are also permitted.
Minced meat is meat which has been minced into fragments or passed through a spiral-screw mincer and that must have been prepared exclusively from striated muscle (including the adjoining fatty tissues) except heart muscle.
- (8) Regarding fresh meat, the provisions of Council Directive 72/462/EEC (as last amended) shall apply. From 8 June 2003, fresh meat shall come from establishments implementing checks on general hygiene, in accordance with Commission Decision 2001/471/EC (as last amended). For minced meat, those of Council Directive 94/65/EC are also applicable as last amended. Regarding welfare at slaughter, the provisions of Council Directive 93/119/EC (as last amended) shall apply. Regarding BSE, in accordance with the provisions of European Parliament and Council Regulation (EC) No 999/2001, (as last amended).
- (9) Only countries listed in Annex XI, Chapter A point 15(b) to European Parliament and Council Regulation (EC) No 999/2001 (as last amended).
- (10) Insert the exact wording as laid down in Annex XI, Chapter A point 15(b) to the European Parliament and Council Regulation (EC) No 999/2001 (as last amended).
- (11) Only matured de-boned meat fulfilling the supplementary guarantees mentioned under (13) below, or in the case of trimmed-offal fulfilling the supplementary guarantees mentioned under (14) below.
- (12) Delete when the exporting country carries out vaccination against foot-and-mouth disease with serotypes A, O or C, and this country is allowed for export to the European Community matured de-boned meat or trimmed-offal, which fulfils the supplementary guarantees described under, respectively, (13) or (14) below.
- (13) Supplementary guarantees regarding matured de-boned meat to be provided when required in column 5 "SG" of Part 1 of Annex II to Council Decision 79/542/EEC (as last amended), with the entry "A".
- (14) Supplementary guarantees regarding matured trimmed offal to be provided when required in column 5 "SG" of Part 1 of Annex II to Council Decision 79/542/EEC (as last amended), with the entry "B".
- (15) Date or dates of slaughter. Imports of this meat shall not be allowed when obtained from animals slaughtered either prior to the date of authorisation for exportation to the European Community of the territory mentioned under (3), or during a period where restrictive measures have been adopted by the European Community against imports of this meat from this territory.
- (16) Supplementary guarantees concerning tuberculosis test, to be provided when required in column 5 "SG" of Part 1 of Annex II to Council Decision 79/542/EEC (as last amended), with the entry "E". Intra-dermal tuberculosis test to be carried out in accordance with the provisions of Annex B to Council Directive 64/432/EEC (as last amended).
- (17) Supplementary guarantees regarding matured de-boned meat to be provided when required in column 5 "SG" of Part 1 of Annex II to Council Decision 79/542/EEC (as last amended), with the entry "F". The matured de-boned meat shall not be allowed for importation into the European Community until 21 days after the date of slaughter of the animals.
- (18) Supplementary guarantees regarding import of matured de-boned meat to be provided when required in column 5 "SG" of Part 1 of Annex II to Council Decision 79/542/EEC (as last amended) with the entry "H".

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2152/2005 of 23 December 2005 amending Regulation (EC) No 327/98 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice and Regulation (EC) No 1549/2004 derogating from Council Regulation (EC) No 1785/2003 as regards the arrangements for importing rice and laying down separate transitional rules for imports of basmati rice

(Official Journal of the European Union L 342 of 24 December 2005)

I. On page 35, the text in Annex III is replaced by the following text:

‘ANNEX VII

Entries referred to in Article 4(4)(c)

- *in Spanish:* Derecho reducido en un 30,77 % del derecho fijado en el artículo 1 *quinquies* del Reglamento (CE) n° 1549/2004 de la Comisión, hasta la cantidad indicada en las casillas 17 y 18 del presente certificado [Reglamento (CE) n° 327/98]
- *in Czech:* Clo snížené o 30,77 % cla stanoveného v článku 1d nařízení Komise (ES) č. 1549/2004 až na množství uvedené v kolonkách 17 a 18 této licence (nařízení (ES) č. 327/98)
- *in Danish:* Nedsættelse på 30,77 % af den told, der er fastsat i artikel 1d i Kommissionens forordning (EF) nr. 1549/2004, op til den mængde, der er angivet i rubrik 17 og 18 i denne licens (forordning (EF) nr. 327/98)
- *in German:* Zollsatz ermäßigt um 30,77 % des in Artikel 1d der Verordnung (EG) Nr. 1549/2004 der Kommission festgesetzten Zollsatzes bis zu der in den Feldern 17 und 18 dieser Lizenz angegebenen Menge (Verordnung (EG) Nr. 327/98)
- *in Estonian:* Komisjoni määruse (EÜ) nr 1549/2004 artiklis 1d kindlaks määratud tollimaks, mida on alandatud 30,77 % võrra käesoleva sertifikaadi lahtrites 17 ja 18 märgitud kogusteni (määrus (EÜ) nr 327/98)
- *in Greek:* Δασμός μειωμένος κατά 30,77 % του δασμού που καθορίζεται στο άρθρο 1δ του κανονισμού (ΕΚ) αριθ. 1549/2004 της Επιτροπής, έως την ποσότητα που αναγράφεται στα τετραγωνίδια 17 και 18 του παρόντος πιστοποιητικού [κανονισμός (ΕΚ) αριθ. 327/98]
- *in English:* Reduced rate of duty of 30,77 % of the duty set in Article 1d of Commission Regulation (EC) No 1549/2004 up to the quantity indicated in boxes 17 and 18 of this licence (Regulation (EC) No 327/98)
- *in French:* Droit réduit de 30,77 % du droit fixé à l'article 1^{er} *quinquies* du règlement (CE) n° 1549/2004 de la Commission jusqu'à la quantité indiquée dans les cases 17 et 18 du présent certificat [règlement (CE) n° 327/98]
- *in Italian:* Dazio ridotto in ragione del 30,77 % del dazio fissato all'articolo 1 *quinquies* del regolamento (CE) n. 1549/2004 della Commissione fino a concorrenza del quantitativo indicato nelle caselle 17 e 18 del presente titolo [regolamento (CE) n. 327/98]
- *in Latvian:* Ievedmuitas nodoklis samazināts par 30,77 %, salīdzinot ar nodokli, kas noteikts Komisijas Regulas (EK) Nr. 1549/2004 1.d pantā, līdz šīs atļaujas 17. un 18. ailē norādītajam daudzumam (Regula (EK) Nr. 327/98)
- *in Lithuanian:* Komisijos reglamento (EB) Nr. 1549/2004 1d straipsnyje nustatyto muito mokesčio sumažinimas 30,77 % mažesniems kiekiams nei nurodyta šios licencijos 17 ir 18 skirsniuose (Reglamentas (EB) Nr. 327/98)
- *in Hungarian:* Az 1549/2004/EK bizottsági rendelet 1.d. cikkében meghatározott vám 30,77 %-os csökkentett vámja az ezen bizonyítvány 17. és 18. rovatában megjelölt mennyiségig (327/98/EK rendelet)
- *in Maltese:* Dazju mnaqqas ta' 30,77 % tat-dazju fiss fl-Artikolu 1(d) tar-Regolament tal-Kummissjoni (KE) Nru 1549/2004 sal-kwantità indikata fis-sezzjoni 17 u 18 ta' dan iċ-ċertifikat (ir-Regolament (KE) Nru 327/98)
- *in Dutch:* Recht verlaagd met 30,77 % van het in artikel 1 *quinquies* van Verordening (EG) nr. 1549/2004 van de Commissie vastgestelde recht voor hoeveelheden die niet groter zijn dan de in de vakken 17 en 18 van dit certificaat vermelde hoeveelheid (Verordening (EG) nr. 327/98)
- *in Polish:* Obniżona stawka celna odpowiadająca 30,77 % stawki określonej w art. 1d rozporządzenia Komisji (WE) nr 1549/2004 do ilości wskazanej w sekcjach 17 i 18 niniejszego pozwolenia (rozporządzenie (WE) nr 327/98)

- *in Portuguese:* Direito reduzido de 30,77 % do direito fixado no artigo 1.º-D do Regulamento (CE) n.º 1549/2004 da Comissão até à quantidade indicada nas casas 17 e 18 do presente certificado [Regulamento (CE) n.º 327/98]
- *in Slovak:* Clo znížené o 30,77 % cla stanoveného článkom 1d nariadenia Komisie (ES) č. 1549/2004 až na množstvo uvedené v kolónkach 17 a 18 tejto licencie [nariadenie (ES) č. 327/98]
- *in Slovenian:* Dajatev, znižana za 30,77 % od dajatve iz člena 1(d) Uredbe Komisije (ES) št. 1549/2004 do količine, navedene v rubrikah 17 in 18 tega potrdila (Uredba (ES) št. 327/98)
- *in Finnish:* Tulli, jonka määrää on alennettu 30,77 % komission asetuksen (EY) N:o 1549/2004 1 d artiklassa vahvistetusta tullista tämän todistuksen kohdissa 17 ja 18 ilmoitettuun määrään asti (asetus (EY) N:o 327/98)
- *in Swedish:* Tullsatsen nedsatt med 30,77 % av den tullsats som anges i artikel 1d i kommissionens förordning (EG) nr 1549/2004 upp till den mängd som anges i fält 17 och 18 i denna licens (förordning (EG) nr 327/98).'

II. On page 37, in Annex IV, point (d) of the new Annex IX of Regulation (EC) No 327/98, in the second column, the line concerning Pakistan:

for: '1 596',

read: '1 595'.
