

# Official Journal

## of the European Union

# L 106

**Volume 49**
**19 April 2006**

English edition

## Legislation

Contents

### I Acts whose publication is obligatory

Commission Regulation (EC) No 598/2006 of 18 April 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables ..... 1

Commission Regulation (EC) No 599/2006 of 18 April 2006 opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples) .... 3

★ **Commission Regulation (EC) No 600/2006 of 18 April 2006 concerning the classification of certain goods in the Combined Nomenclature** ..... 5

★ **Commission Regulation (EC) No 601/2006 of 18 April 2006 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council as regards the format and the procedure for the transmission of data** ..... 7

★ **Commission Regulation (EC) No 602/2006 of 18 April 2006 adapting Regulation (EC) No 184/2005 of the European Parliament and of the Council through the updating of data requirements** ..... 10

Commission Regulation (EC) No 603/2006 of 18 April 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 ..... 12

### II Acts whose publication is not obligatory

#### Commission

2006/288/EC:

★ **Commission Decision of 30 March 2006 setting up a European Securities Markets Expert Group to provide legal and economic advice on the application of the EU securities Directives** 14

(Continued overleaf)

2006/289/EC:

- ★ **Commission Decision of 12 April 2006 amending Decision 1999/659/EC fixing an indicative allocation by Member State of the allocations under the European Agricultural Guidance and Guarantee Fund — Guarantee section for rural development measures for the period 2000 to 2006 (notified under document number C(2006) 1542) <sup>(1)</sup> .....** 18

2006/290/EC:

- ★ **Commission Decision of 18 April 2006 amending Decision 2003/467/EC as regards the declaration that certain regions of Italy are officially free of bovine tuberculosis and enzootic bovine leukosis and that Slovakia is officially free of enzootic bovine leukosis (notified under document number C(2006) 1551) <sup>(1)</sup> .....** 21



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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 598/2006**  
**of 18 April 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<sup>(1)</sup>, 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 19 April 2006.

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

Done at Brussels, 18 April 2006.

*For the Commission*

J. L. DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> 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 18 April 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables**

*(EUR/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	84,0
	204	65,0
	212	139,0
	624	108,6
	999	99,2
0707 00 05	052	117,8
	204	47,4
	999	82,6
0709 10 00	624	119,2
	999	119,2
0709 90 70	052	98,5
	204	54,1
	999	76,3
0805 10 20	052	63,9
	204	29,0
	212	49,5
	220	36,2
	624	68,7
	999	49,5
0805 50 10	624	60,8
	999	60,8
0808 10 80	388	83,1
	400	125,3
	404	90,3
	508	75,2
	512	78,1
	528	79,6
	720	77,8
	804	108,7
	999	89,8
0808 20 50	052	75,0
	388	92,6
	512	106,9
	528	74,8
	720	76,1
	999	85,1

<sup>(1)</sup> 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 599/2006

of 18 April 2006

## opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)

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 <sup>(1)</sup>, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1961/2001 <sup>(2)</sup> lays down the detailed rules of application for export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 <sup>(3)</sup>. These quantities must be allocated taking account of the perishability of the products concerned.

(4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, oranges, lemons and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.

(9) 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*

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 <sup>(4)</sup> shall not count against the eligible quantities in the Annex hereto.

3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be two months.

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

<sup>(3)</sup> OJ L 366, 24.12.1987, p. 1. Regulation, as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

<sup>(4)</sup> OJ L 152, 24.6.2000, p. 1.

## Article 2

This Regulation shall enter into force on 2 May 2006.

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

Done at Brussels, 18 April 2006.

For the Commission  
Mariann FISCHER BOEL  
Member of the Commission

## ANNEX

**Opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables (tomatoes, oranges, lemons and apples)**

Tender submission period: 2.-3.5.2006			
Product code <sup>(1)</sup>	Destination <sup>(2)</sup>	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	40	24 952
0805 10 20 9100	A00	49	38 757
0805 50 10 9100	A00	70	6 667
0808 10 80 9100	F09	43	76 161

<sup>(1)</sup> The product codes are defined in Commission Regulation (EEC) No 3846/87.

<sup>(2)</sup> The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. 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:

F03: All destinations except Switzerland.

F04: Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

F08: All destinations except Bulgaria.

F09: The following destinations:

— Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,

— African countries and territories except South Africa,

— destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

**COMMISSION REGULATION (EC) No 600/2006**  
**of 18 April 2006**  
**concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3 of that table.
- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities

of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(2)</sup>.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2 of that table.

*Article 2*

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

*Article 3*

This Regulation shall enter into force on the 20th 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, 18 April 2006.

*For the Commission*

László KOVÁCS

*Member of the Commission*

<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 486/2006 (OJ L 88, 25.3.2006, p. 1).

<sup>(2)</sup> OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

## ANNEX

Description	Classification (CN Code)	Reasons
(1)	(2)	(3)
<p>Product consisting of a dark red, non-foaming liquid, without sediment. It has an actual alcoholic strength of approximately 16 % by volume of which, according to laboratory analysis, at least half does not derive from grape.</p> <p>The product is obtained from grape must to which beet sugar and ethyl alcohol, derived from maize are added, during the fermentation.</p> <p>Values of parameters:</p> <ul style="list-style-type: none"> <li>— total content of sugars: 169,7 g/l</li> <li>— citric acid: 1,4 g/l</li> <li>— tartaric acid: 1,4 g/l</li> <li>— malic acid: 0,2 g/l</li> <li>— acetic acid: 0,3 g/l.</li> </ul> <p>The taste of the product is sweet, slightly acerbic, tart, aromatic, and slightly spicy.</p> <p>The product is intended for direct consumption as a beverage. It is presented in bottles containing 0,75 l.</p>	2206 00 59	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, by Additional Note 5(c) to Chapter 22 and by the wording of CN codes 2206 00 and 2206 00 59.</p> <p>The product remains classified in heading 2206 even when fortified with alcohol as it retains the character of a product falling in this heading (see the HSEN to heading 2206, third paragraph).</p> <p>The product cannot be classified as other wine of heading 2204 because of the high levels of citric acid and sugar, which alter the character of a wine of fresh grapes of heading 2204.</p> <p>The text of the HSEN to heading 2204, paragraph 1, point (4), describes dessert (or liqueur) wines as fortified by the addition of alcohol in some cases. However, the product cannot be regarded as a liqueur wine within the scope of heading 2204 as according to Additional Note 5(c) to Chapter 22 only the addition of a product derived from the distillation of wine is permitted.</p>



**COMMISSION REGULATION (EC) No 601/2006****of 18 April 2006****implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council as regards the format and the procedure for the transmission of data**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment <sup>(1)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) Regulation (EC) No 184/2005 establishes a common framework for the systematic production of Community statistics concerning balance of payments, international trade in services and foreign direct investment.
- (2) It is necessary to specify the format and the procedure for the transmission of the required data in order to produce comparable and harmonised data between Member States, to reduce the risk of errors in the transmission of data and to increase the speed with which the data collected can be processed and made available to users. Implementing rules should therefore be laid down to supplement the instructions contained in the Eurostat Balance of Payments Vademecum, as revised yearly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Balance of Payments Committee set up by Regulation (EC) No 184/2005,

*Article 1***Data transmission**

Member States shall transmit to the Commission (Eurostat) data in electronic form, through the Single Entry Point for data, maintained by the Commission (Eurostat).

The Commission (Eurostat) shall make available detailed documentation in relation to this Single Entry Point and shall supply guidelines on how to implement data transmission approaches compatible with it.

*Article 2***Data format**

Member States shall use the data format 'Gesmes', in conformity with the interchange standards specified by the Commission (Eurostat). The Commission (Eurostat) shall make available detailed documentation in relation to these standards and shall supply guidelines on how to implement these standards in accordance with the requirements of this Regulation.

No proprietary data format shall be used.

*Article 3***Technical specifications of data format**

The technical specifications of the data structure shall be as given in the Annex to this Regulation.

*Article 4***Entry into force**

This Regulation shall enter into force on the 20th 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, 18 April 2006.

*For the Commission*

Joaquín ALMUNIA

*Member of the Commission*

<sup>(1)</sup> OJ L 35, 8.2.2005, p. 23.

## ANNEX

**Technical specifications of the data structure**

## INTRODUCTION

Standardisation of data record structures is fundamental for efficient data processing. It is a necessary stage for providing data conforming to the interchange standards specified by the Commission (Eurostat). Gesmes format is the exclusive means of transmitting data on balance of payments statistics from Member States to the Commission (Eurostat).

## DATA SETS

The following five data sets will be used for balance of payments reporting:

Data set identifier	Description
BOP_EUR_Q	Euro indicators
BOP_FDI_A	Foreign direct investments
BOP_ITS_A	International trade in services
BOP_POS_A	Foreign direct investment positions
BOP_Q_Q	Quarterly statistics

## DATA STRUCTURE, CODE LISTS AND ATTRIBUTES

This section gives an overview of the data structure, code lists and attributes to be used. The available values of the attributes are to be found in the most recent version of the Eurostat Balance of Payments Vademecum.

**(1) Frequency**

- (a) Definition: the frequency of the series
- (b) Name of the code list: CL\_FREQ
- (c) Format: AN1

**(2) Reference area or reporter**

- (a) Definition: the country or geographical/political group of countries related to measured economic phenomenon. This entity is also called 'reporter'
- (b) Name of the code list: CL\_AREA\_EE
- (c) Format: AN2
- (d) Abbreviations used for type: COU country, ECO economic zone, GEO geographical zone, ORG international organisation

**(3) Adjustment indicator**

- (a) Definition: indicates whether a seasonal adjustment and/or working day adjustment has been applied or not
- (b) Name of the code list: CL\_ADJUSTMENT
- (c) Format: AN1

**(4) Data type**

- (a) Definition: describes the data type, e.g. stock, flow, for balance of payments statistics.
- (b) Name of the code list: CL\_DATA\_TYPE\_BOP
- (c) Format: AN1

**(5) BOP coded item**

- (a) Definition: coded item from breakdown of the BOP
- (b) Name of the code list: CL\_BOP\_ITEM

- (c) Format: AN8
- (d) Abbreviations used for type: STD standard component, MEM memorandum item, SUP supplementary information, XOE Eurostat/OECD or Eurostat item, ECB item, IIP International Investment Position
- (6) **Currency breakdown**
- (a) Definition: it refers to currency breakdown for transactions and positions
- (b) Name of the code list: CL\_CURR\_BRKDWN
- (c) Format: AN1
- (7) **Counterpart area**
- (a) Definition: the country or geographical/economical group of countries within which the reference area or reporter (ref\_area) had the transaction
- (b) Name of the code list: CL\_AREA\_EE
- (c) Format: AN2
- (8) **Denomination of series**
- (a) Definition: currency of denomination (common currency e.g. Euro or ECU or USD or national currency, etc.) or special drawing rights
- (b) Name of the code list: CL\_SERIES\_DENOM
- (c) Format: AN1
- (9) **Resident economic activity**
- (a) Definition: resident economic activity
- (b) Name of the code list: CL\_BOP\_EC\_ACTIV\_R1
- (c) Format: N4
- (10) **Non-resident economic activity**
- (a) Definition: non-resident economic activity
- (b) Name of the code list: CL\_BOP\_EC\_ACTIV\_R1
- (c) Format: N4
- (11) **Observation status (mandatory)**
- (a) Definition: information on quality of value or an unusual or missing value
- (b) Name of the code list: CL\_OBS\_STATUS
- (c) Format: AN1
- (12) **Observation confidentiality (conditional)**
- (a) Definition: information about whether the observation can be made public outside the receiving institution or not
- (b) Name of the code list: CL\_OBS\_CONF
- (c) Format: AN1
- (13) **Sender organisation**
- (a) Definition: entity that sends the data
- (b) Name of the code list: CL\_ORGANISATION
- (c) Format: AN3
- (14) **Recipient**
- (a) Definition: entity that receives the data
- (b) Name of the code list: CL\_ORGANISATION
- (c) Format: AN3
-

**COMMISSION REGULATION (EC) No 602/2006****of 18 April 2006****adapting Regulation (EC) No 184/2005 of the European Parliament and of the Council through the updating of data requirements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment <sup>(1)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) Regulation (EC) No 184/2005 establishes a common framework for the systematic production of Community statistics on balance of payments, international trade in services and foreign direct investment.
- (2) It is necessary to regularly update the data requirements and to readjust the level of breakdown required to meet changing needs due to economic and technical developments.
- (3) In the field of portfolio investment, extra-EU liabilities are difficult to measure directly. In practice, they are calculated by subtracting intra-EU net assets from total world liabilities. As a consequence, data on intra-EU net assets are necessary for calculating extra-EU liabilities.
- (4) Some geographical breakdowns should be changed in order to improve the quality of the balance of payments statistics and to meet users' needs more effectively.
- (5) Correct and precise definitions of all concepts and terms used in the Annex of the Regulation (EC) No 184/2005 should be provided in order to avoid misinterpretation.
- (6) The measures provided for in this Regulation, are in accordance with the opinion of the Balance of Payments Committee set up by Article 11 of Regulation (EC) No 184/2005,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 184/2005 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the 20th 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, 18 April 2006.

*For the Commission*  
Joaquín ALMUNIA  
*Member of the Commission*

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<sup>(1)</sup> OJ L 35, 8.2.2005, p. 23.

## ANNEX

Annex I to Regulation (EC) 184/2005 is amended as follows:

1. in Table 2 'Balance of payments quarterly statistics', Section III 'Financial Account', data requirements for portfolio investment are replaced by the following text:

	Net assets	Net liabilities	Net
<i>'Portfolio Investment</i>	Intra-EU Extra-EU	World'	

2. in Table 4 'Foreign Direct Investment (FDI) flows', under B 'Activity breakdown', the description of item 505 is replaced by the following text:

'Direct investment abroad: Total';

3. in Table 6 'Geographical breakdown levels', in the column headed 'Level 1', the following countries are inserted, opposite the corresponding entries shown in the column headed 'Level 2':

(a) 'RU Russian Federation'

(b) 'BR Brazil'

(c) 'CN China'

(d) 'HK Hong Kong'

(e) 'IN India';

4. in Table 7 'Activity breakdown levels', Column 'Level 2', the definition of Section K, Division 74, Class 7414, 7415 is replaced by the following text:

'Business and management consultancy activities, including those of holding companies'.

**COMMISSION REGULATION (EC) No 603/2006****of 18 April 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 <sup>(1)</sup>,

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 <sup>(2)</sup>, 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 <sup>(3)</sup>. These prices and duties were last amended by Commission Regulation (EC) No 580/2006 <sup>(4)</sup>.

- (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 19 April 2006.

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

Done at Brussels, 18 April 2006.

*For the Commission*

J. L. DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> 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).

<sup>(2)</sup> 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).

<sup>(3)</sup> OJ L 170, 1.7.2005, p. 35.

<sup>(4)</sup> OJ L 100, 8.4.2006, p. 10.

## 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 19 April 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 <sup>(1)</sup>	35,66	0,59
1701 11 90 <sup>(1)</sup>	35,66	4,21
1701 12 10 <sup>(1)</sup>	35,66	0,45
1701 12 90 <sup>(1)</sup>	35,66	3,91
1701 91 00 <sup>(2)</sup>	39,39	5,65
1701 99 10 <sup>(2)</sup>	39,39	2,52
1701 99 90 <sup>(2)</sup>	39,39	2,52
1702 90 99 <sup>(3)</sup>	0,39	0,29

<sup>(1)</sup> 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).

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

<sup>(3)</sup> Fixed per 1 % sucrose content.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 30 March 2006

**setting up a European Securities Markets Expert Group to provide legal and economic advice on the application of the EU securities Directives**

(2006/288/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Fully integrated and efficient financial markets are fundamental to the functioning of modern economies. Completing the single market in financial services is therefore a crucial part of the Lisbon economic reform process and essential for the EU's global competitiveness.
- (2) The White Paper on Financial Services Policy 2005-2010 (White Paper) <sup>(1)</sup> presents the European Commission's financial services policy priorities up to 2010. One of the objectives of the Commission's financial services policy is to implement, enforce and continuously evaluate the existing legislation and to apply rigorously the better regulation agenda to future initiatives.
- (3) The White Paper identifies various practical steps to understand better how Community law is applied in practice, and to ensure that the level of legal coherence that markets need is in fact being delivered in line with the Commission's better regulation agenda. Since the first sectoral consistency check will be in the securities field, it has been decided to set up a group of securities markets

practitioners and experts to assist the Commission in analysing the main problems in this field. This necessarily involves studying the transposition and application of Community law at the national level, to understand better how Community law is applied in practice, and to ensure that the level of legal coherence that cross-border investment services and securities markets need is in fact being delivered.

- (4) In addition to the advice of practitioners on issues related to the legal evaluation of EU securities Directives, the Commission considers it important to receive the expert group's analysis on the economic impact of the EU securities Directives as well as their practical implementation and application in the Member States. Consequently, the expert group will also assist the Commission to prepare its reports on the application of various provisions of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC <sup>(2)</sup>, Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC <sup>(3)</sup>, Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation (market abuse) <sup>(4)</sup> and Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in

<sup>(1)</sup> White Paper on Financial Services Policy (2005-2010), COM(2005) 629 final, 1 December 2005.

<sup>(2)</sup> OJ L 145, 30.4.2004, p. 1, as corrected by OJ L 45, 16.2.2005, p. 18.

<sup>(3)</sup> OJ L 345, 31.12.2003, p. 64.

<sup>(4)</sup> OJ L 96, 12.4.2003, p. 16.



relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC<sup>(1)</sup>. The expert group will also provide technical advice on the Commission's request on issues of contemporary relevance in the EU securities markets, such as credit rating agencies and financial analysts.

- (5) The expert group should be made up of persons having legal expertise or direct commercial experience in respect of the matters covered by the mandate. Provision shall be made for the participation of experts or observers from other expert groups or consumers/investors associations.
- (6) This Decision gives effect to the Commission's commitment in the White Paper to create the expert group, and defines procedures for its composition and methods of operation.
- (7) Considering that the duration of expert group's activities should be limited, the expert group will commence in 2006 and continue until the end of 2009 unless the Commission decides to prolong the mandate of the expert group,

HAS ADOPTED THIS DECISION:

#### Article 1

A European Securities Markets Expert Group hereinafter referred to as 'the group' is hereby set up by the Commission.

#### Article 2

##### Task

The group shall:

- provide advice to the Commission for its analysis of the legal coherence of the EU framework and, where appropriate, its implementation in national law, by carrying out a sectoral consistency check of the EU securities directives, reading across the relevant law to identify — from the perspective of the regulated community and users of the securities markets — points of legal uncertainty in the legislative framework which impair the functioning of those markets;
- assist the Commission by providing advice that will contribute to the Commission's reports on the application of various provisions of Directive 2004/39/EC, Directive

2003/71/EC and Directive 2004/109/EC and on the operation of Directive 2003/6/EC. The advice of the group will also require an analysis of the economic impact of those Directives;

- provide technical advice on the Commission's request on issues of contemporary relevance in the EU securities markets, such as credit rating agencies and financial analysts. As regards credit rating agencies, the Commission intends to gauge the opinions of market participants, and especially those purchasing complex financial instruments, by requesting advice of the group on specific issues related to the functioning of credit rating agencies. In relation to financial analysts, the group could be asked for its views as to whether the existing regulatory requirements are adequate.

The group shall report regularly to the Commission summarising its analysis and advice. The Commission is not bound by the advice of the group and the advice is without prejudice to the advice of other Commission expert groups on related issues covered by the mandate. The group will ensure appropriate coordination with those other relevant Commission expert groups in order to avoid duplication of work.

#### Article 3

##### Composition — Appointment

1. The group shall comprise a maximum of 20 members.
2. The members of the group shall be appointed by the Commission on the basis of applications in response to a call for expressions of interest by high level experts with practical experience from business and academic communities and civil society, including consumers or investors representatives, involved in the investment services and the securities industry.
3. The Commission shall assess the eligibility of individual experts who have responded to the call for expression of interest against the following criteria:
  - proven expertise and recent practical experience, including at European or international level, in areas relevant to the investment services and securities industry and/or, in the impact of the EU securities directives in those areas;
  - the ability of the individual expert to shape the views of the business and academic communities and civil society in respect of the matters covered by the mandate;

<sup>(1)</sup> OJ L 390, 31.12.2004, p. 38.

- responses to the call for interest should be accompanied by material demonstrating that the individual expert meets the conditions mentioned above;
  - individual experts should also be proficient in a language which is customary in the sphere of finance at a level which allows them to contribute to discussions and report drafting in that language.
4. In selecting experts, the Commission shall also have regard to the need to encompass expertise covering all the relevant functions and products within the securities industry.

In addition, the Commission shall ensure a broad geographical representation in the group with experts who have direct knowledge of a broad range of EU markets, including national markets, to the greatest extent possible on the basis of the responses received.

5. The following provisions shall apply:

- the members are appointed in a personal capacity, excluding the possibility for participation of alternates/substitutes in the group's deliberations, and are required to advise the Commission independently of any professional connections or other outside influence;
- the members are appointed for a two-year renewable mandate;
- the members are expected to participate actively in the group's meetings and in at least one of the subgroups mentioned in Article 4(2);
- the members who are no longer able to contribute effectively to the group's deliberations, who resign or who do not respect the conditions of this Article or Article 287 of the Treaty establishing the European Community may be replaced by the Commission for the remaining period of their mandate;
- the names of members appointed by the Commission will be published on the Internet site of DG Internal Market and Services. The names of members are collected, processed and published in accordance with the provisions of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of

individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>(1)</sup>.

#### Article 4

#### Operation

1. The Commission shall organise and chair the meetings of the group. The group will meet four times a year in plenary and several times within the sub-group(s) structure.
2. The Commission may set up one or more sub-groups to examine specific questions and define its terms of reference; any such sub-group shall be disbanded as soon as its specific function has been fulfilled.
3. The Commission shall set out a work programme for each calendar year. The programme should determine the subjects for discussion by the group or one of its sub-groups and set out a time-table for discussion of draft reports in the plenary meeting of the group. The advice and analysis of the group will enable the Commission to make the required assessment.
4. The Commission may ask other experts or observers with specific competence on a subject on the agenda to participate in the deliberations of the group or a sub-group if this is useful or necessary. This provision may be used for inviting experts from other Commission expert groups or observer(s) from associations representing consumers or investors.
5. An expert or observer may not divulge information obtained through participation in the deliberations of the group or a sub-group if the Commission classifies that information as confidential.
6. The group and its sub-groups shall normally meet on Commission premises in accordance with the procedures and schedule established by the Commission. The Commission shall provide secretarial services.
7. The group shall adopt its rules of procedure on the basis of a draft presented by the Commission.

<sup>(1)</sup> OJ L 8, 12.1.2001, p. 1.

8. The Commission shall publish on the Internet site of DG Internal Market and Services, in the original language of the document concerned, the group's conclusions and reports as well as the summaries of its meetings or of its sub-group(s).

*Article 5*

**Meeting expenses**

1. The Commission shall reimburse travel and subsistence expenses for members in connection with the group's activities in accordance with the provisions in force at the Commission. The members shall not be paid for their duties.

2. Meeting expenses are reimbursed within the limits of the appropriations allocated to the department concerned under the annual procedure for allocating resources.

*Article 6*

**Entry into force**

The decision shall take effect on the day of publication in the *Official Journal of the European Union*. It is applicable until the end of 2009 unless the Commission decides, before that date, to prolong the mandate of the group and of any sub-groups which might have been established.

Done at Brussels, 30 March 2006.

*For the Commission*

Charlie McCREEVY

*Member of the Commission*

## COMMISSION DECISION

of 12 April 2006

**amending Decision 1999/659/EC fixing an indicative allocation by Member State of the allocations under the European Agricultural Guidance and Guarantee Fund — Guarantee section for rural development measures for the period 2000 to 2006**

*(notified under document number C(2006) 1542)*

**(Only the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish texts are authentic)**

**(Text with EEA relevance)**

(2006/289/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) <sup>(1)</sup>, and in particular Article 46(2) thereof,

Whereas:

(1) By Decision 1999/659/EC <sup>(2)</sup>, the Commission determined the initial allocations to the Member States for rural development measures part-financed by the EAGGF Guarantee Section for the period 2000 to 2006.

(2) The third paragraph of Article 1 of Decision 1999/659/EC limits the maximum amount eligible under EAGGF for the period 16 October to 31 December 2006. Following the transitional measures included in Article 39(1) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(3)</sup> that provision is no longer applicable.

(3) In accordance with Article 46(3) of Regulation (EC) No 1257/1999, initial allocations shall be adjusted on the basis of actual expenditure and revised expenditure forecasts submitted by the Member States taking into account programmes objectives.

(4) In accordance with Article 57(2) of Commission Regulation (EC) No 817/2004 of 29 April 2004 laying down detailed rules for the application of the Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) <sup>(4)</sup>, the Commission shall adapt the initial allocations per Member State fixed by Decision 1999/659/EC within two months of the adoption of the budget for the financial year concerned.

(5) The adaptation of the initial allocations has to take into account the financial execution realised by Member States in the years 2000-2005 and the revised forecasts for the year 2006, submitted before 1 October 2005. Following the provisions of Article 55(1)(b) of Commission Regulation (EC) No 817/2004, the expenditure forecasts for 2006 indicate that an amount of the budget appropriations for 2006 will be left unspent. In accordance with Article 46(3) of Regulation (EC) No 1257/1999, the Commission shall reallocate the unused funds among the Member States which foresee to fully use their financial envelopes for the programming period 2000-2006, following the distribution key of the initial allocations included in Decision 1999/659/EC.

(6) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 <sup>(5)</sup> provides that the amounts resulting from the modulation shall be available as additional Community support for measures under rural development programming financed under the EAGGF 'Guarantee' Section to Regulation (EC) No 1257/1999.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 80. Regulation as last amended by Regulation (EC) No 2223/2004 (OJ L 379, 24.12.2004, p. 1).

<sup>(2)</sup> OJ L 259, 6.10.1999, p. 27. Decision as last amended by Decision 2005/361/EC (OJ L 118, 5.5.2005, p. 35).

<sup>(3)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(4)</sup> OJ L 153, 30.4.2004, p. 31. Regulation as amended by Regulation (EC) No 1360/2005 (OJ L 214, 19.8.2005, p. 55).

<sup>(5)</sup> OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 2183/2005 (OJ L 347, 30.12.2005, p. 56).

(7) By Commission Decision C(2005) 5314 of 19 December 2005 <sup>(1)</sup>, amounts resulting from the modulation pursuant to Article 10(1) of Regulation (EC) No 1782/2003 have been allocated to the Member States. Those allocations need to be added to the allocations to the Member States for the budgetary year 2006 as fixed by Decision 1999/659/EC.

(8) Decision 1999/659/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 1999/659/EC is hereby amended as follows:

(a) The third paragraph of Article 1 is deleted.

(b) The Annex is replaced by the text set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 12 April 2006.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

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<sup>(1)</sup> Decision corrected by Decision C(2006) 311.

ANNEX  
Support for Rural Development EAGGF Guarantee (2000-2006)

	2000	2001	2002	2003	2004	2005 (*)	2006				Total period (revised allocation without modulation)	Total envelope 'Berlin'	Total period (revised) including modulation)
	Realised expenditure							Forecast (**)	Revised allocation (without modulation)	Revised allocation (including modulation) (***)			
Belgium	25,9	31,7	47,9	46,2	49,1	56,1	54,3	67,8	67,8	75,9	324,7	379,0	332,8
Denmark	34,2	35,4	49,7	45,9	44,3	46,2	63,9	57,7	57,7	74,4	313,4	348,8	330,1
Germany	683,0	708,1	730,6	799,1	799,9	803,8	781,3	784,1	835,4	940,6	5 359,9	5 308,6	5 465,1
Greece	146,8	75,5	160,3	136,4	125,6	157,3	178,1	191,5	201,1	228,5	1 003,0	993,4	1 030,4
Spain	395,3	539,8	448,5	500,1	512,0	533,9	542,6	551,4	585,2	692,2	3 514,8	3 481,0	3 621,8
France	474,1	609,5	678,5	832,3	839,2	879,5	1 105,3	1 048,5	1 048,5	1 197,0	5 361,6	5 763,4	5 510,1
Ireland	344,4	326,6	333,0	341,0	350,0	357,5	337,3	336,4	359,8	378,4	2 412,3	2 388,9	2 430,9
Italy	755,6	658,7	649,9	652,5	635,1	679,8	474,0	480,7	524,3	592,6	4 555,9	4 512,3	4 624,2
Luxembourg	6,7	9,6	12,8	16,8	16,2	16,0	13,9	12,9	13,9	14,5	92,0	91,0	92,6
Netherlands	59,8	54,8	48,9	69,4	67,6	63,5	48,5	53,0	57,1	71,1	421,1	417,0	435,1
Austria	459,0	453,2	440,4	458,1	468,7	479,1	450,0	449,6	480,5	500,1	3 239,0	3 208,1	3 258,6
Portugal	132,1	197,8	167,7	153,1	193,9	178,9	254,1	229,2	229,2	252,1	1 252,7	1 516,8	1 275,6
Finland	332,5	326,7	320,1	337,0	329,7	336,9	219,9	216,4	237,9	247,8	2 220,8	2 199,3	2 230,7
Sweden	175,6	150,8	163,1	165,8	163,8	170,7	140,2	140,1	150,9	164,2	1 140,7	1 129,9	1 154,0
United Kingdom	151,2	180,5	162,3	148,7	156,0	155,6	188,6	202,8	213,9	288,8	1 168,2	1 168,0	1 243,1
not allocated							167,8						
sum	4 176,2	4 358,7	4 413,7	4 702,4	4 751,1	4 914,8	5 019,8	4 822,1	5 063,2	5 718,2	32 380,1	32 905,5	33 035,1
							43,4	carry-over					
							5 063,2						

(\*) Expenditure data 2005 before financial clearance of accounts

(\*\*) Maximum eligible amount following application of article 55(1) b of Regulation No 817/2004

(\*\*\*) allocation including redistribution of 197,7 million euro (available surplus after redistribution up to 100 % of the Berlin ceiling) + 43,4 million euro from carry-over + 655 million euro from modulation following Article 10(1) of Regulation No 1782/2003

## COMMISSION DECISION

of 18 April 2006

**amending Decision 2003/467/EC as regards the declaration that certain regions of Italy are officially free of bovine tuberculosis and enzootic bovine leukosis and that Slovakia is officially free of enzootic bovine leukosis**

(notified under document number C(2006) 1551)

(Text with EEA relevance)

(2006/290/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(1)</sup>, and in particular Annex A(I)(4) and Annex D(I)(E) thereto,

Whereas:

- (1) Directive 64/432/EEC provides that Member States or parts or regions thereof may be declared officially free of tuberculosis, brucellosis and enzootic bovine leukosis as regards bovine herds subject to compliance with certain conditions set out in that Directive.
- (2) The lists of regions of Member States declared free of bovine tuberculosis, bovine brucellosis and enzootic bovine leukosis are set out in Commission Decision 2003/467/EC of 23 June 2003 establishing the official tuberculosis, brucellosis and enzootic-bovine-leukosis-free status of certain Member States and regions of Member States as regards bovine herds <sup>(2)</sup>.
- (3) Italy has submitted to the Commission documentation demonstrating compliance with the appropriate conditions provided for in Directive 64/432/EEC as regards the Region of Friuli-Venezia Giulia in order that that region may be declared officially free of tuberculosis as regards bovine herds.
- (4) Italy has also submitted to the Commission documentation demonstrating compliance with the appropriate conditions provided for in Directive 64/432/EEC as regards the Region of Molise in order that that region may be declared officially free of enzootic bovine leukosis as regards bovine herds.

- (5) Slovakia as regards its territory has submitted to the Commission documentation demonstrating compliance with the appropriate conditions provided for in Directive 64/432/EEC in order that the whole territory of Slovakia may be declared officially free of enzootic bovine leukosis as regards bovine herds.
- (6) Following evaluation of the documentation submitted by Italy, the Regions of Friuli-Venezia Giulia and Molise should be declared officially free of bovine tuberculosis and of enzootic bovine leukosis respectively.
- (7) Following evaluation of the documentation submitted by Slovakia, the whole of that Member State should be declared officially free of enzootic bovine leukosis.
- (8) Decision 2003/467/EC 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,

HAS ADOPTED THIS DECISION:

*Article 1*

Annexes I and III to Decision 2003/467/EC are amended in accordance with the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 18 April 2006.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

<sup>(1)</sup> OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Regulation (EC) No 1/2005 (OJ L 3, 5.1.2005, p. 1).

<sup>(2)</sup> OJ L 156, 25.6.2003, p. 74. Decision as last amended by Decision 2006/169/EC (OJ L 57, 28.2.2006, p. 35.)

## ANNEX

Annexes I and III to Decision 2003/467/EC are amended as follows:

1. In Annex I , Chapter 2 is replaced by the following:

**'CHAPTER 2****Officially tuberculosis-free regions of Member States**

In Italy:

- Region Abruzzo: Province of Pescara
- Region Friuli-Venezia Giulia
- Region Lombardia: Provinces of Bergamo, Como, Lecco, Sondrio
- Region Marche: Province of Ascoli Piceno
- Region Toscana: Provinces of Grosseto, Prato
- Region Trentino-Alto Adige: Provinces of Bolzano, Trento.'

2. In Annex III , Chapter 1 is replaced by the following:

**'CHAPTER 1****Officially enzootic-bovine-leukosis-free Member States**

ISO code	Member State
BE	Belgium
CZ	Czech Republic
DK	Denmark
DE	Germany
ES	Spain
FR	France
IE	Ireland
CY	Cyprus
LU	Luxembourg
NL	Netherlands
AT	Austria
SI	Slovenia
<u>SK</u>	<u>Slovakia</u>
FI	Finland
SE	Sweden
UK	United Kingdom'



3. In Annex III , Chapter 2 is replaced by the following:

**'CHAPTER 2**

**Officially enzootic-bovine-leukosis-free regions of Member States**

In Italy:

- Region Abruzzo: Province of Pescara
  - Region Emilia-Romagna: Provinces of Bologna, Ferrara, Forli-Cesena, Modena, Parma, Piacenza, Ravenna, Reggio Emilia, Rimini
  - Region Friuli-Venezia Giulia
  - Region Lazio: Provinces of Frosinone, Rieti
  - Region Liguria: Province of Imperia
  - Region Lombardia: Provinces of Bergamo, Brescia, Como, Cremona, Lecco, Lodi, Mantova, Milano, Pavia, Sondrio, Varese
  - Region Marche: Provinces of Ancona, Ascoli Piceno, Macerata, Pesaro
  - Region Molise
  - Region Piemonte: Provinces of Alessandria, Asti, Biella, Cuneo, Novara, Torino, Verbania, Vercelli
  - Region Toscana: Provinces of Arezzo, Firenze, Grosseto, Livorno, Lucca, Massa-Carrara, Pisa, Pistoia, Prato, Siena
  - Region Trentino-Alto Adige: Provinces of Bolzano, Trento
  - Region Umbria: Provinces of Perugia, Terni
  - Region Val d'Aosta: Province of Aosta.'
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