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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 640/2006
of 10 April 2006
repealing Regulations (EEC) No 3181/78 and (EEC) No 1736/79 concerning the European Monetary System

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽¹⁾,

Having regard to the Opinion of the European Central Bank ⁽²⁾,

Whereas:

- (1) Council Regulation (EEC) No 3181/78 of 18 December 1978 relating to the European monetary system ⁽³⁾ gives the European Monetary Co-operation Fund (EMCF) the power to receive reserves from Member States and to issue ECUs. The tasks of EMCF were taken over by European Monetary Institute and the EMCF was dissolved. Subsequently those tasks were taken over by the European Central Bank. Therefore, that Regulation is not relevant anymore and should be repealed.
- (2) Council Regulation (EEC) No 1736/79 of 3 August 1979 on interest subsidies for certain loans granted under the European monetary system ⁽⁴⁾ provides that during a

period of five years from the date of its application the Community may grant interest subsidies on certain types of loans (European Investment Bank (EIB) loans to finance investments in the less prosperous Member States, *inter alia* in infrastructure). This period of five years, which was not extended, has expired in 1984. Furthermore, according to Article 1 of that Regulation, a Member State had to participate in the mechanisms of the European monetary system in order to benefit from the subsidies. This condition suggests also that that Regulation is no longer applicable. Those loans granted by the EIB which benefited from the subsidies have in the meantime been repaid. Therefore, that Regulation is not relevant anymore and should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulations (EEC) No 3181/78 and (EEC) No 1736/79 are hereby repealed.

Article 2

This Regulation shall enter into force on the twentieth day following that 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 Luxembourg, 10 April 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ Opinion delivered on 14 February 2006 (not yet published in the Official Journal).

⁽²⁾ OJ C 49, 28.2.2006, p. 35.

⁽³⁾ OJ L 379, 30.12.1978, p. 2. Regulation as amended by Regulation (EEC) No 3066/85 (OJ L 290, 1.11.1985, p. 95).

⁽⁴⁾ OJ L 200, 8.8.1979, p. 1. Regulation as amended by Regulation (EEC) No 2790/82 (OJ L 295, 21.10.1982, p. 2).

COMMISSION REGULATION (EC) No 641/2006
of 27 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 ⁽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 28 April 2006.

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

Done at Brussels, 27 April 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 27 April 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	142,3
	204	100,4
	212	139,0
	999	127,2
0707 00 05	052	129,4
	999	129,4
0709 90 70	052	127,1
	204	48,7
	999	87,9
0805 10 20	052	37,7
	204	36,1
	212	51,2
	220	42,0
	624	64,3
	999	46,3
0805 50 10	508	30,4
	624	57,9
	999	44,2
0808 10 80	388	86,4
	400	117,0
	404	94,7
	508	81,2
	512	78,1
	524	68,2
	528	92,9
	720	97,9
	804	114,7
	999	92,3
0808 20 50	388	94,6
	512	74,7
	524	29,4
	528	78,3
	720	51,8
	999	65,8

⁽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 642/2006**of 27 April 2006****setting delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2006/07 delivery period**

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 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 ⁽²⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Article 9 of Regulation (EC) No 1159/2003 sets out the detailed rules for setting delivery obligations at zero duty for products falling within CN code 1701, expressed in white-sugar equivalent, for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India.
- (2) Application of Articles 3 and 7 of the ACP Protocol, Articles 3 and 7 of the Agreement with India and Articles 11 and 12 of Regulation (EC) No 1159/2003

has resulted in the Commission setting delivery obligations for 2006/07 taking account, on the basis of the information currently available, of the difference between the amount of such delivery obligations and the quantities actually imported during past delivery periods.

- (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

The delivery obligations for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India in respect of products falling within CN code 1701, expressed in white-sugar equivalent, in the 2006/07 delivery period for each exporting country concerned, are hereby fixed as shown in the Annex hereto.

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, 27 April 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 162, 1.7.2003, p. 25. Regulation as last amended by Regulation (EC) No 568/2005 (OJ L 97, 15.4.2005, p. 9).

ANNEX

Delivery obligations for imports of preferential sugar, expressed in white-sugar equivalent, originating in countries which are signatories to the ACP Protocol and to the Agreement with India for the 2006/07 delivery period:

ACP Protocol/Agreement with India signatory country	Delivery obligations 2006/07
Barbados	32 097,40
Belize	40 348,80
Congo	10 186,10
Fiji	165 348,30
Guyana	159 410,10
India	10 000,00
Côte d'Ivoire	10 186,10
Jamaica	118 696,00
Kenya	5 000,00
Madagascar	13 324,40
Malawi	20 824,40
Mauritius	491 030,50
Mozambique	6 000,00
St Kitts and Nevis	15 590,90
Suriname	0,00
Swaziland	117 844,50
Tanzania	10 186,10
Trinidad and Tobago	47 717,60
Uganda	0,00
Zambia	7 215,00
Zimbabwe	30 224,80
Total	1 311 231,00

COMMISSION REGULATION (EC) No 643/2006

of 27 April 2006

amending Regulation (EC) No 1622/2000 laying down certain detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes, and Regulation (EC) No 884/2001 laying down detailed rules of application concerning the documents accompanying the carriage of wine products and the records to be kept in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Regulation (EC) No 1622/2000 is hereby amended as follows:

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 46(1) and Article 70(3) thereof,

1. The following Article 15a is inserted:

Whereas:

*'Article 15a***Dimethyldicarbonate**

The addition of dimethyldicarbonate provided for in point (zc) of paragraph 3 of Annex IV to Regulation (EC) No 1493/1999 may be carried out only within the limits laid down in Annex IV to this Regulation and where it meets the requirements of Annex IXa to this Regulation.'

(1) Commission Regulation (EC) No 1622/2000 ⁽²⁾ lays down restrictions on and certain conditions for the use of substances authorised by Regulation (EC) No 1493/1999. The restrictions on the use of the substances referred to are listed in Annex IV thereto. As a result of the addition of L-ascorbic acid and dimethyldicarbonate to the list of authorised oenological practices in Annex IV to Regulation (EC) No 1493/1999, restrictions on and conditions for the use of those substances should be laid down.

2. Annex IV is replaced by Annex I to this Regulation.

(2) Commission Regulation (EC) No 884/2001 ⁽³⁾ lays down rules on the keeping of inwards and outwards registers and provides in particular for the indication of certain operations in the records. The particular characteristics of the addition of dimethyldicarbonate to wine require its use to be indicated in the records.

3. Annex II to this Regulation is inserted as Annex IXa.

(3) Regulations (EC) No 1622/2000 and (EC) No 884/2001 should be amended accordingly.

Article 2

The following indent is added to the first subparagraph of Article 14(1) of Regulation (EC) No 884/2001:

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

'— addition of dimethyldicarbonate (DMDC) to wine'.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2165/2005 (OJ L 345, 28.12.2005, p. 1).

Article 3

⁽²⁾ OJ L 194, 31.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 1163/2005 (OJ L 188, 20.7.2005, p. 3).

⁽³⁾ OJ L 128, 10.5.2001, p. 32. Regulation as last amended by Regulation (EC) No 908/2004 (OJ L 163, 30.4.2004, p. 56).

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

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

Done at Brussels, 27 April 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

'ANNEX IV

Restrictions on the use of certain substances

(Article 5 of this Regulation)

The maximum limits applying to the use of the substances referred to in Annex IV to Regulation (EC) No 1493/1999 in accordance with the conditions laid down therein are as follows:

Substances	Use with fresh grapes, grape must, grape must in fermentation, grape must in fermentation obtained from raisined grapes, concentrated grape must and new wine still in fermentation	Use with grape must in fermentation intended for direct human consumption as such, wine suitable for producing table wine, table wine, sparkling wine, aerated sparkling wine, semi-sparkling wine, aerated semi-sparkling wine, liqueur wine and quality wines psr
Preparations of yeast cell wall	40 g/hl	40 g/hl
Carbon dioxide		maximum content in wine thus treated: 2 g/l
L-ascorbic acid	250 mg/l	250 mg/l; the maximum content in wine thus treated must not exceed 250 mg/l
Citric acid		maximum content in wine thus treated: 1 g/l
Metatartaric acid		100 mg/l
Copper sulphate		1 g/hl provided the copper content of the product thus treated does not exceed 1 mg/l
Charcoal for oenological use	100 g dry weight per hl	100 g dry weight per hl
Nutritive salts: diammonium phosphate or ammonium sulphate	1 g/l (expressed in salt) (*)	0,3 g/l (expressed in salt) for the preparation of sparkling wine
Ammonium sulphite or ammonium bisulphite	0,2 g/l (expressed in salt) (*)	
Growth factors: thiamine in the form of thiamine hydrochloride	0,6 mg/l (expressed in thiamine)	0,6 mg/l (expressed in thiamine) for the preparation of sparkling wine
Polyvinylpolypyrrolidone	80 g/hl	80 g/hl
Calcium tartrate		200 g/hl
Calcium phytate		8 g/hl
Lysozyme	500 mg/l (**)	500 mg/l (**)
Dimethyldicarbonate		200 mg/l; residues not detectable in the wine placed on the market

(*) These products may also be used in combination, up to an overall limit of 1 g/l, without prejudice to the 0,2 g/l limit set above.

(**) Where added to both the must and the wine, the total quantity must not exceed the limit of 500 mg/l.

ANNEX II

ANNEX IXa

Requirements for dimethyldicarbonate

(Article 15a of this Regulation)

AREA OF APPLICATION

Dimethyldicarbonate may be added to wine for the following purpose: microbiological stabilisation of bottled wine containing fermentable sugar.

REQUIREMENTS

- Addition must be carried out only a short time prior to bottling.
 - The treatment may only be applied to wine with a sugar content of not less than 5 g/l.
 - The maximum dose is fixed in Annex IV to this Regulation and the product may not be detectable in the wine placed on the market.
 - The product used must comply with the purity criteria laid down in Directive 96/77/EC.
 - This treatment is to be recorded in the register referred to in Article 70(2) of Regulation (EC) No 1493/1999.
-

COMMISSION REGULATION (EC) No 644/2006
of 27 April 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 28 April 2006.

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

Done at Brussels, 27 April 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 28 April 2006

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L02	EUR/100 kg	13,20	0402 21 91 9350	L02	EUR/100 kg	43,03
	L20	EUR/100 kg	18,86		L21	EUR/100 kg	55,21
0401 30 31 9400	L02	EUR/100 kg	20,62	0402 21 91 9500	L02	EUR/100 kg	46,22
	L20	EUR/100 kg	29,47		L21	EUR/100 kg	59,34
0401 30 31 9700	L02	EUR/100 kg	22,75	0402 21 99 9100	L02	EUR/100 kg	42,33
	L20	EUR/100 kg	32,49		L21	EUR/100 kg	54,32
0401 30 39 9100	L02	EUR/100 kg	13,20	0402 21 99 9200	L02	EUR/100 kg	42,57
	L20	EUR/100 kg	18,86		L21 (1)	EUR/100 kg	54,66
0401 30 39 9400	L02	EUR/100 kg	20,62	0402 21 99 9300	L02	EUR/100 kg	43,03
	L20	EUR/100 kg	29,47		L21	EUR/100 kg	55,21
0401 30 39 9700	L02	EUR/100 kg	22,75	0402 21 99 9400	L02	EUR/100 kg	45,39
	L20	EUR/100 kg	32,49		L21	EUR/100 kg	58,28
0401 30 91 9100	L02	EUR/100 kg	25,92	0402 21 99 9500	L02	EUR/100 kg	46,22
	L20	EUR/100 kg	37,04		L21	EUR/100 kg	59,34
0401 30 99 9100	L02	EUR/100 kg	25,92	0402 21 99 9600	L02	EUR/100 kg	49,50
	L20	EUR/100 kg	37,04		L21	EUR/100 kg	63,53
0401 30 99 9500	L02	EUR/100 kg	38,10	0402 21 99 9700	L02	EUR/100 kg	51,32
	L20	EUR/100 kg	54,43		L21	EUR/100 kg	65,91
0402 10 11 9000	L02	EUR/100 kg	4,14	0402 21 99 9900	L02	EUR/100 kg	53,47
	L21 (1)	EUR/100 kg	5,00		L21	EUR/100 kg	68,63
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	37,83
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	48,54
0402 10 99 9000	L02	EUR/100 kg	4,14	0402 29 15 9500	L02	EUR/100 kg	39,47
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	50,67
0402 21 11 9200	L02	EUR/100 kg	4,14	0402 29 15 9900	L02	EUR/100 kg	42,06
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	54,00
0402 21 11 9300	L02	EUR/100 kg	37,83	0402 29 19 9300	L02	EUR/100 kg	37,83
	L21	EUR/100 kg	48,54		L20	EUR/100 kg	48,54
0402 21 11 9500	L02	EUR/100 kg	39,47	0402 29 19 9500	L02	EUR/100 kg	39,47
	L21	EUR/100 kg	50,67		L20	EUR/100 kg	50,67
0402 21 11 9900	L02	EUR/100 kg	42,06	0402 29 19 9900	L02	EUR/100 kg	42,06
	L21 (1)	EUR/100 kg	54,00		L20	EUR/100 kg	54,00
0402 21 17 9000	L02	EUR/100 kg	4,14	0402 29 91 9000	L02	EUR/100 kg	42,33
	L21	EUR/100 kg	5,00		L20	EUR/100 kg	54,32
0402 21 19 9300	L02	EUR/100 kg	37,83	0402 29 99 9100	L02	EUR/100 kg	42,33
	L21	EUR/100 kg	48,54		L20	EUR/100 kg	54,32
0402 21 19 9500	L02	EUR/100 kg	39,47	0402 29 99 9500	L02	EUR/100 kg	45,39
	L21	EUR/100 kg	50,67		L20	EUR/100 kg	58,28
0402 21 19 9900	L02	EUR/100 kg	42,06	0402 91 11 9370	L02	EUR/100 kg	4,13
	L21 (1)	EUR/100 kg	54,00		L20	EUR/100 kg	5,90
0402 21 91 9100	L02	EUR/100 kg	42,33	0402 91 19 9370	L02	EUR/100 kg	4,13
	L21	EUR/100 kg	54,32		L20	EUR/100 kg	5,90
0402 21 91 9200	L02	EUR/100 kg	42,57	0402 91 31 9300	L02	EUR/100 kg	4,88
	L21 (1)	EUR/100 kg	54,66		L20	EUR/100 kg	6,97
				0402 91 39 9300	L02	EUR/100 kg	4,88
					L20	EUR/100 kg	6,97

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0402 91 99 9000	L02	EUR/100 kg	15,93	0404 90 23 9150	L02	EUR/100 kg	42,06
	L20	EUR/100 kg	22,76		L20	EUR/100 kg	54,00
0402 99 11 9350	L02	EUR/100 kg	10,55	0404 90 29 9110	L02	EUR/100 kg	42,33
	L20	EUR/100 kg	15,08		L20	EUR/100 kg	54,32
0402 99 19 9350	L02	EUR/100 kg	10,55	0404 90 29 9115	L02	EUR/100 kg	42,57
	L20	EUR/100 kg	15,08		L20	EUR/100 kg	54,66
0402 99 31 9150	L02	EUR/100 kg	10,95	0404 90 29 9125	L02	EUR/100 kg	43,03
	L20	EUR/100 kg	15,65		L20	EUR/100 kg	55,21
0402 99 31 9300	L02	EUR/100 kg	9,53	0404 90 29 9140	L02	EUR/100 kg	46,22
	L20	EUR/100 kg	13,62		L20	EUR/100 kg	59,34
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	37,83
	L20	EUR/100 kg	4,93		L20	EUR/100 kg	48,54
0403 90 13 9300	L02	EUR/100 kg	37,48	0404 90 83 9150	L02	EUR/100 kg	39,47
	L20	EUR/100 kg	48,11		L20	EUR/100 kg	50,67
0403 90 13 9500	L02	EUR/100 kg	39,13	0404 90 83 9170	L02	EUR/100 kg	42,06
	L20	EUR/100 kg	50,22		L20	EUR/100 kg	54,00
0403 90 13 9900	L02	EUR/100 kg	41,70	0404 90 83 9936	L02	EUR/100 kg	10,55
	L20	EUR/100 kg	53,51		L20	EUR/100 kg	15,08
0403 90 19 9000	L02	EUR/100 kg	41,95	0405 10 11 9500	L02	EUR/100 kg	72,00
	L20	EUR/100 kg	53,85		L20	EUR/100 kg	97,08
0403 90 33 9400	L02	EUR/100 kg	37,48	0405 10 11 9700	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	48,11		L20	EUR/100 kg	99,50
0403 90 33 9900	L02	EUR/100 kg	41,70	0405 10 19 9500	L02	EUR/100 kg	72,00
	L20	EUR/100 kg	53,51		L20	EUR/100 kg	97,08
0403 90 59 9310	L02	EUR/100 kg	13,20	0405 10 19 9700	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	18,86		L20	EUR/100 kg	99,50
0403 90 59 9340	L02	EUR/100 kg	19,32	0405 10 30 9100	L02	EUR/100 kg	72,00
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	97,08
0403 90 59 9370	L02	EUR/100 kg	19,32	0405 10 30 9300	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	99,50
0403 90 59 9510	L02	EUR/100 kg	19,32	0405 10 30 9700	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	27,59		L20	EUR/100 kg	99,50
0404 90 21 9120	L02	EUR/100 kg	3,54	0405 10 50 9300	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	4,27		L20	EUR/100 kg	99,50
0404 90 21 9160	L02	EUR/100 kg	4,14	0405 10 50 9500	L02	EUR/100 kg	72,00
	L20	EUR/100 kg	5,00		L20	EUR/100 kg	97,08
0404 90 23 9120	L02	EUR/100 kg	4,14	0405 10 50 9700	L02	EUR/100 kg	73,79
	L20	EUR/100 kg	5,00		L20	EUR/100 kg	99,50
0404 90 23 9130	L02	EUR/100 kg	37,83	0405 10 90 9000	L02	EUR/100 kg	76,50
	L20	EUR/100 kg	48,54		L20	EUR/100 kg	103,15
0404 90 23 9140	L02	EUR/100 kg	39,47	0405 20 90 9500	L02	EUR/100 kg	67,51
	L20	EUR/100 kg	50,67		L20	EUR/100 kg	91,01
				0405 20 90 9700	L02	EUR/100 kg	70,20
					L20	EUR/100 kg	94,64

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 90 10 9000	L02	EUR/100 kg	92,11	0406 90 21 9900	L04	EUR/100 kg	39,43
	L20	EUR/100 kg	124,18		L40	EUR/100 kg	56,30
0405 90 90 9000	L02	EUR/100 kg	73,66	0406 90 23 9900	L04	EUR/100 kg	35,35
	L20	EUR/100 kg	99,32		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

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
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 645/2006**of 27 April 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 25 April 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 25 April 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 28 April 2006.

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

Done at Brussels, 27 April 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 409/2006 (OJ L 71, 10.3.2006, p. 5).

⁽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	100,00
Butter	ex 0405 10 19 9700	106,70
Butteroil	ex 0405 90 10 9000	127,50

COMMISSION REGULATION (EC) No 646/2006**of 27 April 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 25 April 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 582/2004, for the tendering period ending on 25 April 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 28 April 2006.

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

Done at Brussels, 27 April 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 409/2006 (OJ L 71, 10.3.2006, p. 5).

⁽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 647/2006**of 27 April 2006****on the issue of rice import licences for applications lodged in the first 10 working days of April 2006 under Regulation (EC) No 327/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the markets in rice ⁽¹⁾,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

An examination of the quantities for which rice import licence applications have been lodged for the April 2006 tranche shows that licences should be issued for the quantities applied for, multiplied, where appropriate, by a percentage reduction and

the quantities available for carry-over to the following tranche should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licence applications for the tariff quotas for rice opened by Regulation (EC) No 327/98, submitted in the first 10 working days of April 2006 and notified to the Commission shall be subject to percentage reduction coefficients as set out in the Annex to this Regulation.

2. The quantities available under the April 2006 tranche, to be carried over to the following tranche, shall be as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 April 2006.

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

Done at Brussels, 27 April 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 96. Regulation as amended by Regulation (EC) No 247/2006 (OJ L 42, 14.2.2006, p. 1).

⁽²⁾ OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Regulation (EC) No 2152/2005 (OJ L 342, 24.12.2005, p. 30).

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for April 2006 and quantities available for the following tranche:

(a) Quota of wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(a):

Origin	Serial No	Reduction percentage for the April 2006 tranche	Quantity carried over to the tranche for July 2006 (tonnes)
United States of America	09.4127	0 ⁽¹⁾	11 635
Thailand	09.4128	0 ⁽¹⁾	1 230,404
Australia	09.4129	0 ⁽¹⁾	531,5
Other origins	09.4130	98,7985	0

⁽¹⁾ To be issued for the quantity in the application.

(b) Quota of husked rice falling within CN code 1006 20 provided for in Article 1(1)(b):

Origin	Serial No	Reduction percentage for the April 2006 tranche	Quantity carried over to the tranche for July 2006 (tonnes)
Australia	09.4139	0 ⁽¹⁾	7 822
United States of America	09.4140	0 ⁽¹⁾	5 732
Thailand	09.4144	0 ⁽¹⁾	1 812
Other origins	09.4145	0 ⁽¹⁾	117

⁽¹⁾ To be issued for the quantity in the application.

COMMISSION REGULATION (EC) No 648/2006**of 27 April 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 28 April 2006.

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

Done at Brussels, 27 April 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 28 April 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	21,26	23,04
	(b) on exportation of other goods	50,45	54,00
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	56,05	61,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	98,68	106,75
	(c) on exportation of other goods	91,43	99,50

⁽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 649/2006

of 27 April 2006

fixing the rates of the refunds applicable to certain cereal and rice 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 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the 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 ⁽³⁾, 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 III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (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) 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.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) 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 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 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 April 2006.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 172, 5.7.2005, p. 24.

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1584/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 27 April 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 28 April 2006 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (EUR/100 kg)	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	—	—
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 (3) are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	2,654	2,915
	– – where goods falling within subheading 2208 (3) are exported	2,101	2,101
	– – in other cases	3,757	3,757
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (4):		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	1,715	1,975
	– – where goods falling within subheading 2208 (3) are exported	1,576	1,576
	– – in other cases	2,818	2,818
	– where goods falling within subheading 2208 (3) are exported	2,101	2,101
	– other (including unprocessed)	3,757	3,757
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	2,072	2,243
	– where goods falling within subheading 2208 (3) are exported	2,101	2,101
	– in other cases	3,757	3,757

(*) 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.

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product (EUR/100 kg)	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients set out in Annex V to Commission Regulation (EC) No 1043/2005 is applicable.

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund relates only to the glucose syrup.

COMMISSION REGULATION (EC) No 650/2006

of 27 April 2006

fixing the export refunds on products processed from cereals and rice

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,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 14 of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 14 of Regulation (EC) No 1785/2003 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽³⁾ on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

⁽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 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 1549/2004 (OJ L 280, 31.8.2004, p. 13).

⁽³⁾ OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) 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 products listed in Article 1 of Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 April 2006.

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

Done at Brussels, 27 April 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to Commission Regulation of 27 April 2006 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	52,60	1104 23 10 9300	C10	EUR/t	43,21
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	45,08	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	45,08	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	9,39
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	67,63	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	52,60	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	45,08	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	45,08	1108 12 00 9200	C10	EUR/t	60,11
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	60,11
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	60,11
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	60,11
1103 20 20 9000	C11	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	58,89
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	45,08
1104 19 50 9110	C10	EUR/t	60,11	1702 30 91 9000	C10	EUR/t	58,89
1104 19 50 9130	C10	EUR/t	48,84	1702 30 99 9000	C10	EUR/t	45,08
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	45,08
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	58,89
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	45,08
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	61,71
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	42,83
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C14	EUR/t	45,08
1104 23 10 9100	C10	EUR/t	56,36				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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 Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are as follows:

C10: All destinations

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania

C14: All destinations except for Switzerland and Liechtenstein.

COMMISSION REGULATION (EC) No 651/2006
of 27 April 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 28 April 2006.

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

Done at Brussels, 27 April 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 27 April 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 652/2006
of 27 April 2006
fixing production refunds on cereals

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 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽²⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.
- (3) 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 refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 18,08 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 25,62 for potato starch.

Article 2

This Regulation shall enter into force on 28 April 2006.

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

Done at Brussels, 27 April 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 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

COMMISSION REGULATION (EC) No 653/2006**of 27 April 2006****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1058/2005**

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 barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1058/2005 ⁽²⁾.

(2) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified from 21 to 27 April 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1058/2005, the maximum refund on exportation of barley shall be 5,90 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2006.

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

Done at Brussels, 27 April 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 amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 654/2006**of 27 April 2006****fixing the maximum export refund on common wheat in connection with the invitation to tender 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) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified from 21 to 27 April 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1059/2005, the maximum refund on exportation of common wheat shall be 5,00 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2006.

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

Done at Brussels, 27 April 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 amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 April 2006

appointing an Austrian alternate member of the Committee of the Regions

(2006/307/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Austrian Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the expiry of the mandate of Mr Ferdinand EBERLE,

HAS DECIDED AS FOLLOWS:

Article 1

Dr Elisabeth ZANON

Landeshauptmannstellvertreterin Tirol,

is hereby appointed an alternate member of the Committee of the Regions in place of Mr Ferdinand EBERLE for the remainder of his term of office, which runs until 25 January 2010.

Article 2

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

It shall take effect on the date of its adoption.

Done at Luxembourg, 10 April 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION
of 10 April 2006
appointing a German alternate member of the Committee of the Regions
(2006/308/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) A seat as an alternate member of the Committee of the Regions has become vacant following the resignation of Mr Dieter DOMBROWSKI,

HAS DECIDED AS FOLLOWS:

Article 1

Ms Barbara RICHSTEIN, member of the Parliament of Brandenburg (Mitglied des Landtags von Brandenburg), is hereby appointed an alternate member of the Committee of the Regions in place of Mr Dieter DOMBROWSKI for the remainder of his term of office, which runs until 25 January 2010.

Article 2

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

It shall take effect on the date of its adoption.

Done at Luxembourg, 10 April 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COUNCIL DECISION**of 10 April 2006****appointing three Slovak members and three Slovak alternate members of the Committee of the Regions**

(2006/309/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Slovak Government,

Whereas:

- (1) On 24 January 2006 the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 ⁽¹⁾.
- (2) Three members' seats on the Committee of the Regions have become vacant following the expiry of the mandates of Mr BAUER, Mr MARČOK and Mr TARČÁK (members). Three alternate members' seats on the Committee of the Regions have become vacant following the expiry of the mandates of Mr ŠTEFANEC, Mr TOMEČEK and Ms DEMETEROVÁ (alternate members),

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed to the Committee of the Regions:

(a) as members:

- Mr Juraj BLANÁR, President of the Zilina Self-governing Region,
- Mr Milan MURGAŠ, President of the Banská Bystrica Self-governing Region,
- Mr Zdenko TREBUL'A, President of the Kosice Self-governing Region;

(b) as alternate members:

- Mr Pavol SEDLÁČEK, President of the Trenčín Self-governing Region,
- Mr Vladimír BAJAN, President of the Bratislava Self-governing Region,
- Mr Tibor MIKUŠ, President of the Trnava Self-governing Region,

for the remainder of the term of office, which ends on 25 January 2010.

*Article 2*This Decision shall be published in the *Official Journal of the European Union*.

It shall take effect on the day of its adoption.

Done at Luxembourg, 10 April 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 56, 25.2.2006, p. 75.

COMMISSION

COMMISSION DECISION

of 21 April 2006

amending, for the purposes of adapting to the technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of lead

(notified under document number C(2006) 1622)

(Text with EEA relevance)

(2006/310/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(b) thereof,

Whereas:

- (1) Under Directive 2002/95/EC the Commission is required to evaluate certain hazardous substances prohibited pursuant to Article 4(1) of that Directive.
- (2) Certain materials and components containing lead should be exempted from the prohibition, since the use of these hazardous substances in those specific materials and components is still unavoidable.
- (3) Certain materials and components containing lead should be exempted from the prohibition, since the negative environmental, health and/or consumer safety impacts caused by substitution are likely to outweigh the environmental, health and/or consumer safety benefits thereof.
- (4) Some exemptions from the prohibition for certain specific materials or components should be limited in their scope, in order to achieve a gradual phase-out of hazardous substances in electrical and electronic

equipment, given that the use of those substances in such applications will become avoidable.

- (5) Pursuant to Article 5(1)(c) of Directive 2002/95/EC each exemption listed in the Annex must be subject to a review at least every four years or four years after an item is added to the list with the aim of considering deletion of materials and components of electrical and electronic equipment if their elimination or substitution via design changes or materials and components which do not require any of the materials or substances referred to in Article 4(1) of that Directive is technically or scientifically possible, provided that the negative environmental, health and/or consumer safety impacts caused by substitution do not outweigh the possible environmental, health and/or consumer safety benefits thereof.
- (6) Directive 2002/95/EC should therefore be amended accordingly.
- (7) Pursuant to Article 5(2) of Directive 2002/95/EC the Commission has consulted producers of electrical and electronic equipment, recyclers, treatment operators, environmental organisations and employee and consumers associations.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 18 of Council Directive 75/442/EEC ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Directive 2002/95/EC is amended as set out in the Annex to this Decision.

⁽¹⁾ OJ L 37, 13.2.2003, p. 19. Directive as last amended by Commission Decision 2005/747/EC (OJ L 280, 25.10.2005, p. 18).

⁽²⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 April 2006.

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX

In the Annex to Directive 2002/95/EC the following points 16 to 20 are added:

16. Lead in linear incandescent lamps with silicate coated tubes.
 17. Lead halide as radiant agent in High Intensity Discharge (HID) lamps used for professional reprography applications.
 18. Lead as activator in the fluorescent powder (1 % lead by weight or less) of discharge lamps when used as sun tanning lamps containing phosphors such as BSP ($\text{BaSi}_2\text{O}_7:\text{Pb}$) as well as when used as speciality lamps for diazo-printing reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ($(\text{Sr,Ba})_2\text{MgSi}_2\text{O}_7:\text{Pb}$).
 19. Lead with PbBiSn-Hg and PbInSn-Hg in specific compositions as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact Energy Saving Lamps (ESL).
 20. Lead oxide in glass used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCD).
-

COMMISSION DECISION

of 21 April 2006

amending Commission Decision 2004/407/EC as regards imports of photographic gelatine

(notified under document number C(2006) 1627)

(Only the Dutch, English, French and German texts are authentic)

(2006/311/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Articles 4(4) and 32(1) thereof,

Whereas:

- (1) Regulation (EC) No 1774/2002 prohibits the importation and transit of animal by-products and processed products into the Community, except in accordance with that Regulation.
- (2) Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine ⁽²⁾ provides, by way of derogation from that prohibition in Regulation (EC) No 1774/2002, that France, the Netherlands and the United Kingdom are to authorise the import of certain gelatine exclusively intended for the photographic industry (photographic gelatine).
- (3) Decision 2004/407/EC provides that photographic gelatine is only allowed from the third countries listed in that Decision, namely Japan and the United States of America.
- (4) Luxembourg has confirmed the need to source photographic gelatine from the United States of America for the purposes of the photographic industry in Luxembourg. Accordingly Luxembourg should be allowed to authorise the import of photographic gelatine subject to compliance with the conditions set out in Decision 2004/407/EC. However, those imports may take place in Belgium.

(5) In order to facilitate the transfer from Belgium to Luxembourg of the imported photographic gelatine, the conditions in Annexes I and III to Decision 2004/407/EC should be amended slightly.

(6) 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

Decision 2004/407/EC is amended as follows:

1. Article 1 is replaced by the following:

*'Article 1***Derogation regarding the import of photographic gelatine**

By way of derogation from Article 29(1) of Regulation (EC) No 1774/2002, Belgium, France, Luxembourg, the Netherlands and the United Kingdom shall authorise the import of gelatine produced from materials containing bovine vertebral column classified as Category 1 material under that Regulation, exclusively intended for the photographic industry (photographic gelatine), in compliance with this Decision.'

2. Article 9 is replaced by the following:

*'Article 9***Addresses**

This Decision is addressed to the Kingdom of Belgium, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.'

3. Annexes I and III are amended in accordance with the Annex to this Decision.

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 208/2006 (OJ L 36, 8.2.2006, p. 25).

⁽²⁾ OJ L 208, 10.6.2004, p. 9.

Article 2

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

Article 3

This Decision is addressed to the Kingdom of Belgium, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 21 April 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

1. Annex I is replaced by the following:

'ANNEX I

Third countries and plants of origin, Member States of destination, border inspection posts of first entry and approved photographic factories

Third Country of origin	Plants of origin	Member State of destination	Border Inspection Post of first entry	Approved Photographic Factories
Japan	<ul style="list-style-type: none"> — Nitta Gelatin Inc. 2-22 Futamata Yao-City, Osaka 581 — 0024 Japan — Jellie Co. Ltd. 7-1, Wakabayashi 2-Chome, Wakabayashi-ku, Sendai-city, Miyagi, 982 Japan — NIPPI Inc. Gelatin Division 1 Yumizawa-Cho, Fujinomiya City Shizuoka 418 — 0073 Japan 	The Netherlands	Rotterdam	Fuji Photo Film BV, Tilburg
Japan	Nitta Gelatin Inc 2-22 Futamata Yao-City Osaka 581 — 0024, Japan	France	Le Havre	Kodak Zone Industrielle Nord, 71100 Châlon sur Saône
		The United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY
USA	<ul style="list-style-type: none"> — Eastman Gelatine Corporation, 227 Washington Street, Peabody, MA, 01960 USA — Gelita North America, 2445 Port Neal Industrial Road Sergeant Bluff, Iowa, 51054 USA 	Luxembourg	Antwerp Zaventem Luxembourg	DuPont Teijin Luxembourg SA PO Box 1681 L-1016 Luxembourg
		France	Le Havre	Kodak Zone Industrielle Nord, 71100 Châlon sur Saône
		The United Kingdom	Liverpool Felixstowe	Kodak Ltd Headstone Drive, Harrow, MIDDX HA4 4TY

2. Annex III is replaced by:

'ANNEX III

Model health certificates for the importation from third countries of technical gelatine to be used by the photographic industry

Notes

<p>(a) Veterinary certificates for the importation of technical gelatine to be used by the photographic industry shall be produced by the exporting country, based on the model appearing in this Annex III. They shall contain 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.</p> <p>(b) 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.</p> <p>(c) It shall be drawn up in at least one of the official languages of the EU Member State in which the inspection at the EU border inspection 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.</p> <p>(d) If for reasons of identification of the items of the consignment, 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.</p>	<p>(e) When the certificate, including additional schedules referred to in (d), comprises more than one page, each page shall be numbered — (<i>page number</i>) of (<i>total number of pages</i>) — on its bottom and shall bear the code number of the certificate that has been designated by the competent authority on its top.</p> <p>(f) 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.</p> <p>(g) The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.</p> <p>(h) The original of the certificate must accompany the consignment at the EU border inspection post until it reaches the photographic factory of destination.</p>
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Health certificate

For technical gelatine not intended for human consumption to be used by the photographic industry, intended for dispatch to the European Community

Note for the importer: This certificate is only for veterinary purposes and has to accompany the consignment until it reaches the photographic factory of destination from the border inspection post.

<p>1. Consignor (name and address in full) </p>	<p>VETERINARY CERTIFICATE For technical gelatine not intended for human consumption to be used by the photographic industry, intended for dispatch to the European Community</p> <p>Reference number (1) ORIGINAL</p>
<p>2. Consignee (name and address in full) </p>	<p>3. Origin of the photographic gelatine 3.1. Country: Japan or USA (2) 3.2. Code of territory:</p>
<p>5. Intended destination of the photographic gelatine 5.1. EU Member State: France or Luxembourg or the Netherlands or the United Kingdom (2) 5.2. Name and address of the photographic factory of destination: </p>	<p>4. Competent Authority 4.1. Responsible Ministry: 4.2. Certifying department:</p>
<p>7. Means of transport and consignment identification 7.1. (Lorry, Rail-wagon, Ship, or Aircraft) (2) 7.2. Number of seal (if applicable): 7.3. Registration number(s), ship name or flight number: </p>	<p>6. Place of loading for exportation </p> <p>7.4. Nature of packaging: 7.5. Number of packages: 7.6. Net weight: 7.7. Lot/batch production reference number: </p>
<p>8. Identification of the photographic gelatine 8.1. Nature of the photographic gelatine: 8.2. Photographic gelatine of: (animal species) 8.3. Address and approval number of the approved establishment of origin: </p>	

EUROPEAN CENTRAL BANK

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 20 April 2006

amending Guideline ECB/2002/7 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts

(ECB/2006/6)

(2006/312/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS GUIDELINE:

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular to Articles 5.1 and 5.2, 12.1 and 14.3 thereof,

Article 1

Annex III to Guideline ECB/2002/7, as replaced by Annex III to Guideline ECB/2005/13, is amended in accordance with the Annex to this Guideline.

Whereas:

Article 2

This Guideline shall enter into force on the day following its notification.

- (1) Guideline ECB/2002/7 of 21 November 2002 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts⁽¹⁾ was amended by Guideline ECB/2005/13⁽²⁾. Guideline ECB/2005/13 contained updated derogations from the data reporting requirements for a number of Member States. Following a review of these derogations, further derogations are inserted in respect of one Member State.

Article 3

This Guideline is addressed to the NCBs of participating Member States.

Done at Frankfurt am Main, 20 April 2006.

- (2) In accordance with Articles 12.1 and 14.3 of the Statute, ECB guidelines form an integral part of Community law,

For the Governing Council of the ECB

The President of the ECB

Jean-Claude TRICHET

⁽¹⁾ OJ L 334, 11.12.2002, p. 24.

⁽²⁾ Guideline ECB/2005/13 of 17 November 2005 amending Guideline ECB/2002/7 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts (OJ L 30, 2.2.2006, p. 1).

ANNEX

Annex III to Guideline ECB/2002/7, as replaced by Annex III to Guideline ECB/2005/13, is amended as follows:

In Table 1 (Current data), the following section is inserted between the sections entitled 'Italy' and 'Netherlands':

LUXEMBOURG

1/3/B, D, G, H, M	Currency held by NFCs, OFIFAs, ICPFs, GG and HHs	Fourth quarter 2008
1/4, 5, 7, 8/A, B, D, G, H, M	Deposits, instrument total, deposits held with residents, deposits held with non-MFIs and deposits held with non-residents, by total economy, NFCs, OFIFAs, ICPFs, GG and HHs	Fourth quarter 2008
1/9, 14/B, D, G, M	Short-term and long-term debt securities held by NFCs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
1/19/A, B, C, D, G, M, N	Financial derivatives as an asset of total economy, NFCs, MFIs, OFIFAs, ICPFs, HHs and RoW	Fourth quarter 2008
1/20, 24/A, B, D, G, M	Short-term and long-term loans granted by total economy, NFCs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
1/33-36/A, B, C, D, G, H, M, N	Quoted shares, unquoted shares and other equity, mutual funds shares and money market funds shares issued by euro area MFIs held by total economy, NFCs, MFIs, OFIFAs, ICPFs, GG, HHs and RoW	Fourth quarter 2008
1/37-39/M, N	Net equity of households in life insurance reserves and in pension funds reserves (AF.61, AF.611, AF.612) held by HHs and RoW	Fourth quarter 2008
1/40/A, B, C, D, G, H, M, N	Prepayments of insurance premiums and reserves for outstanding claims held by total economy, NFCs, MFIs, OFIFAs, ICPFs, GG, HHs and RoW	Fourth quarter 2008
1/41/A, B, D, G, M	Other accounts receivable/payable as an asset of total economy, NFCs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
2/3/A, D, G	Deposits held with total economy, OFIFAs and ICPFs	Fourth quarter 2008
2/6/A, B, C, D, G, M, N	Financial derivatives as a liability of total economy, NFCs, MFIs, OFIFAs, ICPFs, HHs and RoW	Fourth quarter 2008
2/7, 13/A, B, D, G, M	Short-term and long-term loans (instrument totals) granted to total economy, NFCs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
2/8, 10, 14, 16/A, B, D, G, H, M	Short-term and long-term loans granted by residents and by non-MFIs to total economy, NFCs, OFIFAs, ICPFs, GG and HHs	Fourth quarter 2008
2/20/N	Quoted shares issued by RoW	Fourth quarter 2008
2/21/A, B, C, D, G, N	Unquoted shares and other equity issued by total economy, NFCs, MFIs, OFIFAs, ICPFs and RoW	Fourth quarter 2008
2/22/N	Mutual funds shares issued by RoW	Fourth quarter 2008
2/23-24/A, G, N	Net equity of households in life insurance reserves and in pension funds reserves (AF.61) and net equity of households in life insurance reserves (AF.611) as a liability of total economy, ICPFs and RoW	Fourth quarter 2008

2/25/A, B, C, D, G, M, N	Net equity of households in pension funds reserves as a liability of total economy, NFCs, MFIs, OFIFAs, ICPFs, HHs and RoW	Fourth quarter 2008
2/26/A, G, N	Prepayments of insurance premiums and reserves for outstanding claims as a liability of total economy, ICPFs and RoW	Fourth quarter 2008
2/27/A, B, D, G, M	Other accounts receivable/payable as a liability of total economy, NFCs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
2/28/B, C, D, G, M	Net financial assets (for outstanding amounts) and net lending/net borrowing (for transactions) of NFCs, MFIs, OFIFAs, ICPFs and HHs	Fourth quarter 2008
3/1, 4-8/B-U	Deposits held with total economy, OFIFAs, OFIs, FAs, ICPFs and GG, broken down by counterpart sector and area	Fourth quarter 2008
4, 5/2-21/A, B, D, G, H, I	Short-term and long-term loans granted by total economy, NFCs, OFIFAs, ICPFs, GG and HHs to residents and non-residents, broken down by counterpart sector and area	Fourth quarter 2008

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION

of 10 April 2006

concerning the conclusion of the Agreement between the International Criminal Court and the European Union on cooperation and assistance

(2006/313/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) At its meeting on 25 April 2005, the Council decided to authorise the Presidency, assisted by the SG/HR, and by the Commission, as appropriate, to open negotiations in accordance with Article 24 of the Treaty on European Union, in order for the European Union to conclude an Agreement on cooperation and assistance with the International Criminal Court.
- (2) Following this authorisation, the Presidency negotiated the Agreement.
- (3) The Agreement should be approved on behalf of the European Union,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between and the International Criminal Court and the European Union on cooperation and assistance is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Union.

Article 3

The Council notes that the Commission intends to direct its action towards achieving the objectives and priorities of the Agreement, where appropriate by pertinent Community measures.

Article 4

This Decision shall take effect on the date of its adoption.

Article 5

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

Done at Luxembourg, 10 April 2006.

For the Council
The President
U. PLASSNIK

AGREEMENT**between the International Criminal Court and the European Union on cooperation and assistance**

THE INTERNATIONAL CRIMINAL COURT,

Hereinafter 'the Court',

of the one part, and

THE EUROPEAN UNION,

hereinafter 'the EU', represented by the Presidency of the Council of the European Union,

of the other part,

hereinafter referred to as the Parties,

CONSIDERING the fundamental importance and the priority that must be given to the consolidation of the rule of law and respect for human rights and humanitarian law, as well as the preservation of peace and the strengthening of international security, in conformity with the United Nations Charter and as provided for in Article 11 of the Treaty on European Union;

NOTING that the principles of the Rome Statute of the International Criminal Court, as well as those governing its functioning, are fully in line with the principles and objectives of the European Union;

EMPHASISING the importance of the administration of justice in accordance with the rule of law and procedural fairness with particular reference to the rights of the accused provided in the Rome Statute;

NOTING the special role of victims and witnesses in proceedings before the Court and the need for specific measures aimed at ensuring their security and effective participation in accordance with the Rome Statute;

RECALLING that the European security strategy, adopted by the European Council on 12 December 2003, supports an international order based on effective multilateralism;

BEARING IN MIND Council Common Position 2003/444/CFSP of 16 June 2003 on the International Criminal Court as well as the Council's Action Plan to follow-up on such Common Position and particularly the essential role of the International Criminal Court for the purpose of preventing and curbing the commission of the serious crimes falling within its jurisdiction;

CONSIDERING that the European Union is committed to supporting the effective functioning of the International Criminal Court and to advance universal support for it by promoting the widest possible participation in the Rome Statute;

RECALLING THAT this Agreement must be read in conjunction with and subject to the Rome Statute of the International Criminal Court and the Rules of Procedure and Evidence;

RECALLING THAT Article 87(6), of the Rome Statute provides that the Court may ask any intergovernmental organisation to provide information or documents, and that the Court may also ask for other forms of cooperation and assistance which may be agreed upon with such an organisation and which are in accordance with its competence or mandate;

CONSIDERING THAT this Agreement covers terms of cooperation and assistance between the International Criminal Court and the European Union and not between the International Criminal Court and the Member States of the European Union;

CONSIDERING THAT, to that effect, the International Criminal Court and the European Union should agree on terms of cooperation and assistance in addition to Common Position 2003/444/CFSP, as well as to the EU Action Plan in follow-up to that Common Position,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose of the Agreement

This Agreement, which is entered into by the European Union (EU) and the International Criminal Court (the Court) pursuant to the provisions of the Treaty on European Union (EU Treaty) and the Rome Statute of the International Criminal Court (the Statute) respectively, defines the terms of cooperation and assistance between the EU and the Court.

Article 2

Definition of terms

1. For the purposes of this Agreement, 'EU' shall mean the Council of the European Union (hereinafter Council), the Secretary General/High Representative and the General Secretariat of the Council, and the Commission of the European Communities (hereinafter European Commission). 'EU' shall not mean the Member States in their own right.

2. For the purposes of this Agreement, 'the Court' shall mean:

- (a) the Presidency,
- (b) an Appeals Division, a Trial Division and a Pre-Trial Division,
- (c) the Prosecutor's Office,
- (d) the Registry,
- (e) the Secretariat of the Assembly of States Parties.

Article 3

Member State Agreements

1. This Agreement, including any agreements or arrangements concluded under Article 11, shall not apply to requests for information from the Court which relate to information, other than EU documents including EU classified information, originating from an individual Member State. In such circumstances, any request shall be made directly to the relevant Member State.

2. Article 73 of the Statute shall be applied, *mutatis mutandis*, to requests made by the Court to the EU under this Agreement.

Article 4

Obligation of cooperation and assistance

The EU and the Court agree that, with a view to facilitating the effective discharge of their respective responsibilities, they shall cooperate closely, as appropriate, with each other and consult each other on matters of mutual interest, pursuant to the provisions of this Agreement while fully respecting the respective provisions of the EU Treaty and the Statute. In order to facilitate this obligation of cooperation and assistance, the Parties agree on the establishing of appropriate regular contacts between the Court and the EU Focal Point for the Court.

Article 5

Attendance at meetings

The EU may invite the Court to attend meetings and conferences arranged under its auspices at which matters of interest to the Court are under discussion in order to give assistance with regard to matters within the jurisdiction of the Court.

Article 6

Promotion of the values underpinning the Statute

The EU and the Court shall cooperate, whenever appropriate, by adopting initiatives to promote the dissemination of the principles, values and provisions of the Statute and related instruments.

Article 7

Exchange of information

1. The EU and the Court shall, to the fullest extent possible and practicable, ensure the regular exchange of information and documents of mutual interest in accordance with the Statute and the Rules of Procedure and Evidence.

2. With due regard to its responsibilities and competence under the EU Treaty, the EU undertakes to cooperate with the Court and to provide the Court with such information or documents in its possession as the Court may request pursuant to Article 87(6), of the Statute.

3. The EU may, at its own initiative and in accordance with the EU Treaty, provide information or documents, which may be relevant to the work of the Court.

4. The Registrar of the Court shall, in accordance with the Statute and the Rules of Procedure and Evidence, provide information and documentation relating to pleadings, oral proceedings, judgements and orders of the Court, which may be of interest to the EU.

*Article 8***Protection of safety or security**

Should the cooperation, including the disclosure of information or documents, provided for in this Agreement endanger the safety or security of current or former staff of the EU or otherwise prejudice the security or proper conduct of any operation or activity of the EU, the Court may order, particularly at the request of the EU, appropriate measures of protection.

*Article 9***Classified information**

Provisions relating to the release of EU classified information by the EU to an organ of the Court are set out in the Annex to this Agreement, which is an integral part thereof.

*Article 10***Testimony of staff of the European Union**

1. If the Court requests the testimony of an official or other staff of the EU, the EU undertakes to cooperate fully with the Court and, if necessary and with due regard to its responsibilities and competencies under the EU Treaty and the relevant rules thereunder, to take all necessary measures to enable the Court to hear that person's testimony, in particular by waiving that person's obligation of confidentiality.

2. With reference to Article 8, the Parties recognise that measures of protection might be required should an official or other staff of the EU be requested to provide the Court with testimony.

3. Subject to the Statute and the Rules of Procedure and Evidence, the EU shall be authorised to appoint a representative to assist any official or other staff of the EU who appears as a witness before the Court.

*Article 11***Cooperation between the European Union and the Prosecutor**

1. While fully respecting the EU Treaty:

- (i) the EU undertakes to cooperate with the Prosecutor, in accordance with the Statute and the Rules of Procedure and Evidence, in providing additional information held by the EU that he or she may seek;
- (ii) the EU undertakes to cooperate with the Prosecutor, in accordance with Article 54(3)(c) of the Statute;

(iii) the EU shall, in accordance with Article 54(3)(d) of the Statute, enter into such arrangements or agreements, not inconsistent with the Statute, as may be necessary to facilitate the cooperation of the EU with the Prosecutor.

2. The Prosecutor shall address requests for information in writing to the Secretary General/High Representative. The Secretary General/High Representative shall provide a written reply no later than one month.

3. The EU and the Prosecutor may agree that the EU provide the Prosecutor with documents or information on condition of confidentiality and solely for the purpose of generating new evidence and that such documents or information shall not be disclosed to other organs of the Court or third parties, at any stage of the proceedings or thereafter, without the consent of the EU. The rules on classified information of Article 9 shall apply.

*Article 12***Privileges and immunities**

If the Court seeks to exercise its jurisdiction over a person who is alleged to be criminally responsible for a crime within the jurisdiction of the Court and if such person enjoys, according to the relevant rules of international law, any privileges and immunities, the relevant institution of the EU undertakes to cooperate fully with the Court and, with due regard to its responsibilities and competencies under the EU Treaty and the relevant rules thereunder, to take all necessary measures to allow the Court to exercise its jurisdiction, in particular by waiving any such privileges and immunities in accordance with all relevant rules of international law.

*Article 13***Personnel arrangements**

Pursuant to Article 44(4) of the Statute, the EU and the Court agree to determine, on a case by case basis, under which exceptional circumstances the Court may employ the expertise of gratis personnel offered by the EU, to assist with the work of any of the organs of the Court.

*Article 14***Services and facilities**

Upon request of the Court, the EU shall, subject to availability, provide for the purposes of the Court, such facilities and services as may be required, including, where appropriate, support at the field level. The terms and conditions on which any such facilities, services or support of the EU may be provided shall be, as appropriate, the subject of prior supplementary arrangements.

*Article 15***Training**

The EU shall endeavour to support, as appropriate and in consultation with the Court, the development of training and assistance for judges, prosecutors, officials and counsel in work related to the Court.

*Article 16***Correspondence**

1. For the purpose of this Agreement:

(a) as regards the EU:

all correspondence shall be sent to the Council at the following address:

Council of the European Union
Chief Registry Officer
Rue de la Loi/Wetstraat, 175
B-1048 Brussels;

all correspondence shall be forwarded by the Chief Registry Officer of the Council to the Member States, to the European Commission and to the EU Focal Point for the Court subject to paragraph 2;

(b) as regards the Court,

all correspondence shall be addressed to the Registrar or the Prosecutor, as appropriate.

2. Exceptionally, correspondence from one Party which is only accessible to specific competent officials, organs or services of that Party may, for operational reasons, be addressed and only be accessible to specific competent officials, organs or services of the other Party specifically designated as recipients, taking into account their competencies and according to the need to know principle. As far as the EU is concerned, this correspondence shall be transmitted through the Chief Registry Officer of the Council.

*Article 17***Implementation**

1. The Office of the Prosecutor and the Registry of the Court and the Secretary-General of the Council and of the European

Commission shall oversee the implementation of this Agreement, in accordance with their respective competencies.

2. The Court and the EU may, for the purposes of implementing this Agreement, enter into such arrangements as may be found appropriate.

*Article 18***Settlement of disputes**

All differences between the EU and the Court arising out of the interpretation or application of this Agreement shall be dealt with through consultation between the Parties.

*Article 19***Entry into force and review**

1. This Agreement shall enter into force on the first day of the first month after the Parties have signed it.

2. This Agreement may be reviewed for consideration of possible amendments at the request of either Party. It shall be reviewed no later than five years after its entry into force.

3. Any amendment to this Agreement shall only be made in writing and by common agreement of the Parties.

*Article 20***Denunciation**

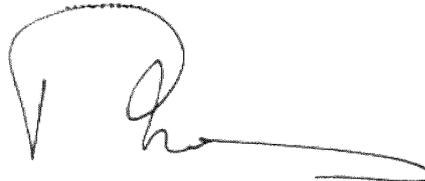
One Party may denounce this Agreement by written notice of denunciation given to the other Party. Such denunciation shall take effect six months after receipt of notification by the other Party, but shall not affect obligations already contracted under the provisions of this Agreement. In particular, all classified information provided or exchanged pursuant to this Agreement shall continue to be protected in accordance with the provisions set forth herein.

IN WITNESS WHEREOF the undersigned, respectively duly authorised, have signed this Agreement.

Hecho en Luxemburgo, el diez de abril de dos mil seis.
 V Lucemburku dne desátého dubna dva tisíce šest.
 Udfærdiget i Luxembourg den tiende april to tusind og seks.
 Geschehen zu Luxemburg am zehnten April zweitausendsechs.
 Kahe tuhanda kuuenda aasta aprillikuu kümnendal päeval Luxembourgis.
 Έγινε στο Λουξεμβούργο, στις δέκα Απριλίου δύο χιλιάδες έξι.
 Done at Luxembourg on the tenth day of April in the year two thousand and six.
 Fait à Luxembourg, le dix avril deux mille six.
 Fatto a Lussemburgo, addì dieci aprile duemilase.
 Luksemburgā, divtūkstoš sestā gada desmitajā aprīlī.
 Priimta du tūkstančiai šeštų metų balandžio dešimtą dieną Liuksemburge.
 Kelt Luxembourgban, a kettőezer hatodik év április tizedik napján.
 Magħmul fil-Lussemburgu, fl-ghaxra jum ta' April tas-sena elfejn u sitta.
 Gedaan te Luxemburg, de tiende april tweeduizend zes.
 Sporządzono w Luksemburgu dnia dziesiątego kwietnia roku dwutysięcznego szóstego.
 Feito no Luxemburgo, em dez de Abril de dois mil e seis.
 V Luxemburgu dňa desiateho apríla dvetisícšesť.
 V Luxembourggu, desetega aprila leta dva tisoč šest.
 Tehty Luxemburgissa kymmenentenä päivänä huhtikuuta vuonna kaksituhattakuusi.
 Som skedde i Luxemburg den tionde april tjugohundra sex.

Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Per l'Unione europea
 Eiropas Savienības vārdā
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Por la Corte Penal Internacional
 Za Mezinárodní trestní soud
 For Den Internationale Straffedomstol
 Für den Europäischen Strafgerichtshof
 Rahvusvahelise Kriminaalkohtu nimel
 Για το Διεθνές Ποινικό Δικαστήριο
 For the International Criminal Court
 Pour la Cour Pénale Internationale
 Per la Corte Penale Internazionale
 Starptautiskās Krimināltiesas vārdā
 Tarptautinio baudžiamojo teismo vardu
 A Nemzetközi Büntetőbíróság részéről
 Ghall-Qorti Kriminali Internazzjonali
 Voor het Internationaal Strafhof
 W imieniu Międzynarodowego Trybunału Karnego
 Pelo Tribunal Penal Internacional
 Za Medzinárodný trestný súd
 Za Mednarodno Kazensko Sodišče
 Kansainvälisen rikostuomioistuimen puolesta
 För Internationella brottmålsdomstolen

ANNEX

1. Should EU classified information be requested by an organ of the Court within the meaning of Article 34 of the Statute, it may be released only in accordance with the Council's security regulations ⁽¹⁾.

For the purposes of this Agreement, classified information shall mean any information (namely, knowledge that can be communicated in any form) or material determined to require protection against unauthorised disclosure and which has been so designated by a security classification (hereinafter referred to as classified information).

In particular:

- (i) the Court shall ensure that EU classified information released to it keeps the security classification given to it by the EU and shall safeguard such information, in accordance with an equivalent level of protection to that foreseen in the Council's security regulations. In this respect, the Court shall ensure that it provides the protection required by the EU in accordance with the rules, measures and procedures to be established pursuant to paragraph 4;
- (ii) the Court shall not use the released EU classified information for purposes other than those for which those EU classified information and documents have been released to the Court;
- (iii) the Court shall not disclose such information and documents to third parties without the prior written consent of the EU in accordance with the principle of originator consent as defined in the Council's security regulations;
- (iv) the Court shall ensure that access to EU classified information released to it will be authorised only for individuals who have a 'need to know';
- (v) the Court shall ensure that all persons who, in the conduct of their official duties require access, or whose duties or functions may afford access to information classified CONFIDENTIEL UE and above, are appropriately security cleared before they are granted access to such information, in accordance with arrangements to be established on the basis of objective criteria pursuant to paragraph 4;
- (vi) the Court shall ensure that, before being given access to EU classified information, all individuals who require access to such information are briefed on and comply with the requirements of the protective security regulations relevant to the classification of the information they are to access;
- (vii) taking into account their level of classification, EU classified information shall be forwarded to the Court by diplomatic bag, military mail services, secure mail services, secure telecommunications or personal carriage. The Court shall notify in advance to the General Secretariat of the Council of the EU the name and address of the body responsible for the security of classified information and the precise addresses to which the information must be forwarded and will ensure that the addressees are security cleared;
- (viii) the Court shall ensure that all premises, areas, buildings, offices, rooms, communication and information systems, and the like, in which EU classified information is stored and/or handled, is protected by appropriate physical security measures, in accordance with the arrangements to be established pursuant to paragraph 4;
- (ix) the Court shall ensure that EU classified documents released to it are, on their receipt, recorded in a special register. The Court shall ensure that copies of EU classified documents released to it, which may be made by the recipient body, their number and distribution, are recorded in this special register. The Court shall notify to the EU the date of return of those documents to the EU or provide a certificate of their destruction;
- (x) the Court shall notify to the General Secretariat of the Council of the EU any case of compromise of EU classified information released to it. In such a case, the Court shall initiate investigations and take appropriate measures to prevent a recurrence, in accordance with the arrangements to be established pursuant to paragraph 4.

⁽¹⁾ Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations (OJ L 101, 11.4.2001, p. 1).

2. In implementing paragraph 1, no generic release shall be possible unless procedures are established and agreed between the Parties regarding certain categories of information.
 3. EU classified information may be downgraded or declassified in accordance with Council's security regulations before being released to the Court. Any EU classified document containing national classified information may be consulted only by appropriately cleared Court staff or downgraded or declassified and released to the Court with the express written consent of the originator.
 4. In order to implement this Agreement, security arrangements shall be established between the three authorities designated below in order to lay down the standards of the reciprocal security protection for classified information subject to this Agreement:
 - (a) the Security Office of the Court shall be responsible for developing security arrangements for the protection and safeguarding of classified information provided to the Court under this Agreement;
 - (b) the Security Office of the General Secretariat of the Council, under the direction and on behalf of the Secretary General of the Council, acting in the name of the Council and under its authority, shall be responsible for developing security arrangements for the protection and safeguarding of classified information provided to the EU under this Agreement;
 - (c) the European Commission Security Directorate, acting in the name of the European Commission and under its authority, shall be responsible for developing security arrangements for the protection of classified information provided or exchanged under this Agreement within the European Commission and its premises;
 - (d) for the EU, these standards shall be subject to approval by the Council Security Committee.
 5. The Parties shall provide mutual assistance with regard to security of classified information subject to this Agreement and matters of common interest. Reciprocal security consultations and inspections shall be conducted by the authorities defined in paragraph 4 to assess the effectiveness of the security arrangements within their respective responsibility to be established pursuant to paragraph 4.
 6. The Parties shall have a security organisation and security programmes, based upon such basic principles and minimum standards of security which shall be implemented in the security systems of the Parties to be established pursuant to paragraph 4, to ensure that an equivalent level of protection is applied to classified information subject to this Agreement.
 7. Prior to the initial provision of classified information subject to this Agreement, the responsible security authorities referred to in paragraph 4 must have agreed that the receiving party is able to protect and safeguard the information subject to this Agreement in a way consistent with the arrangements to be established pursuant to paragraph 4.
 8. Nothing in this Agreement shall prejudice the possibility of the EU making available to the Court information with the highest level of classification subject to the Court ensuring an equivalent level of protection to that foreseen in the Council's security regulations.
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