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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 775/2006
of 23 May 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 24 May 2006.

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

Done at Brussels, 23 May 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 23 May 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	95,8
	204	39,3
	212	113,4
	999	82,8
0707 00 05	052	105,5
	628	151,2
	999	128,4
0709 90 70	052	108,8
	999	108,8
0805 10 20	052	36,5
	204	41,7
	220	41,4
	388	72,9
	448	46,6
	624	52,2
	999	48,6
0805 50 10	052	42,5
	508	59,9
	528	55,7
	999	52,7
0808 10 80	388	87,4
	400	115,3
	404	115,5
	508	94,4
	512	79,9
	524	58,6
	528	107,3
	720	93,8
	804	103,2
	999	95,0

⁽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 776/2006**of 23 May 2006****amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards Community reference laboratories****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽¹⁾, and in particular Article 32(5) thereof,

Whereas:

- (1) Regulation (EC) No 882/2004 lays down the general tasks, duties and requirements for Community reference laboratories for food and feed and for animal health. The Community reference laboratories are listed in Annex VII to that Regulation. That list contains all Community reference laboratories for feed and food that were previously designated in other acts.
- (2) The designation of Community reference laboratories should contribute to a high quality and uniformity of analytical results.
- (3) The activities of Community reference laboratories should cover all the areas of feed and food law and animal health, in particular those areas where there is a need for precise analytical and diagnostic results.
- (4) In a number of sectors where Community legislation on food, feed and animal health applies, there is a need to designate additional Community reference laboratories in areas where they do not yet exist and, in particular, with regard to foot-and-mouth disease, Brucellosis, *Listeria monocytogenes*, Coagulase positive Staphylococci, *Escherichia coli*, including Verotoxigenic *E. coli* (VTEC), *Campylobacter*, parasites (in particular *Trichinella*, *Echi-*

nococcus, *Anisakis*), antimicrobial resistance, animal proteins in feedingstuffs, pesticides residues, Mycotoxins in food and feed, heavy metals in food and feed, dioxins and PCBs in food and feed and Polycyclic Aromatic Hydrocarbons (PAH).

- (5) In July 2005 the Commission launched a call for the selection and designation of new Community reference laboratories. The evaluation of the applications was completed in December 2005 and the results were notified to the competent authorities of the Member States concerned. Following that evaluation the Commission considers it appropriate to designate as new Community reference laboratories the successful candidates within each field.
- (6) It is necessary to update certain specific information regarding the existing Community reference laboratories in Annex VII to Regulation (EC) 882/2004.
- (7) Regulation (EC) No 882/2004 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EC) No 882/2004 is replaced by the text in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 23 May 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

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

ANNEX

Annex VII to Regulation (EC) No 882/2004 is replaced by the following:

'ANNEX VII

COMMUNITY REFERENCE LABORATORIES**I. Community reference laboratories for feed and food**

1. Community reference laboratory for milk and milk products
AFSSA — Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agroalimentaires (LERQAP)
F-94700 Maisons-Alfort
France
2. Community reference laboratories for the analysis and testing of zoonoses (salmonella)
Rijksinstituut voor Volksgezondheid en Milieu (RIVM)
3720 BA Bilthoven
The Netherlands
3. Community reference laboratory for the monitoring of marine biotoxins
Agencia Española de Seguridad Alimentaria (AESA)
E-36200 Vigo
Spain
4. Community reference laboratory for monitoring the viral and bacteriological contamination of bivalve molluscs
The laboratory of the Centre for Environment, Fisheries and Aquaculture Science (CEFAS)
Weymouth
Dorset DT4 8UB
United Kingdom
5. Community reference laboratory for *Listeria monocytogenes*
AFSSA — Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agroalimentaires (LERQAP)
F-94700 Maisons-Alfort
France
6. Community reference laboratory for Coagulase positive *Staphylococci*, including *Staphylococcus aureus*
AFSSA — Laboratoire d'études et de recherches sur la qualité des aliments et sur les procédés agroalimentaires (LERQAP)
F-94700 Maisons-Alfort
France
7. Community reference laboratory for *Escherichia coli*, including Verotoxigenic *E. Coli* (VTEC)
Istituto Superiore di Sanità (ISS)
I-00161 Roma
Italy

8. Community reference laboratory for *Campylobacter*
Statens Veterinärmedicinska Anstalt (SVA)
S-751 89 Uppsala
Sweden

9. Community reference laboratory for parasites (in particular *Trichinella*, *Echinococcus* and *Anisakis*)
Istituto Superiore di Sanità (ISS)
I-00161 Roma
Italy

10. Community reference laboratory for antimicrobial resistance
Danmarks Fødevareforskning (DFVF)
DK-1790 København V
Denmark

11. Community reference laboratory for animal proteins in feedingstuffs
Centre wallon de recherches agronomiques (CRA-W)
B-5030 Gembloux
Belgium

12. Community reference laboratories for residues of veterinary medicines and contaminants in food of animal origin
 - (a) For the residues listed in Annex I, Group A 1, 2, 3, 4, Group B 2(d) and Group B 3(d) to Directive 96/23/EC
Rijksinstituut voor Volksgezondheid en Milieu (RIVM)
3720 BA Bilthoven
The Netherlands

 - (b) For the residues listed in Annex I, Group B 1 and B 3(e) to Directive 96/23/EC and carbadox and olaquinox
Laboratoire d'études et de recherches sur les médicaments vétérinaires et les désinfectants
AFSSA — site de Fougères
BP 90203
France

 - (c) For the residues listed in Annex I, Group A 5 and Group B 2(a), (b), (e) to Directive 96/23/EC
Bundesamt für Verbraucherschutz und Lebensmittelsicherheit (BVL)
D-12277 Berlin
Germany

 - (d) For the residues listed in Annex I, Group B 3(c) to Directive 96/23/EC
Istituto Superiore di Sanità
I-00161 Roma
Italy

13. Community reference laboratory for transmissible spongiform encephalopathies (TSEs)

The laboratory referred to in Annex X, Chapter B to Regulation (EC) No 999/2001

The Veterinary Laboratories Agency
Woodham Lane
New Haw
Addlestone
Surrey KT15 3NB
United Kingdom

14. Community reference laboratory for additives for use in animal nutrition

The laboratory referred to in Annex II of Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾

The Joint Research Centre of the European Commission
Geel
Belgium

15. Community reference laboratory for genetically modified organisms (GMOs)

The laboratory referred to in the Annex to Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed ⁽²⁾

The Joint Research Centre of the European Commission
Ispra
Italy

16. Community reference laboratory for material intended to come into contact with foodstuffs

The Joint Research Centre of the European Commission
Ispra
Italy

17. Community reference laboratories for residues of pesticides

(a) Cereals and feedingstuffs

Danmarks Fødevareforskning (DFVF)
DK-1790 København V
Denmark

(b) Food of animal origin and commodities with high fat content

Chemisches und Veterinäruntersuchungsamt (CVUA) Freiburg
Postfach 100462
D-79123 Freiburg
Germany

(c) Fruits and vegetables, including commodities with high water and high acid content

Laboratorio Agrario de la Generalitat Valenciana (LAGV)
Grupo de Residuos de Plaguicidas de la Universidad de Almería (PRRG)
LAGV: E-46100 Burjassot-Valencia
PRRG: E-04120 Almería
Spain

⁽¹⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽²⁾ OJ L 268, 18.10.2003, p. 1.

(d) Single residue methods

Chemisches und Veterinäruntersuchungsamt (CVUA) Stuttgart
Postfach 1206
D-70702 Fellbach
Germany

18. Community reference laboratory for heavy metals in feed and food

The Joint Research Centre of the European Commission
Geel
Belgium

19. Community reference laboratory for Mycotoxins

The Joint Research Centre of the European Commission
Geel
Belgium

20. Community reference laboratory for Polycyclic Aromatic Hydrocarbons (PAH)

The Joint Research Centre of the European Commission
Geel
Belgium

21. Community reference laboratory for dioxins and PCBs in feed and food

Chemisches und Veterinäruntersuchungsamt (CVUA) Freiburg
Postfach 100462
D-79123 Freiburg
Germany

II. Community reference laboratories for animal health and live animals

1. Community reference laboratory for classical swine fever

The laboratory referred to in Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾.

2. Community reference laboratory for African horse sickness

The laboratory referred to in Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness ⁽⁴⁾.

3. Community reference laboratory for avian influenza

The laboratory referred to in Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽⁵⁾.

4. Community reference laboratory for Newcastle disease

The laboratory referred to in Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease ⁽⁶⁾.

⁽³⁾ OJ L 316, 1.12.2001, p. 5. Directive as amended by the 2003 Act of Accession.

⁽⁴⁾ OJ L 157, 10.6.1992, p. 19. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽⁵⁾ OJ L 10, 14.1.2006, p. 16.

⁽⁶⁾ OJ L 260, 5.9.1992, p. 1. Directive as last amended by Regulation (EC) No 806/2003.

5. Community reference laboratory for swine vesicular disease

The laboratory referred to in Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease ⁽⁷⁾.

6. Community reference laboratory for fish diseases

The laboratory referred to in Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases ⁽⁸⁾.

7. Community reference laboratory for bivalve mollusc diseases

The laboratory referred to in Council Directive 95/70/EC of 22 December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs ⁽⁹⁾.

8. Community reference laboratory for monitoring the effectiveness of rabies vaccination

The laboratory referred to in Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines ⁽¹⁰⁾.

9. Community reference laboratory for bluetongue

The laboratory referred to in Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue ⁽¹¹⁾.

10. Community reference laboratory for African swine fever

The laboratory referred to in Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever ⁽¹²⁾.

11. Community reference laboratory for zootechnics

The laboratory referred to in Council Decision 96/463/EC of 23 July 1996 designating the reference body responsible for collaborating in rendering uniform the testing methods and the assessment of the results for pure-bred breeding animals of the bovine species ⁽¹³⁾.

12. Community reference laboratory for foot-and-mouth disease

The laboratory referred to in Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC ⁽¹⁴⁾.

13. Community reference laboratory for Brucellosis

AFSSA — Laboratoire d'études et de recherches en pathologie animale et zoonoses
F-94700 Maisons-Alfort
France

⁽⁷⁾ OJ L 62, 15.3.1993, p. 69. Directive as last amended by Regulation (EC) No 806/2003.

⁽⁸⁾ OJ L 175, 19.7.1993, p. 23. Directive as amended by the 2003 Act of Accession.

⁽⁹⁾ OJ L 332, 30.12.1995, p. 33. Directive as last amended by Regulation (EC) No 806/2003.

⁽¹⁰⁾ OJ L 79, 30.3.2000, p. 40. Decision as amended by Commission Decision 2003/60/EC (OJ L 23, 28.1.2003, p. 30).

⁽¹¹⁾ OJ L 327, 22.12.2000, p. 74.

⁽¹²⁾ OJ L 192, 20.7.2002, p. 27. Directive as last amended by the 2003 Act of Accession.

⁽¹³⁾ OJ L 192, 2.8.1996, p. 19.

⁽¹⁴⁾ OJ L 306, 22.11.2003, p. 1. Directive as amended by Commission Decision 2005/615/EC (OJ L 213, 18.8.2005, p. 14).

COMMISSION REGULATION (EC) No 777/2006**of 23 May 2006****amending Annex I to Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals ⁽¹⁾, and in particular Article 22(4) and (5) thereof,

After consulting the Committee established by Article 29 of Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽²⁾ for the measures referred to in Article 22(5) of Regulation (EC) No 304/2003,

Whereas:

- (1) Regulation (EC) No 304/2003 implements the Rotterdam Convention on the Prior Informed Consent Procedure (PIC procedure) for Certain Hazardous Chemicals and pesticides in International Trade, signed on 11 September 1998 and approved, on behalf of the Community, by Council Decision 2003/106/EC ⁽³⁾.
- (2) In the light of Commission Regulation (EC) No 2076/2002 of 20 November 2002 extending the time period referred to in Article 8(2) of Council Directive 91/414/EEC and concerning the non-inclusion of certain active substances in Annex I to that Directive and the withdrawal of authorisations for plant protection products containing these substances ⁽⁴⁾ and Commission Decision 2004/129/EC of 30 January 2004 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances ⁽⁵⁾, taken within the framework of Council Directive 91/414/EEC of 15 July 1991

concerning the placing of plant protection products on the market ⁽⁶⁾, a number of the chemicals concerned should be added to the list of chemicals contained in Part 1 of Annex I to Regulation (EC) No 304/2003. The listings should also reflect the fact that none of the chemicals concerned have been notified under the Community review programme for evaluation of existing substances under Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽⁷⁾, although some of the chemicals had been identified and thus Member States may allow their use in such products until 1 September 2006 at the latest in accordance with their national legislation.

- (3) In the light of Commission Decision 2005/864/EC of 2 December 2005 concerning the non-inclusion of endosulfan in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance ⁽⁸⁾, and bearing in mind that endosulfan has been identified but not notified for evaluation under Directive 98/8/EC and thus may continue to be authorised by Member States until 1 September 2006, it is severely restricted for pesticide use and thus should be added to the lists of chemicals contained in parts 1 and 2 of Annex I to Regulation (EC) No 304/2003.
- (4) At its first meeting in September 2004, the Conference of the Parties to the Rotterdam Convention decided to make a number of amendments to Annex III to the Convention listing the chemicals subject to the PIC procedure, all of which have entered into force by 1 January 2006. The lists of chemicals contained in parts 1, 2 and 3 of Annex I to Regulation (EC) No 304/2003 should therefore be amended accordingly.
- (5) Furthermore the existing entries for certain chemicals require updating to take account of regulatory developments since Annex I was last amended. In addition, parts 1 and 2 of Annex I to Regulation (EC) No 304/2003 contain some small errors that require correction.

⁽¹⁾ OJ L 63, 6.3.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 775/2004 (OJ L 123, 27.4.2004, p. 27).

⁽²⁾ OJ 196, 16.8.1967, p. 1. Directive as last amended by Commission Directive 2004/73/EC (OJ L 152, 30.4.2004, p. 1).

⁽³⁾ OJ L 63, 6.3.2003, p. 27.

⁽⁴⁾ OJ L 319, 23.11.2002, p. 3. Regulation as last amended by Regulation (EC) No 1335/2005 (OJ L 211, 13.8.2005, p. 6).

⁽⁵⁾ OJ L 37, 10.2.2004, p. 27. Decision as last amended by Regulation (EC) No 1335/2005.

⁽⁶⁾ Regulation (EC) No 304/2003 should therefore be amended accordingly.

⁽⁷⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2006/39/EC (OJ L 104, 13.4.2006, p. 30).

⁽⁸⁾ OJ L 123, 24.4.1998, p. 1. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽⁹⁾ OJ L 317, 3.12.2005, p. 25.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 29 of Directive 67/548/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 304/2003 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 23 May 2006.

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX

Annex I to Regulation (EC) No 304/2003 is amended as follows ⁽¹⁾:

1. Part 1 is amended as follows:

(a) the following entries are inserted:

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'1,3-dichloropropene (CIS) ((1Z)-1,3-dichloroprop-1-ene)	10061-01-5	233-195-8	2903 29 00	p(1)-p(2)	b-b	
2-aminobutane	13952-84-6	237-732-7	2921 19 80	p(1)-p(2)	b-b	
Acifluorfen	50594-66-6	256-634-5	2916 39 00	p(1)-p(2)	b-b	
Ametryn	834-12-8	212-634-7	2933 69 80	p(1)-p(2)	b-b	
Bensultap	17606-31-4		2930 90 70	p(1)-p(2)	b-b	
Calciferol	50-14-6	200-014-9	2936 29 90	p(1)	b	
Cartap	15263-53-3		2930 20 00	p(1)-p(2)	b-b	
Chinomethionat	2439-01-2	219-455-3	2934 99 90	p(1)-p(2)	b-b	
Chlorfenvinphos	470-90-6	207-432-0	2919 00 90	p(1)-p(2)	b-b	
Chlormephos	24934-91-6	246-538-1	2930 90 70	p(1)-p(2)	b-b	
Cholecalciferol	67-97-0	200-673-2	2936 29 90	p(1)	b	
Coumafuryl	117-52-2	204-195-5	2932 29 80	p(1)-p(2)	b-b	
Crimidine	535-89-7	208-622-6	2933 59 95	p(1)	b	
Cyanazine	21725-46-2	244-544-9	2933 69 80	p(1)-p(2)	b-b	
Dinobuton	973-21-7	213-546-1	2920 90 10	p(1)-p(2)	b-b	
Endosulfan+	115-29-7	204-079-4	2920 90 85	p(1)	b	
Ethion	563-12-2	209-242-3	2930 90 70	p(1)-p(2)	b-b	
Fenpropathrin	39515-41-8	254-485-0	2926 90 95	p(1)-p(2)	b-b	
Flurenol	467-69-6	207-397-1	2918 19 80	p(1)-p(2)	b-b	
Furathiocarb	65907-30-4	265-974-3	2932 99 85	p(1)-p(2)	b-b	
Hexazinone	51235-04-2	257-074-4	2933 69 80	p(1)-p(2)	b-b	
Iminoctadine	13516-27-3	236-855-3	2925 20 00	p(1)-p(2)	b-b	
Isoxathion	18854-01-8	242-624-8	2934 99 90	p(1)	b	
Methidathion	950-37-8	213-449-4	2934 99 90	p(1)-p(2)	b-b	
Metoxuron	19937-59-8	243-433-2	2924 21 90	p(1)-p(2)	b-b	
Monuron	150-68-5	205-766-1	2924 21 90	p(1)	b	
Omethoate	1113-02-6	214-197-8	2930 90 70	p(1)-p(2)	b-b	
Pebulate	1114-71-2	214-215-4	2930 20 00	p(1)-p(2)	b-b	
Scilliroside	507-60-8	208-077-4	2938 90 90	p(1)	b	
Strychnine	57-24-9	200-319-7	2939 99 00	p(1)	b	
Terbufos	13071-79-9	235-963-8	2930 90 70	p(1)-p(2)	b-b	
Thallium sulphate	7446-18-6	231-201-3	2833 29 90	p(1)	b	
Thiocyclam	31895-22-4	250-859-2	2934 99 90	p(1)-p(2)	b-b	
Triazophos	24017-47-8	245-986-5	2933 99 90	p(1)-p(2)	b-b	
Tridemorph	24602-86-6	246-347-3	2934 99 90	p(1)-p(2)	b-b	
Vamidothion	2275-23-2	218-894-8	2930 90 70	p(1)-p(2)	b-b'	

⁽¹⁾ A consolidated version of Annex I as amended can be consulted on the site <http://ecb.jrc.it/edex/>

- (b) the entries for 1,2-Dibromoethane (Ethylene dibromide), 1,2-Dichloroethane (ethylene dichloride), 2-Naphthylamine and its salts, 2,4,5-T, 4-Aminobiphenyl and its salts, Acephate, Aldicarb, all Asbestos Fibres, Atrazine, Azinphos-ethyl, Benzidine and its salts, Benzidine derivatives, Binapacryl, Chlordimeform, Chlorobenzilate, Chlozolinate, Creosote and Creosote related substances, DBB((Di- μ -oxo-di-n-butylstannio-hydroxyborane), Dicofol containing < 78 % p,p'-Dicofol or 1 g/kg of DDT and DDT related compounds, Dinoseb and its acetate and salts, Dinoterb, DNOC, Dustable powder formulations containing a combination of: Benomyl at or above 7 %, Carbofuran at or above 10 % and Thiram at or above 15 %, Fentin acetate, Fentin hydroxide, Ferbam, Fluoroacetamide, HCH containing less than 99,0 % of the gamma isomer, Hexachloroethane, Lindane (γ -HCH), Maleic hydrazide, and its salts, other than choline, potassium and sodium salts; Choline, potassium and sodium salts of maleic hydrazide containing more than 1 mg/kg of free hydrazine expressed on the basis of the acid equivalent, Mercury compounds, Methamidophos (Soluble liquid formulations of the substance that exceed 600 g active ingredient/l), Methyl-parathion, Monocrotophos, Nitrofen, Nonylphenol $C_6H_4(OH)C_9H_{19}$, Nonylphenol ethoxylate $(C_2H_4O)_n C_{15}H_{24}O$, Parathion, Pentachlorophenol, Phosphamidon (Soluble liquid formulations of the substance that exceed 1 000 g active ingredient/l), Polybrominated biphenyls (PBB), Pyrazophos, Quintozene, Tecnazene, Tetraethyl lead, Tetramethyl lead, Triorganostannic compounds, Tris-aziridinyl-phosphin oxide and Zineb are replaced by the following:

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
1,2-Dibromoethane (Ethylene dibromide) #	106-93-4	203-444-5	2903 30 36	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
1,2-Dichloroethane (ethylene dichloride) #	107-06-2	203-458-1	2903 15 00	p(1)-p(2) i(2)	b-b b	Please refer to PIC circular at www.pic.int/
2-Naphthylamine (naphthalen-2-amine) and its salts +	91-59-8, 553-00-4, 612-52-2 and others	202-080-4, 209-030-0, 210-313-6 and others	2921 45 00	i(1) i(2)	b b	
2,4,5-T and its salts and esters #	93-76-5 and others	202-273-3, 229-188-1 and others	2918 90 90	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
4-Aminobiphenyl (biphenyl-4-amine) and its salts +	92-67-1, 2113-61-3 and others	202-177-1 and others	2921 49 80, 2921 44 90	i(1) i(2)	b b	
Acephate +	30560-19-1	250-241-2	2930 90 70	p(1)-p(2)	b-b	
Aldicarb +	116-06-3	204-123-2	2930 90 70	p(1)-p(2)	sr-b	
Asbestos Fibres +:	1332-21-4 and others					Please refer to PIC circular at www.pic.int/
Crocidolite #	12001-28-4		2524 00	i	b	
Amosite #	12172-73-5		2524 00	i	b	
Antophyllite #	77536-67-5		2524 00	i	b	
Actinolite #	77536-66-4		2524 00	i	b	
Tremolite #	77536-68-6		2524 00	i	b	
Chrysotile +	12001-29-5 or 132207-32-0		2524 00	i	b	
Atrazine +	1912-24-9	217-617-8	2933 69 10	p(1)-p(2)	sr-b	
Azinphos-ethyl	2642-71-9	220-147-6	2933 99 90	p(1)-p(2)	b-b	
Benzidine and its salts +	92-87-5, 36341-27-2 and others	202-199-1, 252-984-8 and others	2921 59 90	i(1)-i(2) i(2)	sr-b b	
Benzidine derivatives +	—	—				

Chemical	CAS No	Einecs No	CN code	Subcategory (†)	Use limitation (**)	Countries for which no notification is required
Binapacryl #	485-31-4	207-612-9	2916 19 80	p(1)-p(2) i(2)	b-b b	Please refer to PIC circular at www.pic.int/
Chlordimeform #	6164-98-3	228-200-5	2925 20 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Chlorobenzilate #	510-15-6	208-110-2	2918 19 80	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Chlozolinate +	84332-86-5	282-714-4	2934 99 90	p(1)-p(2)	b-b	
Creosote and Creosote related substances	8001-58-9 61789-28-4 84650-04-4 90640-84-9 65996-91-0 90640-80-5 65996-82-2 8021-39-4 122384-78-5	232-287-5 263-047-8 283-484-8 292-605-3 266-026-1 292-602-7 266-019-3 232-419-1 310-191-5	2707 91 00	i(2)	b	
DBB((Di- μ -oxo-di-n-butylstannio-hydroxyborane/dioxastannaboretan-4-ol)	75113-37-0	401-040-5	2931 00 95	i(1)	b	
Dicofol containing < 78 % p,p'-Dicofol or 1 g/kg of DDT and DDT related compounds +	115-32-2	204-082-0	2906 29 00	p(1)-p(2)	b-b	
Dinoseb and its salts and esters #	88-85-7 and others	201-861-7 and others	2908 90 00 2915 39 90	p(1)-p(2) i(2)	b-b b	Please refer to PIC circular at www.pic.int/
Dinoterb +	1420-07-1	215-813-8	2908 90 00	p(1)-p(2)	b-b	
Dinitro-ortho-cresol (DNOC) and its salts (such as ammonium salt, potassium salt and sodium salt) #	534-52-1 2980-64-5 5787-96-2 2312-76-7	208-601-1 221-037-0 — 219-007-7	2908 90 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Dustable powder formulations containing a combination of:						Please refer to PIC circular at www.pic.int/
Benomyl at or above 7 %,	17804-35-2	241-775-7	2933 90 80	p(1)	b	
Carbofuran at or above 10 %	1563-66-2	216-353-0	2932 90 90	p(2)	b	
and Thiram at or above 15 % #	137-26-8	205-286-2	2930 30 00			
Fentin acetate +	900-95-8	212-984-0	2931 00 95	p(1)-p(2)	b-b	
Fentin hydroxide +	76-87-9	200-990-6	2931 00 95	p(1)-p(2)	b-b	

Chemical	CAS No	Einecs No	CN code	Subcategory (†)	Use limitation (**)	Countries for which no notification is required
Ferbam	14484-64-1	238-484-2	2930 20 00	p(1)-p(2)	b-b	
Fluoroacetamide #	640-19-7	211-363-1	2924 19 00	p(1)	b	Please refer to PIC circular at www.pic.int/
HCH/Hexachlorocyclohexane (mixed isomers) #	608-73-1	210-168-9	2903 51 00	p(1)-p(2)	b-sr	Please refer to PIC circular at www.pic.int/
Hexachloroethane	67-72-1	200-666-4	2903 19 80	i(1)	sr	
Lindane (γ-HCH) #	58-89-9	200-401-2	2903 51 00	p(1)-p(2)	b-sr	Please refer to PIC circular at www.pic.int/
(a) Maleic hydrazide, and its salts, other than choline, potassium and sodium salts;	123-33-1	204-619-9	2933 99 90 and others	p(1)	b	
(b) Choline, potassium and sodium salts of maleic hydrazide containing more than 1 mg/kg of free hydrazine expressed on the basis of the acid equivalent	61167-10-0, 51542-52-0, 28330-26-9	257-261-0 248-972-7				
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds #	10112-91-1, 21908-53-2 and others	233-307-5, 244-654-7 and others	2827 39 80, 2825 90 50 and others	p(1)-p(2)	b-sr	Please refer to PIC circular at www.pic.int/
Methamidophos (Soluble liquid formulations of the substance that exceed 600 g active ingredient/l) #	10265-92-6	233-606-0	2930 90 70	p(2)	b	Please refer to PIC circular at www.pic.int/
Methyl-parathion + #	298-00-0	206-050-1	2920 10 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Monocrotophos #	6923-22-4	230-042-7	2924 19 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Nitrofen+	1836-75-5	217-406-0	2909 30 90	p(1)-p(2)	b-b	
Nonylphenols C ₆ H ₄ (OH)C ₉ H ₁₉ +	25154-52-3 (phenol, nonyl-), 84852-15-3 (phenol, 4-nonyl-, branched) 11066-49-2 (isononylphenol), 90481-04-2, (phenol, nonyl-, branched), 104-40-5(p-nonylphenol) and others	246-672-0, 284-325-5 234-284-4 291-844-0 203-199-4 and others	2907 13 00	i(1)	sr	

Chemical	CAS No	Einecs No	CN code	Subcategory (†)	Use limitation (**)	Countries for which no notification is required
Nonylphenol ethoxylates (C ₂ H ₄ O) _n C ₁₅ H ₂₄ O +	9016-45-9, 26027-38-3, 68412-54-4, 37205-87-1, 127087-87-0 and others		3402 13 00	i(1) p(1)-p(2)	sr b-b	
Parathion #	56-38-2	200-271-7	2920 10 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Pentachlorophenol and its salts and esters #	87-86-5 and others	201-778-6 and others	2908 10 00 and others	p(1)-p(2)	b-sr	Please refer to PIC circular at www.pic.int/
Phosphamidon (Soluble liquid formulations of the substance that exceed 1 000 g active ingredient/l) #	13171-21-6 (mixture, (E)&(Z) isomers) 23783-98-4 ((Z)-isomer) 297-99-4 ((E)-isomer)	236-116-5	2924 19 00	p(1)-p(2)	b-b	Please refer to PIC circular at www.pic.int/
Polybrominated biphenyls (PBB) #	13654-09-6 36355-01-8 27858-07-7 and others	237-137-2 252-994-2 248-696-7	2903 69 90 and others	i(1)	sr	Please refer to PIC circular at www.pic.int/
Pyrazophos +	13457-18-6	236-656-1	2933 59 95	p(1)-p(2)	b-b	
Quintozene +	82-68-8	201-435-0	2904 90 85	p(1)-p(2)	b-b	
Tecnazene +	117-18-0	204-178-2	2904 90 85	p(1)-p(2)	b-b	
Tetraethyl lead #	78-00-2	201-075-4	2931 00 95	i(1)	sr	Please refer to PIC circular at www.pic.int/
Tetramethyl lead #	75-74-1	200-897-0	2931 00 95	i(1)	sr	Please refer to PIC circular at www.pic.int/
Triorganostannic compounds +	—	—	2931 00 95 and others	p(2) i(2)	sr sr	
Tris-aziridinyl-phosphin oxide (1,1',1''-phosphoryltriiaziridine) +	545-55-1	208-892-5	2933 99 90	i(1)	sr	
Zineb	12122-67-7	235-180-1	2930 90 70	p(1)	b'	

2. Part 2 is amended as follows:

(a) the following entry is inserted:

Chemical	CAS No	Einecs No	CN Code	Category (†)	Use limitation (**)
'Endosulfan	115-29-7	204-079-4	2920 90 85	p	b'

- (b) the entries for 2-Naphthylamine and its salts, 4-Aminobiphenyl and its salts, Benzidine and its salts, Benzidine derivatives, Dicofof containing < 78 % p,p'-Dicofof or 1 g/kg of DDT and DDT related compounds, Fentin hydroxide, Methyl parathion, Nonylphenol C₆H₄(OH)C₉H₁₉, Nonylphenol ethoxylate (C₂H₄O)_nC₁₅H₂₄O, and Triorganostannic compounds, in particular tributyltin compounds, including bis (tributyltin) oxide are replaced by the following:

Chemical	CAS No	Einecs No	CN Code	Category (†)	Use limitation (**)
2-Naphthylamine (naphthalen-2-amine) and its salts	91-59-8, 553-00-4, 612-52-2 and others	202-080-4, 209-030-0, 210-313-6 and others	2921 45 00	i	b
4-Aminobiphenyl (biphenyl-4-amine) and its salts	92-67-1, 2113-61-3 and others	202-177-1 and others	2921 49 80 2921 44 90	i	b
Benzidine and its salts	912-87-5, 36341-27-2 and others	202-199-1, 252-984-8 and others	2921 59 90	i	sr
Benzidine derivatives	—	—			
Dicofof containing < 78 % p,p'-Dicofof or 1 g/kg of DDT and DDT related compounds	115-32-3	204-082-0	2906 29 00	p	b
Fentin hydroxide	76-87-9	200-990-6	2931 00 95	p	b
Methyl parathion #	298-00-0	206-050-1	2920 10 00	p	b
Nonylphenols C ₆ H ₄ (OH)C ₉ H ₁₉	25154-52-3 (phenol, nonyl-), 84852-15-3 (phenol, 4-nonyl-, branched) 11066-49-2 (isononylphenol), 90481-04-2, (phenol, nonyl-, branched), 104-40-5(P-nonylphenol) and others	246-672-0, 284-325-5 234-284-4 291-844-0 203-199-4 and others	2907 13 00	i	sr
Nonylphenol ethoxylates (C ₂ H ₄ O) _n C ₁₅ H ₂₄ O	9016-45-9, 26027-38-3, 68412-54-4, 37205-87-1, 127087-87-0 and others		3402 13 00	i p	sr b
Triorganostannic compounds, in particular tributyltin compounds, including bis (tributyltin) oxide	56-35-9 and others	200-268-0 and others	2931 00 95 and others	p	sr'

- (c) the entries for Endrin, Parathion, Tetraethyl lead and Tetramethyl lead are deleted;

3. Part 3 is amended as follows:

- (a) the following entries are inserted:

Chemical	Relevant CAS number(s)	Category
Parathion	56-38-2	Pesticide
Tetraethyl lead	78-00-2	Industrial
Tetramethyl lead	75-74-1	Industrial'

- (b) the entries for 2,4,5-T, Dinoseb and dinoseb salts, DNOC and its salts (such as ammonium salt, potassium salt and sodium salt), Ethylene dichloride, Pentachlorophenol and Methyl-parathion (emulsifiable concentrates (Einecs) with 19,5 %, 40 %, 50 %, 60 % active ingredient and dusts containing 1,5 %, 2 % and 3 % active ingredient) are replaced by the following:

Chemical	Relevant CAS number(s)	Category
2,4,5-T and its salts and esters	93-76-5 #	Pesticide
Dinoseb and its salts and esters	88-85-7 #	Pesticide
Dinitro-ortho-cresol (DNOC) and its salts (such as ammonium salt, potassium salt and sodium salt)	534-52-1, 2980-64-5, 5787-96-2, 2312-76-7	Pesticide
Ethylene dichloride (1,2-dichloroethane)	107-06-2	Pesticide
Pentachlorophenol and its salts and esters	87-86-5 #	Pesticide
Methyl-parathion (emulsifiable concentrates (EC) at or above 19,5 % active ingredient and dusts at or above 1,5 % active ingredient)	298-00-0	Severely hazardous pesticide formulation

Only the CAS numbers of parent compounds are listed.

- (c) the entry for Parathion (all formulations — aerosols, dustable powder (DP), emulsifiable concentrate (EC), granules (GR) and wettable powders (WP) — of this substance are included, except capsule suspensions (CS)) is deleted. The entry for Monocrotophos (Soluble liquid formulations of the substance that exceed 600 g active ingredient/l) is also deleted.

COMMISSION DIRECTIVE 2006/47/EC**of 23 May 2006****laying down special conditions concerning the presence of *Avena fatua* in cereal seed****(Codified version)****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

for transposition into national law of the Directives set out in Annex I, Part B,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS DIRECTIVE:

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, and in particular Article 11(2) thereof,*Article 1*

Member States shall issue on request the official certificate provided for in Article 11 of Directive 66/402/EEC;

Whereas:

- (1) Commission Directive 74/268/EEC of 2 May 1974 laying down special conditions concerning the presence of *Avena fatua* in fodder plant and cereal seed⁽²⁾ has been substantially amended⁽³⁾. In the interests of clarity and rationality the said Directive should be codified.
 - (2) Directive 66/402/EEC has laid down tolerances in respect of the presence of *Avena fatua* in cereal seed.
 - (3) Those tolerances appear too high with regard to certain requirements. Consequently, Directive 66/402/EEC, provides for an additional marking in the case of seed complying with special conditions concerning the presence of *Avena fatua*.
 - (4) The special conditions laid down in that connection are such as to satisfy such requirements while also taking account of the possibilities for the production and control of seed.
 - (5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture, and Forestry.
 - (6) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits
- (a) if the crop is free of *Avena fatua* at the time of the field inspection officially carried out in conformity with the provisions of Annex I to that Directive and if a sample of a least 1 kg, drawn in accordance with the provisions of Article 7 of that Directive, is free of *Avena fatua* at the time of official examination; or
 - (b) if a sample of at least 3 kg, drawn in accordance with the provisions of Article 7 of that Directive, is free of *Avena fatua* at the time of official examination.

Article 2

Member States may prescribe that the official certificate is issued only in one of the two cases provided for in Article 1.

Article 3

Directive 74/268/EEC, as amended by the Directive listed in Annex I, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex I, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex II.

*Article 4*This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 125, 11.7.1966, p. 2309. Directive as last amended by Directive 2004/117/EC (OJ L 14, 18.1.2005, p. 18).

⁽²⁾ OJ L 141, 24.5.1974, p. 19. Directive as amended by Directive 78/511/EEC (OJ L 157, 15.6.1978, p. 34).

⁽³⁾ See Annex I, Part A.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 23 May 2006.

For the Commission
The President
José Manuel BARROSO

ANNEX I

PART A

Repealed Directive with its amendment

(referred to in Article 3)

Commission Directive 74/268/EEC (OJ L 141, 24.5.1974, p. 19)

Commission Directive 78/511/EEC (OJ L 157, 15.6.1978, p. 34)

PART B

List of time-limits for transposition into national law

(referred to in Article 3)

Directive	Time-limit for transposition
74/268/EEC	1 July 1974
78/511/EEC	1 July 1980

ANNEX II

CORRELATION TABLE

Directive 74/268/EEC	This Directive
Article 2(1), introductory wording	Article 1, introductory wording
Article 2(1), first indent	Article 1, point (a)
Article 2(1), second indent	Article 1, point (b)
Article 3	Article 2
Article 4	—
—	Article 3
—	Article 4
Article 5	Article 5
—	Annexes I-II

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 November 2005

on the signing and provisional application of the Agreement between the European Community and the Republic of Bulgaria on certain aspects of air services

(2006/369/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with Article 300(2), first sentence of the first subparagraph, thereof,

The signing of the Agreement between the European Community and the Republic of Bulgaria on certain aspects of air services is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

Having regard to the proposal from the Commission,

The text of the Agreement is attached to this Decision.

Article 2

Whereas:

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Article 3

(1) The Council has authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

(2) The Commission has negotiated on behalf of the Community an Agreement with the Republic of Bulgaria on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council's Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

The President of the Council is hereby authorised to make the notification provided in Article 8(2) of the Agreement.

(3) Subject to its possible conclusion at a later date, the Agreement negotiated by the Commission should be signed and provisionally applied,

Done at Brussels, 8 November 2005.

For the Council
The President
G. BROWN

AGREEMENT**between the European Community and the Republic of Bulgaria on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

THE REPUBLIC OF BULGARIA, (hereinafter referred to as Bulgaria)

of the other part,

(hereinafter referred to as the Parties)

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Bulgaria containing provisions contrary to Community law;

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries;

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries;

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law;

RECOGNISING that provisions of the bilateral air service agreements between Member States of the European Community and Bulgaria, which are contrary to European Community law, must be brought into full conformity with it in order to establish a sound legal basis for air services between the European Community and Bulgaria and to preserve the continuity of such air services;

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Bulgaria, to affect the balance between Community air carriers and air carriers of Bulgaria, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.

2. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement shall be understood as referring to nationals of the Member States of the European Community.

3. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that

Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

*Article 2***Designation**

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Bulgaria, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively. The provisions in paragraphs 4 and 5 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by Bulgaria, its authorisations and permissions granted by the Member State concerned, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. On receipt of a designation by a Member State, Bulgaria shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

- (i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law;
- (ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operators Certificate and the relevant aeronautical authority is clearly identified in the designation; and
- (iii) the air carrier is owned and shall continue to be owned directly or through majority ownership by Member States and/or nationals of Member States, or by other States listed in Annex III and/or nationals of such other States, and shall at all times be effectively controlled by such States and/or such nationals.

3. Bulgaria may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

- (i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence in accordance with European Community law;
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operators Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or
- (iii) the air carrier is not owned and effectively controlled directly or through majority ownership by Member States and/or nationals of Member States, or by other States listed in Annex III and/or nationals of such other States.

In exercising its right under this paragraph, Bulgaria shall not discriminate between Community air carriers on the grounds of nationality.

4. On receipt of a designation by Bulgaria, a Member State, shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

- (i) the air carrier has a valid Operating Licence issued in accordance with Bulgarian law;
- (ii) effective regulatory control of the air carrier is exercised and maintained by Bulgaria which is responsible for issuing its Air Operators Certificate; and
- (iii) the air carrier is owned and shall continue to be owned directly or through majority ownership by Bulgaria and/or its natural person or legal entity, and shall at all times be effectively controlled by Bulgaria and/or its natural person or legal entity.

5. A Member State may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by Bulgaria where:

- (i) the air carrier does not have a valid Operating Licence issued in accordance with Bulgarian law;
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by Bulgaria which is responsible for issuing its Air Operators Certificate; or
- (iii) the air carrier is not owned and effectively controlled directly or through majority ownership by Bulgaria and/or its natural person or legal entity.

Article 3

Rights with regard to regulatory control

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Bulgaria under the safety provisions of the Agreement between the Member State that has designated the air carrier and Bulgaria shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent a Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Bulgaria that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

Article 5

Tariffs for carriage within the European Community

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by Bulgaria under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

Article 8

Entry into force and provisional application

1. This Agreement shall enter in force when the Parties have notified each other in writing that their respective internal

procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. Agreements and other arrangements between Member States and Bulgaria which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

Article 9

Termination

1. In the event that an Agreement listed in Annex I is terminated, all provisions of this Agreement that relate to the Agreement listed in Annex I concerned shall terminate at the same time.

2. In the event that all Agreements listed in Annex I are terminated, this Agreement shall terminate at the same time.

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

Done at Salzburg in duplicate, on this fifth day of May in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish and Bulgarian languages.

Por la Comunidad Europea
 Za Evropské společenství
 For Det Europæiske Fællesskab
 Für die Europäische Gemeinschaft
 Euroopa Ühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 Az Európai Közösség részéről
 Ghall-Komunità Ewropea
 Voor de Europese Gemeenschap
 W imieniu Wspólnoty Europejskiej
 Pela Comunidade Europeia
 Za Európske spoločenstvo
 Za Evropsko skupnost
 Euroopan yhteisön puolesta
 För Europeiska gemenskapen
 За европейската общност

Por la República de Bulgaria
 Za Bulharskou republiku
 For Republikken Bulgarien
 Für die Republik Bulgarien
 Bulgaaria Vabariigi nimel
 Για τη Δημοκρατία της Βουλγαρίας
 For the Republic of Bulgaria
 Pour la République de Bulgarie
 Per la Repubblica di Bulgaria
 Bulgārijas Republikas vārdā
 Bulgarijos Respublikos vardu
 A Bolgár Köztársaság részéről
 Ghar-Repubblika tal-Bulgarija
 Voor de Republiek Bulgarije
 W imieniu Republiki Bułgarii
 Pela República da Bulgária
 Za Bulharskú republiku
 Za Republiko Bolgarijo
 Bulgarian tasavallan puolesta
 För Republiken Bulgarien
 За Република България

ANNEX I

List of agreements referred to in Article 1 of this Agreement

- (a) Air service agreements between Bulgaria and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally
- Air Transport Agreement between the Austrian Federal Government and the Government of the Republic of Bulgaria signed at Sofia on 4 November 1997, hereinafter referred to 'Bulgaria-Austria Agreement' in Annex II;
To be read together with the Memorandum of Understanding done at Vienna on 28 June 1996.
 - Agreement between the Government of the Kingdom of Belgium and the Government of the People's Republic of Bulgaria relating to Air Transport signed at Sofia on 14 May 1957, hereinafter referred to 'Bulgaria-Belgium Agreement' in Annex II.
 - Agreement between the Government of the Republic of Cyprus and the People's Republic of Bulgaria on commercial Scheduled Air Services signed at Nicosia on 8 May 1965, hereinafter referred to 'Bulgaria-Cyprus Agreement' in Annex II.
 - Air Transport Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of Bulgaria signed at Sofia on 25 September 1967, in respect of which the Czech Republic declared that it considers itself to be bound by the provisions thereof, hereinafter referred to 'Bulgaria-Czech Republic Agreement' in Annex II.
 - Agreement between the Government of the Kingdom of Denmark and the Government of the People's Republic of Bulgaria relating to Civil Air Transport signed at Sofia on 24 May 1958, hereinafter referred to 'Bulgaria-Denmark Agreement' in Annex II;
Last supplemented by the Exchange of Letters dated 24 May 1958.
 - Agreement between the Government of the Republic of Finland and the Government of the People's Republic of Bulgaria for air services between and beyond their respective territories signed at Helsinki on 19 March 1970, hereinafter referred to 'Bulgaria-Finland Agreement' in Annex II.
 - Air Transport Agreement between the Government of the French Republic and the Government of the People's Republic of Bulgaria relating to Air Transport signed at Paris on 4 August 1965, hereinafter referred to 'Bulgaria-France Agreement' in Annex II;
Supplemented by the Exchange of Letters dated 4 August 1965;
Modified by the Exchange of Letters dated 12 June and 10 July 1969;
Last modified by the Memorandum of Understanding done at Sofia on 26 January 2000.
 - Agreement between the Federal Republic of Germany and the Republic of Bulgaria relating to Air Service between and beyond their respective territories signed at Sofia on 11 June 1993, hereinafter referred to 'Bulgaria-Germany Agreement' in Annex II;
Supplemented by the Memorandum of Understanding done at Sofia on 1 October 2001;
To be read together with Notes dated 15 August 2002 and 20 April 2004.
 - Agreement between the Government of the Hellenic Republic and the Government of the Republic of Bulgaria concerning Air Services between and beyond their respective territories signed at Athens on 1 November 2002, hereinafter referred to 'Bulgaria-Greece Agreement' in Annex II;
To be read together with the Memorandum of Understanding done at Athens on 23 February 2000.
 - Agreement between the Government of the Hungarian People's Republic and the Government of the People's Republic of Bulgaria concerning Air Transport signed at Sofia on 29 August 1969, hereinafter referred to 'Bulgaria-Hungary Agreement' in Annex II.
 - Air Services Agreement between the Government of Ireland and the Government of the Republic of Bulgaria signed at Dublin on 27 July 1995, hereinafter referred to 'Bulgaria-Ireland Agreement' in Annex II.
 - Agreement between the Government of the Republic of Italy and the Government of the People's Republic of Bulgaria relating to Civil Air Transport signed at Sofia on 27 May 1974, hereinafter referred to 'Bulgaria-Italy Agreement' in Annex II;
To be read together with the Agreed Record done at Rome on 4 April 1974;
Last modified by the Memorandum of Understanding done at Rome on 25 July 1997.

- Agreement between the Government of the Republic of Latvia and the Government of the Republic of Bulgaria concerning Air Services between and beyond their respective territories signed at Warsaw on 19 May 1999, hereinafter referred to 'Bulgaria-Latvia Agreement' in Annex II.
- Air Transport Agreement between the Government of the Grand-Duchy of Luxembourg and the Government of the People's Republic of Bulgaria signed at Sofia on 8 May 1965, hereinafter referred to 'Bulgaria-Luxembourg Agreement' in Annex II.
- Agreement between the Government of the Republic of Malta and the Government of the People's Republic of Bulgaria for Air Services between and beyond their respective territories signed at Varna on 23 July 1982, hereinafter referred to 'Bulgaria-Malta Agreement' in Annex II;

To be read together with the Memorandum of Understanding done at Malta on 12 April 1982.

- Agreement between the Government of the Kingdom of the Netherlands and the Government of the People's Republic of Bulgaria relating to Air Transport signed at Sofia on 7 February 1958, hereinafter referred to 'Bulgaria-Netherlands Agreement' in Annex II;

Last supplemented by the Memorandum of Understanding done at The Hague on 6 August 2002.

- Air Transport Agreement between the Government of the Polish Republic and the Government of the People's Republic of Bulgaria signed at Warsaw on 16 May 1949, hereinafter referred to 'Bulgaria-Poland Agreement' in Annex II.

- Air Transport Agreement between the Government of Portugal and the Government of the People's Republic of Bulgaria signed at Lisbon on 22 October 1975, hereinafter referred to 'Bulgaria-Portugal Agreement' in Annex II.

- Air Transport Agreement between the Government of the Slovak Republic and the Government of the Republic of Bulgaria signed at Sofia on 8 December 1995, hereinafter referred to 'Bulgaria-Slovakia Agreement' in Annex II.

- Air Services Agreement between the Government of Spain and the Government of the People's Republic of Bulgaria signed at Sofia on 6 November 1971, hereinafter referred to 'Bulgaria-Spain Agreement' in Annex II;

Last modified by the Agreed Minutes done at Sofia on 21 October 1978.

- Agreement between the Government of the Kingdom of Sweden and the Government of the People's Republic of Bulgaria relating to Civil Air Transport signed at Sofia on 17 April 1957, hereinafter referred to 'Bulgaria-Sweden Agreement' in Annex II.

- Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of Bulgaria for Air Services between and beyond their respective territories signed at London on 28 May 1970, hereinafter referred to 'Bulgaria-UK Agreement' in Annex II;

Amended by an Exchange of Notes of 23 August 1973.

To be read together with the Memorandum of Understanding done at London on 15 January 1998.

- (b) Air service agreements and other arrangements initialled or signed between Bulgaria and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

- Article 3 of the Bulgaria-Austria Agreement;
- Article 2 of the Bulgaria-Belgium Agreement;
- Article 3 of the Bulgaria-Cyprus Agreement;
- Article 2 of the Bulgaria-Czech Republic Agreement;
- Article 2 of the Bulgaria-Denmark Agreement;
- Article 3 of the Bulgaria-Finland Agreement;
- Article 3 of the Bulgaria-France Agreement;
- Article 3 of the Bulgaria-Germany Agreement;
- Article 3 of the Bulgaria-Greece Agreement;
- Article 3 of the Bulgaria-Hungary Agreement;
- Article 3 of the Bulgaria-Ireland Agreement;
- Article 3 of the Bulgaria-Italy Agreement;
- Article 3 of the Bulgaria-Latvia Agreement;
- Article 3 of the Bulgaria-Luxembourg Agreement;
- Article 3 of the Bulgaria-Malta Agreement;
- Article 2 of the Bulgaria-Netherlands Agreement;
- Article 2 of the Bulgaria-Poland Agreement;
- Article 3 of the Bulgaria-Portugal Agreement;
- Article 3 of the Bulgaria-Slovakia Agreement;
- Article 4 of the Bulgaria-Spain Agreement;
- Article 2 of the Bulgaria-Sweden Agreement;
- Article 3 of the Bulgaria-UK Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 4 of the Bulgaria-Austria Agreement;
- Article 2 of the Bulgaria-Belgium Agreement;
- Article 4 of the Bulgaria-Cyprus Agreement;
- Article 2 of the Bulgaria-Denmark Agreement;
- Article 3.4 of the Bulgaria-Finland Agreement;
- Article 3 of the Bulgaria-France Agreement;
- Article 4 of the Bulgaria-Germany Agreement;
- Article 4 of the Bulgaria-Greece Agreement;
- Article 4 of the Bulgaria-Hungary Agreement;
- Article 3 of the Bulgaria-Ireland Agreement;
- Article 4 of the Bulgaria-Italy Agreement;
- Articles 4 of the Bulgaria-Latvia Agreement;
- Article 4 of the Bulgaria-Luxembourg Agreement;
- Article 4 of the Bulgaria-Malta Agreement;
- Article 2 of the Bulgaria-Netherlands Agreement;

- Article 6 of the Bulgaria-Poland Agreement;
- Article 5 of the Bulgaria-Portugal Agreement;
- Article 4 of the Bulgaria-Slovakia Agreement;
- Article 4 of the Bulgaria-Spain Agreement;
- Article 2 of the Bulgaria-Sweden Agreement;
- Article 4 of the Bulgaria-UK Agreement.

(c) Regulatory control:

- Article 7 of the Bulgaria-Greece Agreement;
- Article 11a of the Bulgaria-Germany Agreement;
- Article 12 *bis* of the Bulgaria-France Agreement;
- Article 9 *ter* of the Bulgaria-Italy Agreement.

(d) Taxation of aviation fuel:

- Article 7 of the Bulgaria-Austria Agreement;
- Article 5 of the Bulgaria-Belgium Agreement;
- Article 8 of the Bulgaria-Cyprus Agreement;
- Article 4 of the Bulgaria-Czech Republic Agreement;
- Article 5 of the Bulgaria-Denmark Agreement;
- Article 6 of the Bulgaria-Finland Agreement;
- Article 10 of the Bulgaria-France Agreement;
- Article 7 of the Bulgaria-Germany Agreement;
- Article 10 of the Bulgaria-Greece Agreement;
- Article 12 of the Bulgaria-Hungary Agreement;
- Article 11 of the Bulgaria-Ireland Agreement;
- Article 8 of the Bulgaria-Italy Agreement;
- Article 7 of the Bulgaria-Latvia Agreement;
- Article 7 of the Bulgaria-Luxembourg Agreement;
- Article 6 of the Bulgaria-Malta Agreement;
- Article 4 of the Bulgaria-Netherlands Agreement;
- Article 3 of the Bulgaria-Poland Agreement;
- Article 7 of the Bulgaria-Portugal Agreement;
- Article 8 of the Bulgaria-Slovakia Agreement;
- Article 11 of the Bulgaria-Spain Agreement;
- Article 5 of the Bulgaria-Sweden Agreement;
- Article 5 of the Bulgaria-UK Agreement.

(e) Tariffs for carriage within the European Community:

- Article 11 of the Bulgaria-Austria Agreement;
- Article 4 of the Bulgaria-Belgium Agreement;
- Article 6 of the Bulgaria-Cyprus Agreement;
- Article 10 of the Bulgaria-Czech Republic Agreement;
- Article 6 of the Bulgaria-Denmark Agreement;
- Article 8 of the Bulgaria-Finland Agreement;

- Article 13 of the Bulgaria-France Agreement;
- Article 8 of the Bulgaria-Germany Agreement;
- Article 13 of the Bulgaria-Greece Agreement;
- Article 6 of the Bulgaria-Hungary Agreement;
- Article 6 of the Bulgaria-Ireland Agreement;
- Article 7 of the Bulgaria-Italy Agreement;
- Article 9 of the Bulgaria-Latvia Agreement;
- Article 5 of the Bulgaria-Luxembourg Agreement;
- Article 9 of the Bulgaria-Malta Agreement;
- Article 3 of the Bulgaria-Netherlands Agreement;
- Article 4 of the Annex to the Bulgaria-Poland Agreement;
- Article 10 of the Bulgaria-Portugal Agreement;
- Article 10 of the Bulgaria-Slovakia Agreement;
- Article 6 of the Bulgaria-Spain Agreement;
- Article 6 of the Bulgaria-Sweden Agreement;
- Article 9 of the Bulgaria-UK Agreement.

ANNEX III

List of other States referred to in Article 2 of this Agreement

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport)
-

COUNCIL DECISION**of 8 November 2005****on the signing and provisional application of the Agreement between the European Community and the Republic of Croatia on certain aspects of air services**

(2006/370/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with Article 300(2), first sentence of the first subparagraph thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) The Commission has negotiated on behalf of the Community an Agreement with the Republic of Croatia on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council's Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (3) Subject to its possible conclusion at a later date, the Agreement negotiated by the Commission should be signed and provisionally applied,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Agreement between the European Community and the Republic of Croatia on certain aspects of

air services is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

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 on behalf of the Community subject to its conclusion.

Article 3

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

The President of the Council is hereby authorised to make the notification provided in Article 8(2) of the Agreement.

Done at Brussels, 8 November 2005.

For the Council

The President

G. BROWN

AGREEMENT**between the European Community and the Republic of Croatia on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

THE REPUBLIC OF CROATIA, (hereinafter referred to as Croatia),

of the other part,

(hereinafter referred to as the Parties),

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Croatia containing provisions contrary to Community law agreed by such Member States of the European Community,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law, Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that certain provisions of the bilateral air service agreements between Member States of the European Community and Croatia, which are contrary to European Community law, must be brought into conformity with it in order to establish a sound legal basis for air services between the European Community and Croatia and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Croatia, to affect the balance between Community air carriers and air carriers of Croatia, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

NOTING that, since a majority of the bilateral air service agreements between Member States of the European Community and Croatia provide for no restrictions on capacity, the volume of traffic on both sides has the potential to increase above its current level,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.
2. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement shall be understood as referring to nationals of the Member States of the European Community.
3. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that

Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

*Article 2***Designation by a Member State**

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Croatia, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. On receipt of a designation by a Member State, Croatia shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

- (i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law;
- (ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operators Certificate and the relevant aeronautical authority is clearly identified in the designation; and
- (iii) the air carrier is owned and shall continue to be owned directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States, and shall at all times be effectively controlled by such States and/or such nationals.

3. Croatia may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

- (i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid operating licence in accordance with European Community law;
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operators Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or
- (iii) the air carrier is not owned and effectively controlled directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States.

In exercising its right under this paragraph, Croatia shall not discriminate between Community air carriers on the grounds of nationality.

4. The granting of traffic rights continues to be carried out through bilateral arrangements.

Article 3

Rights with regard to regulatory control

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(c).
2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Croatia under the safety provisions of the Agreement between the Member State that has designated the air carrier and Croatia shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).
2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent a Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Croatia that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

Article 5

Tariffs for carriage within the European Community

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(e).
2. The tariffs to be charged by the air carrier(s) designated by Croatia under an Agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community, shall be subject to European Community law.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

*Article 8***Entry into force and provisional application**

1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.
2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.
2. Agreements and other arrangements between Member States and Croatia which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

*Article 9***Termination**

1. In the event that an Agreement listed in Annex I is terminated, all provisions of this Agreement that relate to the Agreement listed in Annex I concerned shall terminate at the same time.
2. In the event that all Agreements listed in Annex I are terminated, this Agreement shall terminate at the same time.

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

Done at Salzburg in duplicate, on this fifth day of May in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovene, Spanish, Swedish and Croatian languages.

Por la Comunidad Europea
 Za Evropské společenství
 For Det Europæiske Fællesskab
 Für die Europäische Gemeinschaft
 Euroopa Ühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 Az Európai Közösség részéről
 Għall-Komunità Ewropea
 Voor de Europese Gemeenschap
 W imieniu Wspólnoty Europejskiej
 Pela Comunidade Europeia
 Za Európske spoločenstvo
 Za Evropsko skupnost
 Euroopan yhteisön puolesta
 För Europeiska gemenskapen
 Za Europsku zajednicu

Por la República de Croacia
 Za Chorvatskou republiku
 For Republikken Kroatien
 Für die Republik Kroatien
 Horvaatia Vabariigi nimel
 Για τη Δημοκρατία της Κροατίας
 For the Republic of Croatia
 Pour la République de Croatie
 Per la Repubblica di Croazia
 Horvātijas Republikas vārdā
 Kroatijos Respublikos vardu
 A Horvát Köztársaság részéről
 Għar-Repubblika tal-Kroazja
 Voor de Republiek Kroatië
 W imieniu Republiki Chorwacji
 Pela República da Croácia
 Za Chorvátsku republiku
 Za Republiko Hrvatsko
 Kroatian tasavallan puolesta
 För Republiken Kroatien
 Za Republiku Hrvatsku

ANNEX I

List of Agreements referred to in Article 1 of this Agreement

(a) Air service agreements between Croatia and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally

— Air Transport Agreement between the Austrian Federal Government and the Government of the Republic of Croatia relating to Air Services, signed at Vienna on 23 June 1994 (hereinafter referred to as Croatia-Austria Agreement).

— Agreement between the Government of the Kingdom of Belgium and the Government of the Republic of Croatia on Air Transport, signed at Zagreb on 12 March 1996 (hereinafter referred to as Croatia-Belgium Agreement).

Last modified by the Exchange of Letters dated 28 April and 2 May 2003, respectively.

— Agreement between the Government of the Czech Republic and the Government of the Republic of Croatia on Air Services, signed at Prague on 22 January 1999 (hereinafter referred to as Croatia-Czech Republic Agreement).

— Agreement between the Government of the Kingdom of Denmark and the Government of the Republic of Croatia relating to Air Services, signed at Oslo on 6 March 1996 (hereinafter referred to as Croatia-Denmark Agreement).

— Air Services Agreement between the Government of the Republic of Estonia and the Government of the Republic of Croatia, signed at Zagreb on 31 March 2004 (hereinafter referred to as Croatia-Estonia Agreement).

— Agreement between the Government of the French Republic and the Government of the Republic of Croatia relating to Air Transport, signed at Zagreb on 27 January 1997 (hereinafter referred to as Croatia-France Agreement).

To be read together with the Memorandum of Understanding, done at Dubrovnik on 29 August 1996.

— Air Transport Agreement between the Federal Republic of Germany and the Republic of Croatia, initialled and attached as Annex 2 to the Memorandum of Understanding, done at Bonn on 23 July 1997 (hereinafter referred to as Croatia-Germany Agreement).

Last supplemented by the Memorandum of Understanding, done at Dubrovnik on 4 June 1998.

— Air Services Agreement between the Government of the Hellenic Republic and the Government of the Republic of Croatia, signed at Athens on 27 February 2001 (hereinafter referred to as Croatia-Greece Agreement).

— Air Transport Agreement between the Government of the Republic of Hungary and the Government of the Republic of Croatia, signed at Vienna on 7 June 1995 (hereinafter referred to as Croatia-Hungary Agreement).

— Agreement between the Government of the Republic of Croatia and the Government of Ireland on air transport, initialled at Dublin on 11 December 1995 (hereinafter referred to as Croatia-Ireland Agreement).

— Agreement between the Government of the Italian Republic and the Government of the Republic of Croatia concerning Air Services, signed at Rome on 8 July 1998 (hereinafter referred to as Croatia-Italy Agreement).

— Air Services Agreement between the Government of the Republic of Latvia and the Government of the Republic of Croatia, signed at Riga on 18 October 1999 (hereinafter referred to as Croatia-Latvia Agreement).

— Agreement between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of Croatia on Air Services, signed at Dubrovnik on 24 July 1996 (hereinafter referred to as Croatia-Luxembourg Agreement).

— Agreement between the Government of Malta and the Government of the Republic of Croatia for Air Services between and beyond their respective territories, signed at Valletta on 13 October 1995 (hereinafter referred to as Croatia-Malta Agreement).

— Agreement between the Kingdom of the Netherlands and the Republic of Croatia for Air Services, signed at Zagreb on 30 April 1996 (hereinafter referred to as Croatia-Netherlands Agreement).

- Agreement between the Government of the Republic of Poland and the Government of the Republic of Croatia concerning civil air transport, signed at Warsaw on 19 June 1996 (hereinafter referred to as Croatia-Poland Agreement).

To be read together with the Agreed Minutes, done at Warsaw on 28 April 1995.

- Air Transport Agreement between the Republic of Croatia and the Portuguese Republic, initialled and attached as Appendix 2 to the Memorandum of Understanding, done at Zagreb on 27 June 2002 (hereinafter referred to as Croatia-Portugal Agreement).
- Air Transport Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia, signed at Zagreb on 12 February 1996 (hereinafter referred to as Croatia-Slovakia Agreement).
- Agreement between the Republic of Slovenia and the Republic of Croatia on Scheduled Air Services, signed at Brdo pri Kranju on 8 July 1994 (hereinafter referred to as Croatia-Slovenia Agreement).

Last modified by the Agreed Annex, dated 5 July 1999.

- Air Transport Agreement between the Kingdom of Spain and the Republic of Croatia, signed at Madrid on 21 July 1997 (hereinafter referred to as Croatia-Spain Agreement).
 - Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Croatia relating to Air Services, signed at Oslo on 6 March 1996 (hereinafter referred to as Croatia-Sweden Agreement).
 - Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Croatia concerning Air Services, signed at Zagreb on 21 February 1996 (hereinafter referred to as Croatia-UK Agreement).
- (b) Air service agreements and other arrangements initialled or signed between Croatia and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally
- Air Services Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Croatia, initialled at Zagreb on 4 December 2002 (hereinafter referred to as Croatia-Lithuania Agreement).

ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

- Article 3 of the Croatia-Austria Agreement,
- Articles 3 and 4 of the Croatia-Belgium Agreement,
- Article 3 of the Croatia-Czech Republic Agreement,
- Article 3 of the Croatia-Denmark Agreement,
- Article 3 of the Croatia-Estonia Agreement,
- Article 4 of the Croatia-France Agreement,
- Article 3 of the Croatia-Greece Agreement,
- Article 3 of the Croatia-Hungary Agreement,
- Article 3 of the Croatia-Ireland Agreement,
- Article 4 of the Croatia-Italy Agreement,
- Article 3 of the Croatia-Latvia Agreement,
- Article 3 of the Croatia-Lithuania Agreement,
- Article 3 of the Croatia-Luxembourg Agreement,
- Article 3 of the Croatia-Malta Agreement,
- Article 3 of the Croatia-Netherlands Agreement,
- Article 3 of the Croatia-Poland Agreement,
- Article 3 of the Croatia-Portugal Agreement,
- Article 3 of the Croatia-Slovakia Agreement,
- Article 3 of the Croatia-Slovenia Agreement,
- Article 3 of the Croatia-Spain Agreement,
- Article 3 of the Croatia-Sweden Agreement,
- Article 4 of the Croatia-UK Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 4 of the Croatia-Austria Agreement,
- Article 5 of the Croatia-Belgium Agreement,
- Article 4 of the Croatia-Czech Republic Agreement,
- Article 4 of the Croatia-Denmark Agreement,
- Article 4 of the Croatia-Estonia Agreement,
- Article 5 of the Croatia-France Agreement,
- Article 4 of the Croatia-Greece Agreement,
- Article 4 of the Croatia-Hungary Agreement,
- Article 4 of the Croatia-Ireland Agreement,
- Article 5 of the Croatia-Italy Agreement,
- Article 4 of the Croatia-Latvia Agreement,
- Article 4 of the Croatia-Lithuania Agreement,
- Article 4 of the Croatia-Luxembourg Agreement,
- Article 4 of the Croatia-Malta Agreement,
- Article 4 of the Croatia-Netherlands Agreement,

- Article 4 of the Croatia-Poland Agreement,
- Article 4 of the Croatia-Portugal Agreement,
- Article 4 of the Croatia-Slovakia Agreement,
- Article 7 of the Croatia-Slovenia Agreement,
- Article 4 of the Croatia-Spain Agreement,
- Article 4 of the Croatia-Sweden Agreement,
- Article 5 of the Croatia-UK Agreement.

(c) Regulatory control:

- Article 6 of the Croatia-Czech Republic Agreement,
- Article 15 of the Croatia-Estonia Agreement,
- Article 12 of the Croatia-Germany Agreement,
- Article 7 of the Croatia-Greece Agreement,
- Article 16 of the Croatia-Latvia Agreement,
- Article 15 of the Croatia-Lithuania Agreement,
- Article 15 of the Croatia-Portugal Agreement.

(d) Taxation of Aviation Fuel:

- Article 7 of the Croatia-Austria Agreement,
- Article 10 of the Croatia-Belgium Agreement,
- Article 9 of the Croatia-Czech Republic Agreement,
- Article 6 of the Croatia-Denmark Agreement,
- Article 7 of the Croatia-Estonia Agreement,
- Article 11 of the Croatia-France Agreement,
- Article 6 of the Croatia-Germany Agreement,
- Article 8 of the Croatia-Greece Agreement,
- Article 7 of the Croatia-Hungary Agreement,
- Article 13 of the Croatia-Ireland Agreement,
- Article 6 of the Croatia-Italy Agreement,
- Article 7 of the Croatia-Latvia Agreement,
- Article 7 of the Croatia-Lithuania Agreement,
- Article 8 of the Croatia-Luxembourg Agreement,
- Article 5 of the Croatia-Malta Agreement,
- Article 9 of the Croatia-Netherlands Agreement,
- Article 7 of the Croatia-Poland Agreement,
- Article 6 of the Croatia-Portugal Agreement,
- Article 8 of the Croatia-Slovakia Agreement,
- Article 6 of the Croatia-Slovenia Agreement,
- Article 5 of the Croatia-Spain Agreement,
- Article 6 of the Croatia-Sweden Agreement,
- Article 8 of the Croatia-UK Agreement.

(e) Tariffs for Carriage within the European Community:

- Article 10 of the Croatia-Austria Agreement,
- Article 13 of the Croatia-Belgium Agreement,
- Article 13 of the Croatia-Czech Republic Agreement,
- Article 11 of the Croatia-Denmark Agreement,
- Article 13 of the Croatia-Estonia Agreement,
- Article 17 of the Croatia-France Agreement,
- Article 10 of the Croatia-Germany Agreement,
- Article 14 of the Croatia-Greece Agreement,
- Article 13 of the Croatia-Hungary Agreement,
- Article 7 of the Croatia-Ireland Agreement,
- Article 8 of the Croatia-Italy Agreement,
- Article 13 of the Croatia-Latvia Agreement,
- Article 13 of the Croatia-Lithuania Agreement,
- Article 11 of the Croatia-Luxembourg Agreement,
- Article 10 of the Croatia-Malta Agreement,
- Article 5 of the Croatia-Netherlands Agreement,
- Article 11 of the Croatia-Poland Agreement,
- Article 19 of the Croatia-Portugal Agreement,
- Article 12 of the Croatia-Slovakia Agreement,
- Article 9 of the Croatia-Slovenia Agreement,
- Article 7 of the Croatia-Spain Agreement,
- Article 11 of the Croatia-Sweden Agreement,
- Article 7 of the Croatia-UK Agreement.

ANNEX III

List of other states referred to in Article 2 of this Agreement

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
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CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

**DECISION TAKEN BY COMMON ACCORD OF THE GOVERNMENTS OF THE MEMBER STATES
HAVING THE EURO AS THEIR CURRENCY AT THE LEVEL OF HEADS OF STATE OR
GOVERNMENT**

of 19 May 2006

appointing a member of the Executive Board of the European Central Bank

(2006/371/EC)

THE HEADS OF STATE OR GOVERNMENT OF THE MEMBER STATES OF THE EUROPEAN COMMUNITY HAVING
THE EURO AS THEIR CURRENCY,

Having regard to the Treaty establishing the European Community, and in particular Articles 112(2)(b) and
122(4) thereof, and to Articles 11.2 and 43.3 of the Protocol on the Statute of the European System of
Central Banks and of the European Central Bank,

Having regard to the recommendation of the Council ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Governing Council of the European Central Bank ⁽³⁾,

HAVE DECIDED AS FOLLOWS:

Article 1

Mr Jürgen STARK is hereby appointed a member of the Executive Board of the European Central Bank for a
term of office of eight years as from 1 June 2006.

Article 2

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

Done at Brussels, 19 May 2006.

The President

U. PLASSNIK

⁽¹⁾ OJ L 47, 17.2.2006, p. 58.

⁽²⁾ Opinion delivered on 17 May 2006 (not yet published in the Official Journal).

⁽³⁾ OJ C 58, 10.3.2006, p. 12.