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

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2006/722/EC:

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1591/2006**of 24 October 2006****amending Regulation (EC) No 51/2006 as regards provisions on vessels engaged in illegal, unreported and unregulated fisheries in the North-East Atlantic**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Annex III, point 13 to Regulation (EC) No 51/2006 shall be replaced by the following:

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 20 thereof,

‘13. Vessels engaged in illegal, unreported and unregulated fisheries in the North-East Atlantic

Having regard to the proposal from the Commission,

13.1. The Commission shall without delay inform Member States of vessels flying flags of non-contracting Parties to the Convention on Future Multilateral Cooperation in North-East Atlantic Fisheries (the Convention) that have been sighted engaging in fishing activities in the Regulatory Area of the Convention and placed by the North-East Atlantic Fisheries Commission (NEAFC) on a provisional list of vessels that are being presumed to be undermining the Recommendations established under the Convention. The following measures shall apply to these vessels:

Whereas:

(1) Regulation (EC) No 51/2006 ⁽²⁾ fixes for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.

(a) vessels that enter ports are not authorised to land or tranship therein and shall be inspected by the competent authorities. Such inspections shall include the vessel's documents, log books, fishing gear, catch onboard and any other matter relating to the vessel's activities in the Regulatory Area of the Convention. Information on the result of the inspections shall immediately be transmitted to the Commission;

(2) The North-East Atlantic Fisheries Commission (NEAFC) made a recommendation in February 2004 regarding vessels having engaged in illegal, unreported and unregulated (IUU) fisheries. In May 2006, NEAFC made a recommendation to amend the provisions regarding IUU fisheries, such that vessels that have been confirmed to have engaged in IUU fisheries shall not be allowed to enter a Community port. Implementation of that recommendation in the Community legal order should be ensured.

(b) fishing vessels, support vessels, refuel vessels, mother-ships and cargo vessels flying the flag of a Member State shall not in any way assist the vessels or participate in any transhipment or joint fishing operations with the vessels;

(3) Regulation (EC) No 51/2006 should therefore be amended accordingly,

(c) the vessels shall not be supplied in ports with provisions, fuel or other services.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 16, 20.1.2006, p. 1.

13.2. Vessels that have been placed by the North-East Atlantic Fisheries Commission NEAFC on the list of vessels that have been confirmed as having engaged in illegal, unreported and unregulated fisheries (IUU vessels) are listed in Appendix 4. In addition to the measures referred to in point 13.1 the following measures shall apply to these vessels:

- (a) IUU vessels shall be prohibited to enter a Community port;
- (b) IUU vessels shall not be authorised to fish in Community waters and be prohibited to be chartered;
- (c) imports of fish coming from IUU vessels shall be prohibited;

(d) Member States shall refuse the granting of their flag to IUU vessels and encourage importers, transporters and other sectors concerned to refrain from negotiating and from transshipping of fish caught by such vessels.

13.3. The Commission shall amend the list of IUU vessels to be in accordance with the NEAFC IUU list as soon as NEAFC adopts a new IUU list.'

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 Luxembourg, 24 October 2006.

For the Council
The President
J. KORKEAOJA

COMMISSION REGULATION (EC) No 1592/2006**of 25 October 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 26 October 2006.

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

Done at Brussels, 25 October 2006.

For the Commission

Jean-Luc 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 25 October 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 | 63,1 |
| | 096 | 28,0 |
| | 204 | 40,7 |
| | 999 | 43,9 |
| 0707 00 05 | 052 | 106,9 |
| | 204 | 42,1 |
| | 999 | 74,5 |
| 0709 90 70 | 052 | 86,8 |
| | 204 | 41,2 |
| | 999 | 64,0 |
| 0805 50 10 | 052 | 64,4 |
| | 388 | 64,2 |
| | 524 | 56,1 |
| | 528 | 57,1 |
| | 999 | 60,5 |
| 0806 10 10 | 052 | 87,0 |
| | 400 | 192,3 |
| | 508 | 330,8 |
| | 999 | 203,4 |
| 0808 10 80 | 388 | 81,2 |
| | 400 | 134,8 |
| | 800 | 141,0 |
| | 804 | 153,2 |
| | 999 | 127,6 |
| 0808 20 50 | 052 | 109,2 |
| | 400 | 199,1 |
| | 720 | 59,1 |
| | 999 | 122,5 |

⁽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 1593/2006**of 25 October 2006****opening tendering procedure No 58/2006 EC for the sale of wine alcohol for new industrial uses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 33 thereof,

Whereas:

(1) Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽²⁾ lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.

(2) In accordance with Article 80 of Regulation (EC) No 1623/2000, tendering procedures should be organised for the sale of wine alcohol for new industrial uses with a view to reducing the stocks of wine alcohol in the Community and enabling small-scale industrial projects to be carried out and such alcohol to be processed into goods intended for export for industrial uses. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999.

(3) Since 1 January 1999 and in accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

(4) Minimum prices should be fixed for the submission of tenders, broken down according to the type of end-use.

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

HAS ADOPTED THIS REGULATION:

Article 1

Tendering procedure No 58/2006 EC is hereby opened for the sale of wine alcohol for new industrial uses. The alcohol concerned has been produced from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 and is held by the French intervention agency.

The volume put up for sale is 100 000 hectolitres of alcohol at 100 % vol. The vat numbers, places of storage and the volume of alcohol at 100 % vol. contained in each vat are detailed in the Annex hereto.

Article 2

The sale shall be conducted in accordance with Articles 79, 81, 82, 83, 84, 85, 95, 96, 97, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 3

1. Tenders must be submitted to the intervention agency holding the alcohol concerned:

Viniflhor-Libourne, délégation nationale
17, avenue de la Ballastière, boîte postale 231
F-33505 Libourne Cedex
Tel. (33-5) 57 55 20 00
Telex 57 20 25
Fax (33-5) 57 55 20 59

or sent by registered mail to that address.

2. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 58/2006 EC for new industrial uses', the outer envelope bearing the address of the intervention agency concerned.

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

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1221/2006 (OJ L 221, 12.8.2006, p. 3).

⁽³⁾ OJ L 349, 24.12.1998, p. 1.

3. Tenders must reach the intervention agency concerned not later than 12 noon, Brussels time, on 10 November 2006.

4. All tenders must be accompanied by proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol. has been lodged with the intervention agency concerned.

Article 4

The minimum prices which may be offered are EUR 11 per hectolitre of alcohol at 100 % vol. intended for the manufacture of baker's yeast, EUR 36,5 per hectolitre of alcohol at 100 % vol. intended for the manufacture of amine- and chloral-type chemical products for export, EUR 42,5 per hectolitre of alcohol at 100 % vol. intended for the manufacture of eau de Cologne for export and EUR 17 per hectolitre of alcohol at 100 % vol. intended for other industrial uses.

Article 5

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000. The price of samples shall be EUR 10 per litre.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

Article 6

The performance guarantee shall be EUR 30 per hectolitre of alcohol at 100 % vol.

Article 7

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, 25 October 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

INVITATION TO TENDER No 58/2006 EC FOR THE SALE OF ALCOHOL FOR NEW INDUSTRIAL USES

Place of storage, volume and characteristics of the alcohol put up for sale

| Member State | Location | Vat No | Volume in hectolitres of alcohol at 100 % vol. | Regulation (EC) No 1493/1999 Article | Type of alcohol | Alcohol strength (in % vol.) |
|--------------|--|--------|--|--------------------------------------|-----------------|------------------------------|
| France | Viniflor — Longuefuye F-53200 Longuefuye | 3 | 990 | 30 | Raw | + 92 |
| | | 3 | 7 350 | 30 | Raw | + 92 |
| | | 10 | 12 220 | 30 | Raw | + 92 |
| | | 3BIS | 12 700 | 27 | Raw | + 92 |
| | | 13 | 22 700 | 27 | Raw | + 92 |
| | | 10 | 10 430 | 30 | Raw | + 92 |
| | Viniflor — Port-la-Nouvelle Entrepôt d'alcool Avenue Adolphe Turrel, BP 62 F-11210 Port-la-Nouvelle | 27 | 4 210 | 27 | Raw | + 92 |
| | | 39B | 3 375 | 30 | Raw | + 92 |
| | | 39B | 2 985 | 30 | Raw | + 92 |
| | | 14B | 2 210 | 28 | Raw | + 92 |
| | | 14 | 9 950 | 27 | Raw | + 92 |
| | | 36 | 7 275 | 30 | Raw | + 92 |
| | | 36 | 1 330 | 30 | Raw | + 92 |
| | | 39 | 2 275 | 27 | Raw | + 92 |
| | Total | | | 100 000 | | |

COMMISSION REGULATION (EC) No 1594/2006**of 25 October 2006****establishing the allocation coefficient to be applied to applications for export licences for cheese to be exported to the United States of America in 2007 under certain GATT quotas**

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⁾,

Having regard to Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds for milk and milk products ⁽²⁾, and in particular Article 25(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1285/2006 ⁽³⁾ opens the procedure for the allocation of export licences for cheese to be exported to the United States of America in 2007 under the GATT quotas referred to in Article 23 of Regulation (EC) No 1282/2006.
- (2) Applications for licences for some quotas and product groups exceed the quantities available for the 2007 quota

year. Allocation coefficients as provided for in Article 25(1) of Regulation (EC) No 1282/2006 should therefore be fixed.

- (3) Given the time limit for the implementation of the procedure of determining those coefficients, as provided for in Article 4 of Regulation (EC) No 1285/2006, this Regulation should apply as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences lodged in accordance with Article 2 of Regulation (EC) No 1285/2006 shall be accepted subject to the application of the allocation coefficients set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 25 October 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 234, 29.8.2006, p. 4.

⁽³⁾ OJ L 235, 30.8.2006, p. 8.

ANNEX

| Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States of America | | Identification of group and quota | Quantity available for 2007 (t) | Allocation coefficient provided for under Article 1 |
|--|---|-----------------------------------|---------------------------------|---|
| Note No | Group | | | |
| (1) | (2) | (3) | (4) | (5) |
| 16 | Not specifically provided for (NSPF) | 16-Tokyo | 908,877 | 0,1553118 |
| | | 16-Uruguay | 3 446,000 | 0,0996713 |
| 17 | Blue Mould | 17-Uruguay | 350,000 | 0,0933333 |
| 18 | Cheddar | 18-Uruguay | 1 050,000 | 0,3037799 |
| 20 | Edam/Gouda | 20-Uruguay | 1 100,000 | 0,1593279 |
| 21 | Italian type | 21-Uruguay | 2 025,000 | 0,0955189 |
| 22 | Swiss or Emmenthaler cheese other than with eye formation | 22-Tokyo | 393,006 | 0,3459523 |
| | | 22-Uruguay | 380,000 | 0,2900763 |
| 25 | Swiss or Emmenthaler cheese with eye formation | 25-Tokyo | 4 003,172 | 0,3285379 |
| | | 25-Uruguay | 2 420,000 | 0,3634190 |

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 October 2006

authorising the placing on the market of diacylglycerol oil of plant origin as a novel food under Regulation (EC) No 258/97 of the European Parliament and of the Council

(notified under document number C(2006) 4971)

(Only the English text is authentic)

(2006/720/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997⁽¹⁾, and in particular Article 7 thereof,

Whereas:

(1) On 17 April 2002 Archer Daniels Midland Company (hereafter 'ADM') made a request to the competent authorities of the Netherlands to place diacylglycerol oil of plant origin on the market as a novel food for use in cooking oils, fat spreads, salad dressings, mayonnaise, drinks presented as a replacement for one or more meals of the daily diet, bakery products and yoghurt type products.

(2) On 20 December 2002 the competent authorities of the Netherlands issued their initial assessment report. In that report they came to the conclusion that the use of diacylglycerol oil of plant origin is safe for human consumption.

(3) The Commission forwarded the initial assessment report to all Member States on 21 January 2003.

(4) Within the 60 day period laid down in Article 6(4) of Regulation (EC) No 258/97, reasoned objections to the marketing of the product were raised in accordance with that provision.

(5) The European Food Safety Authority (EFSA), in its opinion on an application from ADM for approval of diacylglycerol oil (EnovaTM oil) of 2 December 2004⁽²⁾, came to the conclusion that the oil is safe for human consumption.

(6) With respect to the content of trans fatty acids EFSA recommended that it should be reduced to the level in the conventional oils of plant origin that the novel oil is intended to replace, in order for the oil not to be nutritionally disadvantageous to the consumer.

(7) As regards drinks presented as a replacement for one or more meals of the daily diet Council Directive 89/398/EEC of 3 May 1989 on the approximation of laws of the Member States relating to foodstuffs intended for particular nutritional uses⁽³⁾ applies.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ Opinion of the Scientific Panel on Dietetic Products, Nutrition and Allergies on a request from the Commission related to an application to market Enova oil as a novel food in the EU of 2.12.2004. The opinion can be found on the website of the European Food Safety Authority, Scientific Panel on Dietetic Products, Nutrition and Allergies.

⁽³⁾ OJ L 186, 30.6.1989, p. 27. Directive as last amended by Directive 1999/41/EC of the European Parliament and of the Council (OJ L 172, 8.7.1999, p. 38).

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

product as such or in the list of ingredients of foodstuffs containing it.

HAS ADOPTED THIS DECISION:

Article 1

Diacylglycerol oil of plant origin as specified in the Annex, may be placed on the market in the Community as a novel food for use in cooking oils, fat spreads, salad dressings, mayonnaise, drinks presented as a replacement for one or more meals of the daily diet, bakery products and yoghurt type products.

Article 2

The designation 'diacylglycerol oil of plant origin (at least 80 % diacylglycerols)' shall be displayed on the labelling of the

Article 3

This Decision is addressed to ADM Kao LLC, 4666 East Faries Parkway, Decatur, IL 62526, USA.

Done at Brussels, 23 October 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

SPECIFICATION OF DIACYLGLYCEROL OIL OF PLANT ORIGIN

| Substance/Parameter | Content |
|--|----------------------------|
| Acylglycerol Distribution: | |
| Diacylglycerols (DAG) | Not less than 80 % |
| 1,3-Diacylglycerols (1,3-DAG) | Not less than 50 % |
| Triacylglycerols (TAG) | Not more than 20 % |
| Monoacylglycerols (MAG) | Not more than 5 % |
| Fatty Acid Composition (MAG, DAG, TAG): | |
| Oleic acid (C18:1) | Between 20 and 65 % |
| Linoleic acid (C18:2) | Between 15 and 65 % |
| Linolenic acid (C18:3) | Not more than 15 % |
| Saturated fatty acids | Not more than 10 % |
| Others: | |
| Acid value | Not more than 0,5 mg KOH/g |
| Moisture and volatile | Not more than 0,1 % |
| Peroxide value (PV) | Not more than 1 meq/kg |
| Unsaponifiables | Not more than 2 % |
| Trans fatty acids | Not more than 1 % |

MAG = monoacylglycerols, DAG = diacylglycerols, TAG = triacylglycerols

Fatty acid components are derived from edible vegetable oils, in particular from soybean oil (*Glycine max*) or rapeseed oil (*Brassica campestris*, *Brassica napus*).

COMMISSION DECISION

of 23 October 2006

authorising the placing on the market of lycopene from *Blakeslea trispora* as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council

(notified under document number C(2006) 4973)

(Only the Spanish text is authentic)

(2006/721/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients⁽¹⁾, and in particular Article 7 thereof,

Whereas:

(1) On 30 October 2003 Vitatene Antibiotics SAU made a request to the competent authorities of the United Kingdom to place lycopene from *Blakeslea trispora* on the market as a novel food or novel food ingredient.

(2) On 6 April 2004 the competent food assessment body of the United Kingdom issued its initial assessment report. In that report it came to the conclusion that the proposed uses for lycopene from *Blakeslea trispora* are safe for human consumption.

(3) The Commission forwarded the initial assessment report to all Member States on 27 April 2004.

(4) Within the 60-day period laid down in Article 6(4) of Regulation (EC) No 258/97 reasoned objections to the marketing of the product were raised in accordance with that provision.

(5) Consequently, the European Food Safety Authority (EFSA) was consulted on 22 November 2004.

(6) On 21 April 2005 EFSA adopted the 'Opinion of the Scientific Panel on Dietetic Products, Nutrition and Allergies on a request from the Commission related to an application on the use of α -tocopherol-containing oil suspension of lycopene from *Blakeslea trispora* as a novel food ingredient'.

(7) The opinion came to the conclusion that the requested levels of use of lycopene from *Blakeslea trispora* would lead to an additional intake of up to about 2 mg/day. It also concluded that this additional intake was not of concern from the safety point of view.

(8) Food additives falling within the scope of Council Directive 89/107/EEC of 21 December 1988 on the approximation of laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption⁽²⁾, are excluded from the scope of Regulation (EC) No 258/97. This Decision does therefore not constitute authorisation to use lycopene from *Blakeslea trispora* as a food colour.

(9) On the basis of the scientific assessment, it is established that lycopene from *Blakeslea trispora* in an α -tocopherol containing suspension complies with the criteria laid down in Article 3(1) of Regulation (EC) No 258/97.

(10) 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

Lycopene from *Blakeslea trispora* as specified in Annex I, may be placed on the market in the Community as a novel food ingredient for use in foods as specified in Annex II.

Article 2

The designation 'lycopene' shall be displayed in the list of ingredients of foodstuffs containing it or, if there is no list of ingredients, on the labelling of the product as such.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1. Regulation 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).

⁽²⁾ OJ L 40, 11.2.1989, p. 27. Directive as last amended by Regulation (EC) No 1882/2003.

Article 3

Vitatene Antibiotics SAU shall submit to the Commission, at the end of three years following the adoption of this Decision, data as to the groups of foods with lycopene from *Blakeslea trispora* that have been placed on the market in the EU and the corresponding use levels of this lycopene.

Article 4

This Decision is addressed to Vitatene Antibiotics SAU, Avd. de Antibioticos, 59-61, 24080 Leon, Spain.

Done at Brussels, 23 October 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

SPECIFICATIONS OF LYCOPENE FROM *BLAKESLEA TRISPORA***Definition**

Obtained by extraction and crystallisation from a fungal fermentation of *Blakeslea trispora*, the product is supplied as a 5 % or 20 % lycopene suspension in high oleic acid sunflower oil containing 1 % α -tocopherol of the lycopene level. The lycopene from *Blakeslea trispora* consists of ≥ 90 % all-*trans* isomer and 1 % to 5 % of *cis*-isomers.

Specifications

Chemical name

Lycopene

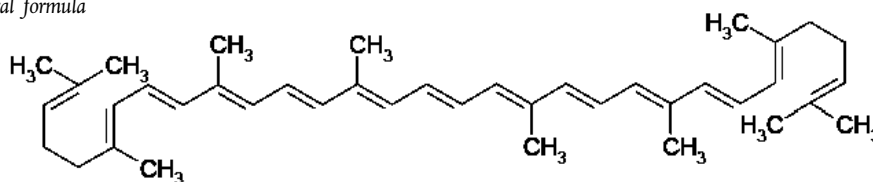
C.A.S. number

502-65-8 (all *trans* lycopene)

Chemical formula

 $C_{40}H_{56}$

Structural formula



Formula weight

536,85

Assay

Not less than 95 %

Purity

| | |
|--------------------|-----------------------|
| Imidazole: | Not more than 1 mg/kg |
| Sulfated ash: | Not more than 1 % |
| Other Carotenoids: | Not more than 5 % |

Mycotoxins:

| | |
|---------------------|--------|
| Aflatoxin B1: | Absent |
| Trichothecene (T2): | Absent |
| Ochratoxin: | Absent |
| Zearaleone: | Absent |

Microbiology:

| | |
|---------------------------|---------------------|
| Moulds: | Not more than 100/g |
| Yeasts: | Not more than 100/g |
| Salmonella: | Absent in 25 g |
| <i>Escherichia coli</i> : | Absent in 5 g |

ANNEX II

USES OF LYCOPENE FROM *BLAKESLEA TRISPORA*

| Use group | Maximum level of lycopene |
|---|---------------------------|
| Yellow fat spreads | 0,2-0,5 mg/100 g |
| Milk based and milk type products | 0,3-0,6 mg/100 g |
| Condiments, seasonings, relishes, pickles | 0,6 mg/100 g |
| Mustard | 0,5 mg/100 g |
| Savoury sauces and gravies | 0,7 mg/100 g |
| Soups and soup mixes | 0,6 mg/100 g |
| Sugar, preserves, confectionery | 0,5 mg/100 g |

COMMISSION DECISION

of 24 October 2006

authorising the placing on the market of 'rapeseed oil high in unsaponifiable matter' as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council

(notified under document number C(2006) 4975)

(Only the French text is authentic)

(2006/722/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

(1) On 24 October 2001 the company Laboratoires Pharmascience (now Laboratoires Expanscience) made a request to the competent authorities of France to place 'rapeseed oil high in unsaponifiable matter' on the market as a novel food ingredient.

(2) On 8 January 2002 the competent authorities of France forwarded their initial assessment report to the Commission. The report came to the conclusion that 'rapeseed oil high in unsaponifiable matter' proposed as a food ingredient at a daily intake of 1,5 g per day would make it possible to supplement vitamin E intake and also concluded that the levels of phytosterol were not sufficient to reduce cholesterolaemia.

(3) The Commission forwarded the initial assessment report to all Member States on 18 February 2002.

(4) Within the 60-day period laid down in Article 6(4) of Regulation (EC) No 258/97, reasoned objections to the marketing of the product were raised in accordance with that provision.

(5) The European Food Safety Authority (EFSA) was therefore consulted on 30 January 2004.

(6) On 6 December 2005, EFSA adopted the 'Opinion of the Scientific Panel on Dietetic Products, Nutrition and

Allergies on a request from the Commission related to "rapeseed oil high in unsaponifiable matter" as a novel food ingredient'.

(7) The opinion came to the conclusion that the proposed use level of 1,5 g per day of 'rapeseed oil high in unsaponifiable matter' was safe.

(8) It is recognised that 'rapeseed oil high in unsaponifiable matter' at the intended use level of 1,5 g is a safe source of Vitamin E. For labelling and presentation, Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of laws of the Member States relating to food supplements ⁽²⁾ applies.

(9) On the basis of the scientific assessment, it is established that 'rapeseed oil high in unsaponifiable matter' complies with the criteria laid down in Article 3(1) of Regulation (EC) No 258/97.

(10) 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

'Rapeseed oil high in unsaponifiable matter', as specified in the Annex may be placed on the market in the Community as a novel food ingredient for use in food supplements.

Article 2

The maximum amount of 'rapeseed oil high in unsaponifiable matter' present in a portion recommended for daily consumption by the manufacturer shall be 1,5 g.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 183, 12.7.2002, p. 51. Directive as amended by Commission Directive 2006/37/EC (OJ L 94, 1.4.2006, p. 32).

Article 3

The designation of the novel food ingredient shall be 'rapeseed oil extract'.

Article 4

This Decision is addressed to Laboratoires Expanscience, Siège Social, 10, Avenue de l'Arche, F-92419 Courbevoie Cedex.

Done at Brussels, 24 October 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Specifications of 'rapeseed oil high in unsaponifiable matter'

DESCRIPTION

'Rapeseed oil high in unsaponifiable matter' is produced by vacuum distillation and it is different from refined rapeseed oil in the concentration of the unsaponifiable fraction (1 g in refined rapeseed oil and 9 g in 'rapeseed oil high in unsaponifiable matter'). There is a minor reduction of triglycerides containing monounsaturated and polyunsaturated fatty acids.

SPECIFICATIONS

| | |
|--|-----------------------------|
| <i>Unsaponifiable matter</i> | > 7 g/100 g |
| <i>Tocopherols</i> | > 0,8 g/100 g |
| <i>α-tocopherol (%)</i> | 30-50 % |
| <i>γ-tocopherol (%)</i> | 50-70 % |
| <i>δ-tocopherol (%)</i> | < 6 % |
| <i>Sterols, triterpenic alcohols, methylsterols</i> | > 5 g/100 g |
| <i>Fatty acids in triglycerides</i> | |
| <i>palmitic acid</i> | 3-8 % |
| <i>stearic acid</i> | 0,8-2,5 % |
| <i>oleic acid</i> | 50-70 % |
| <i>linoleic acid</i> | 15-28 % |
| <i>linolenic acid</i> | 6-14 % |
| <i>erucic acid</i> | < 2 % |
| <i>Acid value</i> | ≤ 6 mg KOH/g |
| <i>Peroxide value</i> | ≤ 10 mEq O ₂ /kg |
| <i>Iron (Fe)</i> | < 1 000 µg/kg |
| <i>Copper (Cu)</i> | < 100 µg/kg |
| <i>Polycyclic aromatic hydrocarbons (PAH) Benzo(a)pyrene</i> | < 2 µg/kg |

Treatment with active carbon is required to ensure that polycyclic aromatic hydrocarbons (PAH) are not enriched in the production of 'rapeseed oil high in unsaponifiable matter'.

COMMISSION DECISION

of 24 October 2006

authorising the placing on the market of 'maize-germ oil high in unsaponifiable matter' as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council

(notified under document number C(2006) 4980)

(Only the French text is authentic)

(2006/723/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) On 24 October 2001 the company Laboratoires Pharmascience (now Laboratoires Expanscience) made a request to the competent authorities of France to place 'maize-germ oil high in unsaponifiable matter' on the market as a novel food ingredient.
- (2) On 8 January 2002 the competent authorities of France forwarded their initial assessment report to the Commission. The report came to the conclusion that maize-germ oil high in unsaponifiable matter proposed as a food ingredient at a daily intake of 2 g per day would make it possible to supplement vitamin E intake and also concluded that the levels of phytosterol were not sufficient to reduce cholesterolaemia.
- (3) The Commission forwarded the initial assessment report to all Member States on 18 February 2002.
- (4) Within the 60-day period laid down in Article 6(4) of Regulation (EC) No 258/97, reasoned objections to the marketing of the product were raised in accordance with that provision.
- (5) The European Food Safety Authority (EFSA) was therefore consulted on 30 January 2004.
- (6) On 6 December 2005, EFSA adopted the 'Opinion of the Scientific Panel on Dietetic Products, Nutrition and

Allergies on a request from the Commission related to maize-germ oil high in unsaponifiable matter as a novel food ingredient'.

- (7) The opinion came to the conclusion that the proposed use level of 2 g per day of 'maize-germ oil high in unsaponifiable matter' was safe.
- (8) It is recognised that 'maize-germ oil high in unsaponifiable matter' at the intended use level of 2 g per day is a safe source of Vitamin E. For labelling and presentation Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements ⁽²⁾ applies.
- (9) On the basis of the scientific assessment, it is established that 'maize-germ oil high in unsaponifiable matter' complies with the criteria laid down in Article 3(1) of Regulation (EC) No 258/97.
- (10) 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

'Maize-germ oil high in unsaponifiable matter', as specified in the Annex may be placed on the market in the Community as a novel food ingredient for use in food supplements.

Article 2

The maximum amount of 'maize-germ oil high in unsaponifiable matter' present in a portion recommended for daily consumption by the manufacturer shall be 2 g.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 183, 12.7.2002, p. 51. Directive as amended by Commission Directive 2006/37/EC (OJ L 94, 1.4.2006, p. 32).

Article 3

The designation of the novel food ingredient shall be 'maize-germ oil extract'.

Article 4

This Decision is addressed to Laboratoires Expanscience, Siège Social, 10, Avenue de l'Arche, F-92419 Courbevoie Cedex.

Done at Brussels, 24 October 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Specifications of 'maize-germ oil high in unsaponifiable matter'

DESCRIPTION

'Maize-germ oil high in unsaponifiable matter' is produced by vacuum distillation and it is different from refined maize-germ oil in the concentration of the unsaponifiable fraction (1,2 g in refined maize-germ oil and 10 g in 'maize-germ oil high in unsaponifiable matter').

SPECIFICATIONS

| | |
|--|-----------------------------|
| <i>Unsaponifiable matter</i> | > 9 g/100 g |
| <i>Tocopherols</i> | ≥ 1,3 g/100 g |
| α-tocopherol (%) | 10-25 % |
| β-tocopherol (%) | < 3 % |
| γ-tocopherol (%) | 68-89 % |
| δ-tocopherol (%) | < 7 % |
| <i>Sterols, triterpenic alcohols, methylsterols</i> | > 6,5g/100 g |
| <i>Fatty acids in tryglycerides</i> | |
| palmitic acid | 10-20 % |
| stearic acid | < 3,3 % |
| oleic acid | 20-42,2 % |
| linoleic acid | 34-65,6 % |
| linolenic acid | < 2 % |
| <i>Acid value</i> | ≤ 6 mg KOH/g |
| <i>Peroxide value</i> | ≤ 10 mEq O ₂ /kg |
| <i>Iron (Fe)</i> | < 1 500 µg/kg |
| <i>Copper (Cu)</i> | < 100 µg/kg |
| <i>Polycyclic aromatic hydrocarbons (PAH) Benzo(a)pyrene</i> | < 2 µg/kg |

Treatment with active carbon is required to ensure that polycyclic aromatic hydrocarbons (PAH) are not enriched in the production of 'maize-germ oil high in unsaponifiable matter'.

COMMISSION DECISION**of 25 October 2006****repealing Decision 2004/262/EC on certain protection measures with regard to registered horses coming from South Africa***(notified under document number C(2006) 5020)***(Text with EEA relevance)****(2006/724/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(7) thereof,

Whereas:

- (1) The temporary admission and the importation of registered horses from South Africa were authorised by Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC ⁽²⁾ subject to compliance with certain conditions.
- (2) Commission Decision 2004/262/EC of 17 March 2004 on certain protection measures with regard to registered horses coming from South Africa ⁽³⁾ was adopted in response to outbreaks of African horse sickness in horses kept within the African horse sickness surveillance zone of the Western Cape Province.
- (3) In March 2005 the Commission carried out a veterinary animal health inspection mission in South Africa, including in particular the Western Cape, to assess the measures taken to control the African horse sickness outbreaks. Since 28 March 2004 no further cases of that disease have occurred.

(4) South Africa has informed the Commission of the satisfactory outcome of a survey in susceptible wildlife, which was completed to ascertain absence of virus circulation in that area.

(5) The protection measures should therefore no longer apply and Decision 2004/262/EC should be repealed.

(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 2004/262/EC is repealed.

Article 2

Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 October 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as amended by 2003 Act of Accession.

⁽²⁾ OJ L 73, 11.3.2004, p. 1.

⁽³⁾ OJ L 81, 19.3.2004, p. 86.

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

COUNCIL DECISION 2006/725/CFSP

of 17 October 2006

implementing Joint Action 2005/557/CFSP on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Joint Action 2005/557/CFSP of 18 July 2005 on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan ⁽¹⁾, and in particular second subparagraph of Article 8(1) thereof, in conjunction with Article 23(2) of the Treaty on European Union,

Whereas:

- (1) On 11 July 2006 the Council adopted Decision 2006/486/CFSP concerning the implementation of Joint Action 2005/557/CFSP on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan ⁽²⁾, which extended the financing for its civilian component until 31 October 2006.
- (2) Pending transition of the African Union mission to a United Nations (UN) operation in accordance with UN Security Council Resolution 1706 (2006), the Council has, in accordance with Article 2 of Decision 2006/486/CFSP, decided, in the light of the Decision by the Peace and Security Council of the African Union of 20 September 2006, to continue the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan until 31 December 2006.
- (3) As concerns the civilian component, the Council should consequently decide on the financing of the continuation of this supporting action. The financing should also as necessary cover expenditure for a possible additional transitional period preceding the hand-over to the United Nations.
- (4) The supporting action will be conducted in the context of a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy as set out in Article 11 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

1. The financial reference amount intended to cover the expenditure related to the implementation of Section II of Joint Action 2005/557/CFSP from 1 November 2006 shall be EUR 1 785 000.
2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the European Community procedures and rules applicable to the budget, with the exception that any pre-financing shall not remain the property of the Community. Nationals of third states shall be allowed to tender for contracts.
3. The expenditure shall be eligible from 1 November 2006.

Article 2

An evaluation of the necessary transitional measures to be taken after the end of the EU supporting action shall be undertaken no later than 31 December 2006.

Article 3

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

Article 4

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

Done at Luxembourg, 17 October 2006.

For the Council
The President
E. TUOMIOJA

⁽¹⁾ OJ L 188, 20.7.2005, p. 46.

⁽²⁾ OJ L 192, 13.7.2006, p. 30.