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Legislation

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⁽¹⁾ Text with EEA relevance

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1676/2006
of 14 November 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 15 November 2006.

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

Done at Brussels, 14 November 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 14 November 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	74,8
	096	30,1
	204	38,6
	999	47,8
0707 00 05	052	109,8
	204	49,7
	628	196,3
	999	118,6
0709 90 70	052	97,2
	204	113,8
	999	105,5
0805 20 10	204	92,0
	999	92,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	66,5
	092	17,6
	400	86,5
	528	40,7
	999	52,8
0805 50 10	052	48,8
	388	62,5
	528	39,2
	999	50,2
0806 10 10	052	120,1
	388	229,9
	508	271,0
	999	207,0
0808 10 80	096	29,0
	388	88,8
	400	106,1
	404	100,1
	720	73,5
	800	143,8
	999	90,2
0808 20 50	052	117,9
	400	216,1
	720	48,6
	999	127,5

⁽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 1677/2006**of 14 November 2006****derogating from Regulation (EC) No 2172/2005, as regards the date of application for import rights
for the tariff quota period 1 January to 31 December 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular the first subparagraph of Article 32(1) thereof,

Whereas,

- (1) Commission Regulation (EC) No 2172/2005 of 23 December 2005 laying down detailed rules for the application of an import tariff quota for live bovine animals of a weight exceeding 160 kg and originating in Switzerland provided for in the Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽²⁾ opens, on a multi-annual basis for periods from 1 January to 31 December, a duty-free tariff quota for the import of 4 600 live bovine animals originating in Switzerland.
- (2) Article 3(3) of Regulation (EC) No 2172/2005 provides that applications for import rights are to be lodged at the latest on 1 December preceding the annual import tariff

quota period. In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, and in order to enable operators of those countries to benefit from this quota in 2007, the deadline for the submission of applications for the import tariff quota period from 1 January 2007 to 31 December 2007 should be extended to 8 January 2007.

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the first subparagraph of Article 3(3) of Regulation (EC) No 2172/2005, for the import tariff quota period from 1 January 2007 to 31 December 2007, applications for import rights shall be lodged at the latest before 13:00, Brussels time, on 8 January 2007.

Article 2

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

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

Done at Brussels, 14 November 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 346, 29.12.2005, p. 10.

COMMISSION REGULATION (EC) No 1678/2006
of 14 November 2006
amending Regulation (EC) No 92/2005 as regards alternative means of disposal of and use of animal
by-products

(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 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Articles 5(2)(g) and 6(2)(i) thereof,

Whereas:

- (1) Regulation (EC) No 1774/2002 lays down rules concerning means of disposal of and ways of using animal by-products. It also provides for the possibility of additional means of disposal of and other ways of using animal by-products, to be approved following consultation of the appropriate scientific committee.
- (2) On the basis of opinions issued by the Scientific Steering Committee and of the European Food Safety Authority (EFSA), to date six processes have been approved as alternative means of disposal of or ways of using animal by-products under Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendering fats ⁽²⁾.
- (3) On the basis of a further application, the EFSA issued an opinion on 13 July 2006 on the safety of a thermo-mechanical process for biofuel production. The conditions under which that process was considered as a safe means of disposal for manure and digestive tract content and Category 3 material should therefore be taken into account by amending Regulation (EC) No 92/2005.
- (4) Upon reconsideration of the risks to public and animal health, Category 2 material resulting from the approved biodiesel production process should be permitted for certain technical uses or for transformation into biogas.

(5) Regulation (EC) No 92/2005 should be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 92/2005 is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

Approval, treatment and use or disposal of Category 2 or 3 material

1. The following processes are approved and may be authorised by the competent authority for the treatment and use or disposal of Category 2 or 3 material:

- (a) alkaline hydrolysis process as defined in Annex I;
- (b) high pressure high temperature hydrolysis process as defined in Annex II;
- (c) high pressure hydrolysis biogas process as defined in Annex III;
- (d) biodiesel production process as defined in Annex IV;
- (e) Brookes gasification process as defined in Annex V; and
- (f) combustion of animal fat in a thermal boiler process as defined in Annex VI.

The process of thermo-mechanical biofuel production as defined in Annex VII is approved and may be authorised by the competent authority for the treatment and disposal of manure and digestive tract content and Category 3 material.

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

⁽²⁾ OJ L 19, 21.1.2005, p. 27. Regulation as amended by Regulation (EC) No 2067/2005 (OJ L 331, 17.12.2005, p. 12).

2. The competent authority may authorise the use of other process parameters, on condition that such parameters provide for an equivalent reduction of risks for public and animal health, for the stages of:
- (a) the biodiesel production process as defined in Annex IV, point 1(b)(i); and
 - (b) the process of combustion of animal fat in a thermal boiler as defined in Annex VI, point 1(c)(i).;
2. in the title and in the first sentence of Article 3, 'Annexes I to VI' is replaced by 'the Annexes';
3. Article 4 is amended as follows:
- (a) in paragraph 2, the following subparagraph is added:
- 'However, material resulting from the biodiesel production process as defined in Annex IV shall be combusted.';
- (b) in paragraph 3, the following point (d) is added:
 - '(d) in the case of material resulting from the biodiesel production process as defined in Annex IV, used for the production of technical products.';
 - (c) paragraph 5 is deleted;
4. the Annexes are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 14 November 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

The Annexes to Regulation (EC) No 92/2005 are amended as follows:

1. in Annex IV, point 3 is deleted;
2. the following Annex VII is added:

'ANNEX VII

THERMO-MECHANICAL BIOFUEL PRODUCTION PROCESS

Thermo-mechanical biofuel production means treatment of animal by-products under the following conditions:

1. The animal by-products are loaded into a converter and subsequently treated at a temperature of 80 °C for a period of eight hours. During this period, the material is constantly reduced in size using appropriate mechanical abrasion equipment.
 2. The material is subsequently treated to a temperature of 100 °C for at least two hours.
 3. The particle size of the resulting material must not be larger than 20 millimetres.
 4. The animal by-products are treated in such a manner that the time-temperature requirements laid down in paragraphs 1 and 2 are achieved at the same time.
 5. During the heat treatment of the material, evaporated water is continually extracted from the air-space above the biofuel and is passed through a stainless steel condenser. The condensate is kept at a temperature of at least 70 °C for at least one hour before being discharged as waste water.
 6. After the heat treatment of the material, the resulting biofuel from the converter is then discharged and automatically conveyed by a fully covered and interlocked conveyor to incineration or co-incineration on the same site.
 7. A system of hazard analysis and critical control points is in place and maintained which allows for the control of the requirements laid down in paragraphs 1 to 6.
 8. The process is carried out in a batch mode.'
-

COMMISSION REGULATION (EC) No 1679/2006

of 14 November 2006

amending and correcting Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

previously established dates, in other words on 30 June preceding the harvest in question at the latest.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001⁽¹⁾, and in particular Article 145(c) thereof,

Whereas:

- (1) Article 79 of Regulation (EC) No 1782/2003 establishes specific aid for rice, granted to farmers producing rice falling within CN code 1006 10 under the conditions laid down in Chapter 3 of Title IV of that Regulation.
- (2) Article 12 of Commission Regulation (EC) No 1973/2004⁽²⁾ states that, to be eligible for the crop-specific payment for rice, the declared area must be sown once a year. However, in the case of French Guiana, provision is made for two sowing cycles per year and the aid is granted on the basis of the average of the areas sown for each of the two sowing cycles.
- (3) The French authorities intend to redefine the rice production system in French Guiana and reduce production to a single sowing cycle per hectare per year. This new production system would enable the producers concerned to make systematic use of the maintained set-aside, which would largely solve the problem of weeds and free up time needed for levelling. This would lead in particular to water savings and less use of plant protection products. This system would also permit better management of working time and equipment, resulting in lower overall operating costs for the activity. In order to implement this new production system, the means of calculating the specific aid for rice in French Guiana should be adapted, ensuring that the aid is calculated on the basis of a single sowing cycle per year, to be carried out on the latter of the two

- (4) Given that France and Spain have since 2006 applied the single payment scheme and the option provided for in Article 66(a) of Regulation (EC) No 1782/2003, in accordance with the fourth subparagraph of Article 101 of that Regulation, the base areas of the Member States indicated in Annex IV to Regulation (EC) No 1973/2004 must be reduced by the number of hectares corresponding to the compulsory set-aside entitlements. For clarification purposes, entries relating to Member States or regions of Member States where area payments for arable crops no longer apply after 1 January 2006 should be removed from this Annex, while the base areas of Malta and Slovenia which apply area payments for arable crops should be added to it in accordance with Annex XIb to Regulation (EC) No 1782/2003.

- (5) The amendment of Article 131(2)(a) of Regulation (EC) No 1973/2004 introduced by Regulation (EC) No 1250/2006 did not take account of the time limit for the submission of applications established by the second subparagraph of Article 121(1) of Regulation (EC) No 1973/2004. This oversight should be corrected. Given this time limit, the deadline for the Member States to communicate the number of bovine animals other than calves in respect of which a slaughter premium has been applied for should be fixed for after 28 February.

- (6) There were errors in Article 106(2) and in Annexes VI, XI, XII and XVIII to Regulation (EC) No 1973/2004, as amended by Regulation (EC) No 1250/2006.

- (7) Given that in the case of the area payments for arable crops laid down in Article 100 of Regulation (EC) No 1782/2003 the overall area determined used to calculate the coefficient of reduction and any definitive rate of overrun must be notified to the Commission by 15 November at the latest, and taking account of the base areas listed in Annex IV to Regulation (EC) No 1973/2004, Annex IV, as amended by this Regulation, should apply from 1 November 2006.

⁽¹⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 1156/2006 (OJ L 208, 29.7.2006, p. 3).

⁽²⁾ OJ L 345, 20.11.2004, p. 1. Regulation as last amended by Regulation (EC) No 1250/2006 (OJ L 227, 19.8.2006, p. 23).

- (8) Regulation (EC) No 1973/2004 should therefore be amended and corrected accordingly.

- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

slaughter premium has been applied for and indicating whether the animals were slaughtered or exported;.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1973/2004 is hereby amended as follows:

1. Article 12 is replaced by the following:

'Article 12

Dates for sowings

To be eligible for the crop-specific payment for rice, the declared area shall be sown at the latest:

- (a) on 30 June preceding the harvest in question, for Spain, Portugal and French Guiana;
- (b) on 31 May for the other producing Member States, including mainland France, referred to in Article 80(2) of Regulation (EC) No 1782/2003;.

2. Article 14(2) is deleted.

3. Article 131(2)(a) is replaced by the following:

'(a) annually for information relating to the previous year:

- (i) by 1 February at the latest, the number of cows in respect of which the suckler cow premium has been applied for, broken down according to the schemes referred to in Article 125(2)(a) and (b) of Regulation (EC) No 1782/2003;
- (ii) by 1 March at the latest, the number of bovine animals other than calves in respect of which the

4. Annex IV is replaced by the text set out in Annex I to this Regulation.

Article 2

Regulation (EC) No 1973/2004 is hereby amended as follows:

1. In the introductory sentence of Article 106(2), 'Part 3 of Annex XVIII' is replaced by 'Part 7 of Annex XVIII'.

2. In Annex VI, the footnote is replaced by the following:

'(*) Base area as referred to in Annex IV.'

3. In Annex XI, the first line of the title is replaced by the following:

'referred to in Article 3(1)(a)(iii)'.

4. In Annex XII, the first line of the title is replaced by the following:

'referred to in Article 3(1)(e)(iv)'.

5. Annex XVIII is replaced by the text contained in Annex II to this Regulation.

Article 3

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

Points 1 and 2 of Article 1 shall apply from 1 January 2007.

Point 4 of Article 1 shall apply from 1 November 2006.

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

Done at Brussels, 14 November 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

'ANNEX IV

referred to in Articles 54(3) and 59(1) and referred to in Article 3(1)(a)(i), (c)(i) and (e)(i)

BASE AREAS

<i>(ha)</i>			
Region	All crops	of which maize	of which silage grass
SPAIN			
Regadío	1 318 170	379 325	
Secano	7 256 618		
FRANCE			
Total	12 399 382		
Base area for maize		561 320 ⁽¹⁾	
Irrigated base area	1 094 138 ⁽¹⁾		
MALTA			
	4 565 ⁽²⁾		
PORTUGAL			
Azores	9 700		
Madeira			
— Regadío	310	290	
— Other	300		
SLOVENIA			
	125 171 ⁽²⁾		

⁽¹⁾ Including 256 816 ha irrigated maize.⁽²⁾ In accordance with Article XIb of Regulation (EC) No 1782/2003.

ANNEX II

'ANNEX XVIII

referred to in Articles 106(2) and 131

BEEF AND VEAL PAYMENTS

CLAIMED YEAR:

MEMBER STATE:

1. SPECIAL PREMIUM

Number of animals

	Deadline for submission	Ref	Information required	General scheme			Slaughter scheme
				Single age bracket or first age bracket		Second age bracket	Both age brackets together
				Bulls	Steers	Steers	Steers
Article 131 (4)(a)	1 February	1.2	Number of animals applied for (full year)				
Article 131 (4)(b)(i)	31 July	1.3	Number of animals accepted (full year)				
Article 131 (4)(b)(ii)	31 July	1.4	Number of animals not accepted on account of the application of the ceiling				

Number of producers

	Deadline for submission	Ref	Information required	General scheme			Slaughter scheme
				Single age bracket or first age bracket	Second age bracket	Both age brackets together	Both age brackets together only
Article 131 (4)(b)(i)	31 July	1.5	Number of producers granted premium				

2. DESEASONALISATION PREMIUM

	Deadline for submission	Ref	Information required	Single age bracket or first age bracket	Second age bracket	Both age brackets together
Article 131(6)(a)	1 February	2.3	Number of animals accepted			
		2.4	Number of producers			

3. SUCKLER COW PREMIUM

	Deadline for submission	Ref	Information required	Pure suckler herds	Mixed herds
Article 131(2)(a)(i)	1 February	3.2	Number of animals applied for (full year)		
Article 131 (2)(b)(i) Article 131 (6)(b)(ii)	31 July	3.3	Number of cows accepted (full year)		
		3.4	Number of heifers accepted (full year)		
		3.5	Number of producers granted premium (full year)		
				Amount per head	
Article 131 (2)(b)(iii)	31 July	3.6	National premium		
Article 131 (2)(b)(ii)	31 July	3.7	Number of animals not accepted on account of the application of the national ceiling for heifers		

4. EXTENSIFICATION PAYMENT

4.1. Application of the single stocking density (First subparagraph of Article 132(2) of Regulation (EC) No 1782/2003)

	Deadline for submission	Ref	Information required	Special premium	Suckler cow premium	Dairy cows	Total
Article 131 (6)(b)(i) Article 131 (6)(b)(ii) Article 131 (6)(b)(iii)	31 July	4.1.1	Number of animals accepted				
		4.1.2	Number of producers granted payments				

4.2. Application of the two stocking densities (second subparagraph of Article 132(2) of Regulation (EC) No 1782/2003)

	Deadline for submission	Ref	Information required	Special premium		Suckler cow premium		Dairy cows		Total	
				1.4-1.8	< 1.4	1.4-1.8	< 1.4	1.4-1.8	< 1.4	1.4-1.8	< 1.4
Article 131 (6)(b)(i) Article 131 (6)(b)(ii) Article 131 (6)(b)(iii)	31 July	4.2.1	Number of animals accepted								
		4.2.2	Number of producers granted payments								

5. PREMIUM EXEMPT THE DENSITY FACTOR

	Deadline for submission	Ref	Information required	Animals	Producers
Article 131 (6)(b)(iv)	31 July	5	Number of animals and producers in respect of which the premium exempt from the application of the density factor was granted		

6. SLAUGHTER PREMIUM

Number of animals

	Deadline for submission	Ref	Information required	Slaughter		Export	
				Adults	Calves	Adults	Calves
Article 131 (1)(a) Article 131 (2)(a)(ii) Article 131(3)(a)	1 March	6.2	Number of animals applied for (full year)				
Article 131 (1)(b)(i) Article 131(2)(b)(iv) Article 131(3)(b)(i)	31 July	6.3	Number of animals accepted (full year)				
Article 131 (1)(b)(ii) Article 131(2)(b)(v) Article 131 (3)(b)(ii)	31 July	6.4	Number of animals not accepted on account of the application of the ceiling				

Number of producers

	Deadline for submission	Ref	Information required	Slaughter		Export	
				Adults	Calves	Adults	Calves
Article 131 (1)(b)(i) Article 131(2)(b)(iv) Article 131(3)(b)(i)	31 July	6.5	Number of producers granted premium				

7. SUCKLER COW QUOTA

	Deadline for submission	Ref	Balance of rights at start of year	Rights ceded to national reserve arising from		Rights obtained from national reserve	Balance of rights at end of year
				(a) Transfers without holding	(b) Insufficient use		
Article 106(3)	31 July	7.2'					

COMMISSION REGULATION (EC) No 1680/2006
of 14 November 2006
repealing Regulation (EC) No 976/2006 adopting exceptional support measures for the market in
pigmeat in Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular Article 20(1) and the second paragraph of Article 22 thereof,

Whereas:

- (1) The German authorities have adopted animal health measures under Articles 9, 10 and 11 of Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽²⁾ on account of outbreaks of classical swine fever in certain production regions in Germany. Exceptional support measures for the market in pigmeat were adopted for Germany by Commission Regulation (EC) No 976/2006 ⁽³⁾.

- (2) In the light of the progress made on animal health, the exceptional market support measures should be discontinued. Regulation (EC) No 976/2006 should be therefore be repealed.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 976/2006 is hereby repealed.

Article 2

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

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

Done at Brussels, 14 November 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 316, 1.12.2001, p. 5. Directive amended by the 2003 Act of Accession.

⁽³⁾ OJ L 176, 30.6.2006, p. 71.

COMMISSION REGULATION (EC) No 1681/2006**of 14 November 2006****setting the coefficients applicable to cereals exported in the form of Irish whiskey for the period 2006/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 4(1) of Regulation (EEC) No 2825/93 lays down that the quantities of cereals eligible for the refund shall be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned. The coefficient is to express the average ratio between the total quantities exported and the total quantities marketed of the spirit drink concerned, on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirit drink in question.

- (2) In view of the information provided by Ireland on the period 1 January to 31 December 2005, the average ageing period for Irish whiskey in 2005 was five years.

- (3) The coefficients for the period 1 October 2006 to 30 September 2007 should therefore be set accordingly.

- (4) Article 10 of Protocol 3 to the Agreement on the European Economic Area precludes the grant of refunds in respect of exports to Liechtenstein, Iceland and Norway. Moreover, the Community has concluded with certain third countries agreements abolishing export refunds. According to Article 7(2) of Regulation (EEC) No 2825/93, this should be taken into account in the calculation of the coefficients for the period 2006/2007,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 October 2006 to 30 September 2007, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in Ireland for manufacturing Irish whiskey shall be as 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*.

It shall apply from 1 October 2006.

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

Done at Brussels, 14 November 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 258, 16.10.1993, p. 6. Regulation last amended by Regulation (EC) No 1633/2000 (OJ L 187, 26.7.2000, p. 29).

ANNEX

Coefficients applicable in Ireland		
Period of application	Coefficient applicable	
	to barley used in the production of Irish whiskey, category B ⁽¹⁾	to cereals used in the production of Irish whiskey, category A
1 October 2006 to 30 September 2007	0,700	1,123

⁽¹⁾ Including malted barley.

COMMISSION REGULATION (EC) No 1682/2006**of 14 November 2006****setting the coefficients applicable to cereals exported in the form of Scotch whisky for the period 2006/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 4(1) of Regulation (EEC) No 2825/93 lays down that the quantities of cereals eligible for the refund shall be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned. The coefficient is to express the average ratio between the total quantities exported and the total quantities marketed of the spirit drink concerned, on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirit drink in question.
- (2) In view of the information provided by the United Kingdom on the period 1 January to 31 December 2005, the average ageing period in 2005 was eight years for Scotch whisky.

(3) The coefficients for the period from 1 October 2006 to 30 September 2007 should therefore be fixed accordingly.

(4) Article 10 of Protocol 3 to the Agreement on the European Economic Area precludes the grant of refunds in respect of exports to Liechtenstein, Iceland and Norway. Moreover, the Community has concluded with certain third countries agreements abolishing export refunds. According to Article 7(2) of Regulation (EEC) No 2825/93, this should be taken into account in the calculation of the coefficients for the period 2006/2007,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 October 2006 to 30 September 2007, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in the United Kingdom for manufacturing Scotch whisky shall be as 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*.

It shall apply from 1 October 2006.

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

Done at Brussels, 14 November 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 258, 16.10.1993, p. 6. Regulation last amended by Regulation (EC) No 1633/2000 (OJ L 187, 26.7.2000, p. 29).

ANNEX

Coefficients applicable in the United Kingdom		
Period of application	Coefficient applicable	
	to malted barley used in the production of malt whisky	to cereals used in the production of grain whisky
From 1 October 2006 to 30 September 2007	0,499	0,518

COMMISSION REGULATION (EC) No 1683/2006**of 14 November 2006****on transitional measures to be adopted in respect of trade in agricultural products on account of the accession of Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania and in particular the first paragraph of Article 41 thereof,

Whereas:

- (1) Transitional measures should be adopted in order to avoid the risk of deflection of trade, affecting the common organisation of agricultural markets due to the accession of two new States to the European Union on 1 January 2007.
- (2) In accordance with the rules laid down in Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹⁾, products are not entitled to refund unless they have left the customs territory of the Community within 60 days of acceptance of the export declaration. The obligation to leave the customs territory of the Community within 60 days of acceptance of the export declaration is also a primary requirement for releasing the security linked to the licence under Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾. Since the internal borders will be removed upon accession, of Bulgaria and Romania, products exported from the Community of Twenty Five must have left the customs territory of the Community by 31 December 2006 at the latest in all cases, including where the export declaration has been accepted less than 60 days before the date of accession.
- (3) Trade deflections liable to disrupt the market organisations often involve products moved artificially with a view to enlargement and do not form part of the normal stocks of the State concerned. Accumulation of such surplus quantities can also give rise to distortion of competition likely to affect the proper functioning of the common market organisation. Surplus stocks may also result from national production. Provisions should, therefore, be made for deterrent charges to be levied on surplus stocks in the new Member States.
- (4) Provisions should be taken to prevent operators from circumventing the application of charges on goods in free circulation, laid down in Article 4, by placing goods which have been already released for free circulation in the Community of Twenty-five or in a new Member State before accession under a suspensive regime, either in temporary storage or under one of the treatments or procedures referred to in Article 4(15)(b) and Article 16(b) to (g) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾.
- (5) It is necessary to prevent goods in respect of which export refunds were paid before 1 January 2007 from benefiting from a second refund when exported to third countries after 31 December 2006.
- (6) The measures provided for in this Regulation are necessary and appropriate and should be applied in uniform fashion.
- (7) The measures provided for in this Regulation are in accordance with the opinion of all the Management Committees concerned.

HAS ADOPTED THIS REGULATION:

*Article 1***Definitions**

For the purposes of this Regulation:

- (a) 'Community of Twenty-five' means the Community as constituted on 31 December 2006;

⁽¹⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

⁽²⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1282/2006 (OJ L 234, 29.8.2006, p. 4).

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

- (b) 'new Member States' means Bulgaria and Romania;
- (c) 'enlarged Community' means the Community as constituted on 1 January 2007;
- (d) 'products' means agricultural products and/or goods not included in Annex I of the EC Treaty;
- (e) 'production refund' means the refund granted pursuant to Article 8 of Council Regulation (EEC) No 1784/2003 ⁽⁴⁾ or Article 13(3) of Council Regulation (EC) No 318/2006 ⁽⁵⁾.

Article 2

Exports from the Community of Twenty-five

Where, for the products intended for export from the Community of Twenty-five to one of the new Member States for which an export declaration has been accepted by 31 December 2006 at the latest, and for which an entitlement to the refund has not been acquired in accordance with Article 3 of Regulation (EC) No 800/1999 by that date, the beneficiary shall reimburse any refund received in accordance with Article 52 of that Regulation.

Article 3

Suspensive regime

1. By way of derogation from Annex V, Chapter 4, to the Act of Accession and from Articles 20 and 214 of Regulation (EEC) No 2913/92 products listed in Article 4(5) of this Regulation, which before 1 January 2007 have been in free circulation in the Community of Twenty-five or in a new Member State and on 1 January 2007 are in temporary storage or under one of the customs treatments or procedures referred to in Article 4(15)(b) and Article (16)(b) to (g) of Regulation (EEC) No 2913/92 in the enlarged Community, or which are in transport after having been the subject of export formalities within the enlarged Community shall, where a customs debt on importation is incurred, be charged with the import duty in accordance with Annex I to Council Regulation (EEC) No 2658/87 ⁽⁶⁾ applicable on the date of the incurrence of the customs debt, and with additional duties, when applicable.

The first subparagraph shall not apply to products exported from the Community of Twenty-five if the importer gives evidence that no export refund has been sought for the products of the Member State of export. Upon the importer's request, the exporter shall arrange to obtain an endorsement by the competent authority on the export declaration that an export refund has not been sought for the products of the Member State of export.

⁽⁴⁾ OJ L 270, 21.10.2003, p. 78.

⁽⁵⁾ OJ L 58, 28.2.2006, p. 1.

⁽⁶⁾ OJ L 256, 7.9.1987, p. 1.

2. By way of derogation from Annex V, Chapter 4, to the Act of Accession and from Articles 20 and 214 of Regulation (EEC) No 2913/92 products listed in Article 4(5) of this Regulation coming from third countries which are under inward processing referred to in Article 4(16)(d) of Regulation (EEC) No 2913/92 or temporary admission referred to in Article 4(16)(f) of that Regulation in a new Member State on 1 January 2007, shall where a customs debt on importation is incurred, be charged with the import duty in accordance with Annex I to Council Regulation (EEC) No 2658/87 applicable at the date of the incurrence of the customs debt, and with additional duties, when applicable.

Article 4

Charges on goods in free circulation

1. Without prejudice to Annex V, Chapter 3, to the Act of Accession, and where stricter legislation does not apply at national level, the new Member States shall levy charges on holders of surplus stocks at 1 January 2007 of products in free circulation.

2. In order to determine the surplus stock of each holder, the new Member States shall take into account, in particular:

- (a) averages of stocks available in the years preceding accession;
- (b) the pattern of trade in the years preceding accession;
- (c) the circumstances in which stocks were built up.

The notion surplus stocks applies to products imported into the new Member States or originating from the new Member States. The notion surplus stocks applies also to products intended for the market of the new Member States.

The recording of the stocks shall be performed on the basis of the Combined Nomenclature applicable on 1 January 2007.

3. The amount of the charge referred to in paragraph 1 shall, for each product concerned, be equal to the amount by which the import duty applicable in the Community referred to in Article 3(1), including any applicable additional duty on 31 December 2006, exceeds the import duty applicable in the new Member State on that date, plus 20 % of that amount. The revenue of the charge collected by national authorities shall be assigned to the national budget of the new Member State.

4. In order to ensure that the charge referred to in paragraph 1 is correctly applied, the new Member States shall, without delay, carry out an inventory of stocks available as at 1 January 2007. To this end, they may use a system for identifying holders of surplus stocks based on a risk analysis taking due account in particular of the following criteria:

- type of activity of the holder,
- capacity of storage facilities,
- level of activity.

The new Member States shall notify the Commission of any measures they have implemented, prior to accession, to avoid any speculative stock-piling due to their accession, in particular to monitor and track down import flows for products with high risk of stock-piling, by 1 February 2007.

The new Member States shall notify the Commission of the quantity of products in surplus stocks, except of those quantities in public stocks as referred to in Article 5, by 30 September 2007.

5. This article shall apply to products covered by the following CN codes:

(a) in the case of Bulgaria:

- 0201 10 00, 0201 20, 0201 30 00, 0202 10 00, 0202 20, 0202 30,
- 0203 11, 0203 12, 0203 19, 0203 21, 0203 22, 0203 29, 0204, 0207 (7), 0209 00, 0210,
- 0401, 0402, 0403, 0404, 0405, 0406,
- 0407 00, 0408,
- 0703 20 00, 0711 51 00,
- 1001, 1002 00 00, 1003 00, 1004 00 00, 1005, 1006 10, 1006 20, 1006 30, 1006 40 00, 1007 00, 1008, 1101 00, 1102, 1103, 1104, 1107, 1108, 1109 00 00,
- 1501, 1509, 1510 00, 1517,
- 1601, 1602 32, 1602 39, 1602 41, 1602 42, 1602 49, 1602 50, 1602 90,

— 1702 30 (8), 1702 40 (9), 1702 90 10, 1702 90 50, 1702 90 75, 1702 90 79, 1901 90 99,

— 2003 10 20, 2003 10 30, 2008 20, 2008 30 55, 2008 30 75, 2009 11, 2009 19, 2009 49,

— 2106 90 98 (10), 2204 30, 2207 10 00, 2207 20 00, 2208 90 91, 2208 90 99, 2402.

(b) in the case of Romania:

— 0201 10 00, 0201 20, 0201 30 00, 0202 10 00, 0202 20, 0202 30,

— 0203 11, 0203 12, 0203 19, 0203 21, 0203 22, 0203 29, 0204, 0207 13, 0207 14, 0207 26, 0207 27, 0209 00, 0210,

— 0401, 0402 10, 0402 21, 0402 91, 0402 99, 0403, 0404, 0405, 0406,

— 0407 00, 0408,

— 0703 20 00, 0711 51 00,

— 1001, 1002 00 00, 1003 00, 1004 00 00, 1005, 1006 10, 1006 20, 1006 30, 1006 40 00, 1007 00, 1008, 1101 00, 1102, 1103, 1104, 1107, 1108, 1109 00 00,

— 1501, 1509, 1510 00, 1517,

— 1601, 1602 32, 1602 39, 1602 42, 1602 50, 1602 90,

— 1702 30 (11), 1702 40 (12), 1702 90 10, 1702 90 50, 1702 90 75, 1702 90 79, 1901 90 99,

— 2003 10 20, 2003 10 30, 2008 20, 2008 30 55, 2008 30 75, 2009 11, 2009 19,

— 2106 90 98 (13), 2204 30, 2207 10 00, 2207 20 00, 2208 90 91, 2208 90 99.

Where a CN code covers products for which the import duty referred to in paragraph 3 is not the same, the inventory of stocks as referred to in paragraph 4 shall be made for each product or group of products subject to a different import duty.

(8) Except of 1702 30 10.

(9) Except of 1702 40 10.

(10) Only for goods with a milk content of more than 40 %.

(11) Except of 1702 30 10.

(12) Except of 1702 40 10.

(13) Only for goods with a milk content of more than 40 %.

(7) Except of 0207 34.

6. The Commission may add products to the list set out in paragraph 5(a) and (b) or remove products from that list.

Article 5

Census of public stocks

By 1 April 2007 at the latest, each new Member State shall communicate the list and the quantities of goods which are in public stocks in that Member State as referred to in Annex V, Chapter 3 of the Act of Accession.

Article 6

National security stocks

The stocks as referred to in Article 4(4) and Article 5 shall not include national security stocks which may possibly have been constituted by the new Member States. The latter shall inform the Commission of all changes made to national security stocks together with the conditions governing the changes for the purposes of establishing the Community supply balance.

Article 7

Measures in the event of non-payment of charges

If any Member State suspects that the charges provided for in Articles 3 have not been paid in respect of a product, it shall inform the Member State concerned so as to enable it to take appropriate measures.

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

Done at Brussels, 14 November 2006.

Article 8

Proof of non-payment of refunds

Products for which the declaration of export to third countries is accepted by the new Member States during the period from 1 January 2007 to 31 December 2007 may qualify for an export refund provided that it is established that no export refund has already been paid in respect of those products or their constituents.

Article 9

No double payment of refunds

No product shall be eligible for more than one export refund. Any product which attracted an export refund shall be eligible neither for production refund when used in the manufacturing of products referred to in Annex I to Commission Regulation (EEC) No 1722/93⁽¹⁴⁾ nor for any intervention measure or aid as laid down in Title I, Article 3 of Council Regulation (EC) No 1290/2005⁽¹⁵⁾.

Article 10

Entry not force

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of Bulgaria and Romania in the European Union.

It shall apply until 31 December 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁴⁾ OJ L 159, 1.7.1993, p. 112.

⁽¹⁵⁾ OJ L 209, 11.8.2005, p. 1.

COMMISSION REGULATION (EC) No 1684/2006
of 14 November 2006
establishing a prohibition of fishing for cod in ICES zone IIIa Skagerrak by vessels flying the flag of Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to Common Fisheries Policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 51/2006 of 22 December 2005 fixing 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 ⁽³⁾, lays down quotas for 2006.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2006.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2006 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

Article 3

Entry into force

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, 14 November 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Regulation (EC) No 1591/2006 (OJ L 296, 26.10.2006, p. 1).

ANNEX

No	46
Member State	Germany
Stock	COD/03AN.
Species	Cod (<i>Gadus morhua</i>)
Zone	IIIa Skagerrak
Date	14 October 2006

COMMISSION REGULATION (EC) No 1685/2006
of 14 November 2006

amending for the 72nd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan ⁽¹⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 9 November 2006, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 14 November 2006.

For the Commission
Eneko LANDÁBURU
Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 1508/2006 (OJ L 280, 12.10.2006, p. 12).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entry shall be added under the heading 'Legal persons, groups and entities':

International Islamic Relief Organization, Indonesia, Branch Office (*alias* (a) International Islamic Relief Agency, (b) International Relief Organization, (c) Islamic Relief Organization, (d) Islamic World Relief, (e) International Islamic Aid Organization, (f) Islamic Salvation Committee, (g) The Human Relief Committee of the Muslim World League, (h) World Islamic Relief Organization, (i) Al Igatha Al-Islamiya, (j) Hayat al-Aghatha al-Islamia al-Alamiya, (k) Hayat al-Igatha, (l) Hayat Al-Igatha, (m) Ighatha, (n) Igatha, (o) Igassa, (p) Igasa, (q) Igase, (r) Egassa, (s) IIRO). Address: (a) International Islamic Relief Organization, Indonesia Office; Jalan Raya Cipinang Jaya No. 90; East Jakarta, 13410, Indonesia, (b) P.O. Box 3654; Jakarta 54021, Indonesia.

COMMISSION REGULATION (EC) No 1686/2006**of 14 November 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular of the Article 36,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2006/2007 marketing year are fixed by Commission Regulation (EC) No 1002/2006 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 1625/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 November 2006.

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

Done at Brussels, 14 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 55, 28.2.2006, p. 1.
⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 179, 1.7.2006, p. 36.
⁽⁴⁾ OJ L 302, 1.11.2006, p. 5.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 15 November 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	23,66	4,47
1701 11 90 ⁽¹⁾	23,66	9,70
1701 12 10 ⁽¹⁾	23,66	4,28
1701 12 90 ⁽¹⁾	23,66	9,27
1701 91 00 ⁽²⁾	32,60	8,93
1701 99 10 ⁽²⁾	32,60	4,56
1701 99 90 ⁽²⁾	32,60	4,56
1702 90 99 ⁽³⁾	0,33	0,33

⁽¹⁾ Fixed for the standard quality defined in Annex I.III to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex I.II to Regulation (EC) No 318/2006.

⁽³⁾ Fixed per 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 7 November 2006

authorising certain Member States to apply a reduced rate of VAT to certain labour-intensive services in accordance with the procedure provided for in Article 28(6) of Directive 77/388/EEC

(2006/774/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽¹⁾, (hereinafter referred to as 'the Directive'), and in particular Article 28(6) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council, acting unanimously on a proposal from the Commission, may authorise any Member State that has submitted an application in accordance with the procedure and conditions provided for by Directive 77/388/EEC to apply a reduced rate of VAT to certain labour-intensive services.
- (2) The services concerned must meet the conditions provided for in the Directive and be included in Annex K thereto.
- (3) Under Council Decision 2000/185/EC of 28 February 2000 authorising Member States to apply a reduced rate of VAT to certain labour intensive services in accordance with the procedure provided for in Article

28(6) of Directive 77/388/EEC ⁽²⁾, Belgium, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom (for the Isle of Man only) could apply, until 31 December 2005, a reduced rate of VAT to the labour-intensive services for which they had submitted a request to this effect.

- (4) Council Directive 2006/18/EC ⁽³⁾ amends the Directive with regard to reduced rates of value added tax, in order, on the one hand, to extend their application until 31 December 2010, and on the other hand, to allow those Member States that so wish, to avail themselves for the first time of the possibility provided for therein, and permit those Member States that wish to amend the list of services to which they have applied the measures provided for by the Directive in the past, to submit an application for a reduction of the rates to the Commission.
- (5) In order to allow those Member States authorised by Decision 2000/185/EC to apply a reduced rate to continue to do so until 31 December 2010, and in the interests of legal clarity, the provisions of that Decision should be included in this Decision for those Member States that have not amended their initial application.
- (6) In accordance with the Directive, Greece, which was already authorised by Decision 2000/185/EC to apply a reduced rate for two of the categories listed in Annex K, has submitted a new application extending the scope of its previous authorisation. Greece should therefore be awarded a new authorisation permitting the application of a reduced rate, in accordance with its new application.

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2006/69/EC (OJ L 221, 12.8.2006, p. 9).

⁽²⁾ OJ L 59, 4.3.2000, p. 10. Decision as last amended by Decision 2004/161/EC (OJ L 52, 21.2.2004, p. 62).

⁽³⁾ OJ L 51, 22.2.2006, p. 12.

- (7) The Czech Republic, Cyprus, Latvia, Hungary, Malta, Poland, Slovenia and Finland have submitted applications to apply a reduced rate of VAT to certain labour-intensive services in accordance with the procedure and conditions provided for in the Directive.
- (8) Furthermore, the Czech Republic, Hungary, Poland and Greece have submitted applications for authorisation to apply, as an exceptional measure, a reduced rate to three categories of the services listed in Annex K. For each of these four Member States, the reduction in rate in the third of the categories selected can have only an insignificant economic impact.
- (9) In order that the Member States concerned may continue to apply reduced rates to certain labour-intensive services, as provided for in Decision 2000/185/EC, this Decision should apply from 1 January 2006.
- (10) This Decision will have no impact on the Communities' own resources derived from VAT,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, Belgium is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 1 and 2 of Annex K to that Directive:

- (a) Small services of repairing:
- bicycles,
 - shoes and leather goods,
 - clothing and household linen (including mending and alteration);
- (b) renovation and repairing of private dwellings more than five years old, excluding materials which form a significant part of the value of the supply.

Article 2

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, the Czech Republic is authorised to apply a reduced rate during the period 1 January 2006 to 31

December 2010 to the following three services referred to in points 2, 3 and 4 of Annex K to that Directive:

- (a) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;
- (b) window cleaning and cleaning in private households;
- (c) domestic care services, (e.g. home help and care of the young, elderly, sick or disabled).

Article 3

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Greece is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 1, 2 and 4 of Annex K to that Directive:

- (a) small services of repairing:
- bicycles,
 - shoes and leather goods,
 - clothing and household linen (including mending and alteration);
- (b) renovation and repairing of old private dwellings (not constructed recently), excluding materials which form a significant part of the value of the supply;
- (c) domestic care services, (e.g. home help and care of the young, elderly, sick or disabled).

Article 4

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, Spain is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 2 and 5 of Annex K to that Directive:

- (a) bricklaying for the repair of private dwellings, excluding materials which form a significant part of the value of the supply;
- (b) hairdressing.

Article 5

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, France is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 2, 3 and 4 of Annex K to that Directive:

- (a) renovation and repairing of private dwellings completed more than two years ago, excluding materials which form a significant part of the value of the supply;
- (b) domestic care services (e.g. home help and care of the young, elderly, sick or disabled);
- (c) window cleaning and cleaning in private households.

Article 6

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, Italy is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 2 and 4 of Annex K to that Directive:

- (a) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;
- (b) domestic care services (e.g. home help and care of the young, elderly, sick or disabled).

Article 7

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Cyprus is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 2 and 5 of Annex K to that Directive:

- (a) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;
- (b) hairdressing.

Article 8

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Latvia is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 2 and 5 of Annex K to that Directive:

- (a) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;
- (b) hairdressing.

Article 9

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, Luxembourg is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 1, 3 and 5 of Annex K to that Directive:

- (a) small services of repairing:
 - bicycles,
 - shoes and leather goods,
 - clothing and household linen (including mending and alteration);
- (b) hairdressing;
- (c) window cleaning and cleaning in private households.

Article 10

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Hungary is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 1, 2 and 4 of Annex K to that Directive:

- (a) small services of repairing:
 - bicycles,
 - shoes and leather goods,
 - clothing and household linen (including mending and alteration);
- (b) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;
- (c) domestic care services (e.g. home help and care of the young, elderly, sick or disabled).

Article 11

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Malta is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 1 and 4 of Annex K to that Directive:

(a) small services of repairing:

- bicycles,
- shoes and leather goods,
- clothing and household linen (including mending and alteration);

(b) domestic care services (e.g. home help and care of the young, elderly, sick or disabled).

Article 12

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, the Netherlands is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 1, 2 and 5 of Annex K to that Directive:

(a) small services of repairing:

- bicycles,
- shoes and leather goods,
- clothing and household linen (including mending and alteration);

(b) hairdressing;

(c) painting and plastering services for the renovation and repairing of private dwellings more than 15 years old, excluding materials which form a significant part of the value of the supply.

Article 13

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Poland is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following three services referred to in points 1, 2 and 5 of Annex K to that Directive:

(a) small services of repairing:

- bicycles,
- shoes and leather goods,
- clothing and household linen (including mending and alteration);

(b) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;

(c) hairdressing.

Article 14

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, Portugal is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 2 and 4 of Annex K to that Directive:

(a) renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply;

(b) domestic care services (e.g. home help and care of the young, elderly, sick or disabled).

Article 15

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Slovenia is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 for renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply, referred to in point 2 of Annex K to that Directive.

Article 16

In accordance with the first and fourth subparagraphs of Article 28(6) of Directive 77/388/EEC, Finland is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 to the following two services referred to in points 1 and 5 of Annex K to that Directive:

(a) small services of repairing:

- bicycles,
- shoes and leather goods,
- clothing and household linen (including mending and alteration);

(b) hairdressing.

Article 17

In accordance with the first subparagraph of Article 28(6) of Directive 77/388/EEC, the United Kingdom is authorised to apply a reduced rate during the period 1 January 2006 to 31 December 2010 for renovation and repairing of private dwellings, excluding materials which form a significant part of the value of the supply referred to in point 2 of Annex K to that Directive, but for the Isle of Man only.

Article 18

This Decision shall apply from 1 January 2006 until 31 December 2010.

Article 19

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, the Hellenic Republic, the Kingdom of Spain,

the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 7 November 2006.

For the Council

The President

E. HEINÄLUOMA

COMMISSION

COMMISSION DECISION

of 13 November 2006

**amending Annex D to Council Directive 95/70/EC as regards the list of exotic mollusc diseases
subject to harmonised Community control measures**

(notified under document number C(2006) 5309)

(Text with EEA relevance)

(2006/775/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 95/70/EC of 22 December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Directive 95/70/EC introduces minimum Community measures for the control of certain diseases affecting bivalve molluscs. The diseases subject to such harmonised measures are specified in Annex A to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽²⁾, and in Annex D to Directive 95/70/EC.
- (2) The diseases referred to in Annex D to Directive 95/70/EC are diseases considered to be exotic to the Community.
- (3) New epidemiological investigations have demonstrated that several diseases listed in Annex D to Directive 95/70/EC are either widespread in the Community mollusc farming industry or without any significant impact.

- (4) The species referred to as susceptible host species for the diseases and pathogens in question should be in line with the most recent edition of the OIE International Aquatic Animal Health Code.
- (5) It is appropriate to take into account the diseases listed in Part II of Annex IV to Council Directive COM(2005)362 ⁽³⁾, in order to ensure an effective transition to the new Community aquatic animal health legislation.
- (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

Annex D to Directive 95/70/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 November 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 332, 30.12.1995 p. 33. Directive as last amended by the 1993 Act of Accession.

⁽²⁾ OJ L 46, 19.2.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003 p. 1).

⁽³⁾ Not yet published in the Official Journal.

ANNEX

'ANNEX D

Disease	Susceptible host species
Infection with <i>Bonamia exitiosa</i>	Australian mud oyster (<i>Ostrea angasi</i>) and Chilean flat oyster (<i>O. chilensis</i>)
Infection with <i>Perkinsus marinus</i>	Pacific oyster (<i>Crassostrea gigas</i>) and Eastern oyster (<i>C. virginica</i>)
Infection with <i>Microcytos mackini</i>	Pacific oyster (<i>Crassostrea gigas</i>), Eastern oyster (<i>C. virginica</i>), Olympia flat oyster (<i>Ostrea conchaphila</i>) and European flat oyster (<i>O. edulis</i>)

COMMISSION DECISION

of 13 November 2006

on the amounts to be charged for the quantities of surplus sugar not eliminated

(notified under document number C(2006) 5370)

(Only the Estonian, Greek, Latvian, Maltese and Slovak texts are authentic)

(2006/776/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Having regard to Commission Regulation (EC) No 60/2004 of 14 January 2004 laying down transitional measures in the sugar sector by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia⁽¹⁾, and in particular Article 7(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 832/2005 of 31 May 2005 on the determination of surplus quantities of sugar, isoglucose and fructose for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia⁽²⁾ determines the quantities of sugar exceeding the quantity considered as being normal carry-over stock at 1 May 2004 and which have to be eliminated from the Community market.

(2) Article 6(2) of Regulation (EC) No 60/2004 sets the deadline for the elimination of the determined surplus quantities to 30 November 2005. Article 7(1) of that Regulation provides that the Member States concerned are to provide the relevant proof of elimination by 31 March 2006 at the latest.

(3) By the deadline of 31 March 2006, Cyprus provided proof of the elimination of 190 tonnes of sugar, Latvia provided proof of the elimination of 1 743 tonnes of sugar and Slovakia provided proof of the elimination of 1 797 tonnes of sugar. Therefore the corresponding surplus quantities of these Member States should be decreased.

(4) Regarding the quantities for which no proof of elimination has been provided, the Member States concerned should be charged, in accordance with Article 7(2) of Regulation (EC) No 60/2004, an amount equal to the quantity not eliminated multiplied by the highest export refund applicable to white sugar falling within CN code 1701 99 10 during the period from 1 May 2004 to 30 November 2005. During this period the highest export refund amounted to 499,5 EUR/tonne, as fixed by Commission Regulation (EC) No 1038/2004 of 27 May 2004 fixing the maximum export refund for white sugar to certain third countries for the 28th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003⁽³⁾.

(5) Article 2(1)(a) of Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources⁽⁴⁾ lays down that contributions and other duties provided for within the framework of the common organisation of the markets in the sugar sector shall constitute own resources. It is therefore necessary to set the date of establishment of the amounts in question within the meaning of Articles 2(2) and 6(3)(a) of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 implementing Decision 2000/597/EC, Euratom on the system of the Communities' own resources⁽⁵⁾. As Article 7(2) of Regulation (EC) No 60/2004 provides that the Member States concerned are to make payments in four stages, four different dates of establishment should be set.

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

⁽¹⁾ OJ L 9, 15.1.2004, p. 8. Regulation as last amended by Regulation (EC) No 1667/2005 (OJ L 269, 14.10.2005, p. 3).

⁽²⁾ OJ L 138, 1.6.2005, p. 3.

⁽³⁾ OJ L 190, 28.5.2004, p. 25.

⁽⁴⁾ OJ L 253, 7.10.2000, p. 42.

⁽⁵⁾ OJ L 130, 31.5.2000, p. 1. Regulation as amended by Regulation (EC, Euratom) No 2028/2004 (OJ L 352, 27.11.2004, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 7(2) of Regulation (EC) No 60/2004, the following amounts per Member State shall be charged for the quantities of surplus sugar determined by Regulation (EC) No 832/2005 for which no adequate proof of elimination has been provided by 31 March 2006:

- Estonia: EUR 45 686 268,
- Cyprus: EUR 19 991 489,
- Latvia: EUR 4 418 577,
- Malta: EUR 1 224 774,
- Slovakia: EUR 4 209 786.

Article 2

For the purpose of Articles 2(2) and 6(3)(a) of Regulation (EC, Euratom) No 1150/2000, the date of establishment of the Community's entitlement shall be:

(a) with regard to the amount to be assigned to the Community budget by 31 December 2006, the date on which the present Decision is notified to the Member States concerned;

(b) with regard to the amounts to be assigned to the Community budget by 31 December of the years 2007, 2008 and 2009, 15 October in the relevant year.

Article 3

This Decision is addressed to the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Malta and the Slovak Republic.

Done at Brussels, 13 November 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION DECISION

of 14 November 2006

on a financial contribution from the Community towards the eradication of classical swine fever in Germany in 2006

(notified under document number C(2006) 5375)

(Only the German text is authentic)

(2006/777/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

(1) Decision 90/424/EEC lays down the procedures governing the Community's financial contribution towards specific veterinary measures, including emergency measures. With a view to helping to eradicate classical swine fever as rapidly as possible, the Community may contribute financially to eligible expenditure borne by the Member States.

(2) The payment of Community financial support towards emergency measures to combat classical swine fever is subject to the rules laid down in Commission Regulation (EC) No 349/2005 of 28 February 2005 laying down rules on the Community financing of emergency measures and of the campaign to combat certain animal diseases under Council Decision 90/424/EEC ⁽²⁾. That Regulation applies to Community financial contributions granted to Member States in respect of eligible expenditure as defined therein for certain disease eradication measures in the situations referred to in Article 3(1) of Decision 90/424/EEC.

(3) An outbreak of classical swine fever occurred in Germany in 2006. The emergence of that disease represents a serious risk to the Community's livestock population.

(4) Under Commission Decision 2006/346/EC of 15 May 2006 concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 2006/274/EC ⁽³⁾, Germany was required to carry out certain protection measures relating to

classical swine fever. Those measures include the preventive depopulation of all pig holdings situated in the protection zone of a confirmed outbreak in the municipality of Borken in North Rhine Westphalia.

(5) Accordingly, Germany took the necessary emergency measures in order to avoid the spread of classical swine fever.

(6) On 12 September 2006, Germany provided the financial information required prior to the granting of Community financial support in accordance with Article 6 of Regulation (EC) No 349/2005.

(7) Germany has fully complied with its technical and administrative obligations as set out in Article 3 of Decision 90/424/EEC and Article 6 of Regulation (EC) No 349/2005.

(8) The payment of the Community financial contribution must be subject to the condition that the planned activities were actually implemented and that the authorities provide all the necessary information within the set deadlines.

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

HAS ADOPTED THIS DECISION:

Article 1

Financial contribution from the Community

1. A financial contribution from the Community shall be paid to Germany towards the costs incurred in taking emergency measures to combat classical swine fever in 2006, including the measures provided for in Article 5(2) of Decision 2006/346/EC.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Commission Decision 2006/53/EC (OJ L 29, 2.2.2006, p. 37).

⁽²⁾ OJ L 55, 1.3.2005, p. 12.

⁽³⁾ OJ L 128, 16.5.2006, p. 10. Decision as last amended by Decision 2006/391/EC (OJ L 150, 3.6.2006, p. 24).

2. That financial contribution shall be 50 % of the expenditure eligible for Community funding. It shall be paid in accordance with the conditions provided for in Regulation (EC) No 349/2005.

Article 2

Payment arrangements

A first tranche of EUR 5 000 000 shall be paid as part of the Community financial contribution provided for in Article 1.

Article 3

Addressee

This Decision is addressed to The Federal Republic of Germany.

Done at Brussels, 14 November 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION DECISION

of 14 November 2006

concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes*(notified under document number C(2006) 5384)***(Text with EEA relevance)**

(2006/778/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves ⁽¹⁾, and in particular Article 7(2) thereof,

Having regard to Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes ⁽³⁾, and in particular Article 6(3) thereof,

Having regard to Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens ⁽⁴⁾, and in particular Article 8(3) thereof,

Whereas:

(1) Directive 91/629/EEC lays down minimum standards for the protection of calves confined for rearing and fattening. It provides that Member States are to ensure that inspections are carried out under the responsibility of the competent authority to check compliance with that Directive.

(2) Directive 91/630/EEC lays down minimum standards for the protection of pigs confined for rearing and fattening.

⁽¹⁾ OJ L 340, 11.12.1991, p. 28. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 340, 11.12.1991, p. 33. Directive as last amended by Regulation (EC) No 806/2003.

⁽³⁾ OJ L 221, 8.8.1998, p. 23. Directive as amended by Regulation (EC) No 806/2003.

⁽⁴⁾ OJ L 203, 3.8.1999, p. 53. Directive as amended by Regulation (EC) No 806/2003.

It provides that Member States are to ensure that inspections are carried out under the responsibility of the competent authority to check compliance with that Directive.

(3) Directive 98/58/EC lays down minimum standards for the protection of animals bred or kept for farming purposes. It provides that Member States are to ensure that inspections to check compliance with that Directive are carried out by the competent authority and that Member States are to submit reports to the Commission concerning those inspections.

(4) Commission Decision 2000/50/EC of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes ⁽⁵⁾ provides that the reports which the Member States are to submit to the Commission pursuant to Directive 98/58/EC are to cover calves, pigs and laying hens. It also specified the information which the Member States are requested to submit for each species and category of animals.

(5) Inspections of animals kept for farming purposes carried out in the Member States should not only cover requirements laid down in specific acts such as those concerning calves, pigs or laying hens but also general welfare requirements as laid down in Directive 98/58/EC. The reporting obligations of the Member States to the Commission should therefore include both general and specific requirements under the Community legislation.

(6) Inspections of animals kept for farming purposes carried out in the Member States should also cover all other farmed species that are within the scope of Directive 98/58/EC. The reporting obligations of the Member States to the Commission should therefore be extended accordingly.

(7) Directive 1999/74/EC lays down minimum standards for the protection of laying hens. It provides that Member States are to ensure that inspections to check compliance with that Directive are carried out by the competent authority.

⁽⁵⁾ OJ L 19, 25.1.2000, p. 51. Decision as last amended by the 2003 Act of Accession.

- (8) Experience gained under Directives 91/629/EEC, 91/630/EEC, 98/58/EC and 1999/74/EC indicate discrepancies between Member States in planning, performing, recording and reporting inspections carried out under those Directives by the competent authority.
- (9) The collection of data on animal welfare inspections is essential for the Community to evaluate the impact of its policy in this field. In addition it is important that animal welfare rules are applied in a uniform manner, in particular because those rules may affect the competitiveness of some farming activities. Therefore it is necessary to update the minimum requirements for the inspection of production sites on which animals are kept for farming purposes.
- (10) 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⁾ provides in Title V for control plans including annual reports. The current reporting obligations of the Member States pursuant to Decision 2000/50/EC should be adapted to that Regulation, in particular with regard to the frequency and the deadline for reporting to the Commission.
- (11) Animal welfare conditions are affected by farming methods. Therefore they represented a useful basis for collecting information. In the case of laying hens, particular reference should be made to Commission Regulation (EC) No 2295/2003 of 23 December 2003 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs⁽²⁾, as it defines additional requirements for alternative systems.
- (12) The present system of collection and analysis of information from the Member States generates an administrative burden both for the Commission and the Member States. It also creates risks for alteration of the data. Therefore it is necessary to conduct a feasibility study on an up-to-date information system at Community level to improve and facilitate the collection and the analysis of the data required here.
- (13) Decision 2000/50/EC should therefore be repealed and replaced by this Decision.

- (14) 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

Subject matter

This Decision lays down rules for the harmonisation of:

- (a) the collection of information during inspections carried out by the competent authority in accordance with Directives 91/629/EEC, 91/630/EEC, 98/58/EC and 1999/74/EC; and
- (b) the reporting of such information to the Commission.

Article 2

Definitions

For the purposes of this Decision, the definitions in the Directives referred to in Article 1(a) shall apply.

The following definitions shall also apply:

- (a) 'inspection' means a check which is carried out by the competent authority on a production site where animals are kept at the time of the check in accordance with one of the Directives referred to in Article 1(a);
- (b) 'non-compliance' means a failure to comply with one of the Directives referred to in Article 1(a) which has been:
- (i) found by the competent authority during an inspection;
- (ii) notified by that authority to the owner or the keeper of the animals held in the production site concerned by means of an official document.

Article 3

Information to be collected and recorded during each inspection

During each inspection, the competent authority shall collect and record in a written or electronic document information concerning:

- (a) the date and the identification of the production site;
- (b) the categories of farming methods and the corresponding provisions in Community legislation as listed in Annex I;

⁽¹⁾ OJ L 165, 30.4.2004, p. 1; as corrected (OJ L 191, 28.5.2004, p. 1). Regulation as amended by Commission Regulation (EC) No 776/2006 (OJ L 136, 24.5.2006, p. 3).

⁽²⁾ OJ L 340, 24.12.2003, p. 16. Regulation as last amended by Regulation (EC) No 89/2006 (OJ L 15, 20.1.2006, p. 30).

- (c) the categories of the non-compliance and the corresponding provisions in Community legislation as listed in Annex II;
- (d) the administrative categories of non-compliance and the action taken by the competent authority as referred to in Annex III.

Article 4

Minimum verification and recording requirements for inspections carried out pursuant to Directive 91/629/EEC

During each inspection carried out pursuant to Directive 91/629/EEC, the competent authority shall check at least five of the categories referred to in Chapter I of Annex II to this Decision and the corresponding provisions in Directive 91/629/EEC as listed in that Chapter. The competent authority shall record any non-compliance found.

Article 5

Minimum verification and recording requirements for inspections carried out pursuant to Directive 91/630/EEC

During each inspection carried out pursuant to Directive 91/630/EEC, the competent authority shall check at least four of the categories referred to in Chapter II of Annex II to this Decision and the corresponding provisions in Directive 91/630/EEC as listed in that Chapter. The competent authority shall record any non-compliance found.

Article 6

Minimum verification and recording requirements for inspections carried out pursuant to Directive 98/58/EC

During each inspection carried out pursuant to Directive 98/58/EC, the competent authority shall check at least five of the categories referred to in Chapter III of Annex II to this Decision and the corresponding provisions in Directive 98/58/EC as listed in that Chapter. The competent authority shall record any non-compliance found.

Article 7

Minimum verification and recording requirements for inspections carried out pursuant to Directive 1999/74/EC

During each inspection carried out pursuant to Directive 1999/74/EC, the competent authority shall check at least three of the categories referred to in Chapter IV of Annex II

to this Decision and the corresponding provisions in Directive 1999/74/EC as listed in that Chapter. The competent authority shall record any non-compliance found.

Article 8

Reports

1. By 30 June 2009 at the latest, and subsequently every year not later than 30 June, Member States shall submit to the Commission a report by electronic means concerning the information collected and recorded in accordance with this Decision, during inspections carried out during the previous calendar year.

2. The report provided for in paragraph 1 shall:

- (a) contain the information referred to in Annex IV;
- (b) be accompanied by an analysis of the most serious findings of non-compliances and a national action plan to prevent or decrease their occurrence for the forthcoming years.

Article 9

Repeal

Decision 2000/50/EC is repealed.

Article 10

Applicability

This Decision shall apply from 1 January 2008.

Article 11

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 14 November 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

as referred to in Article 3(b)

CATEGORIES OF FARMING METHODS

Categories of farming methods for laying hens and corresponding provisions in Directive 1999/74/EC and Regulation (EC) No 2295/2003

Category of farming method	Corresponding Community legislation
Free Range	Annex III to Regulation (EC) No 2295/2003
Barn	Annex III to Regulation (EC) No 2295/2003
Enriched cage system	Article 6 of Directive 1999/74/EC
Unenriched cage system	Article 5 of Directive 1999/74/EC

ANNEX II

as referred to in Article 3(c) and Articles 4, 5 and 6

CHAPTER I

Categories of non-compliance for calves and corresponding provisions in Directive 91/629/EEC

Category of non-compliance	Corresponding provisions of Directive 91/629/EEC
Inspection	Annex, point (6)
Freedom of movement	Annex, points (7) and (8)
Space allowances	Article 3
Buildings and accommodation	Annex, points (1), (2), (3), (9), (14) and (10)
Minimum lighting	Annex, point (5)
Automatic and mechanical equipment	Annex, point (4)
Feed water and other substances	Annex, points (12), (13) and (15)
Haemoglobin level	Annex, point (11)
Fibrous food	Annex, point (11)

CHAPTER II

Categories of non-compliance for pigs and corresponding provisions in Directive 91/630/EEC

Category of non-compliance	Corresponding provisions of Directive 91/630/EEC
Staffing	Article 5a
Inspection	Article 3(8) Annex, Chapter II, Section B, points 2 Annex, Chapter II, Section C, point 3 Annex, Chapter II, Section D
Freedom of movement	Article 3(3); Annex, Chapter II, Section B, points 1, 4 and 5 Annex, Chapter II, Section C, points 1 and 2
Space allowances	Article 3(1) Article 3(4)
Buildings and accommodation	Annex, Chapter I, points 1, 2 and 3
Minimum lighting	Annex, Chapter I, point 2
Flooring surfaces	Article 3(2), Annex, Chapter I, point 5 Annex, Chapter II, Section A
Manipulable materials	Article 3(5) Annex, Chapter I, point 4 Annex, Chapter II, Section B, point 3

Category of non-compliance	Corresponding provisions of Directive 91/630/EEC
Feed water and other substances	Article 3(6) Annex, Chapter I, points 6 and 7
Fibrous food	Article 3(7)
Mutilations	Annex, Chapter I, point 8
Breeding procedures	Annex, Chapter II, Section C, point 3

CHAPTER III

Categories of non-compliance for all production sites and corresponding provisions in the Annex to Directive 98/58/EC

Category of non-compliance	Corresponding points of the Annex to Directive 98/58/EC
Staffing	Point 1
Inspection	Points 2, 3 and 4
Record keeping	Points 5 and 6
Freedom of movement	Point 7
Buildings and accommodation	Points 8 to 12
Automatic or mechanical equipment	Point 13
Feed, water and other substances	Points 14 to 18
Mutilations	Point 19
Breeding procedures	Points 20 and 21

CHAPTER IV

Categories of non-compliance for laying hens and corresponding provisions in Directive 1999/74/EC

Category of non-compliance	Corresponding provisions of Directive 1999/74/EC
Inspection	Annex, points 1 and 6
Space allowances	Article 4(1)(4) Article 5(1)(1) Article 6(1)(a)
Buildings and accommodation	Article 4, except paragraph 1(4) Article 5, except paragraph 1(1) Article 6, except point 1(a) Annex, points 4, 5 and 7
Minimum lighting	Annex, point 3
Automatic and mechanical equipment	Annex, point 2
Mutilation	Annex, point 8

ANNEX III

as referred in Article 3(d)

Administrative categories of non-compliances

Administrative category of non-compliance	Action taken by the competent authority
A	Request to address the non-compliance(s) within a deadline of less than three months No immediate action for administrative or criminal penalties
B	Request to address the non-compliance(s) within a deadline of more than three months No immediate action for administrative or criminal penalties
C	Immediate action for administrative or criminal penalties

ANNEX IV

Information to be submitted to the Commission pursuant Article 8

The information to be submitted to the Commission pursuant to Article 8 shall be submitted in accordance with Tables 1 and 2 of this Annex.

It shall contain the number of:

- Production sites subject to inspections in rows 1 of Tables 1 and 2;
- Production sites inspected in rows 2 of Tables 1 and 2, based on the number of inspections which comply with the requirements of Articles 4 to 7;
- Production sites without non compliance in rows 3 of Tables 1 and 2, based on the results of inspections respectively reported in rows 2 of Tables 1 and 2;
- Non-compliances according to the categories referred to Annex II in rows 4 to 18 of Table 1 and in rows 4 to 12 of Table 2 of this Annex;
- Non-compliances according to the categories referred to in Annex III in rows 19 to 21 of Table 1 and rows 13 to 15 of Table 2 of this Annex.

Table 1

Animal category		Laying hens				Calves	Pigs
		Free range	Barn	Enriched cage	Unenriched cage		
Farming method							
Number of							
1	Production sites subject to inspection						
2	Production sites inspected						
3	Prod. sites without non compliance						
Number of non-compliances concerning							
4	Staffing						
5	Inspection						
6	Record keeping						
7	Freedom of movement						
8	Space allowances						
9	Buildings and accommodation						
10	Minimum lighting						
11	Flooring surfaces (for pigs)						
12	Manipulable materials						
13	Automatic and mechanical equipment						
14	Feed, water and other substances						
15	Haemoglobin (calves)						
16	Fibrous food (calves and sows)						
17	Mutilations						
18	Breeding procedures						
19	Non-compliance A						
20	Non-compliance B						
21	Non-compliance C						

Table 2

Number of		Animal category	Cattle	Sheep	Goats	Domestic fowls (*)	Ratites	Ducks	Geese	Fur animals	Turkeys
			(except cavies)								
1	Production sites subject to inspection										
2	Production sites inspected										
3	Production sites without non-compliance										
Number of non-compliances concerning											
4	Staffing										
5	Inspection										
6	Record keeping										
7	Freedom of movement										
8	Buildings and accommodation										
9	Automatic and mechanical equipment										
10	Feed, water and other substances										
11	Mutilations										
12	Breeding procedures										
13	Non-compliance A										
14	Non-compliance B										
15	Non-compliance C										

(*) Poultry of the species *Gallus gallus* except laying hens

COMMISSION DECISION

of 14 November 2006

concerning transitional animal health control measures relating to classical swine fever in Romania

(notified under document number C(2006) 5387)

(Text with EEA relevance)

(2006/779/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾ introduces minimum Community measures for the control of that disease. It lays down the measures to be taken in the event of an outbreak of classical swine fever. Those measures include the provision that Member States are to submit to the Commission, following the confirmation of a primary case of classical swine fever in feral pigs, a plan of the measures to eradicate that disease. That Directive also provides for the emergency vaccination of pigs in pig holdings and of feral pigs.
- (2) In 2006, Romania notified the Commission of frequent outbreaks of classical swine fever in pig holdings in its territory. Classical swine fever has also occurred in feral pigs and is still present.
- (3) Romania has taken measures to combat classical swine fever in accordance with the provisions of Directive 2001/89/EC, in response to those outbreaks.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33; corrected by OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

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

(4) Romania has also submitted to the Commission for approval plans for the eradication of classical swine fever and plans for the emergency vaccination against that disease of pigs in pig holdings and of feral pigs.

(5) In view of trade in live pigs, porcine semen, ova and embryos of swine, and fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs, the disease situation in Romania is still liable to present an animal health risk for pig holdings in the Community.

(6) With regard to the Accession of Romania and in the light of the current epidemiological situation, it is appropriate to apply Community measures from the date of Accession to the whole territory of Romania as regards the dispatch of live pigs, of porcine semen, ova and embryos of swine, and of fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs to other Member States for a transitional period of nine months.

(7) It is appropriate in order to prevent the spread of classical swine fever to other areas of the Community, to provide in this Decision for a prohibition on the dispatch of fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs from Romania. Such pigmeat and pigmeat products and preparations should be marked with special marks which cannot be confused with the health marks for pigmeat provided for in Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾ and the identification mark provided for in Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽⁵⁾. However, it is appropriate that such pigmeat preparations and meat products consisting of, or containing meat of pigs may be dispatched to other Member States if they are treated in such a way that any classical swine fever virus present is destroyed.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206; corrected by OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

⁽⁵⁾ OJ L 139, 30.4.2004, p. 55; corrected by OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 2076/2005.

- (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,

HAS ADOPTED THIS DECISION:

Article 1

Prohibition on the dispatch of live pigs from Romania

Romania shall ensure that no live pigs are dispatched from its territory to other Member States.

Article 2

Prohibition on the dispatch of consignments of porcine semen and ova and embryos of swine

Romania shall ensure that no consignments of porcine semen and ova and embryos of swine are dispatched from its territory to other Member States.

Article 3

Prohibition on the dispatch of consignments of fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs

Romania shall ensure that no consignments of fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs are dispatched from its territory to other Member States.

Article 4

Special marks on fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs

Romania shall ensure that fresh meat of pigs, and meat preparations and meat products consisting of, or containing meat of pigs are marked with a special health mark that cannot be oval and be confused with:

- (a) the identification mark for meat preparations and meat products consisting of, or containing meat of pigs, provided for in Annex II, Section I to Regulation (EC) No 853/2004; and
- (b) the health mark for fresh pigmeat provided for in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 5

Derogations for certain dispatches of meat preparations and meat products consisting of, or containing meat of pigs

By way of derogation from Article 3, Romania may authorise the dispatch of meat preparations and meat products consisting of, or containing meat of pigs, from its territory to other Member States if the products:

- (a) have been produced and processed in compliance with Article 4(1) of Council Directive 2002/99/EC⁽¹⁾;
- (b) are subjected to the veterinary certification in accordance with Article 5 of Directive 2002/99/EC; and
- (c) are accompanied by the appropriate intra-Community trade health certificate as laid down by Article 1 of Commission Regulation (EC) No 599/2004⁽²⁾ of which Part II shall be completed by the following:

'Product in accordance with Commission Decision 2006/779/EC of 14 November 2006 concerning transitional animal health control measures relating to classical swine fever in Romania.'

Article 6

Compliance

Romania shall take the necessary measures to comply with this Decision and publish those measures. It shall immediately inform the Commission thereof.

Article 7

Applicability

This Decision shall apply only subject to and from the date of entry into force of the Treaty of Accession of Romania and Bulgaria.

It shall apply for a period of nine months.

Article 8

Addressee

This Decision is addressed to the Member States.

Done at Brussels, 14 November 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 94, 31.3.2004, p. 44.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 2116/2005 of 20 December 2005 amending Regulation (EC) No 1480/2003 imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain electronic microcircuits known as DRAMs (dynamic random access memories) originating in the Republic of Korea

(Official Journal of the European Union L 340 of 23 December 2005)

On page 9, in recital 16:

for: '... in situations where multi-combinational forms of DRAMs ...',

read: '... in situations where (non-customised) multi-combinational forms of DRAMs ...';

in recital 19:

for: '... incorporated in multi-combinational forms of DRAMs ...',

read: '... incorporated in (non-customised) multi-combinational forms of DRAMs ...';

in recital 20:

for: '... once DRAM chips or mounted DRAMs are incorporated in multi-combinational forms of DRAMs, they can no longer be considered as a product potentially subject to the countervailing duty. In this respect, it is considered that DRAM chips or mounted DRAMs once incorporated in multi-combinational forms of DRAMs still maintain their properties and functions. The fact of being incorporated in multi-combinational forms of DRAMs does not alter their basic physical and technical characteristics. Moreover, the function performed by the multi-combinational forms of DRAMs, which is to provide memory, is exactly, although on a larger scale, the same as the one of DRAM chips or mounted DRAMs when considered individually. Therefore, it is concluded that the incorporation of DRAM chips or mounted DRAMs in multi-combinational forms of DRAMs ...',

read: '... once DRAM chips or mounted DRAMs are incorporated in (non-customised) multi-combinational forms of DRAMs, they can no longer be considered as a product potentially subject to the countervailing duty. In this respect, it is considered that DRAM chips or mounted DRAMs once incorporated in (non-customised) multi-combinational forms of DRAMs still maintain their properties and functions. The fact of being incorporated in (non-customised) multi-combinational forms of DRAMs does not alter their basic physical and technical characteristics. Moreover, the function performed by the (non-customised) multi-combinational forms of DRAMs, which is to provide memory, is exactly, although on a larger scale, the same as the one of DRAM chips or mounted DRAMs when considered individually. Therefore, it is concluded that the incorporation of DRAM chips or mounted DRAMs in (non-customised) multi-combinational forms of DRAMs ...'.

On page 10, in recital 28(c):

for: '... import of multi-combinational forms of DRAMs ...',

read: '... import of (non-customised) multi-combinational forms of DRAMs ...'.

On page 11, in recital 30:

(a) *for:* '... 4. in case of multi-combinational forms of DRAMs ...',

read: '... 4. in case of (non-customised) multi-combinational forms of DRAMs'

(b) *for:* 'the overall value of the multi-combinational form of DRAM'

read: 'the overall value of the (non-customised) multi-combinational form of DRAM';

and in Nos 1, 2, 3, 4, 5, 6 and 7 of the table in recital 30 and on pages 13 and 14, in Nos 1, 2, 3, 4, 5, 6 and 7 of the table to Article 1(3) of Regulation (EC) No 1480/2003:

for: 'Multi-combinational forms of DRAMs',

read: '(Non-customised) multi-combinational forms of DRAMs';

and in Nos 2, 3, 4, 5, 6 and 7 of the table in recital 30 and pages 13 and 14 and in Nos 2, 3, 4, 5, 6 and 7 of the table to Article 1(3) of Regulation (EC) No 1480/2003:

for: 'price of the multi-combinational form of DRAM',

read: 'price of the (non-customised) multi-combinational form of DRAM'.

On page 13 in Article 1(1) of Regulation (EC) No 1480/2003, second subparagraph, fifth indent:

for: '— chips and/or mounted DRAMs incorporated in multi-combinational forms of DRAMs provided the multi-combinational form of DRAM ...',

read: '— chips and/or mounted DRAMs incorporated in (non-customised) multi-combinational forms of DRAMs provided the (non-customised) multi-combinational form of DRAM ...'.

On page 16, in the Annex, point 4, heading above the two right hand columns:

for: 'Price of the DRAM chips and/or mounted DRAMs manufactured by all companies other than Samsung and incorporated in the multi-combinational form of DRAMs',

read: 'Price of the DRAM chips and/or mounted DRAMs originating in the Republic of Korea, manufactured by all companies other than Samsung and incorporated in the multi-combinational form of DRAMs'.

Corrigendum to Commission Regulation (EC) No 1636/2006 of 6 November 2006 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds

(Official Journal of the European Union L 306 of 7 November 2006)

On page 11, in the Annex:

for: 'BULGARIA

Ministry of Economy
Multilateral Trade and Economic Policy and Regional Cooperation Directorate
12, Al. Batenberg str.
1000 Sofia
Bulgaria',

read: 'BULGARIA

Ministry of Finance
External Finance Directorate
102, G. Rakosky Street
1040 Sofia
Bulgaria'.
