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Legislation

Contents

I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory

REGULATIONS

Commission Regulation (EC) No 187/2007 of 23 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 188/2007 of 23 February 2007 concerning the authorisation of a new use of *Saccharomyces cerevisiae* (Biosaf SC 47) as a feed additive ⁽¹⁾ 3**

★ **Commission Regulation (EC) No 189/2007 of 23 February 2007 suspending the application of import duties on certain quantities of industrial sugar for the 2006/2007 marketing year 6**

★ **Commission Regulation (EC) No 190/2007 of 23 February 2007 repealing Regulation (EC) No 1819/2004 derogating from Regulation (EC) No 1342/2003 as regards the period for reflection for the issue of certain export licences for cereals, rice and cereal products 8**

Commission Regulation (EC) No 191/2007 of 23 February 2007 on the issue of system B export licences in the fruit and vegetables sector (lemons) 9

II Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory

DECISIONS

Council

2007/132/EC:

★ **Council Decision of 30 January 2007 extending the application of Decision 2000/91/EC authorising the Kingdom of Denmark and the Kingdom of Sweden to apply a measure derogating from Article 17 of the Sixth Council Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes 10**

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

2007/133/EC:

- ★ **Council Decision of 30 January 2007 authorising Estonia, Slovenia, Sweden and the United Kingdom to apply a special measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax** 12

Commission

2007/134/EC:

- ★ **Commission Decision of 2 February 2007 establishing the European Research Council ⁽¹⁾** 14

2007/135/EC:

- ★ **Commission Decision of 23 February 2007 amending Decision 2003/135/EC as regards the amendment of the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of feral pigs against classical swine fever in certain areas of the Federal State of Rhineland-Palatinate (Germany) (notified under document number C(2007) 527)** ... 20

2007/136/EC:

- ★ **Commission Decision of 23 February 2007 laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Bulgaria, as provided for in Council Regulation (EC) No 21/2004 (notified under document number C(2007) 533) ⁽¹⁾** 23

2007/137/EC:

- ★ **Commission Decision of 23 February 2007 amending Decision 2006/805/EC as regards classical swine fever control measures in Germany (notified under document number C(2007) 535) ⁽¹⁾** 25

Corrigenda

Corrigendum to Commission Regulation (EC) No 175/2007 of 22 February 2007 fixing the export refunds on syrups and certain other sugar products exported without further processing (OJ L 55, 23.2.2007) 27

Corrigendum to Commission Regulation (EC) No 177/2007 of 22 February 2007 fixing the export refunds on products processed from cereals and rice (OJ L 55, 23.2.2007) 28

- ★ **Corrigendum to Council Decision 2006/969/EC of 18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Euratom) on nuclear research and training activities (2007 to 2011) (OJ L 391, 30.12.2006)** 28



⁽¹⁾ Text with EEA relevance

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 187/2007**of 23 February 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 February 2007.

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

Done at Brussels, 23 February 2007.

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 23 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	124,2
	JO	96,5
	MA	65,2
	TN	148,3
	TR	155,0
	ZZ	117,8
0707 00 05	JO	178,3
	MA	206,0
	TR	175,4
	ZZ	186,6
0709 90 70	MA	41,6
	TR	116,5
	ZZ	79,1
0805 10 20	CU	37,4
	EG	50,1
	IL	57,8
	MA	44,6
	TN	50,5
	TR	65,3
	ZZ	51,0
0805 20 10	IL	105,5
	MA	94,8
	ZZ	100,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	112,1
	IL	71,3
	MA	132,8
	PK	58,0
	TR	68,5
	ZZ	88,5
0805 50 10	EG	63,5
	TR	55,7
	ZZ	59,6
0808 10 80	AR	90,7
	CA	95,4
	CN	95,5
	US	114,8
	ZZ	99,1
0808 20 50	AR	80,9
	CL	78,4
	CN	66,5
	US	96,9
	ZA	108,5
	ZZ	86,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 188/2007

of 23 February 2007

concerning the authorisation of a new use of *Saccharomyces cerevisiae* (Biosaf SC 47) as a feed additive

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex. That application was accompanied by the particulars and documents required under Article 7(3) of that Regulation.
- (3) The application concerns authorisation of a new use of the preparation *Saccharomyces cerevisiae* (NCYC Sc 47) (Biosaf SC 47) as a feed additive for dairy goats and dairy sheep to be classified in the additive category 'zootechnical additives'.
- (4) The method of analysis included in the application for authorisation in accordance with Article 7(3)(c) of Regu-

lation (EC) No 1831/2003 concerns the determination of the active substance of the feed additive in feed. The method of analysis referred to in the Annex to this Regulation is therefore not to be understood as a Community method of analysis within the meaning of Article 11 of 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⁽²⁾.

- (5) The use of the preparation of *Saccharomyces cerevisiae* (NCYC Sc 47) was authorised for cattle for fattening by Commission Regulation (EC) No 316/2003 of 19 February 2003 concerning the permanent authorisation of an additive in feedingstuffs and the provisional authorisation of a new use of an additive already authorised in feedingstuffs⁽³⁾, for piglets (weaned) by Commission Regulation (EC) No 2148/2004 of 16 December 2004 concerning the permanent and provisional authorisation of certain additives in feedingstuffs and the authorisation of a new use of an additive already authorised in feedingstuffs⁽⁴⁾, for sows by Commission Regulation (EC) No 1288/2004 of 20 December 2004 concerning the permanent authorisation of certain additives and the provisional authorisation of a new use of an additive already authorised in feedingstuffs⁽⁵⁾, for rabbits for fattening by Commission Regulation (EC) No 600/2005 of 18 April 2005 concerning a new authorisation for 10 years of a coccidiostat as an additive in feedingstuffs, the provisional authorisation of an additive and the permanent authorisation of certain additives in feedingstuffs⁽⁶⁾, for dairy cows by Commission Regulation (EC) No 1811/2005 of 4 November 2005 concerning the provisional and permanent authorisation of certain additives in feedingstuffs and the provisional authorisation of a new use of an additive already authorised in feedingstuffs⁽⁷⁾ and for lambs for fattening by Commission Regulation No 1447/2006 of 29 September 2006 concerning the authorisation of a new use of *Saccharomyces cerevisiae* (Biosaf SC 47) as a feed additive⁽⁸⁾.

⁽²⁾ OJ L 165, 30.4.2004, as corrected by OJ L 191, 28.5.2004, p. 1. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽³⁾ OJ L 46, 20.2.2003, p. 15.

⁽⁴⁾ OJ L 370, 17.12.2004, p. 24. Regulation as amended by Regulation (EC) No 1980/2005 (OJ L 318, 6.12.2005, p. 3).

⁽⁵⁾ OJ L 243, 15.7.2004, p. 10. Regulation as amended by Regulation (EC) No 1812/2005 (OJ L 291, 5.11.2005, p. 18).

⁽⁶⁾ OJ L 99, 19.4.2005, p. 5. Regulation as amended by Regulation (EC) No 2028/2006 (OJ L 414, 30.12.2006, p. 26).

⁽⁷⁾ OJ L 291, 5.11.2005, p. 12.

⁽⁸⁾ OJ L 271, 30.9.2006, p. 28.

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

- (6) New data were submitted in support of the application for authorisation for dairy goats and dairy sheep. The European Food Safety Authority (the Authority) concluded in its opinion of 12 July 2006 that the preparation of *Saccharomyces cerevisiae* (NCYC Sc 47) does not have an adverse effect on animal health, human health or the environment⁽¹⁾. It further concluded that the preparation of *Saccharomyces cerevisiae* (NCYC Sc 47) does not present any other risk for this additional animal category which would, in accordance with Article 5(2) of Regulation (EC) No 1831/2003, exclude authorisation. According to that opinion, the use of that preparation can improve significantly milk yield in dairy goats and dairy sheep. The Authority does not consider that there is a need for specific requirements of post market monitoring. This opinion also verifies the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003. The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.
- (7) 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

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

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

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

Done at Brussels, 23 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ Opinion of the Scientific Panel on Additives and Products or Substances used in Animal Feed on the safety and efficacy of the product 'Biosaf Sc 47', a preparation of *Saccharomyces cerevisiae* as a feed additive for dairy small ruminants. Adopted on 12 July 2006, *The EFSA Journal* (2006) 379, p. 1.

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive (trade name)	Composition, chemical formula, description, analytical method.	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers.									
4b1702	Société Industrielle Lesaffre	<i>Saccharomyces cerevisiae</i> NCYC Sc 47 (Biosaf Sc 47)	<p>Additive composition: Preparation of <i>Saccharomyces cerevisiae</i> NCYC Sc 47 containing a minimum of 5×10^9 CFU/g</p> <p>Characterisation of active substance: <i>Saccharomyces cerevisiae</i> NCYC Sc 47</p> <p>Analytical methods (1) Pour plate method using a chloramphenicol yeast extract agar based on the ISO 7954 method. Polymerase chain reaction (PCR)</p>	Dairy goats and dairy sheep	—	7×10^8	$7,5 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended doses: — Dairy goats: 3×10^9 CFU per head per day. — Dairy ewes: 2×10^9 CFU per head per day.	16.3.2017

(1) Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/html/crifaa/

COMMISSION REGULATION (EC) No 189/2007**of 23 February 2007****suspending the application of import duties on certain quantities of industrial sugar 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⁾, and in particular Article 40(1)(c) and (e)(i) thereof,

Whereas:

(1) Under Article 26(3) of Regulation (EC) No 318/2006, in order to guarantee the supply necessary for the production of the products referred to in Article 13(2) of that Regulation, the Commission may suspend in whole or in part for certain quantities the application of import duties on sugar.

(2) In order to guarantee the supply necessary for the production of the products referred to in Article 13(2) of Regulation (EC) No 318/2006, it is in the interest of the Community to suspend completely the application of import duties on industrial sugar intended for the production of those products for the 2006/07 marketing year.

(3) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾ applies without prejudice to additional conditions or derogations which might be laid down by the sectoral regulations. In particular, in order to ensure fluid supply to the Community market, it is appropriate to maintain the intervals at which import licence applications are to be submitted as provided for in Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down

detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽³⁾, and it is therefore necessary to derogate from Article 6(1) of Regulation (EC) No 1301/2006.

(4) To facilitate management and ensure monitoring and control of the quantities imported, the period of validity of import licences for sugar benefiting from the suspension of the application of import duties should be limited to the end of the 2006/2007 marketing year and the issue of import licences should be restricted to users of industrial sugar. These do not necessarily trade with third countries, and it is therefore necessary to derogate from Article 5 of Regulation (EC) No 1301/2006.

(5) The provisions on the management of the industrial raw material and the obligations on processors laid down by Commission Regulation (EC) No 967/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards sugar production in excess of the quota ⁽⁴⁾ should apply to the quantities imported under this Regulation.

(6) The Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

*Article 1***Suspension of import duties**

1. For the 2006/2007 marketing year, the application of import duties on white sugar falling within CN code 1701 99 10 is suspended for a quantity of 200 000 tonnes.

2. Sugar imported under this Regulation shall be used specifically for the purposes of production of the products referred to in the Annex to Regulation (EC) No 967/2006.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Regulation (EC) No 2011/2006 (OJ L 384, 29.12.2006, p. 1).

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽⁴⁾ OJ L 176, 30.6.2006, p. 22. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

*Article 2***Import licences**

1. The rules on import licences laid down by Regulation (EC) No 950/2006 and the rules laid down by Regulation (EC) No 1301/2006 shall apply to imports of sugar carried out under this Regulation, unless otherwise provided for in this Regulation.

However, import licences shall be valid until the end of the second month following their actual day of issue within the meaning of Article 23(2) of Commission Regulation (EC) No 1291/2000⁽¹⁾, and not later than 30 September 2007.

2. By way of derogation from Article 5 of Regulation (EC) No 1301/2006, applications for import licences for the quantities referred to in Article 1(1) may be submitted only by processors within the meaning of Article 2(d) of Regulation (EC) No 967/2006.

3. By way of derogation from Article 6(1) of Regulation (EC) No 1301/2006, import licence applications shall be submitted each week, from Monday to Friday, starting on the date referred to in Article 4(5) of Regulation (EC) No 950/2006 and until the issue of licences is discontinued as referred to in the second subparagraph of Article 5(3) of that Regulation. An applicant may submit only one licence application per week.

*Article 3***Application of Regulation (EC) No 967/2006**

Articles 11, 12 and 13 of Regulation (EC) No 967/2006 shall apply to imports of sugar under this Regulation.

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

Done at Brussels, 23 February 2007.

*Article 4***Obligations on processors**

1. Processors shall supply proof, to the satisfaction of the competent authorities of the Member State, that the quantities imported under this Regulation have been used for the purposes of production of the products referred to in Article 1(2) and in accordance with the approval referred to in Article 5 of Regulation (EC) No 967/2006. This proof shall consist of the computerised recording in the records during or at the end of the production process of the quantities of the products concerned.

2. If processors have not supplied the proof referred to in paragraph 1 by the end of the third month following the month of import they shall pay, for each day of delay, a sum of EUR 5 per tonne of the quantity concerned.

3. If processors have not supplied the proof referred to in paragraph 1 by the end of the fifth month following the month of import, the quantity concerned shall be considered to be overdeclared for the purposes of applying Article 13 of Regulation (EC) No 967/2006.

*Article 5***Entry into force**

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

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

COMMISSION REGULATION (EC) No 190/2007**of 23 February 2007****repealing Regulation (EC) No 1819/2004 derogating from Regulation (EC) No 1342/2003 as regards the period for reflection for the issue of certain export licences for cereals, rice and cereal products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Articles 9(2) and 18 thereof,Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Articles 10(2) and 19 thereof,

Whereas:

(1) The first subparagraph of Article 8(1) of Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ states that export licences for the products referred to in that subparagraph must be issued on the third working day after applications are lodged, provided that no special measures are taken in the meanwhile. Commission Regulation (EC) No 1819/2004 ⁽⁴⁾ derogates from this provision so as to take into

account the supply situation on the Community market in cereals and rice for the 2004/05 marketing year. Under this derogation, the licences in question are issued on the day the application is filed when the amount of the refund is zero.

(2) Since the market conditions justifying this derogation no longer apply, Regulation (EC) No 1819/2004 should be repealed.

(3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1819/2004 is hereby repealed.

*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, 23 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽³⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 1996/2006 (OJ L 398, 30.12.2006, p. 1).

⁽⁴⁾ OJ L 320, 21.10.2004, p. 13.

COMMISSION REGULATION (EC) No 191/2007**of 23 February 2007****on the issue of system B export licences in the fruit and vegetables sector (lemons)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽²⁾, and in particular Article 6(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1510/2006 ⁽³⁾ fixes the indicative quantities for which system B export licences may be issued.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for

lemons will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for lemons after 23 February 2007 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 1510/2006, export declarations for which are accepted after 23 February and before 1 March 2007, are hereby rejected.

Article 2

This Regulation shall enter into force on 24 February 2007.

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

Done at Brussels, 23 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

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

⁽³⁾ OJ L 280, 12.10.2006, p. 16.

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 30 January 2007

extending the application of Decision 2000/91/EC authorising the Kingdom of Denmark and the Kingdom of Sweden to apply a measure derogating from Article 17 of the Sixth Council Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes

(2007/132/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By letters registered by the Secretariat-General of the Commission on 22 March 2006, Denmark and Sweden requested authorisation to extend the application of the derogation granted to them by Council Decision 2000/91/EC of 24 January 2000 authorising the Kingdom of Denmark and the Kingdom of Sweden to apply a measure derogating from Article 17 of the Sixth Council Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes ⁽²⁾.
- (2) In accordance with Article 27(2) of the 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 ⁽³⁾, the Commission informed the other Member States by letter dated 4 October 2006 of the requests made by Denmark and Sweden. By letter dated 5 October 2006, the Commission notified Denmark and Sweden that it had all the information it considered necessary for appraisal of the requests.

- (3) These applications relate to the recovery of value added tax (hereinafter: VAT) paid on tolls for the use of the Öresund fixed link between Denmark and Sweden. Under the VAT rules on the place of supply of immovable property, part of the VAT on tolls for the Öresund fixed link is payable part to Denmark and part to Sweden.
- (4) By way of derogation from the provisions of Article 17 of Directive 77/388/EEC, in the version set out in Article 28f thereof, requiring taxable persons to exercise their right to deduct or obtain a refund of VAT in the Member State where it was paid, Denmark and Sweden were authorised until 31 December 2006 to introduce a special measure enabling taxpayers to recover VAT from a single administration.
- (5) Since it was not possible to adopt rules under the Commission proposal for a Council Directive amending Directive 77/388/EEC as regards the rules governing the right to deduct VAT on the basis of the first subparagraph of Article 17(6) of Directive 77/388/EEC and considering that the legal situation and the facts which justified the authorisation granted by Decision 2000/91/EC have not changed, that authorisation should be extended for a new time period.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1. Directive as amended by Directive 2006/138/EC (OJ L 384, 29.12.2006, p. 92).

⁽²⁾ OJ L 28, 3.2.2000, p. 38. Decision as last amended by Decision 2003/65/EC (OJ L 25, 30.1.2003, p. 40).

⁽³⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2006/98/EC (OJ L 363, 20.12.2006, p. 129).

(6) Directive 77/388/EEC has been recast and repealed by Directive 2006/112/EC. References to the provisions of the former are to be construed as references to the latter.

'Article 2

This authorisation shall expire on 31 December 2013.'

(7) The derogation has no negative effect on the Communities' own resources accruing from VAT.

Article 2

This Decision shall apply from 1 January 2007.

(8) Given the urgency of the matter, in order to avoid a legal gap, it is imperative to grant an exception to the six-week period mentioned in point I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

Article 3

This Decision is addressed to the Kingdom of Denmark and the Kingdom of Sweden.

Done at Brussels, 30 January 2007.

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 2000/91/EC is replaced by the following:

For the Council

The President

P. STEINBRÜCK

COUNCIL DECISION

of 30 January 2007

authorising Estonia, Slovenia, Sweden and the United Kingdom to apply a special measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax

(2007/133/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with Article 27 of the 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 ⁽²⁾, the United Kingdom was authorised by Decision 97/375/EC ⁽³⁾, by way of derogation from Article 17(1) of the said Directive and in order to operate an optional scheme in which tax is accounted for on the basis of cash paid and received (cash accounting), to postpone the right of deduction of input VAT of taxable persons who account for the output VAT for their supplies when they have received the payment of the price from their customers, pursuant to the second indent of the third subparagraph of Article 10(2) of the said Directive, until the input VAT has been paid to the supplier.
- (2) By letter registered by the Secretariat-General of the Commission on 26 January 2006, the United Kingdom requested an extension of three years of that derogation. The United Kingdom also requested for the turnover limit for the simplified cash accounting scheme to be increased from GBP 660 000 to GBP 1 350 000.
- (3) By letter registered by the Secretariat-General of the Commission on 31 August 2006, Estonia requested a derogation from Article 17(1) of Directive 77/388/EEC

to allow the VAT to become deductible by the taxable person when the supplier is paid. This postponement of deduction will apply only under a simplified cash accounting scheme under which taxable persons account for the output VAT for their supplies when they have received payment from their customers, pursuant to the second indent of the third subparagraph of Article 10(2) of the said Directive. Estonia requested that the cash accounting scheme be limited to taxable persons classified as sole proprietors under Estonian law.

- (4) By letter registered by the Secretariat-General of the Commission on 27 June 2006, Slovenia requested a derogation from Article 17(1) of Directive 77/388/EEC to allow the VAT to become deductible by the taxable person when the supplier is paid. This postponement of deduction will apply only under a simplified cash accounting scheme under which taxable persons account for the output VAT for their supplies when they have received payment from their customers, pursuant to the second indent of the third subparagraph of Article 10(2) of the said Directive. Slovenia requested that the turnover limit for their simplified cash accounting scheme be set at EUR 208 646.
- (5) By letter registered by the Secretariat-General of the Commission on 6 April 2006, Sweden requested a derogation from Article 17(1) of Directive 77/388/EEC to allow the VAT to become deductible by the taxable person when the supplier is paid. This postponement of deduction will apply only under a simplified cash accounting scheme under which taxable persons account for the output VAT for their supplies when they have received payment from their customers, pursuant to the second indent of the third subparagraph of Article 10(2) of the said Directive. Sweden requested that the turnover limit for their simplified cash accounting scheme be set at SEK 3 000 000.
- (6) In accordance with Article 27(2) of Directive 77/388/EEC, the Commission informed the other Member States by letter dated 6 October 2006 of the request made by Estonia, by letter dated 6 October 2006 of the request made by Slovenia, by letter dated 4 October 2006 of the request made by Sweden and by letter dated 6 October 2006 of the request made by the United Kingdom. By letter dated 6 October 2006 the Commission notified Sweden and by letters dated 9 October 2006 the Commission notified Estonia, Slovenia and the United Kingdom, that it had all the information it considered necessary for the appraisal of their request.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1. Directive as amended by Directive 2006/138/EC (OJ L 384, 29.12.2006, p. 92).

⁽²⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2006/98/EC (OJ L 363, 20.12.2006, p. 129).

⁽³⁾ OJ L 158, 17.6.1997, p. 43. Decision as last amended by Decision 2003/909/EC (OJ L 342, 30.12.2003, p. 49).

- (7) Directive 77/388/EEC has been recast and repealed by Directive 2006/112/EC. References to the provisions of the former are to be construed as references to the latter.
- (8) The cash accounting scheme is a simplification measure for small and medium sized businesses. Regarding the United Kingdom, raising the ceiling for the simplified scheme will allow a greater number of firms to opt for the scheme. The increase of the turnover limit would extend the scheme to a potential additional 57 000 businesses. The derogation requested by Estonia will allow 5 700 businesses to use the cash accounting scheme. In the case of Slovenia, 62 000 businesses will be able to opt for the use of the cash accounting scheme. As for Sweden, the scheme will be available to 630 000 businesses.
- (9) The Estonian, Slovenian, Swedish and United Kingdom derogations can be accepted in view of the percentage of eligible businesses that could opt for this simplified scheme and the limited duration.
- (10) Since taxable persons who have applied the optional scheme in the past should be able to continue using it without interruption, the authorisation given to the United Kingdom should apply from the date of expiry of Decision 97/375/EC. Also as this would allow more taxable persons to adopt the scheme from the beginning of their accounting year, Member States concerned should be allowed to make the optional scheme available as from 1 January 2007.
- (11) The derogation in question does not affect the overall amount of the tax revenue of the Member States collected at the stage of final consumption and as a consequence does not have a negative effect on the own resources of the European Communities accruing from VAT.
- (12) Given the urgency of the matter, in order to avoid a legal gap, it is imperative to grant an exception to the six-week period mentioned in point I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 167 of Directive 2006/112/EC, Estonia, Slovenia, Sweden and the United Kingdom are authorised to postpone the right of deduction of the input tax of the taxable persons, as defined in the second paragraph, until the input tax has been paid to their suppliers.

The taxable persons concerned must use a scheme whereby they account for the output VAT for their supplies when they have received the payments from their customers. They must have an annual turnover not higher than EUR 208 646 for Slovenia, SEK 3 000 000 for Sweden and GBP 1 350 000 for the United Kingdom, or, in the case of Estonia, must be registered as a sole proprietor.

Article 2

Decision 97/375/EC is hereby repealed.

Article 3

This Decision shall apply from 1 January 2007 to 31 December 2009.

Article 3

This Decision is addressed to the Republic of Estonia, the Republic of Slovenia, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 30 January 2007.

For the Council
The President
P. STEINBRÜCK

COMMISSION

COMMISSION DECISION

of 2 February 2007

establishing the European Research Council

(Text with EEA relevance)

(2007/134/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 1982/2006/EC of the European Parliament and the Council of 18 December 2006 concerning the seventh framework programme of the European Community for research, technological development and demonstration activities (2007-2013) ⁽¹⁾ and in particular Articles 2 and 3 thereof,

Having regard to Council Decision 2006/972/EC of 19 December 2006 concerning the Specific Programme: 'Ideas' implementing the seventh framework programme (2007-2013) of the European Community for research, technological development and demonstration activities ⁽²⁾, and in particular Article 4(2) and (3) thereof,

Whereas:

- (1) Under the seventh framework programme, the Specific Programme 'Ideas' has the objective of supporting investigator-driven frontier research across all fields of science, engineering and scholarship carried out by researchers on subjects of their choice.
- (2) Decision 2006/972/EC provides that the Commission should establish a European Research Council (hereinafter referred to as the ERC) which should be the means for implementing the Specific Programme 'Ideas'.
- (3) According to Article 4(3) of Decision 2006/972/EC the ERC should consist of an independent Scientific Council (hereinafter referred to as the Scientific Council), to be supported by a dedicated implementation structure.

- (4) The Scientific Council should be composed of scientists, engineers and scholars of the highest repute, appointed by the Commission, and acting in their personal capacity, independent of any outside influence. It should act according to the mandate provided for it in Article 5 of Decision 2006/972/EC and exclusively in the interest of achieving the scientific, technological and scholarly objectives of the Specific Programme 'Ideas'.

- (5) The Scientific Council should independently select a Secretary-General who will act under its authority. The Secretary-General will, *inter alia*, assist the Scientific Council in ensuring its effective liaison with the dedicated implementation structure and with the Commission, and in monitoring the effective implementation of its strategy and positions as carried by the dedicated implementation structure.

- (6) The Scientific Council should operate according to the principles of scientific excellence, autonomy, efficiency and transparency. The Commission should act as the guarantor of the Scientific Council's autonomy and integrity and should ensure its proper functioning.

- (7) Rules on disclosure of information by members of the Scientific Council should be provided for, without prejudice to the rules on security annexed to the Commission's Rules of Procedure by Decision 2001/844/EC, ECSC, Euratom ⁽³⁾.

- (8) Personal data relating to members of Scientific Council should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽⁴⁾.

⁽¹⁾ OJ L 412, 30.12.2006, p. 1.

⁽²⁾ OJ L 400, 30.12.2006, p. 243.

⁽³⁾ OJ L 317, 3.12.2001, p. 1. Decision as last amended by Decision 2006/548/EC, Euratom (OJ L 215, 5.8.2006, p. 38).

⁽⁴⁾ OJ L 8, 12.1.2001, p. 1.

- (9) An independent high level expert committee was set up to identify the founding members of the Scientific Council. Following wide consultation within the scientific and scholarly community, this committee made recommendations first on the factors and criteria to be applied in the identification of the Scientific Council members and second on the founding members themselves.
- (10) A dedicated implementation structure should be set up as an external structure in the form of an executive agency to be established by a separate act in accordance with Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽¹⁾.
- (11) Pending the establishment and operability of this executive agency, its implementation tasks should be executed by a dedicated service of the Commission.
- (12) The budgetary impact of this decision will be taken into account in the financing decision in the framework of the Specific Programme 'Ideas' and in the Legislative Financial Statement of the Commission proposal for the external structure,

HAS DECIDED AS FOLLOWS:

CHAPTER 1

EUROPEAN RESEARCH COUNCIL

Article 1

Establishment

The European Research Council is hereby established for the period from the date of entry into force of this decision to 31 December 2013 for the implementation of the Specific Programme 'Ideas'. It shall be composed of a Scientific Council and a dedicated implementation structure as set out hereinafter.

CHAPTER 2

SCIENTIFIC COUNCIL

Article 2

Establishment

The Scientific Council is hereby set up.

Article 3

Tasks

1. The Scientific Council shall be entrusted with the tasks provided for in Article 5(3) of Decision 2006/972/EC.

2. The Scientific Council shall, *inter alia*, establish an overall scientific strategy, have full authority over decisions on the type of research to be funded in accordance with Article 6(6) of Decision 2006/972/EC and act as a guarantor of the quality of the activity from the scientific perspective. Its tasks shall cover, in particular the establishment of the annual work programme, the establishment of the peer review process, as well as the monitoring and quality control of the implementation of the Specific Programme 'Ideas', without prejudice to the responsibility of the Commission.

Article 4

Membership

1. The Scientific Council shall be composed of up to 22 members.
2. The Scientific Council shall consist of representatives of the European scientific community of the highest repute and with appropriate expertise, ensuring a diversity of research areas, who shall act in their personal capacity, independently of political or other interests.
3. The founding members of the Scientific Council, who have been designated, based on the factors and criteria set out in the Annex I and who are listed in Annex II, are hereby appointed.
4. Future members shall be appointed by the Commission based on the factors and criteria set out in Annex I and following an independent and transparent procedure for their identification, agreed with the Scientific Council, including a consultation of the scientific community and a report to Parliament and Council. The appointment of future members shall be published in accordance with Regulation (EC) No 45/2001.
5. Members shall carry out their tasks independently of any outside influence. They shall inform the Commission in good time of any conflict of interests which might undermine their objectivity.
6. Members shall be appointed for a term of four years, renewable once on a basis of a rotating system, which shall ensure the continuity of the work of the Scientific Council. However, a member may be appointed for a period of less than the maximum term to allow a staged rotation of membership. Members shall remain in function until they are replaced or their term expires.
7. Upon resignation of a member or on the expiry of a term that cannot be renewed, the Commission shall appoint a new member.
8. In exceptional circumstances, in order to maintain the integrity and/or continuity of the Scientific Council, the Commission may terminate on its own initiative the term of a member.

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

9. The Scientific Council members shall not be remunerated for the tasks they perform.

Article 5

Principles and methods

1. The Scientific Council shall operate in an autonomous and independent manner.

2. Where appropriate, the Scientific Council shall consult with the scientific, engineering and scholarly community.

3. The Scientific Council shall exclusively act in the interest of achieving the scientific, technological and scholarly objectives of the Specific Programme 'Ideas'. It shall act with integrity and probity and shall carry out its work efficiently and with the greatest possible transparency.

4. The Scientific Council shall be accountable to the Commission, maintain continuous close liaison with it and the dedicated implementation structure, and establish any necessary arrangements for this.

5. Information obtained in the performance of tasks shall not be disclosed if, in the opinion of the Commission or the Chairperson of the Scientific Council, that information is related to confidential matters.

6. The Commission shall provide information and assistance necessary for the work of the Scientific Council allowing it to operate under conditions of autonomy and independence.

7. The Scientific Council regularly reports to the Commission and shall provide information and assistance necessary for the Commission's obligatory reporting tasks (i.e. Annual report, Annual Activity Report).

Article 6

Operation

1. The Scientific Council shall elect from amongst its members a Chairperson and two Vice-Chairpersons, who, in accordance with its rules of procedure, shall represent it and who shall guide and assist it in the organisation of its work, including the preparation of the agenda and documents for meetings.

2. The Chairperson and the Vice-Chairpersons of the Scientific Council may also hold the title of President and Vice-President of the European Research Council respectively.

3. The Scientific Council shall adopt its rules of procedure which shall include detailed provisions for the elections referred to in paragraph 1, as well as a code of conduct for addressing potential conflicts of interest.

4. The Scientific Council shall meet in plenary as often as required by its work.

5. The Chairperson of the Scientific Council may decide to hold restricted meetings.

Article 7

ERC Secretary-General

1. The Scientific Council shall independently select a Secretary-General, who shall act under its authority. The Secretary-General will, *inter alia*, assist the Scientific Council in ensuring its effective liaison with the Commission and the dedicated implementation structure.

2. The tasks of the Secretary-General shall be defined by the Scientific Council. These tasks shall include monitoring the effective implementation of the strategy and positions adopted by the Scientific Council, as carried out by the dedicated implementation structure.

3. Support for the establishment and activities of the Secretary-General shall be ensured by the Specific Programme 'Ideas'.

4. The term of the Secretary-General shall not exceed a period of 30 months, renewable once.

Article 8

Meeting expenses

1. The Commission shall reimburse travel expenses and, where appropriate, subsistence expenses for the members of the Scientific Council necessary for carrying out its activities in accordance with the Commission's rules on the compensation of external experts. Subject to prior approval of the Commission, travel and subsistence expenses related to other meetings necessary for the conduct of the Scientific Council's work may be also covered by the Commission; this shall apply to meetings between members of the Scientific Council and external experts and stakeholders.

2. Meeting expenses shall be reimbursed on the basis of the annual request of the Scientific Council, without prejudice to the responsibility of the Commission.

CHAPTER 3

Article 9

Dedicated implementation structure

The dedicated implementation structure shall be set up as an external structure; pending the establishment and operability of the external structure, its implementation tasks shall be executed by a dedicated service of the Commission.

CHAPTER 4

GENERAL PROVISIONS

Article 10

Entry into force

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 2 February 2007.

For the Commission

Janez POTOČNIK

Member of the Commission

ANNEX I

Factors and criteria for identification of the Scientific Council members

The composition of the Scientific Council must demonstrate that the Council can exercise scientific leadership which is authoritative and absolutely independent, combining wisdom and experience with vision and imagination. The credibility of the Scientific Council will be built on the balance of qualities amongst the men and women who make it up, and they should collectively reflect the full breadth of the research community across Europe. Members of the Scientific Council must individually have an undisputed reputation as research leaders and for their independence and commitment to research. Generally, they must be current or recent research practitioners, as well as those who have exercised scientific leadership at European or world level. Consideration should also be given to younger next-generation leaders.

Members must reflect the broad disciplinary scope of research, embracing the exact sciences and engineering, as well as the social sciences and the humanities. However, they should not be considered as representatives of a discipline or of a particular line of research and should not perceive themselves as such; they should have a broad vision which collectively reflects an understanding of important developments in research, including inter- and multi-disciplinary research, and the needs for research at European level.

Beyond their proven reputation as scientists and researchers, the membership should collectively bring a broader range of experience, acquired not only across Europe but also in other research-intensive parts of the world. This could include experience in areas such as the support and promotion of basic research, organisation and management of research and knowledge transfer in universities, academies and industry, an understanding of national and international research activities, relevant research funding schemes and the wider political context in which the European Research Council is situated.

The membership should reflect the various components of the research community and the range of scientific institutions which carry out research; it should include those with experience in universities, research institutes, academies, funding bodies, research in business and industry, for example. Members should include those who have experience in more than one country, and some should be drawn from the research community outside Europe.

ANNEX II

List of the 22 founding members of the Scientific Council

Dr Claudio BORDIGNON, San Raffaele Scientific Institute, Milan

Prof. Manuel CASTELLS, Open University of Catalonia

Prof. Paul J. CRUTZEN, Max Planck Institute for Chemistry, Mainz

Prof. Mathias DEWATRIPONT, Université Libre de Bruxelles

Dr Daniel ESTEVE, CEA Saclay

Prof. Pavel EXNER, Doppler Institute, Prague

Prof. Hans-Joachim FREUND, Fritz-Haber-Institute, Berlin

Prof. Wendy HALL, University of Southampton

Prof. Carl-Henrik HELDIN, Ludwig Institute for Cancer Research

Prof. Fotis C. KAFATOS, Imperial College London

Prof. Michal KLEIBER, Polish Academy of Sciences

Prof. Norbert KROO, Hungarian Academy of Sciences

Prof. Maria Teresa V.T. LAGO, University of Porto

Dr Oscar MARIN PARRA, Instituto de Neurociencias de Alicante

Prof. Lord MAY, University of Oxford

Prof. Helga NOWOTNY, Wissenschaftszentrum, Wien

Prof. Christiane NÜSSLEIN-VOLHARD, Max-Planck-Institute for Developmental Biology, Tübingen

Prof. Leena PELTONEN-PALOTIE, University of Helsinki & National Public Health Institute

Prof. Alain PEYRAUBE, CNRS, Paris

Dr Jens R. ROSTRUP-NIELSEN, Haldor Topsoe A/S

Prof. Salvatore SETTIS, Scuola Normale Superiore, Pisa

Prof. Rolf M. ZINKERNAGEL, University of Zurich

COMMISSION DECISION

of 23 February 2007

amending Decision 2003/135/EC as regards the amendment of the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of feral pigs against classical swine fever in certain areas of the Federal State of Rhineland-Palatinate (Germany)

(notified under document number C(2007) 527)

(Only the German and French texts are authentic)

(2007/135/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽¹⁾, and in particular Article 16(1) and 20(2) thereof,

Whereas:

- (1) Commission Decision 2003/135/EC of 27 February 2003 on the approval of the plans for the eradication of classical swine fever and the emergency vaccination of feral pigs against classical swine fever in Germany, in the federal states of Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate and Saarland ⁽²⁾ was adopted as one of a number of measures to combat classical swine fever.
- (2) The German authorities have informed the Commission about the recent evolution of the disease in feral pigs in certain areas of Rhineland-Palatinate Germany bordering North Rhine-Westphalia.
- (3) The German and French authorities have informed the Commission about the recent evolution of the disease in feral pigs in certain areas of Rhineland-Palatinate Germany and the bordering areas in France.
- (4) This information indicates that classical swine fever in feral pigs has been successfully eradicated in certain

areas on the German territory and the vaccination of feral pigs and the eradication plan do not need to be applied anymore in those areas on the German territory.

(5) Decision 2003/135/EC should therefore be amended accordingly.

(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

The Annex to Decision 2003/135/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Federal Republic of Germany and the French Republic.

Done at Brussels, 23 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 316, 1.12.2001, p. 5. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ OJ L 53, 28.2.2003, p. 47. Decision as last amended by Decision 2006/285/EC (OJ L 104, 13.4.2006, p. 51).

ANNEX

'ANNEX

1. AREAS WHERE ERADICATION PLANS ARE IN PLACE**A. In the federal state Rhineland-Palatinate**

1. In the "Eifel" part:

- (a) in the *Kreis* Ahrweiler: the municipalities Adenau and Altenahr;
- (b) in the *Kreis* Daun: the municipalities Obere Kyll and Hillesheim, in the municipality Daun the localities Betteldorf, Dockweiler, Dreis-Brück, Hinterweiler and Kirchweiler, in the municipality Kelberg the localities Beinhausen, Bereborn, Bodenbach, Bongard, Borler, Boxberg, Brücktal, Drees, Gelenberg, Kelberg, Kirsbach, Mannebach, Neichen, Nitz, Reimerath and Welcherath, in the municipality Gerolstein the localities Berlingen, Duppach, Hohenfels-Essingen, Kalenborn-Scheuern, Neroth, Pelm and Rockeskyll and the City of Gerolstein;
- (c) in the *Kreis* Bitburg-Prüm: in the municipality Prüm the localities Büdesheim, Kleinlangenfeld, Neuendorf, Olzheim, Roth bei Prüm, Schwirzheim and Weinsheim.

2. In the "Pfalz" part:

- (a) the city of Pirmasens;
- (b) in the *Kreis* Südwestpfalz: the municipalities Pirmasens-Land, Thaleischweiler-Fröschen, Dahner Felsenland, Hauenstein without the Exklave zu Wilgartswiesen, the localities Herschberg, Schauerberg, Schmitshausen, Weselberg, Wallhalben, Knopp-Labach, Hettenhausen, Saalstadt, Hermersberg, Höheinöd, Donsieders, Clausen, Rodalben, Münchweiler a. d. Rodalb, Merzalben, Waldfischbach-Burgalben;
- (c) in the *Kreis* Südliche Weinstraße: the localities Annweiler am Trifels without Exklave, south-western Exklave zu Landau in der Pfalz, Rinnthal, Wernersberg, Völkersweiler, Gossersweiler-Stein, Oberschlettenbach, Vorderweidenthal, Silz, Münchweiler am Klingbach, Klingenmünster, Gleiszellen-Gleishorbach, Pleisweiler-Oberhofen, Bad Bergzabern, Birkenhördt, Böllenborn, Dörrenbach, Oberotterbach, Schweigen-Rechtenbach, Schweighofen, Ilbesheim bei Landau in der Pfalz, Leinsweiler, Eschbach, Waldhambach, Waldrohrbach.

B. In the federal state North Rhine-Westfalia

- (a) the city of Aachen: south of the motorways A4, A544 and the Bundesstrasse B1;
- (b) the city of Bonn: south of the Bundesstrasse 56 and the motorway A 565 (Bonn-Endenich to Bonn-Poppelsdorf) and southwest of the Bundesstrasse 9;
- (c) in the *Kreis* Aachen: the cities Monschau and Stolberg, the municipalities Simmerath and Roetgen;
- (d) in the *Kreis* Düren: the cities Heimbach and Nideggen, the municipalities Hürtgenwald and Langerwehe;
- (e) in the *Kreis* Euskirchen: the cities Bad Münstereifel, Mechernich, Schleiden and the localities Billig, Euenheim, Euskirchen, Flammersheim, Kirchheim, Kuchenheim, Kreuzweingarten, Niederkastenholz, Palmersheim, Rheder, Roitzheim, Schweinheim, Stotzheim, Wißkirchen (in the city Euskirchen), the municipalities Blankenheim, Dahlem, Hellenthal, Kall and Nettersheim;
- (f) in the *Kreis* Rhein-Sieg: the cities Meckenheim and Rheinbach, the municipality Wachtberg, the localities Witterschlick, Volmershofen, Heidgen (in the municipality Alfter) and the localities Buschhoven, Morenhoven, Miel and Odendorf (in the municipality Swisttal).

2. AREAS WHERE THE EMERGENCY VACCINATION IS APPLIED

A. In the federal state Rhineland-Palatinate

1. In the "Eifel" part:

- (a) in the *Kreis* Ahrweiler: the municipalities Adenau and Altenahr;
- (b) in the *Kreis* Daun: the municipalities Obere Kyll and Hillesheim, in the municipality Daun the localities Betteldorf, Dockweiler, Dreis-Brück, Hinterweiler and Kirchweiler, in the municipality Kelberg the localities Beinhausen, Bereborn, Bodenbach, Bongard, Borler, Boxberg, Brücktal, Drees, Gelenberg, Kelberg, Kirsbach, Mannebach, Neichen, Nitz, Reimerath and Welcherath, in the municipality Gerolstein the localities Berlingen, Duppach, Hohenfels-Essingen, Kalenborn-Scheuern, Neroth, Pelm and Rockeskyll and the City of Gerolstein;
- (c) in the *Kreis* Bitburg-Prüm: in the municipality Prüm the localities Büdesheim, Kleinlangenfeld, Neuendorf, Olzheim, Roth bei Prüm, Schwirzheim and Weinsheim.

2. In the "Pfalz" part:

- (a) the city of Pirmasens;
- (b) in the *Kreis* Südwestpfalz: the municipalities Pirmasens-Land, Thaleischweiler-Fröschen, Dahner Felsenland, Hauenstein without the Exklave zu Wilgartswiesen, the localities Herschberg, Schauerberg, Schmitshausen, Weselberg, Wallhalben, Knopp-Labach, Hettenhausen, Saalstadt, Hermersberg, Höheinöd, Donsieders, Clausen, Rodalben, Münchweiler a. d. Rodalb, Merzalben, Waldfischbach-Burgalben;
- (c) in the *Kreis* Südliche Weinstraße: the localities Annweiler am Trifels without Exklave, south-western Exklave zu Landau in der Pfalz, Rinnthal, Wernersberg, Völkersweiler, Gossersweiler-Stein, Oberschlettenbach, Vorderweidenthal, Silz, Münchweiler am Klingbach, Klingenmünster, Gleiszellen-Gleishorbach, Pleisweiler-Oberhofen, Bad Bergzabern, Birkenhördt, Böllenborn, Dörrenbach, Oberrotterbach, Schweigen-Rechtenbach, Schweighofen, Ilbesheim bei Landau in der Pfalz, Leinsweiler, Eschbach, Waldhambach, Waldrohrbach.

B. In the federal state North Rhine-Westfalia

- (a) the city of Aachen: south of the motorways A4, A544 and the Bundesstrasse B1;
 - (b) the city of Bonn: south of the Bundesstrasse 56 and the motorway A 565 (Bonn-Endenich to Bonn-Poppelsdorf) and southwest of the Bundesstrasse 9;
 - (c) in the *Kreis* Aachen: the cities Monschau and Stolberg, the municipalities Simmerath and Roetgen;
 - (d) in the *Kreis* Düren: the cities Heimbach and Nideggen, the municipalities Hürtgenwald and Langerwehe;
 - (e) in the *Kreis* Euskirchen: the cities Bad Münstereifel, Mechernich, Schleiden and the localities Billig, Euenheim, Euskirchen, Flamersheim, Kirchheim, Kuchenheim, Kreuzweingarten, Niederkastenholz, Palmersheim, Rheder, Roitzheim, Schweinheim, Stotzheim, Wißkirchen (in the city Euskirchen), the municipalities Blankenheim, Dahlem, Hellenthal, Kall and Nettersheim;
 - (f) in the *Kreis* Rhein-Sieg: the cities Meckenheim and Rheinbach, the municipality Wachtberg, the localities Witterschlick, Volmershofen, Heidgen (in the municipality Alfter) and the localities Buschhoven, Morenhoven, Miel and Odendorf (in the municipality Swisttal).
-

COMMISSION DECISION

of 23 February 2007

laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Bulgaria, as provided for in Council Regulation (EC) No 21/2004*(notified under document number C(2007) 533)***(Text with EEA relevance)**

(2007/136/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of Regulation (EC) No 21/2004, it is appropriate to lay down transitional measures for the identification of ovine and caprine animals in Bulgaria.

Having regard to the Treaty establishing the European Community,

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

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,

HAS ADOPTED THIS DECISION:

Whereas:

*Article 1***Subject matter**

(1) Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC⁽¹⁾, lays down rules for the establishment of systems for the identification and registration of ovine and caprine animals. It provides that all those animals born in Bulgaria after 1 January 2007 are to be identified by means of an eartag and a second means of identification bearing the same individual code as on the eartag within a period of not more than six months and in any case before they leave the holding of birth.

This Decision shall apply to any animal of the ovine and caprine species kept on holdings situated in Bulgaria (the animals).

*Article 2***Identification of animals in Bulgaria**

All animals on a holding shall be identified before they leave the holding of their birth or within a period of nine months from the date of their birth, whichever is the earlier, by at least one single eartag bearing an individual code for each animal in accordance with national rules.

(2) Bulgaria acceded to the Community on 1 January 2007. By letter dated 17 November 2006, Bulgaria requested transitional measures for a period of one year for the identification of ovine and caprine animals in that country, during which time the animals should only be identified by means of a single eartag, except for animals entering into intra-Community trade or intended for export to third countries. Such animals should be identified in accordance with Community rules, except that the means of identification, provided for in Regulation (EC) No 21/2004, may be applied in a holding, other than the holding of birth referred to in Article 4(1) of that Regulation.

*Article 3***Identification of animals intended for intra-Community trade or export to third countries**

All animals intended for intra-Community trade or export to third countries shall be identified in accordance with Regulation (EC) No 21/2004, where applicable in addition to the eartag applied in accordance with Article 2 of this Decision.

(3) In order to facilitate the transition from the existing regime in Bulgaria to that resulting from the application

By way of derogation from Article 4(1) of Regulation (EC) No 21/2004, the means of identification referred to in that provision may be applied in the holding of origin, as defined in Article 2(b)(8) of Directive 91/68/EEC⁽²⁾.

⁽¹⁾ OJ L 5, 9.1.2004, p. 8. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 46, 19.2.1991, p. 19.

*Article 4***Movement document requirement**

The movement document referred to in Article 3(1)(c) of Regulation (EC) No 21/2004 shall contain the individual codes for each animal as provided for in Articles 2 and 3 of this Decision.

*Article 5***Applicability**

This Decision shall apply from the date of entry into force of the Act of Accession and until 31 December 2007.

*Article 6***Addressee**

This Decision is addressed to the Member States.

Done at Brussels, 23 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION DECISION**of 23 February 2007****amending Decision 2006/805/EC as regards classical swine fever control measures in Germany***(notified under document number C(2007) 535)***(Text with EEA relevance)**

(2007/137/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 ⁽¹⁾, and in particular Article 10(4) thereof,Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to completion of the internal market ⁽²⁾, and in particular Article 9(4) thereof,

Whereas:

- (1) Commission Decision 2006/805/EC of 24 November 2006 concerning animal health control measures relating to classical swine fever in certain Member States ⁽³⁾ was adopted in response to outbreaks of classical swine fever in certain Member States. That Decision establishes certain disease control measures concerning classical swine fever in those Member States.
- (2) Germany has informed the Commission that the disease situation in certain areas of the federal state of

Rhineland-Palatinate has significantly improved. The measures provided for in Decision 2006/805/EC concerning those areas should therefore no longer apply.

- (3) Decision 2006/805/EC should therefore be amended accordingly.
- (4) 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

The Annex to Decision 2006/805/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, 23 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ OJ L 329, 25.11.2006, p. 67.

ANNEX

'ANNEX

PART I

1. **Germany**

A. Rhineland-Palatinate

- (a) in the Kreis Ahrweiler: the municipalities Adenau and Altenahr;
- (b) in the Kreis Daun: the municipalities Obere Kyll and Hillesheim, in the municipality Daun the localities Betteldorf, Dockweiler, Dreis-Brück, Hinterweiler and Kirchweiler, in the municipality Kelberg the localities Beinhausen, Bereborn, Bodenbach, Bongard, Borler, Boxberg, Brücktal, Drees, Gelenberg, Kelberg, Kirsbach, Mannebach, Neichen, Nitz, Reimerath and Welcherath, in the municipality Gerolstein the localities Berlingen, Dupbach, Hohenfels-Essingen, Kalenborn-Scheuern, Neroth, Pelm and Rockeskyll and the City of Gerolstein;
- (c) in the Kreis Bitburg-Prüm: in the municipality Prüm the localities Budesheim, Kleinlangenfeld, Neuendorf, Olzheim, Roth bei Prüm, Schwirzheim and Weinsheim.

B. North Rhine-Westfalia

- (a) in the Kreis Euskirchen: the cities Bad Münstereifel, Mechernich, Schleiden and the localities of Billig, Euenheim, Euskirchen, Flamersheim, Kirchheim, Kuchenheim, Kreuzweingarten, Niederkastenholz, Palmersheim, Rheder, Roitzheim, Schweinheim, Stotzheim, Wißkirchen (in the City Euskirchen), and the municipalities Blankenheim, Dahlem, Hellenthal, Kall and Nettersheim;
- (b) in the Kreis Rhein-Sieg: the cities Meckenheim and Rheinbach, the municipality Wachtberg, the localities Witterschlick, Volmershofen, Heidgen (in the municipality Alfter) and the localities Buschhoven, Morenhoven, Miel and Odendorf (in the municipality Swisttal);
- (c) the city Aachen: south of the motorways A4, A544 and the Bundesstrasse B1;
- (d) the city Bonn: south of the Bundesstrasse 56 and the motorway A565 (Bonn-Endenich to Bonn-Poppelsdorf) and southwest of the Bundesstrasse 9;
- (e) in the Kreis Aachen: the cities Monschau and Stolberg, and the municipalities Simmerath and Roetgen;
- (f) in the Kreis Düren: the cities Heimbach and Nideggen, and the municipalities Hürtgenwald and Langerwehe.

2. **France**

The territory of the Department of Bas-Rhin and Moselle located west of the Rhine and the channel Rhine Marne, north of the motorway A4, east of the river Sarre and south of the border with Germany and the municipalities Holtzheim, Lingolsheim and Eckbolsheim.

PART II

1. **Slovakia**

The territory of the District Veterinary and Food Administrations (DVFA) of Trenčín (comprising Trenčín and Bánovce nad Bebravou districts), Prievidza (comprising Prievidza and Partizánske districts), Púchov (comprising Ilava district only), Žiar nad Hronom (comprising Žiar nad Hronom, Žarnovica and Banská Štiavnica districts), Zvolen (comprising Zvolen, Krupina and Detva districts), Lučenec (comprising Lučenec and Poltár districts) and Veľký Krtíš.

PART III

1. **Bulgaria**

The whole territory of Bulgaria.'

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 175/2007 of 22 February 2007 fixing the export refunds on syrups and certain other sugar products exported without further processing*(Official Journal of the European Union L 55 of 23 February 2007)*

On page 12 the Annex should read as follows:

‘ANNEX

Export refunds on syrups and certain other sugar products exported without further processing applicable from 23 February 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	18,13
1702 60 10 9000	S00	EUR/100 kg dry matter	18,13
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1813
1702 90 30 9000	S00	EUR/100 kg dry matter	18,13
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1813
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1813
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,1813 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	18,13
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1813

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).’

Corrigendum to Commission Regulation (EC) No 177/2007 of 22 February 2007 fixing the export refunds on products processed from cereals and rice

(Official Journal of the European Union L 55 of 23 February 2007)

On page 16, in the Annex, second column under the Heading 'Destination', in all of the table:

for: 'C13',

read: 'C10'.

Corrigendum to Council Decision 2006/969/EC of 18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Euratom) on nuclear research and training activities (2007 to 2011)

(Official Journal of the European Union L 391 of 30 December 2006)

The publication of the Decision in the abovementioned Official Journal is annulled.

The publication of the same text as 'Council Decision 2006/970/EC of 18 December 2006' in OJ L 400, 30.12.2006, p. 60, remains valid.

(For technical reasons, this latter Decision has been republished in OJ L 54, 22.2.2007, p. 21.)
