

Official Journal

of the European Union

L 51

Volume 49

22 February 2006

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 305/2006

of 21 February 2006

imposing specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60, 301 and 308 thereof,

Having regard to Council Common Position 2005/888/CFSP of 12 December 2005 concerning specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri ⁽¹⁾,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) On 31 October 2005, the Security Council of the United Nations adopted Resolution 1636 (2005) noting the conclusion of the report of the International Investigation Commission into the 14 February 2005 terrorist bombing in Beirut, Lebanon, that killed 23 people, including former Lebanese Prime Minister Rafiq Hariri, and caused injury to dozens of people.
- (2) The Security Council noted with extreme concern the International Investigation Commission's conclusion that there is converging evidence pointing at the involvement of both Lebanese and Syrian officials in this terrorist act, and acting under Chapter VII of the Charter of the United Nations, decided, as a step to assist in the investigation of this crime and without prejudice to the ultimate judicial determination of the guilt or innocence of any individual, to impose measures against all individuals suspected of involvement in the planning, sponsoring, organizing or perpetrating of this terrorist act.
- (3) Common Position 2005/888/CFSP provides for implementation of the measures set out in UNSCR 1636 (2005) and, in particular, the freezing of funds and

economic resources of persons registered by the Committee of the Security Council established by paragraph 3(b) of UNSCR 1636 (2005) as suspected of involvement in the planning, sponsoring, organising or perpetrating of the assassination of former Lebanese Prime Minister Rafiq Hariri and others on 14 February 2005.

- (4) These measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, Community legislation is necessary to implement them as far as the Community is concerned.
- (5) For reasons of expediency, the Commission should be empowered to amend the Annexes to this Regulation, on the basis of notification or information by the relevant Sanctions Committee and Member States, as appropriate.
- (6) Member States should determine the penalties applicable to infringements of the provisions of this Regulation. The penalties provided for should be proportionate, effective and dissuasive.
- (7) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

1. 'Sanctions Committee' means the Committee of the Security Council of the United Nations which was established pursuant to paragraph 3(b) of UNSCR 1636 (2005);
2. 'funds' means financial assets and benefits of every kind, including but not limited to:
 - (a) cash, cheques, claims on money, drafts, money orders and other payment instruments;

⁽¹⁾ OJ L 327, 14.12.2005, p. 26.

⁽²⁾ Not yet published in the Official Journal.

- (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (d) interest, dividends or other income on or value accruing from or generated by assets;
 - (e) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (f) letters of credit, bills of lading, bills of sale;
 - (g) documents evidencing an interest in funds or financial resources;
3. 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
4. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;
5. 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, the selling, hiring or mortgaging of them;
6. 'territory of the Community' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by the natural or legal persons, entities or bodies listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.
3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. By way of derogation from Article 2, the competent authorities of the Member States, as listed in Annex II, may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, having determined that the funds or economic resources concerned are:

- (a) necessary for basic expenses, including payments for food-stuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services; or
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources;

provided that the Member State concerned has notified the Sanctions Committee of that determination and that the determination has been approved by that Committee.

2. The relevant competent authority shall inform the competent authorities of the other Member States and the Commission of any authorisation granted under paragraph 1.

3. Article 2(2) shall not apply to the addition to frozen accounts of interest or other earnings on those accounts provided that any such interest or other earnings are frozen in accordance with Article 2(1).

Article 4

Article 2(2) shall not prevent the crediting of the frozen accounts by financial institutions that receive funds transferred by third parties to the account of a listed person, entity or body, provided that any such crediting to such accounts is also frozen in accordance with Article 2(1). The financial institution shall inform the competent authorities of such transactions without delay.

Article 5

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, natural and legal persons, entities and bodies shall:

(a) supply immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2, to the competent authorities of the Member States listed in Annex II where they are resident or located, and shall transmit such information, directly or through these competent authorities, to the Commission;

(b) cooperate with the competent authorities listed in Annex II in any verification of this information.

2. Any additional information directly received by the Commission shall be made available to the competent authorities of the Member State concerned.

3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received. Such purposes shall be deemed to include cooperation with any international investigation related to the assets or financial transactions of the natural and legal persons, bodies and entities listed in Annex I.

Article 6

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as result of negligence.

Article 7

The Commission and Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgments handed down by national courts.

Article 8

1. The Commission shall be empowered to:

(a) amend Annex I on the basis of determinations made by the Sanctions Committee; and

(b) amend Annex II on the basis of information supplied by Member States.

2. Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Sanctions Committee for the purpose of the effective implementation of this Regulation.

Article 9

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Member States shall notify the Commission of those rules without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment to them.

Article 10

This Regulation shall apply:

(a) within the territory of the Community, including its airspace;

(b) on board any aircraft or any vessel under the jurisdiction of a Member State;

(c) to any person inside or outside the territory of the Community who is a national of a Member State;

(d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;

(e) to any legal person, entity or body in respect of any business done in whole or in part within the Community.

Article 11

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

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

Done at Brussels, 21 February 2006.

For the Council

The President

K. GASTINGER

*ANNEX I***List of natural and legal persons, entities and bodies referred to in Article 2**

(Annex to be completed after the persons and entities have been registered by the Committee established by paragraph 3 (b) of UNSCR 1636 (2005))

ANNEX II

List of competent authorities referred to in Articles 3, 4 and 5

BELGIUM

Federale Overheidsdienst Financiën Thesaurie
Kunstlaan 30
B-1040 Brussel
Fax: (32-2) 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

Service Public Fédéral des Finances
Trésorerie
30 Avenue des Arts
B-1040 Bruxelles
Fax: 00 32 2 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

CZECH REPUBLIC

Ministerstvo financí
Finanční analytický útvar
P.O. BOX 675
Jindřišská 14
111 21 Praha 1
Tel.: +420 2 5704 4501
Fax: +420 2 5704 4502

Ministerstvo zahraničních věcí
Odbor společné zahraniční a bezpečnostní politiky EU
Loretánské nám. 5
118 00 Praha 1
Tel.: +420 2 2418 2987
Fax: +420 2 2418 4080

DENMARK

Erhvervs- og Byggestyrelsen
Langelinie Allé 17
DK-2100 København K
Tlf. (45) 35 46 62 81
Fax (45) 35 46 62 03

Udenrigsministeriet
Asiatisk Plads 2
DK-1448 København K
Tlf. (45) 33 92 00 00
Fax (45) 32 54 05 33

Justitsministeriet
Slotholmsgade 10
DK-1216 København K
Tlf. (45) 33 92 33 40
Fax (45) 33 93 35 10

GERMANY

Concerning funds:
Deutsche Bundesbank
Servicezentrum Finanzsanktionen
Postfach
D-80281 München
Tel.: (49) 89 28 89 3800
Fax: (49) 69 709097 3800

Concerning economic resources

— *for information in accordance with Art. 5:*

Bundesministerium für Wirtschaft und Technologie
Referat V B 2
Scharnhorststr. 34—37
D-10115 Berlin
Tel.: 01888-615-9
Fax: 01888-615-5358
Email: BUERO-VB2@bmwi.bund.de

— *for granting of exemptions in accordance with Art. 3:*

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29—35
D-65760 Eschborn
Tel.: (49) 6196 908-0
Fax: (49) 6196 908-800

ESTONIA

Eesti Välisministeerium
Islandi väljak 1
15049 Tallinn
Tel.: + 372 6317 100
Faks: + 372 6317 199

Finantsinspektsioon
Sakala 4
15030 Tallinn
Tel.: + 372 6680 500
Faks: + 372 6680 501

GREECE

A. *Freezing of Assets*

Ministry of Economy and Finance
General Directorate of Economic Policy
Address: 5 Nikis Str.
10 563 Athens — Greece
Tel.: + 30 210 3332786
Fax: + 30 210 3332810

A. *Δέσμευση κεφαλαίων*

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Οικονομικής Πολιτικής
Δ/ση: Νίκης 5
10 563 Αθήνα
Τηλ.: + 30 210 3332786
Φαξ: + 30 210 3332810

B. *Import-Export restrictions*

Ministry of Economy and Finance
General Directorate for Policy Planning and Management
Address: Kornarou Str. 1
10 563 Athens
Tel.: + 30 210 3286401-3
Fax: + 30 210 3286404

B. Περιορισμοί εισαγωγών — εξαγωγών

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Σχεδιασμού και Διαχείρισης Πολιτικής
Δ/ση: Κορνάρου 1
Τ.Κ. 10 563 Αθήνα — Ελλάδα
Τηλ.: + 30 210 3286401-3
Φαξ: + 30 210 3286404

SPAIN

Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control de Movimientos de
Capitales
Ministerio de Economía
Paseo del Prado, 6
E-28014 Madrid
Tel.: (34) 912 09 95 11

Dirección General de Comercio e Inversiones
Subdirección General de Inversiones Exteriores
Ministerio de Industria, Comercio y Turismo
Paseo de la Castellana, 162
E-28046 Madrid
Tel.: (34) 913 49 39 83

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale du Trésor et de la politique économique
Service des affaires multilatérales et du développement
Sous-direction Politique commerciale et investissements
Service Services, Investissements et Propriété intellectuelle
139, rue de Bercy
75572 Paris Cedex 12
Tél.: (33) 1 44 87 72 85
Télécopieur: (33) 1 53 18 96 55

Ministère des affaires étrangères
Direction générale des affaires politiques et de sécurité
Service de la politique étrangère et de sécurité commune
37, Quai d'Orsay
75007 Paris
Tél.: (33) 1 43 17 45 16
Télécopieur: (33) 1 43 17 45 84

IRELAND

United Nations Section
Department of Foreign Affairs
Iveagh House
79-80 Saint Stephen's Green
Dublin 2
Tel.: + 353 1 478 0822
Fax: + 353 1 408 2165

Central Bank and Financial Services Authority of Ireland
Financial Markets Department
Dame Street
Dublin 2
Tel.: + 353 1 671 6666
Fax: + 353 1 679 8882

ITALY

Ministero degli Affari Esteri
Piazzale della Farnesina, 1
I-00194 Roma
D.G.M.M. — Ufficio II
Tel.: (39) 06 3691 2296
Fax: (39) 06 3691 3567

Ministero dell'Economia e delle Finanze
Dipartimento del Tesoro
Comitato di Sicurezza Finanziaria
Via XX Settembre, 97
I-00187 Roma
Tel.: (39) 06 4761 3942
Fax: (39) 06 4761 3032

CYPRUS

Ministry of Commerce, Industry and Tourism
6 Andrea Araouzou
1421 Nicosia
Tel: + 357 22 86 71 00
Fax: + 357 22 31 60 71

Central Bank of Cyprus
80 Kennedy Avenue
1076 Nicosia
Tel: + 357 22 71 41 00
Fax: + 357 22 37 81 53

Ministry of Finance (Department of Customs)
M. Karaoli
1096 Nicosia
Tel: + 357 22 60 11 06
Fax: + 357 22 60 27 41/47

LATVIA

Latvijas Republikas Prokuratūra
Noziedzīgi iegūtu līdzekļu legalizācijas novēršanas dienests
Kalpaka bulvāris 6
Rīga, LV-1801
Tel.: (371) 70144431
Fax: (371) 7044804

Latvijas Republikas Ārlietu ministrija
Brīvības bulvāris 36
Rīga, LV-1395
Tel.: (371) 7016201
Fax: (371) 7828121

LITHUANIA

Saugumo politikos departamentas
Lietuvos Respublikos užsienio reikalų ministerija
J. Tumo-Vaižganto 2
LT-01511 Vilnius
Lithuania
Tel. +370 5 236 25 16
Fax. +370 5 231 30 90

LUXEMBOURG

Ministère des Affaires étrangères et de l'Immigration
 Direction des Relations économiques internationales
 5, rue Notre-Dame
 L-2240 Luxembourg
 Tél.: (352) 478 2346
 Fax: (352) 22 20 48

Ministère des Finances
 3, rue de la Congrégation
 L-1352 Luxembourg
 Tél.: (352) 478 2712
 Fax: (352) 47 52 41

HUNGARY

Hungarian National Police Headquarters
 Teve u. 4-6.
 H-1139 Budapest
 Hungary
 Tel./fax: +36-1-443-5554

Országos Rendőrfőkapitányság
 1139 Budapest, Teve u. 4-6.
 Magyarország
 Tel./fax: +36-1-443-5554

Ministry of Finance
 József nádor tér. 2-4.
 H-1051 Budapest
 Hungary
 Postbox: 1139 Pf.: 481
 Tel.: +36-1-318-2066, +36-1-327-2100
 Fax: +36-1-318-2570, +36-1-327-2749

Pénzügyminisztérium
 1051 Budapest, József nádor tér. 2-4.
 Magyarország
 Postafiók: 1139 Pf.: 481
 Tel.: +36-1-318-2066, +36-1-327-2100
 Fax: +36-1-318-2570, +36-1-327-2749

MALTA

Bord ta' Sorveljanza dwar is-Sanzjonijiet
 Ministeru ta' l-Affarijiet Barranin
 Palazzo Parisio
 Triq il-Merkanti
 Valletta CMR 02
 Tel.: + 356 21 24 28 53
 Fax: + 356 21 25 15 20

NETHERLANDS

De Minister van Financiën
 Directie Financiële Markten/Afdeling Integriteit
 Postbus 20201
 NL-2500 EE
 Den Haag
 Tel.: (31-70) 342 89 97
 Fax: (31-70) 342 79 84

AUSTRIA

A. Freezing of Assets

Österreichische Nationalbank
 (Austrian National Bank)
 Otto-Wagner-Platz 3
 A-1090 Wien
 Tel. (+ 43-1) 404 20-0
 Fax (+ 43-1) 404 20-7399

B. Import-Export restrictions and all other restrictions

Bundesministerium für Wirtschaft und Arbeit
 (Federal Ministry of Economics and Labour)
 Abteilung C2/2 (Ausfuhrkontrolle)
 Stubenring 1
 A-1010 Wien
 Tel. (+ 43-1) 711 00-0
 Fax (+ 43-1) 711 00-8386

POLAND

Ministerstwo Finansów
 Generalny Inspektor Informacji Finansowej (GIIF)
 ul. Świętokrzyska 12
 00-916 Warszawa
 Poland
 Tel. (+48 22) 694 59 70
 Faks (+48 22) 694 54 50

PORTUGAL

Ministério dos Negócios Estrangeiros
 Direcção-Geral dos Assuntos Multilaterais
 Largo do Rilvas
 P-1350-179 Lisboa
 Tel.: (351) 21 394 67 02
 Fax: (351) 21 394 60 73

Ministério das Finanças
 Direcção-Geral dos Assuntos Europeus e Relações
 Internacionais
 Avenida Infante D. Henrique n.º 1, C, 2.º
 P-1100 Lisboa
 Tel.: (351) 21 882 3390/8
 Fax: (351) 21 882 3399

SLOVENIA

Ministry of Foreign Affairs
 Prešernova 25
 SI-1000 Ljubljana
 Tel.: 00386 1 478 2000
 Faks: 00386 1 478 2341

Ministry of the Economy
 Kotnikova 5
 SI-1000 Ljubljana
 Tel.: 00386 1 478 3311
 Faks: 00386 1 433 1031

Ministry of Defence
 Kardeljeva pl. 25
 SI-1000 Ljubljana
 Tel.: 00386 1 471 2211
 Faks: 00386 1 431 8164

SLOVAKIA

Ministerstvo financií Slovenskej republiky
Štefanovičova 5
P.O. BOX 82
817 82 Bratislava
Tel.: 00421 2 5958 1111
Fax: 00421 2 5249 3048

FINLAND

Ulkoasiainministeriö/Utrikesministeriet
PL/PB 176
FIN-00161 Helsinki/Helsingfors
Tel (358-9) 16 00 5
Fax (358-9) 16 05 57 07

SWEDEN

Article 3:

Försäkringskassan
SV-103 51 Stockholm
Tfn +46 (0) 8 786 90 00
Fax +46 (0) 8 411 27 89

Articles 4 and 5:

Finansinspektionen
Box 6750
SV-113 85 Stockholm
Tfn +46 (0) 8 787 80 00
Fax +46 (0) 8 24 13 35

UNITED KINGDOM

HM Treasury
Financial Systems and International Standards
1, Horse Guards Road
London SW1A 2HQ
United Kingdom
Tel. + 44 (0) 20 7270 4901
Fax + 44 (0) 20 7270 5430

Bank of England
Financial Sanctions Unit
Threadneedle Street
London EC2R 8AH
United Kingdom
Tel. + 44 (0) 20 7601 4768
Fax + 44 (0) 20 7601 4309

EUROPEAN COMMUNITY

Commission of the European Communities
Directorate-General for External Relations
Directorate Common Foreign and Security Policy
(CFSP) and European Security and Defence Policy
(ESDP): Commission Coordination and Contribution
Legal and institutional matters, CFSP Joint Actions, Sanctions, Kimberley
Process
CHAR 12/163
B-1049 Bruxelles/Brussel
Tel. (32-2) 295 55 85/299 11 76
Fax (32-2) 296 75 63
E-mail: relex-sanctions@cec.eu.int

COMMISSION REGULATION (EC) No 306/2006
of 21 February 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 22 February 2006.

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

Done at Brussels, 21 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 21 February 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	86,3
	204	48,2
	212	114,3
	624	111,0
	999	90,0
0707 00 05	052	165,7
	204	89,9
	628	131,0
	999	128,9
0709 10 00	220	66,1
	624	95,8
	999	81,0
0709 90 70	052	112,5
	204	52,1
	999	82,3
0805 10 20	052	49,8
	204	50,2
	212	43,9
	220	50,7
	624	76,6
	999	54,2
0805 20 10	204	100,2
	999	100,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	61,7
	204	119,7
	220	72,0
	464	141,8
	624	74,8
	662	46,2
	999	86,0
0805 50 10	052	46,5
	220	68,7
	999	57,6
0808 10 80	400	120,8
	404	99,2
	528	99,9
	720	76,5
	999	99,1
0808 20 50	052	105,2
	388	81,7
	400	94,8
	512	80,6
	528	76,1
	720	68,0
	999	84,4

⁽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 307/2006**of 21 February 2006****amending Regulation (EC) No 80/2006 opening a standing invitation to tender for the resale on the Community market of rye held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

50 000 tonnes. In view of the market situation, the request made by Germany should be granted.

Having regard to the Treaty establishing the European Community,

(3) Regulation (EC) No 80/2006 should be amended accordingly.

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 6 thereof,

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

Whereas:

HAS ADOPTED THIS REGULATION:

(1) Commission Regulation (EC) No 80/2006 ⁽²⁾ opens a standing invitation to tender for the resale on the Community market of rye held by the German intervention agency.

Article 1

In Article 1 of Regulation (EC) No 80/2006, '50 000 tonnes' is replaced by '100 000 tonnes'.

(2) In view of market requirements and the quantities held by the German intervention agency, Germany has informed the Commission that its intervention agency intends to increase the amount put out to tender by

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, 21 February 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 14, 19.1.2006, p. 5.

COUNCIL DIRECTIVE 2006/18/EC**of 14 February 2006****amending Directive 77/388/EEC with regard to reduced rates of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 93 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Whereas:

- (1) The possibility of applying a reduced rate of value added tax should be granted in respect of supplies of district heating as for supplies of natural gas and electricity, for which the possibility of applying a reduced rate is already allowed in 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⁾.
- (2) To achieve a better understanding of the impact of reduced rates, it is necessary for the Commission to prepare an assessment report on the impact of reduced rates applied to locally supplied services, notably in terms of job creation, economic growth and the proper functioning of the internal market.
- (3) The experiment of reduced rates for labour-intensive services should therefore be extended until 31 December 2010 and it should also be made possible for all Member States to take part in it under the same conditions.
- (4) Accordingly, Member States wishing to avail themselves, for the first time, of the option provided for in Article 28(6) of Directive 77/388/EEC and those wishing to amend the list of services to which they have applied

the said provision in the past should submit a request to the Commission, together with the relevant particulars for the purpose of assessment. Such prior assessment by the Commission does not appear necessary where Member States have previously benefited from an authorisation and submitted a report on the matter to the Commission.

- (5) To ensure legal continuity, this Directive should be applicable as from 1 January 2006.
- (6) Implementation of this Directive in no way implies change in the legislative provisions of Member States,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/388/EEC is hereby amended as follows:

1. Article 12 shall be amended as follows:

(a) paragraph 3(b) shall be replaced by the following:

‘(b) Member States may apply a reduced rate to supplies of natural gas, electricity and district heating provided that no risk of distortion of competition exists. A Member State intending to apply such a rate must inform the Commission before doing so. The Commission shall give a decision on the existence of a risk of distortion of competition. If the Commission has not taken that decision within three months of the receipt of the information a risk of distortion of competition is deemed not to exist.’;

(b) in paragraph 4, the following subparagraph shall be inserted:

‘By 30 June 2007 at the latest the Commission shall present to the European Parliament and the Council an overall assessment report on the impact of reduced rates applying to locally supplied services, including restaurant services, notably in terms of job creation, economic growth and the proper functioning of the internal market, based on a study carried out by an independent economic think-tank.’;

⁽¹⁾ OJ C 89 E, 14.4.2004, p. 138.

⁽²⁾ OJ C 32, 5.2.2004, p. 113.

⁽³⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2005/92/EC (OJ L 345, 28.12.2005, p. 19).

2. Article 28(6) shall be amended as follows:

(a) the first subparagraph shall be replaced by the following:

'The Council, acting unanimously on a proposal from the Commission, may authorise any Member State to apply until 31 December 2010 at the latest the reduced rates provided for in the third subparagraph of Article 12(3)(a) to services listed in a maximum of two of the categories set out in Annex K. In exceptional cases, a Member State may be authorised to apply the reduced rates to services belonging to three of the aforementioned categories.'

(b) the fourth subparagraph shall be replaced by the following:

'Any Member State wishing to apply for the first time after 31 December 2005 a reduced rate to one or more of the services mentioned in the first subparagraph pursuant to this provision shall inform the Commission before 31 March 2006. It shall communicate to it before that date all relevant particulars concerning the new measures it wishes to introduce, and in particular the following:

(a) scope of the measure and detailed description of the services concerned;

(b) particulars showing that the conditions laid down in the second and third subparagraphs have been met;

(c) particulars showing the budgetary cost of the measure envisaged.'

Article 2

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

It shall be applicable as from 1 January 2006.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 14 February 2006.

For the Council

The President

K.-H. GRASSER

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 January 2006

on the existence of an excessive deficit in the United Kingdom

(2006/125/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 104(6) thereof,

Having regard to the recommendation from the Commission,

Having regard to the observations made by the United Kingdom,

Whereas:

(1) Article 104 of the Treaty lays down an excessive deficit procedure (EDP) to ensure that Member States avoid excessive government deficits or that they correct such deficits when they occur.

(2) Pursuant to point 5 of the Protocol on certain provisions relating to the United Kingdom of Great Britain and Northern Ireland, the obligation under Article 104(1) of the Treaty to avoid excessive general government deficits does not apply to the United Kingdom unless it moves to the third stage of economic and monetary union. While in the second stage, the United Kingdom is required to endeavour to avoid excessive government deficits, pursuant to Article 116(4) of the Treaty.

(3) The Stability and Growth Pact is based on the objective of sound government finances as a means of strengthening the conditions for price stability and for strong sustainable growth conducive to employment creation.

(4) The excessive deficit procedure under Article 104 of the Treaty, as clarified by Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure⁽¹⁾, which is part of the Stability and Growth Pact, provides for a decision on the existence of an excessive deficit. The Protocol on the excessive deficit procedure annexed to the Treaty sets out further provisions relating to the implementation of the excessive deficit procedure. Council Regulation (EC) No 3605/93⁽²⁾ lays down detailed rules and definitions for the application of the provision of the said Protocol.

(5) Article 104(5) of the Treaty requires the Commission to address an opinion to the Council if the Commission considers that an excessive deficit in a Member State exists or may occur. Having taken into account its report in accordance with Article 104(3) of the Treaty and having regard to the opinion of the Economic and Financial Committee in accordance with Article 104(4), the Commission services' autumn 2005 forecast, as well as the United Kingdom's December 2005 Pre-Budget Report, the Commission concluded that an excessive deficit exists in the United Kingdom. The Commission therefore addressed such an opinion to the Council in respect of the United Kingdom on 11 January 2006.

⁽¹⁾ OJ L 209, 2.8.1997, p. 6. Regulation as amended by Regulation (EC) No 1056/2005 (OJ L 174, 7.7.2005, p. 5).

⁽²⁾ OJ L 332, 31.12.1993, p. 7. Regulation as last amended by Regulation (EC) No 2103/2005 (OJ L 337, 22.12.2005, p. 1).

- (6) Article 104(6) of the Treaty states that the Council should consider any observations which the Member State concerned may wish to make before deciding, after an overall assessment, whether an excessive deficit exists. In the case of the United Kingdom, this overall assessment leads to the following conclusions.
- (7) In the period since the United Kingdom's previous excessive deficit procedure was abrogated in May 1998, the UK general government balance moved from a comfortable surplus position in the late 1990s to a deficit of 3,2 % of GDP in 2003/04 ⁽¹⁾. This development was equivalent to a change in the structural fiscal balance of around 4 percentage points of GDP in the period between 1999/2000 and 2003/04. During these years, the general government expenditure ratio increased from less than 40 % to about 43 % of GDP. In the same period, government gross fixed capital formation increased from 1,2 % to 1,6 % of GDP; the government gross debt ratio went down to 37,6 % of GDP in 2002/03 but has been increasing since then. Such an evolution, coupled with developments in interest rates, led to interest payments having fallen from 2,9 % to 2,0 % of GDP in that period.
- (8) In the 2004/05 financial year, according to the EDP data notified by the United Kingdom in August 2005, the general government deficit remained at 3,2 % of GDP, again above, but close to, the 3 % of GDP Treaty reference value. The excess over the 3 % of GDP reference value was not exceptional. In particular, it did not result from an unusual event outside the control of the United Kingdom authorities, nor was it the result of a severe economic downturn. Growth of 3,2 % in 2004 is estimated to have been above potential as was growth in the financial year 2004/05. The output gap in 2004 is estimated to have been positive, implying that the budget deficit was by and large structural. Therefore, the excess of the deficit over the reference value cannot be considered as resulting from a severe economic downturn. The excess over the 3 % of GDP reference value is also considered not temporary, based on the Commission services' autumn 2005 forecasts. In 2004 to 2005, the general government gross fixed capital formation continued to increase, rising to 1,8 % of GDP, and in the United Kingdom Pre-Budget Report is set to reach 2,2 % in 2006/07 and 2,3 % in 2007/08. Assuming United Kingdom fiscal policy remained as hitherto announced, the deficit in these forecasts was expected to widen to just below 3,5 % of GDP in 2005/06 and to remain over 3 % of GDP in 2006/07. Based on these projections, the excess over the reference value could not be considered either exceptional or temporary within the meaning of the Treaty and the Stability and Growth Pact although the deficit is close to the reference value. After the Commission services' autumn forecasts had been published, the United Kingdom announced policy decisions in the Pre-Budget Report presented to Parliament on 5 December. In net terms, the United Kingdom authorities' costings of these measures, compared with the baseline of announced policy (as taken into account in the Commission services' autumn forecasts), represent an easing of policy by 0,1 percentage points of GDP in the current financial year and a tightening of policy by 0,1 percentage points of GDP in 2006/07. Compared to an unchanged policy scenario, the Pre-Budget Report foresees a tightening of 0,2 percentage points of GDP in 2007/08 which is expected to be permanent. In the Pre-Budget Report, the UK authorities expect the deficit to be below 3 % in 2006/07 and to fall to 2,4 % in 2007/08. Taking into consideration these measures, which are all structural, the Commission's assessment nevertheless remains that the deficit in 2006/07, at around 3,1 % of GDP, is expected to exceed 3 % of GDP and is therefore not temporary. This indicates that the Treaty requirement concerning the deficit criterion is not fulfilled.
- (9) In contrast, the general government debt ratio remains well below the 60 % reference value (the August EDP data reporting a ratio of 40,8 % of GDP in the 2004/05 financial year) although, given the scale of actual and projected primary deficits, on a rising trend. In the Commission's autumn forecasts the debt ratio is projected to reach around 44,5 % of GDP in 2007/08. This means that the Treaty requirement concerning the debt criterion is respected by a large margin.
- (10) According to Article 2(4) of Regulation (EC) No 1467/97, 'relevant factors' can only be taken into account in the Council decision on the existence of an excessive deficit in accordance with Article 104(6) if the double condition — that the deficit remains close to the reference value and that its excess over the reference value is temporary — is fully met. This double condition is not met in the case of the United Kingdom. Therefore, other relevant factors are not taken into account in this decision,

HAS ADOPTED THIS DECISION:

Article 1

From an overall assessment it follows that an excessive deficit exists in the United Kingdom.

⁽¹⁾ August 2005 EDP notification, revised down from 3,3 % of GDP. The United Kingdom August data were validated by Eurostat on 26 September 2005.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 24 January 2006.

For the Council
The President
K.-H. GRASSER

COUNCIL DECISION

of 14 February 2006

amending Decisions 98/161/EC, 2004/228/EC and 2004/295/EC, as regards the extension of measures to prevent evasion of value added tax in the waste sector

(Only the Dutch, Spanish and Italian versions are authentic)

(2006/126/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to 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 valued added tax: uniform basis of assessment ⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Under Article 27(1) of Directive 77/388/EEC, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce special measures for derogation from that Directive, in order to simplify the procedure for charging the valued added tax (VAT) or to prevent certain types of tax evasion or avoidance.

(2) By letter registered by the Secretariat-General of the Commission on 25 October 2005, the Kingdom of the Netherlands (hereinafter Netherlands) requested an extension of Council Decision 98/161/EC of 16 February 1998 authorising the Kingdom of the Netherlands to apply a measure derogating from Articles 2 and 28a(1) of the Sixth Council Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes ⁽²⁾.

(3) By letter registered by the Secretariat-General of the Commission on 3 August 2005, the Kingdom of Spain (hereinafter Spain) requested an extension of Council Decision 2004/228/EC of 26 February 2004 authorising Spain to apply a measure derogating from Article 21 of the Sixth Council Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes ⁽³⁾.

(4) By letter registered by the Secretariat-General of the Commission on 26 September 2005, the Italian Republic (hereinafter Italy) requested an extension of Council Decision 2004/295/EC of 22 March 2004 authorising Italy to apply a measure derogating from Article 21 of the Sixth Council Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes ⁽⁴⁾.

(5) In accordance with Article 27(2) of Directive 77/388/EEC, the Commission informed the other Member States of the mentioned requests. In letters dated 27 October 2005, 7 September 2005 and 25 October 2005, the Commission respectively notified the Netherlands, Spain and Italy that it had all the information it considered necessary for the appraisal of their individual requests.

(6) Decision 98/161/EC authorised the Netherlands to apply, until 31 December 1999, certain measures to prevent evasion connected with the supply and intra-community acquisition of used and waste materials. Council Decision 2000/435/EC ⁽⁵⁾ extended the expiry date of Decision 98/161/EC until 31 December 2003. It was subsequently followed by Council Decision 2004/514/EC ⁽⁶⁾, which further extended the authorisation given under Decision 98/161/EC until the earlier of the date of entry into force of a special scheme for the application of VAT to the recycled waste sector or 31 December 2005.

(7) Decision 2004/228/EC authorised Spain to apply a measure to prevent evasion of VAT in the waste recycling sector. The said Decision expires on the earlier of the date of entry into force of a special scheme for the application of VAT to the recycled waste sector or 31 December 2005.

(8) Decision 2004/295/EC authorised Italy to apply a measure to prevent evasion of VAT in the waste recycling sector. The said Decision expires on the earlier of the date of entry into force of a special scheme for the application of VAT to the recycled waste sector or 31 December 2005.

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2005/92/EC (OJ L 345, 28.12.2005, p. 19).

⁽²⁾ OJ L 53, 24.2.1998, p. 19. Decision as last amended by Decision 2004/514/EC (OJ L 219, 19.6.2004, p. 11).

⁽³⁾ OJ L 70, 9.3.2004, p. 37.

⁽⁴⁾ OJ L 97, 1.4.2004, p. 63.

⁽⁵⁾ OJ L 172, 12.7.2000, p. 24.

⁽⁶⁾ OJ L 219, 19.6.2004, p. 11.

- (9) The measures are proportionate to the objectives pursued since they are intended to apply to specific supplies which pose considerable risks of tax evasion.
- (10) The matters of law and of fact which justified the application of the special measures in question have not been changed and still pertain. However, on 16 March 2005, the Commission submitted a proposal for a Council Directive amending Directive 77/388/EEC as regards certain measures to simplify the procedure for charging value added tax and to assist in countering tax evasion and avoidance, and repealing certain Decisions granting derogations. The proposed Directive would, if adopted, empower Member States to designate the recipient of certain goods and services in the waste sector as the person liable to pay the tax.
- (11) Consequently, it is necessary to extend the application of Decisions 98/161/EC, 2004/228/EC and 2004/295/EC, until 31 December 2009 or until the date of entry into force of a special scheme for the application of VAT to the recycled waste sector amending Directive 77/388/EEC, whichever is the earlier.
- (12) The extension of the derogation has no adverse impact on the Communities' own resources accruing from VAT, nor does it have any effect on the amount of VAT charged at the final stage of consumption.
- (13) In order to ensure legal continuity, this Decision should apply as from 1 January 2006,

HAS ADOPTED THIS DECISION:

Article 1

In Article 1 of Decision 98/161/EC, '31 December 2005' shall be replaced by '31 December 2009'.

Article 2

In Article 3 of Decision 2004/228/EC, '31 December 2005' shall be replaced by '31 December 2009'.

Article 3

In Article 3 of Decision 2004/295/EC, '31 December 2005' shall be replaced by '31 December 2009'.

Article 4

This Decision shall apply as from 1 January 2006.

Article 5

This Decision is addressed to the Kingdom of Spain, the Italian Republic and the Kingdom of the Netherlands.

Done at Brussels, 14 February 2006.

For the Council

The President

K.-H. GRASSER

COMMISSION

COMMISSION DECISION

of 2 February 2006

approving the 2006 technical action plan for the improvement of agricultural statistics

(notified under document number C(2005) 6068)

(2006/127/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 96/411/EC of 25 June 1996 on improving Community agricultural statistics ⁽¹⁾, and in particular Article 4(1) and Article 6(2) thereof,

Whereas:

- (1) In accordance with Decision 96/411/EC, the Commission establishes a technical action plan for agricultural statistics each year.
- (2) In accordance with Decision 96/411/EC, the Community contributes to the costs incurred by the Member States in making adaptations to national agricultural statistical systems or the costs of preparatory work for new or increasing needs which are part of a technical action plan.
- (3) It is essential to improve and develop statistical information on rural development for the implementation of the related Community policies. This is a main area of the annual action plan.

(4) There is a need to consolidate the agricultural statistical system and to continue the work supported by the previous action plans in the areas of farm registers and small farms.

(5) The measures provided for in this Decision are in line with the opinion of the Standing Committee of Agricultural Statistics,

HAS ADOPTED THIS DECISION:

Article 1

The 2006 technical action plan for improving agricultural statistics (TAPAS 2006), as set out in the Annex, is approved.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 February 2006.

For the Commission
Joaquín ALMUNIA
Member of the Commission

⁽¹⁾ OJ L 162, 1.7.1996, p. 14. Decision as last amended by Decision No 787/2004/EC of the European Parliament and of the Council (OJ L 138, 30.4.2004, p. 12).

ANNEX

2006 TECHNICAL ACTION PLAN FOR IMPROVING AGRICULTURAL STATISTICS (TAPAS 2006)

The measures covered by the 2006 technical action plan for improving agricultural statistics concerning the following areas:

- (a) rural development,
- (b) farm statistical registers,
- (c) surveys on small farms (small units surveys).

The Commission will make a financial contribution to projects developed as part of these measures which will not exceed the amounts shown in Table A for each Member State.

Table A

Technical action plan 2006

Maximum financial contribution of the Community to expenditure incurred

(in EUR)

Countries	Rural development	Farm register	Small units	Total
BE	94 000			94 000
DK			10 000	10 000
DE	49 500			49 500
HU	16 806			16 806
NL		60 000		60 000
AT	51 214			51 214
FI		36 000		36 000
SE		40 000		40 000
Total	211 520	136 000	10 000	357 520

COMMISSION DECISION

of 3 February 2006

amending Directive 2001/109/EC of the European Parliament and of the Council and Commission Decision 2002/38/EC concerning the statistical surveys carried out on plantations of certain species of fruit trees*(notified under document number C(2005) 5963)*

(2006/128/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Directive 2001/109/EC of the European Parliament and of the Council of 19 December 2001 concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees ⁽¹⁾, and in particular Article 1(2), third subparagraph, and Articles 2(2) and 4(2) thereof,

Whereas:

- (1) Directive 2001/109/EC, which establishes the list of species to be surveyed in the Member States, is implemented by Commission Decision 2002/38/EC of 27 December 2001 setting out the survey parameters and laying down the code and standard rules for transcription, in machine-readable form, of the data relating to the surveys on plantations of certain species of fruit trees ⁽²⁾. That Decision establishes the limits of the production areas to be set and their respective codes and the species of fruits and the varieties.
- (2) As a result of the accession of the new Member States it is necessary to adapt the respective Annexes to Directive 2001/109/EC and to Decision 2002/38/EC.

(3) Directive 2001/109/EC and Decision 2002/38/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 Agricultural Statistics instituted by Council Decision 72/279/EEC ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Directive 2001/109/EC is replaced by Annex I to this Decision.

Article 2

Annexes I and III to Decision 2002/38/EC are amended in accordance with Annexes II and III, respectively, to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 3 February 2006.

For the Commission

Joaquín ALMUNIA

Member of the Commission

⁽¹⁾ OJ L 13, 16.1.2002, p. 21. Directive as amended by the 2003 Act of Accession.

⁽²⁾ OJ L 16, 18.1.2002, p. 35.

⁽³⁾ OJ L 179, 7.8.1972, p. 1.

ANNEX I

'ANNEX

SPECIES SURVEYED IN THE VARIOUS MEMBER STATES

	Apples	Pears	Peaches	Apricots	Oranges	Lemons	Small-fruited citrus fruits
Belgium	x	x					
Czech Republic	x	x	x	x			
Denmark	x	x					
Germany	x	x					
Estonia	x						
Greece	x	x	x	x	x	x	x
Spain	x	x	x	x	x	x	x
France	x	x	x	x	x	x	x
Ireland	x						
Italy	x	x	x	x	x	x	x
Cyprus	x	x	x	x	x	x	x
Latvia	x	x					
Lithuania	x	x					
Luxembourg	x	x					
Hungary	x	x	x	x			
Malta			x (*)				
Netherlands	x	x					
Austria	x	x	x	x			
Poland	x	x	x (*)	x (*)			
Portugal	x	x	x	x	x	x	x
Slovenia	x	x	x (*)	x (*)			
Slovakia	x	x	x (*)	x (*)			
Finland	x						
Sweden	x	x					
United Kingdom	x	x					

(*) Surveys are not conducted for: age of trees, density of plantation, variety of fruit.'

ANNEX II

Amendments to Annex I to Decision 2002/38/EC

Country	Country code	Territorial division	Territorial division code	References to NUTS
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1. The following table is inserted between Belgium and Denmark:

'Czech Republic	16	Stredni Cechy	01	Stredni Cechy
		Jihozapad	02	Jihozapad
		Severozapad	03	Severozapad
		Severovychod	04	Severovychod
		Jihovychod	05	Jihovychod
		Stredni Morava	06	Stredni Morava
		Moravskoslezsko	07	Moravskoslezsko'

2. The following table is inserted between Germany and Greece:

'Estonia	17	Constitutes a single geographical area	00	Estonia'
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3. The following table is inserted between Italy and Luxembourg:

'Cyprus	18	Nicosia District	01	
		Limassol District	02	
		Papros District	03	
		Larnaca District	04	
		Famagusta District	05	
Latvia	19	Constitutes a single geographical area	00	Latvia
Lithuania	20	Constitutes a single geographical area	00	Lithuania'

4. The following table is inserted between Luxembourg and the Netherlands:

'Hungary	21	Közép-Magyarország (Central Hungary)	01	Kozep-Magyarország
		Közép-Dunántúl (Central Transdanubia)	02	Kozep-Dunantul
		Nyugat-Dunántúl (Western Transdanubia)	03	Nyugat-Dunantul
		Dél-Dunántúl (Southern Transdanubia)	04	Del-Dunantul
		Észak-Magyarország (Northern Hungary)	05	Eszak-Magyarország
		Észak-Alföld (Northern Great Plain)	06	Eszak-Alfold
		Dél-Alföld (Southern Great Plain)	07	Del-Alfold
Malta	22	Constitutes a single geographical area	00	Malta'

5. The following table is inserted between Austria and Portugal:

Poland	23	Łódzkie	01	Łódzkie
		Mazowieckie	02	Mazowieckie
		Małopolskie	03	Małopolskie
		Śląskie	04	Śląskie
		Lubelskie	05	Lubelskie
		Podkarpackie	06	Podkarpackie
		Świętokrzyskie	07	Świętokrzyskie
		Podlaskie	08	Podlaskie
		Wielkopolskie	09	Wielkopolskie
		Zachodniopomorskie	10	Zachodniopomorskie
		Lubuskie	11	Lubuskie
		Dolnośląskie	12	Dolnośląskie
		Opolskie	13	Opolskie
		Kujawsko-pomorskie	14	Kujawsko-pomorskie
		Warmińsko-mazurskie	15	Warmińsko-mazurskie
		Pomorskie	16	Pomorskie'

6. The following table is inserted between Portugal and Finland:

Slovenia	24	Constitutes a single geographical area	00	Slovenia
Slovakia	25	Constitutes a single geographical area	00	Slovakia'

ANNEX III

New varieties to be added to Annex III to Decision 2002/38/EC

Codes per species and variety to be applied when transmitting to the Commission the results of the statistical surveys on the plantations of certain species of fruit trees

Species/varieties	Species code	Variety code
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1. The following table is inserted in point 1. **Apple trees**, between 'Early gold' and 'Other varieties (to be specified by the Member States)':

Melodie		081
Rubin		082
Champion/Šampion (CZ) Szampion (PL)		083
Rubinola		084
Ligol (PL)		085
Cortland (PL)		086
Štaris (Staris) (LT)		087
Aldas (LT)		088
Auksis (LT)		089
Orlovskoje polosatoje (LT)		090
Isbranica (LT)		091
Sinap Orlovskij (LT)		092'

2. The following table is inserted in point 2. **Pear trees**, between 'Boscs Flaschenbirne' and 'Other varieties (to be specified by the Member States)':

Beurré Diel		057
Glou Morceau		058
Kieffer		059
Bohemica		060
Dicolor		061
Erika		062
Grosdemange		063
Lukasowka (PL)		064
Alka (LT)		065
Alsa (LT)		066
Mramornaja (LT)		067'

3. The following table is inserted in point 3. **Peach trees** (*Peach trees producing white-flesh fruit*), between 'Other' and 'Nectarines':

'Champion (HU)		570'
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4. The following table is inserted in point 3. **Peach trees** (*Peach trees producing yellow-flesh fruit*), between 'Other' and 'Nectarines':

'Burbank July Elberta (SK)		620
Flamingo (SK)		621
Sunhaven (SK)		622'

5. The following table is inserted in point 4. **Apricot trees**, between 'Vitilio' and 'Other varieties (to be specified by the Member States)':

Ceglédi Bíbor	044
Ceglédi óriás	045
Gönci magyar kajszi	046
Magyar kajszi	047
Magyar kajszi C.235	048
Pannónia	049
Szegedi mammut	050
Karola	051
Velkopavlovická	052
Veharda	053
Maďarská	054

COMMISSION DECISION**of 7 February 2006****amending Decision 2003/329/EC as regards the extension of the transitional measures on the heat treatment process for manure***(notified under document number C(2006) 263)***(Only the French, Dutch, Finnish and Swedish texts are authentic)****(Text with EEA relevance)**

(2006/129/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 1774/2002 lays down health rules concerning animal by-products not intended for human consumption. In view of the strict nature of those rules, transitional measures have been granted.
- (2) Commission Decision 2003/329/EC of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the heat treatment process for manure ⁽²⁾, allows the industry time to adjust and develop alternative heat treatment process for manure until 31 December 2005.
- (3) An EFSA opinion on the biological safety of heat treatment of manure was adopted on 7 September 2005. On the basis of this opinion, the Commission is currently proposing amendments to the relevant chapter in Annex VIII to Regulation (EC) No 1774/2002. Pending the application of these new measures, Member States and operators have asked the Commission to extend the validity of the transitional measures provided for in Decision 2003/329/EC in order to avoid disruption of trade.

- (4) The transitional measures provided for in Decision 2003/329/EC should therefore be extended for the last time for a further period of time to enable the Member States to authorise operators to continue to apply national rules for the heat treatment process for manure until the amended requirements of Annex VIII to Regulation (EC) No 1774/2002 apply.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/329/EC is amended as follows:

In Article 1, Article 3(2) and Article 5, the date '31 December 2005' is replaced by '31 December 2006'.

Article 2

This Decision is addressed to the Kingdom of Belgium, the French Republic, the Kingdom of the Netherlands and the Republic of Finland.

Done at Brussels, 7 February 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 416/2005 (OJ L 66, 12.3.2005, p. 10).

⁽²⁾ OJ L 117, 13.5.2003, p. 51. Decision as amended by Decision 2005/14/EC (OJ L 7, 11.1.2005, p. 5).