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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 436/2006
of 16 March 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 17 March 2006.

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

Done at Brussels, 16 March 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 16 March 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	111,7
	204	59,2
	212	102,0
	624	120,2
	999	98,3
0707 00 05	052	144,9
	068	143,9
	204	36,3
	999	108,4
0709 90 70	052	130,9
	204	52,2
	999	91,6
0805 10 20	052	66,1
	204	42,8
	212	50,4
	220	49,7
	400	60,5
	448	37,8
	512	33,1
	624	62,2
0805 50 10	999	50,3
	052	74,2
	624	63,9
0808 10 80	999	69,1
	388	94,2
	400	118,7
	404	102,0
	512	75,7
	524	76,3
	528	84,9
	720	91,5
0808 20 50	999	91,9
	388	82,4
	400	74,8
	512	70,0
	528	67,0
	720	60,4
	999	70,9

⁽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 437/2006
of 16 March 2006
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate to provide that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the

Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2.

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 16 March 2006.

For the Commission

László KOVÁCS

Member of the Commission

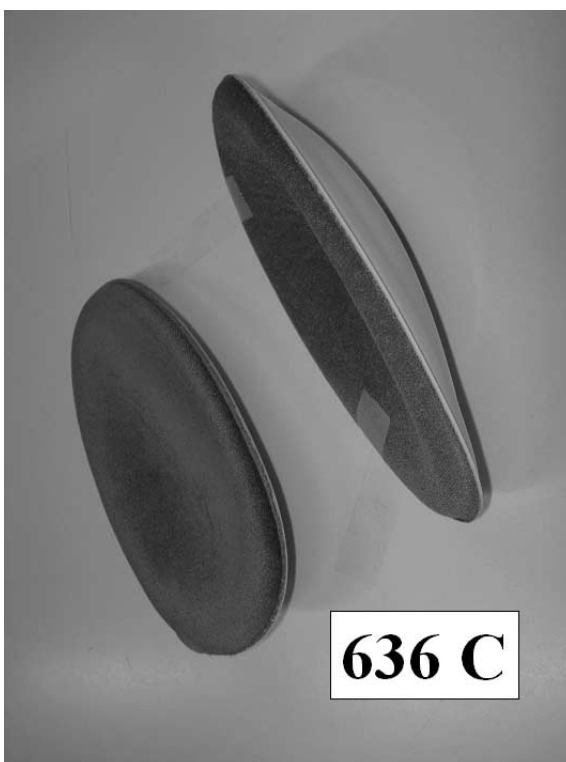
⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 267/2006 (OJ L 47, 17.2.2006, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
<p>Self-coloured lightweight garment made from knitted fabrics of man-made fibres (90 % polyamide, 10 % elastomeric yarn) intended to cover the lower part of the body from the waist to above the mid-thigh area, enclosing each leg separately, with an opening at the front without any closing system and without an opening at the waist. The garment has an elasticated waist band and is hemmed at the leg ends.</p> <p>There are patch pockets on both sides of the garment, having a zip fastening system and holding a mass-produced removable, oval insert. The inserts are made of a hard plastic material on the outside and are padded with foam on the inside. They are designed to prevent injuries to the hips in case of a fall. They absorb shocks to the hip area of the body.</p> <p>(men's underpants)</p> <p>(See photographs No 636 A + B + C) (*)</p>	6107 12 00	<p>Classification is determined by the provisions of General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, the first paragraph of Note 9 to Chapter 61 and the wording of CN code 6107 and 6107 12 00.</p> <p>The inserts are designed to prevent injuries to the hips in case of a fall. Therefore, the garment cannot be classified in heading 9021 as 'orthopaedic appliance', because the inserts neither prevent bodily deformities nor do they support or hold parts of the body within the meaning of the first paragraph of Note 6 to Chapter 90.</p> <p>The article lacks the essential characteristics of the goods covered by Chapter 90, i.e. a high 'finish of their manufacture and a high degree of precision' in the way they operate (see paragraph 37 of the Judgment of European Court of Justice in joined cases C-260/00 to C-263/00 of 7 November 2002 and see also the first paragraph of the HS Explanatory Notes to Chapter 90, General, Part (I)).</p> <p>Moreover, the inserts are neither made to measure nor are they adjustable to fit a wearer's specific morphology, which makes the garment an 'ordinary product' and, as such, it is excluded from heading 9021 by virtue of paragraph 37 of abovementioned Judgment.</p> <p>This is a composite article consisting of textile underpants and plastic inserts. It is designed as underpants that also provide protection against certain injuries. Thus, within the meaning of General Rule 3(b) the essential character is given by the underpants and not by the inserts.</p> <p>The garment is classified as men's or boys' garment within the meaning of the first paragraph of Note 9 to Chapter 61, because its cut (especially the particular form of the opening at the front) indicates clearly that the garment is designed for men.</p>

(*) The photographs are purely for information.



COMMISSION REGULATION (EC) No 438/2006**of 16 March 2006****amending Regulation (EC) No 1530/2005 opening crisis distillation as provided for in Article 30 of Council Regulation (EC) No 1493/1999 for table wine in Italy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 33(1)(f) thereof,

Whereas:

(1) Commission Regulation (EC) No 1530/2005 ⁽²⁾ opened crisis distillation as provided for in Article 30 of Regulation (EC) No 1493/1999 for table wine in Italy.

(2) As several distillation measures are simultaneously in place, the Italian authorities have found that neither the distilleries nor the supervisory authorities have sufficient capacity to ensure proper distillation performance. In order to ensure the effectiveness of the measure introduced by Regulation (EC) No 1530/2005, the period laid down by the Regulation in which the alcohol can be delivered to the intervention agency should be extended to 31 May 2006.

(3) Regulation (EC) No 1530/2005 should be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4(1) of Regulation (EEC) No 1530/2005 the second sentence is replaced by the following:

'The alcohol obtained shall be delivered to the intervention agency in accordance with Article 6(1) not later than 31 May 2006.'

Article 2

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

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 246, 22.9.2005, p. 9.

COMMISSION REGULATION (EC) No 439/2006**of 16 March 2006****imposing a provisional anti-dumping duty on imports of chamois leather originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 ⁽¹⁾ of 22 December 1995 on protection against dumped imports from countries not members of the European Community (the basic Regulation), and in particular Article 7 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE**1. Initiation**

- (1) On 25 June 2005, the Commission announced by way of a notice (notice of initiation) published in the *Official Journal of the European Union* ⁽²⁾, the initiation of an anti-dumping proceeding concerning imports of chamois leather originating in the People's Republic of China (the PRC).
- (2) The proceeding was initiated following a complaint lodged in May 2005 by The British Leather Confederation (the complainant) on behalf of producers representing a major proportion, in this case more than 70 %, of the total Community production of chamois leather. The complaint contained *prima facie* evidence of dumping of the said product and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding.

2. Parties concerned by the proceeding

- (3) The Commission officially advised the complainant, the Community producers mentioned in the complaint, other known Community producers, the authorities of the PRC, the exporting producers, importers, as well as the associations known to be concerned of the initiation of the investigation. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time-limit set in the notice of initiation. One exporter in the PRC, as well as producers and importers in the Community, made their views known in writing. All parties who so requested within the above time-limit and showed that there were particular reasons why they should be heard were granted the opportunity to be heard.
- (4) In view of the anticipated large number of exporting producers and importers involved in the investigation, the application of sampling techniques was envisaged in the notice of initiation, in accordance with Article 17 of the basic Regulation.
- (5) In order to enable the Commission to decide whether sampling would be necessary and, if so, to select a sample, exporting producers and importers were requested to make themselves known and to provide information as specified in the notice of initiation. No exporting producers came forward to comment on the possible selection of a sample.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ C 154, 25.6.2005, p. 12.

- (6) Seven importers came forward and provided information within the time-limit set for this purpose, but only three companies were willing to cooperate in the investigation. Given the limited number of importers who replied to the sampling questionnaire and indicated their willingness to cooperate, it was decided that sampling was not necessary. Questionnaires were sent to all three importers. However, subsequently none of the importers cooperated in the investigation and declined to return a complete questionnaire reply. Two of them stated that the product concerned was not a major part of their activity and therefore neither their available resources in terms of staff nor the financial implications could support cooperation in the investigation.
- (7) In order to allow exporting producers in the PRC to submit a claim for market economy treatment (MET) pursuant to Article 2(7) of the basic Regulation or individual treatment (IT) pursuant to Article 9(5) of the basic Regulation, if they so wished, the Commission sent MET and IT claim forms to the Chinese companies known to be concerned. In this respect, no exporting producers requested MET or IT.
- (8) In view of the absence of responses from any exporting producers in the PRC, it was not necessary to select any sample of exporting producers. In addition, since no exporting producers in the PRC provided the necessary information or made requests for MET or for IT within the time-limits set in accordance with the basic Regulation, it was decided that findings in respect of the assessment of dumping would be made on the basis of Article 18 of the basic Regulation. The authorities of the PRC were advised of this and raised no objections.
- (9) The Commission sent questionnaires to all parties known to be concerned and to all other companies that made themselves known within the deadlines set out in the notice of initiation. Replies were received from three Community producers mentioned in the complaint.
- (10) The Commission sought and verified all information it deemed necessary for the purpose of a preliminary determination of dumping, resultant injury and Community interest. Verification visits were carried out at the following companies:
- Community producers*
- Marocchinerie e Scamoscerie Italiane (MESI), Italy,
 - Hutchings & Harding Ltd, UK,
 - Beaven Ltd, UK.
- (11) In the absence of any claims for MET or IT and of the need to establish a normal value for exporting producers in the PRC, a verification visit to establish normal value on the basis of data from an analogue country took place at the premises of the following company:
- Acme Sponge & Chamois Co., Inc., USA.
- (12) The investigation of dumping and injury covered the period from 1 April 2004 to 31 March 2005 (investigation period or IP). The examination of trends relevant for the assessment of injury covered the period from 1 January 2001 to the end of the IP (period considered).

B. PRODUCT CONCERNED AND LIKE PRODUCT**1. General**

- (13) Chamois and combination chamois leather is leather usually made from the skins of sheep and lambs, but can also be made from the skins of other animals. It is made from skins from which the grain surface has been removed, which is then tanned using solely fish or other animal oil, in the case of chamois leather, or by partial tanning with aldehydes or other tanning agents and then with fish or other animal oils, in the case of combination chamois leather. The leather obtained after tanning is crust chamois leather, which is normally further processed through a finishing process involving buffing to give it a soft, suede-like finish. The products primary characteristics of water absorbency and softness, which derive from the tanning or partial tanning with fish oil or other animal oil, make it ideally suited to its main use for cleaning and polishing.

2. Product concerned

- (14) The product concerned is chamois leather, or combination chamois leather, whether or not cut to shape, including chamois and combination crust chamois leather (chamois leather) originating in the PRC (the product concerned), currently classifiable within CN codes 4114 10 10 and 4114 10 90. All these presentations were found to be sufficiently similar for them to constitute a single product for the purpose of the proceeding, given that they share the same basic physical characteristic and uses.

3. Like product

- (15) On the basis of information available from the complainant, no differences were found between the product concerned and chamois leather produced and sold in the USA, which served as analogue country for the purpose of establishing normal value in respect of the PRC.
- (16) On the basis of information available from the complainant, no differences were found between the product concerned and chamois leather produced and sold in the Community by the Community industry.
- (17) It is therefore provisionally concluded that, in accordance with Article 1(4) of the basic Regulation and for the purpose of this investigation, chamois leather produced and sold on the domestic market of the PRC, that produced and sold in the USA and that produced and sold by the Community industry on the Community market have the same basic physical characteristics and uses and are therefore considered to be alike to the product concerned.

C. DUMPING**1. Sampling**

- (18) As explained in recital 6 above, due to the absence of responses from any exporting producers in the PRC, it was not necessary to apply sampling in respect of exporting producers in the PRC.

2. Market economy treatment and individual treatment

- (19) As explained in recital 7 above, due to the absence of responses, or requests for MET or IT, no exporting producer in the PRC was granted MET or IT.

3. Normal value

3.1. *Analogue country*

- (20) Pursuant to Article 2(7) of the basic Regulation, normal value was established on the basis of the prices or constructed value in an analogue country. In the notice of initiation, it was envisaged to use the USA as an appropriate analogue country for the purpose of establishing normal value for the PRC and interested parties were invited to comment on the appropriateness of this choice. No comments or objections were received from any parties in this respect.
- (21) Nevertheless, through contacts with associations or Chambers of Commerce which could be identified in third countries, the suitability of other countries which were considered as possibly having chamois leather production was examined. It was found that in the case of Brazil and India, there were either no producers of chamois leather or none were selling on the domestic markets of those countries. In the case of Turkey, information provided by a Turkish producer indicated that the Turkish domestic market is very limited. On the basis of the above, it was decided to maintain the USA as the choice for analogue country. The Commission therefore sought and obtained full co-operation from one producer in the USA.
- (22) The USA has a relatively large and open domestic market for chamois leather (tariff protection of 3,2 %), with a number of suppliers and a considerable level of imports. In addition, similar processes as in the PRC are used for the production of the product concerned.

3.2. *Determination of normal value*

- (23) Pursuant to Article 2(7) of the basic Regulation, normal value was established on the basis of the verified information received from a producer in a market economy third country, i.e. on the basis of prices paid or payable on the domestic market of the USA, for product types which were found to be sold in the ordinary course of trade.
- (24) As a result, normal value was established as the weighted average domestic sales price to unrelated customers by the co-operating producer in the USA.

4. Export price

- (25) In the absence of cooperation by exporting producers in the PRC, the export price was established on the basis of Eurostat data on the quantity and value of imports into the Community of the product concerned originating in the PRC, this being the best information available in accordance with Article 18 of the basic Regulation. The information used was cross-checked with information submitted by one trading company in the PRC. Data provided by the trading company was in line with the statistical data used as the basis to establish the export price.

5. Comparison

- (26) The normal value and export prices were compared on an ex-works basis. For the purpose of ensuring a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences affecting prices and price comparability in accordance with Article 2(10) of the basic Regulation. Appropriate adjustments concerning differences in physical characteristics, discounts, transport and insurance, packing, credit and after-sales costs were granted where they were found to be appropriate and supported by verified evidence.

6. Dumping margin

- (27) The dumping margin was established on the basis of a comparison of a weighted average normal value with a weighted average export price, in accordance with Article 2(11) and (12) of the basic Regulation. The country wide dumping margin, expressed as a percentage of the CIF Community frontier price, duty unpaid, is 73,5 %.

D. INJURY

1. Community production

- (28) The investigation established that the like product is at present mainly manufactured by eight producers in the Community accounting for about 95 % of total Community production with the remaining 5 % being produced by a number of very small tanneries throughout the Community.

2. Definition of the Community industry

- (29) The complaint was supported by eight Community producers (six complainant and two supporting companies) out of which three of the complainant companies fully cooperated. One complainant company did not provide a full response to the questionnaire and therefore was considered as non-cooperating although it reaffirmed its support for the complaint. One more complainant and one supporting company provided only limited information concerning their production. Both companies are considered as non-cooperating with the proceeding. The remaining two companies did not cooperate in the investigation.
- (30) The three cooperating companies account for more than 56 % of Community production of the product concerned. They are therefore deemed to constitute the Community industry within the meaning of Articles 4(1) and 5(4) of the basic Regulation.

3. Community consumption

- (31) Consumption was established by adding the Community sales of the cooperating Community producers, the estimated sales of the non-cooperating Community producers in the Community and total imports as set out in Eurostat, duly adjusted where evidence existed of incorrect import statistics for certain countries. The sales of the non-cooperating producers were based on information submitted by three non-cooperating producers and on the complaint, in the absence of other sources of information. As for the imports, the Eurostat figures were expressed in tonnes and therefore a conversion rate was used in order to express them in square feet. This shows that demand for the product concerned in the Community increased slightly by 5 % over the period considered representing an annual growth of approximately 1 %.

Apparent consumption in the Community	2001	2002	2003	2004	IP
Square feet (in thousands)	19 872	20 424	21 565	20 582	20 873
Index 2001 = 100	100	103	109	104	105

Source: Verified questionnaire replies of the Community industry, complaint, Eurostat, information provided by non-cooperating producers.

4. Volume of the imports from the country concerned and market share

- (32) The volume of imports of the product concerned originating in the PRC derived from Eurostat and expressed in square feet using the methodology described in recital 31, increased from approximately 2,1 million square feet in 2001 to 6,6 million square feet in the IP.

	2001	2002	2003	2004	IP
Volume of imports (in thousands of square feet)	2 130	1 627	5 037	6 273	6 607
Index 2001 = 100	100	76	236	295	310

- (33) During the period considered, imports from the PRC increased their share of the Community market from 10,7 % in 2001 to 31,7 % in the IP. This rapid increase in market share took place against a background of relatively small growth in consumption.

	2001	2002	2003	2004	IP
Market share	10,7 %	8,0 %	23,4 %	30,5 %	31,7 %

(i) Import prices

- (34) Price information for the imports concerned was derived from Eurostat data based on the import volumes established using the methodology described in recital 31 above. This information showed that the average CIF prices of imports originating in the PRC fluctuated during the period considered. Prices initially increased by 25 % in 2002 before decreasing by 20 % in 2003. 2004 saw an increase of 9 % before a further decrease in the IP.

	2001	2002	2003	2004	IP
Prices in EUR/square feet of chamois leather	0,63	0,79	0,50	0,69	0,66
Index	100	125	80	109	104

Source: Eurostat.

(ii) Price undercutting and price depression

- (35) For the purpose of calculating the level of price undercutting in the IP, the prices of the product concerned sold by the Community industry producers were compared to the prices of imports on the Community market during the IP on the basis of a weighted average price for all types of chamois leather, based on Eurostat figures. The prices of the Community industry were adjusted to an ex-works basis. The prices of the imports concerned were on a CIF basis with an appropriate adjustment for quality differences found, the customs duties and post importation costs.

- (36) This comparison showed that during the IP, the products concerned originating in the PRC were sold in the Community at prices which undercut the Community industry prices, when expressed as a percentage of the latter, by 30 %.

5. Economic situation of the Community industry

- (37) Pursuant to Article 3(5) of the basic Regulation, the examination of the impact of the dumped imports on the Community industry included an evaluation of all economic factors having a bearing on the state of the Community industry during the period considered.

(i) Production capacity, production, capacity utilisation

- (38) The Community industry's production capacity remained stable during the period considered. Over the same period, the Community industry continuously decreased its production by a total of 20 % and its capacity utilisation rate dropped from 71,2 % in 2001 to 57 % in the IP.

	2001	2002	2003	2004	IP
Production capacity in thousand square feet of chamois leather	16 754	16 754	16 754	16 754	16 754
Index 2001 = 100	100	100	100	100	100
Production in thousand square feet of chamois leather	11 934	11 583	11 262	10 469	9 554
Index 2001 = 100	100	97	94	88	80
Production capacity utilisation rates	71,2 %	69,1 %	67,2 %	62,5 %	57,0 %

Source: Verified questionnaire replies of the Community industry.

(ii) Sales volume and market share

- (39) The sales of the Community industry in the Community declined sharply by 17 percentage points over the period considered from 8,1 million square feet in 2001 to some 6,7 million square feet in the IP, in spite of the increase in consumption over the same period. This is fully reflected in their market share which decreased continuously from 41,1 % in 2001 to 32,3 % during the IP.

	2001	2002	2003	2004	IP
Sales of the Community industry (in thousand square feet)	8 163	8 166	7 478	6 423	6 746
Index 2001 = 100	100	100	92	79	83
Market share	41,1 %	40,0 %	34,7 %	31,2 %	32,3 %

(iii) Stocks

- (40) The figures below represent the volume of stocks at the end of each period.

	2001	2002	2003	2004	IP
Stocks (in thousand square feet)	4 508	3 321	3 157	4 298	4 243
Index 2001 = 100	100	74	70	95	94

- (41) Stocks decreased sharply by 26 percentage points in 2002 and then they continually increased until the IP. This evolution is due to the export activity of the cooperating Community producers which, after a significant increase in 2002 mainly due to some big sale contracts in the USA market, declined in 2004 and the IP, as demonstrated in the figures below.

	2001	2002	2003	2004	IP
Export sales of the Community industry (in thousand square feet)	3 068	5 273	4 817	3 825	3 283
Index 2001 = 100	100	172	157	125	107

- (42) The Community industry alleged that the decline in its export activity was partially due to the competition with the Chinese exports on the USA market. In this respect, it is noteworthy to observe that there was a substantial increase of the imports of the product concerned into the USA originating in the PRC, from 780 thousand square feet in 2002 up to 1 209 thousand square feet in 2004.

(iv) *Growth*

- (43) While the cooperating Community industry producers' production decreased by 20 percentage points over the period considered, the Community consumption increased by 5 % over the same period, and in parallel the volume of the imports concerned increased more than threefold. Thus, the Community industry lost part of its market share, whereas the imports concerned managed to increase theirs.

(v) *Employment and productivity*

- (44) The level of employment of the Community industry decreased over the period considered by 6 %. Over the same period, its productivity, measured as output per person employed per year, decreased by 15 %.

	2001	2002	2003	2004	IP
Number of employees	128	129	127	124	120
Index 2001 = 100	100	101	99	97	94
Productivity (thousand square feet/person): production/employee	93	90	89	84	79
Index 2001 = 100	100	96	95	91	85

Source: Verified questionnaire replies of the Community industry.

(vi) *Sales prices and factors affecting domestic prices*

- (45) The Community industry producers' average net sales price dropped by 8 percentage points between 2001 and 2003 before showing a small increase of 1 percentage point in 2004. In the IP, prices fell again by a further 3 percentage points. This evolution shows the substantially depressed market conditions that the Community industry faced over the period considered.

	2001	2002	2003	2004	IP
Average selling price (EUR/square feet)	1,24	1,22	1,15	1,16	1,13
Index 2001 = 100	100	98	92	93	90

Source: Verified questionnaire replies of the Community industry.

(vii) *Profitability*

- (46) The Community industry's return on net sales in the Community market, before taxes, suffered a marked deterioration during the period considered as demonstrated below.

	2001	2002	2003	2004	IP
Profitability	4,2 %	5,5 %	1,3 %	– 7,6 %	– 6,1 %

Source: Verified questionnaire replies of the Community industry.

- (47) The Community industry was profitable in the years 2001 and 2002. However, from 2003 onwards, profitability decreased dramatically recording high losses in 2004 and the IP.

(viii) *Investments and return on investments*

- (48) The level of investments in the production of the product concerned made by the cooperating Community industry producers increased during the period considered from approximately EUR 354 000 to some EUR 407 000. This investments increase focused mainly on the replacement of existing assets and the acquisition of additional and/or new equipment with the aim of better handling existing production.

- (49) The cooperating Community industry producers' return on investment, which expresses their pre-tax result as a percentage of the average opening and closing net book value of assets employed in the production of the product concerned, was positive during the period 2001 to 2003, reflecting their profit situation. In 2004 and the IP, their return on investment was negative reflecting thus their loss making situation.

	2001	2002	2003	2004	IP
Investments (in EUR)	354 626	691 087	558 887	423 142	407 456
Index 2001 = 100	100	195	158	119	115
Return on investments	40 %	32 %	10 %	– 28 %	– 37 %

Source: Questionnaire replies of the Community industry.

(ix) *Ability to raise capital*

- (50) There was no claim from the Community industry, or indication, that the Community industry encountered problems in raising capital for its activities. It should be, however, noted that the losses encountered in 2004 and the IP established a rather unfavourable context in this respect. Furthermore, it is noteworthy that small and family-run enterprises such as the cooperating Community industry producers have only external providers of finance. These are in general not willing to take risks that parent companies, in the case of larger groups, would be more susceptible to take in a longer term view of the business trusting that a recovery from the current difficult situation in which the industry finds itself will be possible.

(x) *Cash flow*

- (51) The cooperating Community industry producers recorded a net cash inflow from operating activities in the period from 2001 to 2003. However, this turned negative in 2004 and the IP reflecting thus the significant losses registered during these years. The same is shown when the cash flow is expressed as a percentage of turnover. During the period considered, there were some substantial short-term cash flow variations which were due to stock level variations (see recitals 41 above).

	2001	2002	2003	2004	IP
Cash flow (in EUR '000)	988	2 608	839	- 1 650	- 1 567
Index 2001 = 100	100	264	85	- 167	- 159

Source: Verified questionnaire replies of the cooperating Community industry producers.

(xi) *Wages*

- (52) The total wage bill of the cooperating Community industry producers remained relatively stable over the period considered, with the exception of a 7 % decrease in 2003. The movement in wages is below movements in the cost of living.

	2001	2002	2003	2004	IP
Wages per employee (in EUR)	27 081	27 375	25 093	27 402	27 373
Index 2001 = 100	100	101	93	101	101

Source: Questionnaire replies of the Community industry.

(xii) *Magnitude of dumping margin*

- (53) As concerns the impact on the Community industry of the magnitude of the actual margin of dumping, given the volume and the prices of the imports from the PRC, this impact is substantial.

(xiii) *Recovery from past dumping*

- (54) The Community industry was not in a situation where it had to recover from the past effects of injurious dumping.

6. Conclusion on injury

- (55) The examination of the above mentioned factors shows that between 2001 and the IP, the dumped imports increased sharply in terms of volume and market share. In fact, their volume increased almost threefold during the period considered and they achieved a market share of 31,7 % in the IP. It is to be noted that in the IP, they accounted for 72,7 % of total imports of the product concerned into the Community. Moreover in the IP, the sales prices of the Community industry were substantially undercut by 30 % by those of the imports concerned.

- (56) During the period considered almost all injury indicators developed negatively. Production and capacity utilisation decreased (– 20 % and – 14 percentage points respectively), whereas in light of the increase in Community consumption of 5 % during the same period, these indicators could have been expected to develop in a rather positive manner. The sales volume and prices have also fallen considerably (– 17 % and – 10 % respectively).
- (57) The Community industry lost significant market share during the period considered at a time when total Community consumption grew from approximately 19,8 million square feet to nearly 20,9 million square feet. The Community industry suffered a dramatic decline in profitability (– 10 percentage points), cash flow (– 20,6 % of turnover) and return on investments (– 37 percentage points).
- (58) In the light of the foregoing, it is provisionally concluded that the Community industry has suffered material injury, characterised by severe price depression, declining profitability as well as declining returns on investment, within the meaning of Article 3 of the basic Regulation.

E. CAUSATION

1. Introduction

- (59) In accordance with Article 3(6) and (7) of the basic Regulation, it was examined whether the dumped imports originating in the PRC have caused injury to the Community industry to a degree that may be considered as material. Known factors other than the dumped imports, which could at the same time have injured the Community industry, were also examined to ensure that the possible injury caused by these other factors was not attributed to the dumped imports.

2. Effects of the dumped imports

- (60) Imports from the PRC have increased considerably during the period concerned, by 4,5 million square feet in terms of volume, and by 21 percentage points in terms of market share. Prices of imports originating in the PRC significantly undercut Community industry prices by 30 %.
- (61) The effects of dumped imports can be illustrated by the fact that over the period considered, the producers in the PRC increased their market share at the expense of the Community industry.
- (62) Overall, between 2001 and the IP, the Community industry's loss of market share of 8,8 percentage points was totally absorbed by the increase in market share of imports of the PRC.
- (63) The loss of market share and insufficient price levels of the Community industry also coincided with the injurious situation of the industry evidenced by the significant losses, the sharp deterioration in its cash flow and return on investment and the unfavourable development of employment.
- (64) These factors, coupled with the fact that the Community industry was not able to take advantage of the slightly growing Community market, due to the depressed prices, had the effect that in spite of investments geared towards modernising the production facilities, it suffered material injury during the period. The expansion of the dumped imports' market share and the drop in the import prices coincided with the sharp change in the conditions for the Community industry.

3. Effects of other factors

3.1. Imports from other countries

- (65) The imports in volumes and prices from the main other countries are shown in the table below.

Imports from third main countries	2001	2002	2003	2004	IP
Turkey (thousands square feet)	353	380	237	893	1 677
Average prices (EUR/square feet)	1,01	0,73	0,33	0,81	0,52
Other countries excluding those mentioned above: In volume (thousands square feet)	1 732	2 078	1 933	1 825	2 485
Average prices (EUR/square feet)	1,14	0,93	0,79	0,91	0,60

- (66) The imports from Turkey increased substantially throughout the period considered representing an increase of 6,2 percentage points in market share. However, the investigation showed that a significant part of these imports in 2003, 2004 and the IP was made by one cooperating Community producer. A small part of these imported products served in completing that producer's product range and the rest was re-exported to third countries after having been trimmed and repackaged. Therefore, these quantities could not have caused injury to the Community industry. The remaining quantities imported from Turkey represent a low and rather steady market share of around 2 % during the period considered with the exception of the IP when they reached 6 %. As for the prices of these quantities, they were lower than those of imports from the PRC in 2002, 2003 and the IP but higher in 2001 and 2004. In light of the above, it is concluded that these imports may have contributed, *albeit* not significantly, to the material injury suffered by the Community industry.
- (67) With regard to the imports from countries other than Turkey, while prices of these imports were lower than those of the Community industry during the period considered, they were substantially higher than those of the imports from the PRC throughout the whole period considered with the exception of the IP. Import volumes increased from 1,7 million square feet in 2001 to 2,5 million square feet in the IP, representing a market share increase of 3,2 percentage points over the period considered as compared with an increase of 21 percentage points over the same period for the imports from the PRC. In light of the above, it is therefore provisionally concluded that imports from other third countries could not be a determining reason for the injurious situation of the Community industry.

3.2. Performance of other Community producers

- (68) Non-cooperating Community producers of the product concerned held a market share of around 24 % during the IP, down from almost 40 % in 2001. During the period considered, their sales volume decreased substantially by 36 %. In addition, the average prices of non-cooperating producers moved at the same level as the complainant producers' average prices. This evidence suggests that they are in a similar situation to the Community industry, i.e. that they have suffered injury from the dumped imports. Therefore it cannot be concluded that other Community producers caused material injury to the Community industry.

3.3. Exports by the Community industry

- (69) As for the exports of the Community industry, as shown in the table in recital (41) above, they increased by 7 % during the period considered, in contrast to sales on the EU market which decreased by 17 % during the same period. Export sales prices were on average at profitable or breakeven level during the period considered. In these circumstances, it is provisionally concluded that the export performance of the Community industry did not contribute to the injury suffered.

- (70) No other factors, which could at the same time have injured the Community industry, were raised by interested parties or identified during the course of the investigation.

4. Conclusion on causation

- (71) It must be underlined that the injury in this case was primarily in the form of price depression and decreasing sales causing significant losses in the Community industry. This coincided with the rapidly increasing imports at dumped prices from the PRC which undercut substantially the Community industry prices. There is no indication that the above mentioned other factors could have been a significant cause of the material injury suffered by the Community industry.
- (72) Given the above analysis which has properly distinguished and separated the effects of all the known factors on the situation of the Community industry from the injurious effects of the dumped imports, it is provisionally concluded that there is a causal link between the dumped imports from the PRC and the material injury suffered by the Community industry.

F. COMMUNITY INTEREST

- (73) In accordance with Article 21 of the basic Regulation, the Commission considered whether, despite the conclusion on injurious dumping, the imposition of the anti-dumping measures would be contrary to the interests of the Community as a whole. The determination of the Community interest was based on an examination of all the various interests involved, i.e. those of the Community industry, the importers and traders of the product concerned.
- (74) In order to assess the Community interest, the Commission analysed the likely effects of the imposition/non-imposition of anti-dumping measures on the economic operators concerned.

1. Interest of the Community industry

- (75) The Community industry is mainly composed of small companies. The production activity is currently only at 57 % of its production capacity.
- (76) The imposition of measures is expected to prevent a continuing distortion of the market and a deterioration of prices. Measures would enable the Community industry to increase its sales and thereby recover lost market share, while selling at prices that would cover costs and allow for a profit. In conclusion, it is expected that mainly the decrease in unit costs (due to a higher capacity utilisation resulting from increased sales and subsequently the higher productivity) and to a lesser extent a slight price increase, would allow the Community industry to improve its financial situation.
- (77) Otherwise, should anti-dumping measures not be imposed, it is likely that the negative trend of the financial situation of the Community industry will continue. The Community industry is particularly marked by a loss of revenue due to depressed prices, falling market share and significant losses. Indeed, in view of the decreasing revenue and the material injury suffered during the IP, it is most likely that the financial situation of the Community industry will deteriorate further in the absence of any measures. This would ultimately lead to cuts in production and closures of production sites, which would therefore threaten employment and investments in the Community.

- (78) Accordingly, it is provisionally concluded that the imposition of anti-dumping measures would allow the Community industry to recover from the injurious dumping suffered and would be in the interest of the Community industry.

2. Interest of unrelated importers/traders in the Community

- (79) As stated in recital (6) above, three importers made themselves known after initiation of the investigation but all subsequently declined to cooperate in the investigation. None of them expressed views on the possible imposition of measures. In these circumstances, a full assessment of the possible effects of taking measures or not taking measures was not possible. However, it should be recalled that anti-dumping measures are not intended to prevent imports, but rather to ensure that they are not made at injuriously dumped prices. As fairly-priced imports will still be allowed to enter into the Community market, and as imports from third countries will also continue, it is likely that the traditional business of importers will not be substantially affected even if anti-dumping measures against dumped imports are imposed. In addition, it should be noted that comments received from importers against the imposition of measures were not substantiated and therefore as such they were rejected.
- (80) Therefore, it can be provisionally concluded that the likely effects of the imposition of anti-dumping measures on unrelated importers/traders would not be significant.

3. Interest of users and consumers

- (81) No user or consumer associations made themselves known within the time-limit set in the notice of initiation. Given the non-cooperation of these parties, it can be provisionally concluded that the imposition of any anti-dumping measure would not unduly affect their situation. Furthermore, the large number of producers in the Community and the volume of imports from other third countries will ensure that users and retailers will continue to have a wide choice of different suppliers of the product concerned at reasonable prices. The measures are expected to trigger an increase in prices to the benefit of the Community industry in order for the latter to return to a reasonable profitable situation. However, such increase is unlikely to be substantial as the existence of significant imports from other countries at competitive prices will prevent the Community industry from increasing its prices excessively.

4. Conclusion on Community interest

- (82) In the light of the above, it is provisionally concluded that no compelling reasons exist against imposing measures in the present case and that the application of measures would not be contrary to the interest of the Community.

G. PROVISIONAL ANTI-DUMPING MEASURES

1. Injury elimination level

- (83) In view of the conclusions reached with regard to dumping, injury, causation and Community interest, provisional measures should be imposed in order to prevent further injury to the Community industry by the dumped imports.
- (84) The provisional measures should be imposed at a level sufficient to eliminate the injurious effect caused to the Community industry by the dumped imports, without exceeding the dumping amounts found. When calculating the amount of duty necessary to remove the effects of the injurious dumping, it was considered that any measures should allow the Community industry to cover its costs and obtain overall a profit before tax that could be reasonably achieved under normal conditions of competition, i.e. in the absence of dumped imports.

- (85) It is considered that in the period 2001 to 2002 there was a normal competitive situation on the Community market where the Community industry, in the absence of injurious dumping, made a normal profit margin which, on average attained the level of 5 %. Consequently, on the basis of the information available, it was preliminarily found that a profit margin of 5 % of turnover could be regarded as an appropriate level which the Community industry could be expected to obtain in the absence of injurious dumping.
- (86) The required price increase was then determined on the basis of a comparison, at the same level of trade, of the weighted average import price, as established for the price undercutting calculations, with the non-injurious price of products sold by the Community industry on the Community market. The non-injurious price was obtained by adjusting the sales price of each Community industry producer to a break-even point and by adding the above mentioned profit margin. Any difference resulting from this comparison was then expressed as a percentage of the total CIF import value.
- (87) On this basis, the injury elimination margin found was 62 %.

2. Provisional measures

- (88) In the light of the foregoing, it is considered that, in accordance with Article 7(2) of the basic Regulation, provisional anti-dumping duties should be imposed in respect of imports of chamois leather originating in the PRC at the level of the injury elimination margin found as this was lower than the dumping margin found.

H. FINAL PROVISION

- (89) In the interest of sound administration, a period should be fixed within which the interested parties which made themselves known within the time-limit specified in the notice of initiation may make their views known in writing and request a hearing. Furthermore, it should be stated that the findings concerning the imposition of duties made for the purposes of this Regulation are provisional and may have to be reconsidered for the purposes of any definitive duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of chamois leather and combination chamois leather, whether or not cut to shape, including chamois and combination crust chamois leather originating in the People's Republic of China, falling within CN codes 4114 10 10 and 4114 10 90.
2. The rate of the provisional anti-dumping duty applicable to the net, free-at-Community-frontier price, before duty, for products produced by all companies in the People's Republic of China shall be 62 %.
3. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.
4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

Without prejudice to Article 20 of Council Regulation (EC) No 384/96, interested parties may request disclosure of the essential facts and considerations on the basis of which this regulation was adopted, make their views known in writing and apply to be heard orally by the Commission within one month of the date of entry into force of this Regulation.

Pursuant to Article 21(4) of Regulation (EC) No 384/96, the parties concerned may comment on the application of this Regulation within one month of the date of its entry into force.

Article 3

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

Article 1 of this Regulation shall apply for a period of six months.

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

Done at Brussels, 16 March 2006.

For the Commission
Peter MANDELSON
Member of the Commission

COMMISSION REGULATION (EC) No 440/2006**of 15 March 2006****establishing a prohibition of fishing for northern prawn in NAFO zone 3L by vessels flying the flag of Poland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and in particular Article 26(4) thereof,

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

Whereas:

- (1) Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2006.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2006.

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 15 March 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

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

⁽³⁾ OJ L 16, 20.1.2006, p. 1.

ANNEX

No	02
Member State	Poland
Stock	PRA/N3L.
Species	Northern prawn (<i>Pandalus borealis</i>)
Zone	NAFO 3L
Date	24 February 2006

COMMISSION REGULATION (EC) No 441/2006**of 16 March 2006****amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 17 February 2006 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 271/2006 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 271/2006 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 271/2006 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 47, 17.2.2006, p. 10.

ANNEX

Rates of the refunds applicable from 17 March 2006 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	4,72	5,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	20,25	21,93
	(b) on exportation of other goods	46,72	50,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	52,84	57,50
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	95,92	103,75
	(c) on exportation of other goods	88,67	96,50

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 442/2006
of 16 March 2006
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being

determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third-country markets;
- (b) the most favourable prices in third countries of destination for third-country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽²⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽³⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾ laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) In determining the products and destinations eligible for refunds, it is appropriate to take into account that the competitive position of certain Community products does not justify encouragement of exports and that the geographical proximity of certain territories risks facilitating diversion of trade and abuses.
- (10) It follows from applying the rules set out above to the present situation on the market in milk and in particular

to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.

- (11) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 16 March 2006 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 30 31 9100	L01	EUR/100 kg	—	0402 21 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	13,20		068	EUR/100 kg	—
	A01	EUR/100 kg	18,86		L02	EUR/100 kg	36,55
0401 30 31 9400	L01	EUR/100 kg	—	0402 21 11 9900	A01	EUR/100 kg	46,92
	L02	EUR/100 kg	20,62		L01	EUR/100 kg	—
	A01	EUR/100 kg	29,47		068	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—	0402 21 17 9000	L02	EUR/100 kg	38,94
	L02	EUR/100 kg	22,75		A01	EUR/100 kg	50,00
	A01	EUR/100 kg	32,49	0402 21 19 9300	L01	EUR/100 kg	—
0401 30 39 9100	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	13,20		L02	EUR/100 kg	4,14
0401 30 39 9400	A01	EUR/100 kg	18,86	0402 21 19 9500	A01	EUR/100 kg	5,00
	L01	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	20,62		068	EUR/100 kg	—
0401 30 39 9700	A01	EUR/100 kg	29,47	0402 21 19 9900	L02	EUR/100 kg	35,03
	L01	EUR/100 kg	—		A01	EUR/100 kg	44,94
	L02	EUR/100 kg	22,75	0402 21 91 9100	L01	EUR/100 kg	—
0401 30 91 9100	A01	EUR/100 kg	32,49		068	EUR/100 kg	—
	L01	EUR/100 kg	—		L02	EUR/100 kg	36,55
	L02	EUR/100 kg	25,92	0402 21 91 9200	A01	EUR/100 kg	46,92
0401 30 99 9100	A01	EUR/100 kg	37,04		L01	EUR/100 kg	—
	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	25,92	0402 21 91 9350	L02	EUR/100 kg	38,94
0401 30 99 9500	A01	EUR/100 kg	37,04		A01	EUR/100 kg	50,00
	L01	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	38,10	0402 21 91 9500	068	EUR/100 kg	—
0402 10 11 9000	A01	EUR/100 kg	54,43		L02	EUR/100 kg	39,19
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,30
	068	EUR/100 kg	—	0402 21 99 9100	L01	EUR/100 kg	—
0402 10 19 9000	L02	EUR/100 kg	4,14		068	EUR/100 kg	—
	A01	EUR/100 kg	5,00		L02	EUR/100 kg	39,42
0402 10 91 9000	L01	EUR/kg	—	0402 21 99 9200	A01	EUR/100 kg	50,61
	068	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,0414		068	EUR/100 kg	—
0402 10 99 9000	A01	EUR/kg	0,0500	0402 21 99 9300	L02	EUR/100 kg	39,84
	L01	EUR/kg	—		A01	EUR/100 kg	51,12
	068	EUR/kg	—		L01	EUR/100 kg	—
0402 21 11 9200	L02	EUR/kg	0,0414	0402 21 99 9500	068	EUR/100 kg	—
	A01	EUR/kg	0,0500		L02	EUR/100 kg	42,80
	L01	EUR/100 kg	—		A01	EUR/100 kg	54,94
0402 21 11 9300	068	EUR/100 kg	—	0402 21 99 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		068	EUR/100 kg	—
	A01	EUR/100 kg	44,94		L02	EUR/100 kg	39,19
0402 21 11 9500	L01	EUR/100 kg	—	0402 21 99 9200	A01	EUR/100 kg	50,30
	068	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	4,14		068	EUR/100 kg	—
0402 21 11 9700	A01	EUR/100 kg	5,00	0402 21 99 9300	L02	EUR/100 kg	39,42
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,61
	068	EUR/100 kg	—		L01	EUR/100 kg	—
0402 21 11 9900	L02	EUR/100 kg	35,03	0402 21 99 9500	068	EUR/100 kg	—
	A01	EUR/100 kg	44,94		L02	EUR/100 kg	39,84
	L01	EUR/100 kg	—		A01	EUR/100 kg	51,12

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0402 21 99 9400	L01	EUR/100 kg	—	0402 91 31 9300	L01	EUR/100 kg	—
	068	EUR/100 kg	—		L02	EUR/100 kg	4,877
	L02	EUR/100 kg	42,03		A01	EUR/100 kg	6,967
	A01	EUR/100 kg	53,96	0402 91 39 9300	L01	EUR/100 kg	—
0402 21 99 9500	L01	EUR/100 kg	—		L02	EUR/100 kg	4,877
	068	EUR/100 kg	—		A01	EUR/100 kg	6,967
	L02	EUR/100 kg	42,80	0402 91 99 9000	L01	EUR/100 kg	—
	A01	EUR/100 kg	54,94		L02	EUR/100 kg	15,93
0402 21 99 9600	L01	EUR/100 kg	—		A01	EUR/100 kg	22,76
	068	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—
	L02	EUR/100 kg	45,83		L02	EUR/kg	0,1055
	A01	EUR/100 kg	58,82		A01	EUR/kg	0,1508
0402 21 99 9700	L01	EUR/100 kg	—	0402 99 19 9350	L01	EUR/kg	—
	068	EUR/100 kg	—		L02	EUR/kg	0,1055
	L02	EUR/100 kg	47,52		A01	EUR/kg	0,1508
	A01	EUR/100 kg	61,03	0402 99 31 9150	L01	EUR/kg	—
0402 21 99 9900	L01	EUR/100 kg	—		L02	EUR/kg	0,1095
	068	EUR/100 kg	—		A01	EUR/kg	0,1565
	L02	EUR/100 kg	49,51	0402 99 31 9300	L01	EUR/kg	—
	A01	EUR/100 kg	63,55		L02	EUR/kg	0,0953
0402 29 15 9200	L01	EUR/kg	—		A01	EUR/kg	0,1362
	L02	EUR/kg	0,0414	0402 99 39 9150	L01	EUR/kg	—
	A01	EUR/kg	0,0500		L02	EUR/kg	0,1095
0402 29 15 9300	L01	EUR/kg	—		A01	EUR/kg	0,1565
	L02	EUR/kg	0,3503	0403 90 11 9000	L01	EUR/100 kg	—
	A01	EUR/kg	0,4494		L02	EUR/100 kg	4,09
0402 29 15 9500	L01	EUR/kg	—		A01	EUR/100 kg	4,93
	L02	EUR/kg	0,3655	0403 90 13 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	4,09
0402 29 15 9900	L01	EUR/kg	—		A01	EUR/100 kg	4,93
	L02	EUR/kg	0,3894	0403 90 13 9300	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	34,70
0402 29 19 9300	L01	EUR/kg	—		A01	EUR/100 kg	44,55
	L02	EUR/kg	0,3503	0403 90 13 9500	L01	EUR/100 kg	—
	A01	EUR/kg	0,4494		L02	EUR/100 kg	36,23
0402 29 19 9500	L01	EUR/kg	—		A01	EUR/100 kg	46,50
	L02	EUR/kg	0,3655	0403 90 13 9900	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	38,61
0402 29 19 9900	L01	EUR/kg	—		A01	EUR/100 kg	49,55
	L02	EUR/kg	0,3894	0403 90 19 9000	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	38,84
0402 29 91 9000	L01	EUR/kg	—		A01	EUR/100 kg	49,86
	L02	EUR/kg	0,3919	0403 90 33 9400	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3470
0402 29 99 9100	L01	EUR/kg	—		A01	EUR/kg	0,4455
	L02	EUR/kg	0,3919	0403 90 33 9900	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3861
0402 29 99 9500	L01	EUR/kg	—		A01	EUR/kg	0,4955
	L02	EUR/kg	0,4203	0403 90 59 9310	L01	EUR/100 kg	—
	A01	EUR/kg	0,5396		L02	EUR/100 kg	13,20
0402 91 11 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	18,86
	L02	EUR/100 kg	4,127	0403 90 59 9340	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
0402 91 19 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	27,59
	L02	EUR/100 kg	4,127	0403 90 59 9370	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
					A01	EUR/100 kg	27,59

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	19,32		L02	EUR/100 kg	69,83
	A01	EUR/100 kg	27,59		A01	EUR/100 kg	94,15
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	3,54		L02	EUR/100 kg	71,57
	A01	EUR/100 kg	4,27		A01	EUR/100 kg	96,50
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 30 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	4,14		L02	EUR/100 kg	69,83
	A01	EUR/100 kg	5,00		A01	EUR/100 kg	94,15
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	4,14		L02	EUR/100 kg	71,57
	A01	EUR/100 kg	5,00		A01	EUR/100 kg	96,50
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	71,57
	A01	EUR/100 kg	44,94		A01	EUR/100 kg	96,50
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 50 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	36,55		L02	EUR/100 kg	71,57
	A01	EUR/100 kg	46,92		A01	EUR/100 kg	96,50
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 50 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	38,94		L02	EUR/100 kg	69,83
	A01	EUR/100 kg	50,00		A01	EUR/100 kg	94,15
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,19		L02	EUR/100 kg	71,57
	A01	EUR/100 kg	50,30		A01	EUR/100 kg	96,50
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 90 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,42		L02	EUR/100 kg	74,19
	A01	EUR/100 kg	50,61		A01	EUR/100 kg	100,04
0404 90 29 9125	L01	EUR/100 kg	—	0405 20 90 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,84		L02	EUR/100 kg	65,47
	A01	EUR/100 kg	51,12		A01	EUR/100 kg	88,27
0404 90 29 9140	L01	EUR/100 kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	42,80		L02	EUR/100 kg	68,08
	A01	EUR/100 kg	54,94		A01	EUR/100 kg	91,79
0404 90 81 9100	L01	EUR/kg	—	0405 90 10 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0414		L02	EUR/100 kg	89,33
	A01	EUR/kg	0,0500		A01	EUR/100 kg	120,44
0404 90 83 9110	L01	EUR/kg	—	0405 90 90 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0414		L02	EUR/100 kg	71,44
	A01	EUR/kg	0,0500		A01	EUR/100 kg	96,33
0404 90 83 9130	L01	EUR/kg	—	0406 10 20 9100	L01	EUR/100 kg	—
	L02	EUR/kg	0,3503		L02	EUR/100 kg	—
	A01	EUR/kg	0,4494		A01	EUR/100 kg	16,24
0404 90 83 9150	L01	EUR/kg	—	0406 10 20 9230	L03	EUR/100 kg	—
	L02	EUR/kg	0,3655		L04	EUR/100 kg	12,99
	A01	EUR/kg	0,4692		400	EUR/100 kg	—
0404 90 83 9170	L01	EUR/kg	—	0406 10 20 9290	A01	EUR/100 kg	—
	L02	EUR/kg	0,3894		A00	EUR/100 kg	—
	A01	EUR/kg	0,5000		A00	EUR/100 kg	—
0404 90 83 9936	L01	EUR/kg	—	0406 10 20 9300	A00	EUR/100 kg	—
	L02	EUR/kg	0,1055		A00	EUR/100 kg	—
	A01	EUR/kg	0,1508		A00	EUR/100 kg	—
0405 10 11 9500	L01	EUR/100 kg	—	0406 10 20 9610	A00	EUR/100 kg	—
	L02	EUR/100 kg	69,83		A00	EUR/100 kg	—
	A01	EUR/100 kg	94,15		A00	EUR/100 kg	—
0405 10 11 9700	L01	EUR/100 kg	—	0406 10 20 9620	L03	EUR/100 kg	—
	L02	EUR/100 kg	71,57		L04	EUR/100 kg	19,96
	A01	EUR/100 kg	96,50		400	EUR/100 kg	—
					A01	EUR/100 kg	24,94

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,32		L04	EUR/100 kg	5,69
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,65		A01	EUR/100 kg	13,34
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	24,44		L04	EUR/100 kg	6,44
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	30,55		A01	EUR/100 kg	15,09
0406 10 20 9830	L03	EUR/100 kg	—	0406 30 90 9000	A00	EUR/100 kg	—
	L04	EUR/100 kg	9,08	0406 40 50 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	34,48
	A01	EUR/100 kg	11,33		400	EUR/100 kg	—
0406 10 20 9850	L03	EUR/100 kg	—	0406 40 90 9000	A01	EUR/100 kg	43,09
	L04	EUR/100 kg	10,99		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,41
	A01	EUR/100 kg	13,74		400	EUR/100 kg	—
0406 20 90 9100	A00	EUR/100 kg	—	0406 90 13 9000	A01	EUR/100 kg	44,26
0406 20 90 9913	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	21,76		L04	EUR/100 kg	39,25
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9915	A01	EUR/100 kg	27,20	0406 90 15 9100	A01	EUR/100 kg	56,18
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	29,54		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9917	A01	EUR/100 kg	36,93	0406 90 17 9100	A01	EUR/100 kg	58,06
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	31,41		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9919	A01	EUR/100 kg	39,24	0406 90 21 9900	A01	EUR/100 kg	58,06
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	35,08		L04	EUR/100 kg	39,43
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 30 31 9710	A00	EUR/100 kg	—	0406 90 23 9900	A01	EUR/100 kg	56,30
0406 30 31 9730	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	3,91		L04	EUR/100 kg	35,35
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 30 31 9910	A01	EUR/100 kg	9,17	0406 90 25 9900	A01	EUR/100 kg	50,82
	A00	EUR/100 kg	—		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	34,67
	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
0406 30 31 9930	400	EUR/100 kg	—	0406 90 27 9900	A01	EUR/100 kg	49,63
	A01	EUR/100 kg	9,17		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	31,39
	L04	EUR/100 kg	5,69		400	EUR/100 kg	—
0406 30 31 9950	400	EUR/100 kg	—	0406 90 31 9119	A01	EUR/100 kg	44,95
	A01	EUR/100 kg	13,34		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	29,03
	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
0406 30 39 9500	400	EUR/100 kg	—	0406 90 33 9119	A01	EUR/100 kg	41,60
	A01	EUR/100 kg	9,17		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	29,03
	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
0406 30 39 9700	400	EUR/100 kg	—		A01	EUR/100 kg	41,60
	A01	EUR/100 kg	9,17				
	L03	EUR/100 kg	—				
	L04	EUR/100 kg	5,69				
	400	EUR/100 kg	—				
	A01	EUR/100 kg	13,34				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 33 9919	A00	EUR/100 kg	—	0406 90 78 9300	L03	EUR/100 kg	—
0406 90 33 9951	A00	EUR/100 kg	—		L04	EUR/100 kg	35,54
0406 90 35 9190	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	50,76
	400	EUR/100 kg	—	0406 90 78 9500	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	34,55
0406 90 35 9990	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	49,04
	400	EUR/100 kg	—	0406 90 79 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	29,35
0406 90 37 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	39,25		A01	EUR/100 kg	42,19
	400	EUR/100 kg	—	0406 90 81 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	56,18		L04	EUR/100 kg	36,63
0406 90 61 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,68		A01	EUR/100 kg	52,44
	400	EUR/100 kg	—	0406 90 85 9930	L03	EUR/100 kg	—
	A01	EUR/100 kg	64,65		L04	EUR/100 kg	40,16
0406 90 63 9100	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,02		A01	EUR/100 kg	57,80
	400	EUR/100 kg	—	0406 90 85 9970	L03	EUR/100 kg	—
	A01	EUR/100 kg	63,49		L04	EUR/100 kg	36,84
0406 90 63 9900	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,31		A01	EUR/100 kg	52,98
	400	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	A01	EUR/100 kg	61,32	0406 90 86 9200	L03	EUR/100 kg	—
0406 90 69 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	35,61
0406 90 69 9910	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,93		A01	EUR/100 kg	52,80
	400	EUR/100 kg	—	0406 90 86 9300	A00	EUR/100 kg	—
	A01	EUR/100 kg	62,22	0406 90 86 9400	L03	EUR/100 kg	—
0406 90 73 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	38,16
	L04	EUR/100 kg	36,12		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	55,80
	A01	EUR/100 kg	51,75	0406 90 86 9900	L03	EUR/100 kg	—
0406 90 75 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	40,16
	L04	EUR/100 kg	36,84		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	57,80
	A01	EUR/100 kg	52,98	0406 90 87 9100	A00	EUR/100 kg	—
0406 90 76 9300	L03	EUR/100 kg	—	0406 90 87 9200	A00	EUR/100 kg	—
	L04	EUR/100 kg	32,71	0406 90 87 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,16
	A01	EUR/100 kg	46,82		400	EUR/100 kg	—
0406 90 76 9400	L03	EUR/100 kg	—		A01	EUR/100 kg	49,00
	L04	EUR/100 kg	36,63	0406 90 87 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,86
	A01	EUR/100 kg	52,44		400	EUR/100 kg	—
0406 90 76 9500	L03	EUR/100 kg	—		A01	EUR/100 kg	49,49
	L04	EUR/100 kg	33,92	0406 90 87 9951	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,97
	A01	EUR/100 kg	48,15		400	EUR/100 kg	—
0406 90 78 9100	L03	EUR/100 kg	—		A01	EUR/100 kg	51,50
	L04	EUR/100 kg	35,88				
	400	EUR/100 kg	—				
	A01	EUR/100 kg	52,42				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	35,97		L04	EUR/100 kg	37,52
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	51,50		A01	EUR/100 kg	53,02
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	15,21		L04	EUR/100 kg	35,35
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	21,86		A01	EUR/100 kg	50,82
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	35,33	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	29,29
	A01	EUR/100 kg	50,57		400	EUR/100 kg	—
0406 90 87 9974	L03	EUR/100 kg	—	0406 90 88 9500	A01	EUR/100 kg	43,13
	L04	EUR/100 kg	37,84		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	30,20
	A01	EUR/100 kg	53,93		400	EUR/100 kg	—
					A01	EUR/100 kg	43,15

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12).

The other destinations are defined as follows:

L01 Ceuta, Melilla, Holy See, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L02 Andorra and Gibraltar.

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Turkey, Romania, Bulgaria, Croatia, Canada, Australia, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04 Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

COMMISSION REGULATION (EC) No 443/2006**of 16 March 2006****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 14 March 2006.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 14 March 2006, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	99,50
Butter	ex 0405 10 19 9700	102,00
Butteroil	ex 0405 90 10 9000	123,90

COMMISSION REGULATION (EC) No 444/2006**of 16 March 2006****granting no refund for skimmed milk powder in the framework of the standing invitation to tender
provided for in Regulation (EC) No 582/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds of skimmed milk powder ⁽²⁾, provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 14 March 2006.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 14 March 2006, no refund shall be granted for the product and destinations referred to in Article 1(1) of that Regulation.

Article 2

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

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

COMMISSION REGULATION (EC) No 445/2006**of 16 March 2006****fixing the representative prices and the additional import duties for molasses in the sugar sector
applicable from 17 March 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾, is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 12. Regulation as amended by Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

⁽³⁾ OJ L 145, 27.6.1968, p. 12. Regulation as amended by Regulation (EC) No 1422/95.

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 17 March 2006

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽¹⁾
1703 10 00 ⁽²⁾	11,85	—	0
1703 90 00 ⁽²⁾	11,64	—	0

⁽¹⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 446/2006**of 16 March 2006****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.
- (4) In special cases, the amount of the refund may be fixed by other legal instruments.

- (5) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.
- (8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.
- (9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 17 MARCH 2006 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	24,99 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	24,84 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	24,99 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	24,84 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,2717
1701 99 10 9100	S00	EUR/100 kg	27,17
1701 99 10 9910	S00	EUR/100 kg	27,00
1701 99 10 9950	S00	EUR/100 kg	27,00
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,2717

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

^(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 the provisional application of the Agreement between the European Community and the Swiss Confederation amending 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⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 447/2006**of 16 March 2006****fixing the maximum export refund for white sugar to certain third countries for the 21st partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1138/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾ and in particular the second indent of Article 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1138/2005 of 15 July 2005 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾, for the 2005/2006 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1138/2005 a maximum export refund shall be fixed,

as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 21st partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1138/2005 the maximum amount of the export refund shall be 29,800 EUR/100 kg.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 185, 16.7.2005, p. 3.

COMMISSION REGULATION (EC) No 448/2006**of 16 March 2006****concerning tenders notified in response to the invitation to tender for the import of maize issued in
Regulation (EC) No 1809/2005**

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 Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported in Portugal from third countries was opened pursuant to Commission Regulation (EC) No 1809/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 25 of Regulation (EC) No 1784/2003 and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 10 to 16 March 2006 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 1809/2005.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 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 291, 5.11.2005, p. 4.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 449/2006**of 16 March 2006****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1058/2005**

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 Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1058/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 10 to 16 March 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 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 174, 7.7.2005, p. 12.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 450/2006**of 16 March 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 1059/2005**

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 Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 1059/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 10 to 16 March 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 1059/2005.

Article 2

This Regulation shall enter into force on 17 March 2006.

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

Done at Brussels, 16 March 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 174, 7.7.2005, p. 15.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 March 2006

amending Annexes I and II to Decision 2002/308/EC establishing lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN)

(notified under document number C(2006) 683)

(Text with EEA relevance)

(2006/214/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, and in particular Articles 5 and 6 thereof,

Whereas:

(1) Commission Decision 2002/308/EC ⁽²⁾, establishes the lists of approved zones and approved fish farms situated in non-approved zones with regard to certain fish diseases.

(2) Italy has submitted justification for obtaining the status of approved zones, with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), for certain zones in its territory. In some of those zones the sampling in accordance with Commission Decision 2001/183/EC of 22 February 2001 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases and repealing Decision 92/532/EEC ⁽³⁾ is impossible, due to the special production cycle of the farms situated in these zones.

(3) Such production was not provided for when Decision 2001/183/EC was drawn up. However, the documentation provided shows that those zones provide an equivalent animal health status to those in which sampling in accordance with Decision 2001/183/EC has taken place. Hence, the zones meet the requirements of Article 5 of Directive 91/67/EEC. They therefore qualify for the status of approved zones and should be added to the list of approved zones.

(4) France has submitted justification for obtaining the status of approved zones, with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), for certain zones in its territory. The documentation provided shows that those zones meet the requirements of Article 5 of Directive 91/67/EEC. They therefore qualify for the status of approved zones and should be added to the list of approved zones

(5) Austria, Germany and Italy have submitted justification for obtaining the status of approved farms in non-approved zones, with regard to VHS and IHN, for certain farms in their territory. The documentation provided shows that those farms meet the requirements of Article 6 of Directive 91/67/EEC. They therefore qualify for the status of approved farms in a non-approved zone and should be added to the list of approved farms.

(6) Germany has notified the presence of IHN in two farms previously considered free of that disease. However, the farms remain free from VHS. Those farms should therefore no longer appear in Decision 2002/308/EC as free of IHN.

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

⁽²⁾ OJ L 106, 23.4.2002, p. 28. Decision as last amended by Decision 2005/813/EC (OJ L 304, 23.11.2005, p. 19).

⁽³⁾ OJ L 67, 9.3.2001, p. 65.

(7) Decision 2002/308/EC should therefore be amended accordingly.

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

2. Annex II is replaced by the text in Annex II to this Decision.

Article 2

This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Done at Brussels, 7 March 2006.

Article 1

Decision 2002/308/EC is amended as follows:

1. Annex I is replaced by the text in Annex I to this Decision;

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

‘ANNEX I

**ZONES APPROVED WITH REGARD TO THE FISH DISEASES VIRAL HAEMORRHAGIC SEPTICAEMIA (VHS)
AND INFECTIOUS HAEMATOPOIETIC NECROSIS (IHN)****1.A. ZONES ⁽¹⁾ IN DENMARK APPROVED WITH REGARD TO VHS**

— Hansted Å	— Slette Å
— Hovmølle Å	— Bredkær Bæk
— Grenå	— Vandløb til Kilen
— Treå	— Resenkær Å
— Alling Å	— Klostermølle Å
— Kastbjerg	— Hvidbjerg Å
— Villestrup Å	— Knidals Å
— Korup Å	— Spang Å
— Sæby Å	— Simested Å
— Elling Å	— Skals Å
— Uggerby Å	— Jordbro Å
— Lindenberg Å	— Fåremølle Å
— Øster Å	— Flynder Å
— Hasseris Å	— Damhus Å
— Binderup Å	— Karup Å
— Vidkær Å	— Gudenåen
— Dybvad Å	— Halkær Å
— Bjørnsholm Å	— Storåen
— Trend Å	— Århus Å
— Lerkenfeld Å	— Bygholm Å
— Vester Å	— Grejs Å
— Lønnerup med tilløb	— Ørum Å

1.B. ZONES IN DENMARK APPROVED WITH REGARD TO IHN

— Denmark ⁽²⁾

2.A. ZONES IN GERMANY APPROVED WITH REGARD TO VHS AND IHN**2.A.1. BADEN WÜRTTEMBERG ⁽³⁾**

- Isenburger Tal from the source to the water outlet of the farm “Falkenstein”,
- Eyach and its tributaries from the sources to the first barrier downstream situated near the town Haigerloch,

- Lauchert and its tributaries from the sources to the barrier of the turbine near town Sigmaringendorf,
- Grosse Lauter and its tributaries from the sources to the barrier of the waterfall near Lauterach,
- Wolfegger Ach and its tributaries from the sources to the barrier of the waterfall near Baienfurth,
- The water catchment area of ENZ, consisting of Grosse Enz, Kleine Enz and Eyach from their sources to the barrier in the centre of Neuenbürg,
- Erms from the source to the barrier 200 m downstream of the farm Strobel, Anlage Seeburg,
- Obere Nagold from the source to the barrier near Neumühle.

2.B. ZONES IN GERMANY APPROVED WITH REGARD TO VHS

2.B.1. BADE-WURTEMBERG

- Andelsbach and its tributaries from the sources to the barrier of the turbine near the town of Krauchenwies.

3. ZONES IN SPAIN APPROVED WITH REGARD TO VHS AND IHN

3.1. REGION: AUTONOMOUS COMMUNITY OF ASTURIAS

Continental zones

- All water catchment areas of Asturias.

Coastal zones

- The entire coast of Asturias.

3.2. REGION: AUTONOMOUS COMMUNITY OF GALICIA

Continental zones

- The water catchment areas of Galicia:
 - including the water catchment areas of the River Eo, the River Sil from its source in the province of León, the River Miño from its source to the barrier of Frieira, and the River Limia from its source to the barrier Das Conchas,
 - excluding the water catchment area of the River Tamega.

Coastal zones

- The coastal area in Galicia from the mouth of the River Eo (Isla Pancha) to the the Punta Picos (mouth of the River Miño).

3.3. REGION: AUTONOMOUS COMMUNITY OF ARAGÓN

Continental zones

- The water catchment area of the River Ebro from its source to the dam of Mequinenza in the Community of Aragón,
- River Isuela from its source to the barrier of Arguis,
- River Flúmen from its source to the barrier of Santa María de Belsue,
- River Guatizalema from its source to the barrier of Vadiello,

- River Cinca from its source to barrier of Grado,
- River Esera from its source to the barrier of Barasona,
- River Noguera-Ribagorzana from its source to the barrier of Santa Ana,
- River Matarraña from its source to the barrier of Aguas de Pena,
- River Pena from its source to the barrier of Pena,
- River Guadalaviar-Turia from its source to the barrier of the Generalísimo in the province of Valencia,
- River Mijares from its source to the barrier of Arenós in the province of Castellón.

The other watercourses of the Community of Aragón are considered as a buffer zone.

3.4. REGION: AUTONOMOUS COMMUNITY OF NAVARRA

Continental zones

- The water catchment area of the River Ebro from its source to the dam of Mequinenza in the Community of Aragón,
- River Bidasoa from its source to its mouth,
- River Leizarán from its source to the barrier of Leizarán (Muga).

The other watercourses of the Community of Navarra are considered as a buffer zone.

3.5. REGION: AUTONOMOUS COMMUNITY OF CASTILLA AND LEÓN

Continental zones

- The water catchment area of the River Ebro from its source to the dam of Mequinenza in the Community of Aragón,
- River Duero from its source to the barrier of Aldeávila,
- River Sil,
- River Tiétar from its source to the barrier of Rosarito,
- River Alberche from its source to the barrier of Burguillo.

The other watercourses of the Autonomous Community of Castilla and León are considered as a buffer zone.

3.6. REGION: AUTONOMOUS COMMUNITY OF CANTABRIA

Continental zones

- The water catchment area of the River Ebro from its source to the dam of Mequinenza in the Community of Aragón,
- The water catchment areas of the following rivers from their source to the sea:
 - River Deva,
 - River Nansa,
 - River River Saja-Besaya,

— River Pas-Pisueña,

— River Asón,

— River Agüera.

The water catchment areas of the Rivers Gandarillas, Escudo, Miera y Campiazo are considered as a buffer zone.

Coastal zones

— The entire coast of Cantabria from the mouth of the River Deva until the creek of Ontón.

3.7. REGION: AUTONOMOUS COMMUNITY OF LA RIOJA

Continental zones

The water catchment area of the Río Ebro from its sources to dam of Mequinenza in the Commune of Aragón.

3.8. REGION: AUTONOMOUS COMMUNITY OF CASTILLA-LA-MANCHA

Continental zones

— The water catchment area of the Río Tajo from its sources to the dam of Estremera,

— The water catchment area of the Río Tajuña from its sources to the dam of La Tajera,

— The water catchment area of the Río Júcar from its sources to the dam of La Toba,

— The water catchment area of the Río Cabriel from its sources to the dam of Bujioso.

4.A. ZONES IN FRANCE APPROVED WITH REGARD TO VHS AND IHN

4.A.1. ADOUR-GARONNE

Catchment areas

— The Charente basin,

— The Seudre basin,

— The basins of the coastal rivers in the Gironde estuary in the department of Charente-Maritime,

— The catchment areas of the Nive and the Nivelles (Pyrenées Atlantiques),

— The Forges basin (Landes),

— The catchment area of the Dronne (Dordogne), from the source to the Eglisottes dam at Monfourat,

— The catchment area of the Beauronne (Dordogne), from the source to the Faye dam,

— The catchment area of the Valouse (Dordogne), from the source to the Etang des Roches Noires dam,

— The catchment area of the Paillasse (Gironde), from the source to the Grand Forge dam,

— The catchment area of the Ciron (Lot et Garonne, Gironde), from the source to the Moulin de Castaing dam,

— The catchment area of the Petite Leyre (Landes), from the source to the Pont de l'Espine dam at Argelouse,

- The catchment area of the Pave (Landes), from the source to the Pave dam,
- The catchment area of the Escource (Landes), from the source to the Moulin de Barbe dam,
- The catchment area of the Geloux (Landes), from the source to the D38 dam at Saint Martin d'Oney,
- The catchment area of the Estrigon (Landes), from the source to the Campet et Lamolère dam,
- The catchment area of the Estampon (Landes), from the source to the Ancienne Minoterie dam at Roquefort,
- The catchment area of the Gélise (Landes, Lot et Garonne), from the source to the dam downstream of the confluence of the Gélise and the Osse,
- The catchment area of the Magescq (Landes), from the source to the mouth,
- The catchment area of the Luys (Pyrénées Atlantiques), from the source to the Moulin d'Oro dam,
- The catchment area of the Neez (Pyrénées Atlantiques), from the source to the Jurançon dam,
- The catchment area of the Beez (Pyrénées Atlantiques), from the source to the Nay dam,
- The catchment area of the Gave de Cauterets (Hautes Pyrénées), from the source to the Calypso dam of the Soulom power station.

Coastal areas

- The whole of the Atlantic coast between the northern boundary of the department of Vendée and the southern boundary of the department of Charente-Maritime.

4.A.2. LOIRE-BRETAGNE

Continental zones

- All catchment areas in the region of Brittany with the exception of the following catchment areas:
 - Vilaine,
 - the downstream part of the catchment area of the Elorn,
- The Sèvre Niortaise basin,
- The Lay basin,
- The following catchment areas of the Vienne basin:
 - the catchment area of the River la Vienne, from the sources to the dam of Châtellerault in the department of La Vienne,
 - the catchment area of the River la Gartempe, from the sources to the dam of Saint Pierre de Maillé in the department of La Vienne,
 - the catchment area of the River la Creuse, from the sources to the dam of Bénavent in the department of l'Indre,
 - the catchment area of the River le Suin, from the sources to the dam of Douadic in the department of l'Indre,
 - the catchment area of the River la Claise, from the sources to the dam of Bossay-sur-Claise in the department of l'Indre and Loire,
 - the catchment area of the brooks of Velleches and of des trois Moulins, from the sources to the dam of des trois Moulins in the department of La Vienne,
 - the basins of the Atlantic coastal rivers in the department of Vendée.

Coastal areas

- The entire coast of Brittany with the exception of the following parts:
 - Rade de Brest,
 - Anse de Camaret,
 - the coastal zone between the “pointe de Trévignon” and the mouth of the River Laita,
 - the coastal zone between the mouth of the River Tohon up to the border of the department.

4.A.3. SEINE-NORMANDIE

Continental zones

- The Sélune basin.

4.A.4. RÉGION AQUITAINE

Catchment areas

- The catchment area of River Vignac from the source to the barrier “la Forge”,
- The catchment area of River Gouaneyre from the source to the barrier “Maillières dam”,
- The catchment area of the River Susselgue from the source to the barrier “de Susselgue”,
- The catchment area of the River Luzou from the source to the barrier at the fish farm “de Laluque”,
- The catchment area of the River Gouadas from the source to the barrier at “l’Etang de la Glacière à Saint Vincent de Paul”,
- The catchment area of the River Bayse from its sources to the barrier at “Moulin de Lartia et de Manobre”,
- The catchment area of the River Rancez from its sources to the barrier at Rancez ,
- The catchment area of the River Eyre from its sources to its estuary of Arcachon,
- The catchment area of the River l’Onesse from its sources to its estuary of Courant de Contis.

4.A.5. MIDI-PYRÉNÉES

Catchment areas

- The catchment area of River Cernon from the source to the barrier at Saint George de Luzençon,
- The catchment area of the River Dourdou from the sources of the Dourdou and Grauzon rivers to the barrier at Vabres-l’Abbaye.

4.A.6. L’AIN

- The Continental zone des étangs de la Dombes.

4.A.7. ARTOIS-PICARDIE

- The continental zone of Selle from its sources in the River la Poix to where the river meets the River des Evoissons.

4.A.8. AUVERGNE

- The continental zone of la Couze Pavin from its sources to the barrier at Besse-en-Chandesse.

4.B. ZONES IN FRANCE APPROVED WITH REGARD TO VHS**4.B.1. LOIRE-BRETAGNE****Continental zones**

- The part of the Loire basin comprising the upstream part of the Huisne catchment area from the source of the water courses to the Ferté-Bernard dam.

4.C. ZONES IN FRANCE APPROVED WITH REGARD TO IHN**4.C.1. LOIRE-BRETAGNE****Continental zones**

- The following catchment area of the Vienne basin:
 - the catchment area of the l'Anglin, from the sources to the dams of:
 - EDF de Châtelleraut on the River la Vienne, in the department of la Vienne,
 - Saint Pierre de Maillé on the River la Gartempe, in the department of la Vienne,
 - Bénavent on the River la Creuse, in the department of l'Indre,
 - Douadic on the River le Suin, in the department of l'Indre,
 - Bossay-sur-Claise on the River la Claise, in the department of l'Indre and Loire.

5.A. ZONES IN IRELAND APPROVED WITH REGARD TO VHS

- Ireland ⁽²⁾, excluding Cape Clear Island.

5.B. ZONES IN IRELAND APPROVED WITH REGARD TO IHN

- Ireland ⁽¹⁾

6.A. ZONES IN ITALY APPROVED WITH REGARD TO VHS AND IHN**6.A.1. REGION OF TRENTINO ALTO ADIGE, AUTONOMOUS PROVINCE OF TRENTO****Continental zones**

- Zona Val di Fiemme, Fassa e Cembra: water catchment area of the River Avisio, from the source to the barrier of Serra San Giorgio situated in the Commune of Giovo,
- Zona Val delle Sorne: water catchment area of the River Sorna from the source to the barrier constituted by the hydroelectric power station located in the Chizzola (Ala) locality, before reaching the Adige river,
- Zona Torrente Adanà: water catchment area of the River Adanà from the source to the barriers situated downstream of the farm Armani Cornelio-Lardaro,
- Zona Rio Manes: Zone which collects the Rio Manes water down to the barrier located 200 metres downstream of the farm "Troticoltura Giovanelli" located in the "La Zinquantina" locality,
- Zona Val di Ledro: the water catchment areas of the Massangla and Ponale rivers from their sources to barrier constituted by the hydroelectric power plant at "Centrale" in the Commune of Molina di Ledro,
- Zona Valsugana: the water catchment area of the River Brenta from its sources to the Marzotto dam at Mantincelli in the Commune of Grigno,

- Zona Val del Fersina: the water catchment area of the Fersina river from its sources to the barrier of Ponte Alto.

6.A.2. REGION OF LOMBARDIA, PROVINCE OF BRESCIA

Continental zones

- Zona Ogliolo: the water catchment area from the source of Ogliolo stream to the barrier, situated downstream of the Adamello fish farm, where Ogliolo stream joins the Oglio river,
- Zona Fiume Caffaro: the water catchment area from the source of Cafarro stream to the barrier situated 1 km downstream of the farm,
- Zona Val Brembana: the water catchment area of Brembo river, from its sources to the barrier in the commune de Ponte San Pietro.

6.A.3. REGION OF UMBRIA

Continental zones

- Fosso di Terrià: the water catchment area of the River Terrià from its sources to the barrier below fish farm Ditta Mountain Fish, where the River Terrià joins the River Nera.

6.A.4. REGION OF VENETO

Continental zones

- Zona Belluno: the water catchment area in the province of Belluno from the source of the Ardo stream to the downstream barrier (situated before the Ardo stream flows into the River Piave) of the farm Centro Sperimentale di Acquacoltura, Valli di Bolzano Bellunese, Belluno,
- Bacino del torrente Tegorzo: the water catchment area of the River Tegorzo from its sources to the barrier at the Tegorzo river bridge in the village of Favéri.

6.A.5. REGION OF TOSCANA

Continental zones

- Zona Valle del fiume Serchio: the water catchment area of the River Serchio from its sources to the Piaggione dam,
- Bacino del torrente Lucido: the water catchment area of the River Lucido from its sources the dam at Ponte del Bertoli,
- Bacino del torrente Osca: The water catchment area of the River Osca from its sources to the barrier downstream the farm "Il Giardino",
- Bacino del fiume Staggia: the water catchment area of the River Staggia from its sources to the barrier of Calcinaia.

6.A.6. REGION OF PIEMONTE

Continental zones

- Sorgenti della Gerbola: the part of the water catchment area of the River Grana from the sources of "Cavo C" and "Canale del Molino della Gerbala" to the barrier below the farm "Azienda Agricola Canali Cavour S.S.",
- Bacino del Besante: the water catchment area of the River Besante from its sources to the barrier 500 m downstream the farm "Pastorino Giovanni",
- Valle di Duggia: the River Duggia from its sources to the barrier 100 m above where the bridge of the road between Varallo and Locarno crosses the river,

- Zona del Rio Vardigoia: the brook Vardigoia from its sources to where the brook enters the River Duggia above the barrier of the approved zone “Valle di Duggia”,
- Zona Sorgente dei Paschi: the water catchment area of the River Pesio from its sources to the barrier located downstream the farm “Azienda dei Paschi”,
- Zona Stura Valgrande: the water catchment area of the River Stura Valgrande from its sources to the barrier located downstream the fish farm “Troticoltura delle Sorgenti”,
- Valle Elvo: the water catchment area of the River Elvo from its sources to the dam of “Tintoria Europa” in the commune Occhieppo Inferiore,
- Valle Strona: the water catchment area of the River Strona from its sources in the municipality of Camandona to the barrier near Vallemosso in locality Rovella,
- Valle Cervo: the water catchment area of the River Cervo from its sources in the municipality of Sagliano Micca to the barrier near the bridge of the provincial road SS n.142 in the municipality of Biella,
- Zona Lanca del Boschetto: the part of the River Toce from the springs inside the premises of the Mittage Feerico farm, to the barrier downstream of the Moretti Renzo farm.

6.A.7. REGION OF EMILIA ROMAGNA

Continental zones

- Bacino Fontanacce-Valdarno: the water catchment area of the Rivers Fontanacce and Valdarno from their sources to the barrier 100 m downstream the farm “S.V.A. s.r.l. fish farm”.

6.A.8. REGION OF LIGURIA

Continental zones

- The water catchment area of the River Penna from its sources to the barrier where the River Penna meets the River Borzone.

6.B. ZONES IN ITALY APPROVED WITH REGARD TO VHS

6.B.1. REGION OF TRENTINO ALTO ADIGE, AUTONOMOUS PROVINCE OF TRENTO

Continental zones

- Zona Valle dei Laghi: water catchment area of the lakes of San Massenza, Toblino and Cavedine to the downstream barrier in the southern part of the lake of Cavedine leading to the hydroelectric power station located in the Torbole municipality.

6.C. ZONES IN ITALY APPROVED WITH REGARD TO IHN

6.C.1. REGION OF UMBRIA, PROVINCE OF PERUGIA

- Zona Lago Trasimeno: Lake Trasimeno.

6.C.2. REGION OF TRENTINO ALTO ADIGE, AUTONOMOUS PROVINCE OF TRENTO

- Zona Val Rendena: the water catchment area from the source of the River Sarca to the dam of Oltresarca in the commune of Villa Rendena.

7.A. ZONES IN SWEDEN APPROVED WITH REGARD TO VHS

— Sweden ⁽²⁾:

- excluding the area of the west coast within a semicircle of a 20-kilometre radius around the fish farm situated on the Island of Björkö, as well as the estuaries and the water catchment areas of the Rivers Göta and Säre up to each of their first migration barrier (situated at Trollhättan and the inlet to the lake Aspen respectively).

7.B. ZONES IN SWEDEN APPROVED WITH REGARD TO IHN

— Sweden ⁽²⁾.

8. ZONES IN THE UNITED KINGDOM, THE CHANNEL ISLANDS AND THE ISLE OF MAN APPROVED WITH REGARD TO VHS AND IHN

— Great Britain ⁽²⁾,

— Northern Ireland ⁽²⁾,

— Guernsey ⁽²⁾,

— The Isle of man ⁽²⁾.

9.A. ZONES IN FINLAND APPROVED WITH REGARD TO VHS

— Finland ⁽⁴⁾.

9.B. ZONES IN FINLAND APPROVED WITH REGARD TO IHN

— Finland ⁽²⁾.

⁽¹⁾ The water catchment areas and the coastal areas belonging thereto.

⁽²⁾ Including all continental and coastal areas within its territory.

⁽³⁾ Parts of water catchment areas.

⁽⁴⁾ All continental areas within its territory.'

ANNEX II

‘ANNEX II

FISH FARMS APPROVED WITH REGARD TO THE FISH DISEASES VIRAL HAEMORRHAGIC SEPTICAEMIA (VHS) AND INFECTIOUS HAEMATOPOIETIC NECROSIS (IHN)**1. FISH FARMS IN BELGIUM APPROVED WITH REGARD TO VHS AND IHN**

1.	La Fontaine aux truites	B-6769 Géroville
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2. FISH FARMS IN DENMARK APPROVED WITH REGARD TO VHS AND IHN

1.	Vork Dambrug	DK-6040 Egtved
2.	Egebæk Dambrug	DK-6880 Tarm
3.	Bækkelund Dambrug	DK-6950 Ringkøbing
4.	Borups Geddeopdræt	DK-6950 Ringkøbing
5.	Bornholms Lakseklækkeri	DK-3730 Nexø
6.	Langes Dambrug	DK-6940 Lem St.
7.	Brænderigaardens Dambrug	DK-6971 Spjald
8.	Siglund Fiskeopdræt	DK-4780 Stege
9.	Ravning Fiskeri	DK-7182 Bredsten
10.	Ravnkaer Dambrug	DK-7182 Bredsten
11.	Hulsig Dambrug	DK-7183 Randbøl
12.	Ligård Fiskeri	DK-7183 Randbøl
13.	Grønbjerglund Dambrug	DK-7183 Randbøl
14.	Danish Aquaculture	DK-6040 Egtved

3.A. FISH FARMS IN GERMANY APPROVED WITH REGARD TO VHS AND IHN**3.A.1. LOWER SAXONY**

1.	Jochen Moeller	Fischzucht Harkenbleck D-30966 Hemmingen-Harkenbleck
2.	Versuchsgut Rellehausen der Universität Göttingen	(hatchery only) D-37586 Dassel
3.	Dr. R. Rosengarten	Forellenzucht Sieben Quellen D-49124 Georgsmarienhütte
4.	Klaus Kröger	Fischzucht Klaus Kröger D-21256 Handeloh Wörme
5.	Ingeborg Riggert-Schlumbohm	Forellenzucht W. Riggert D-29465 Schnega
6.	Volker Buchtmann	Fischzucht Nordbach D-21441 Garstedt

7.	Sven Kramer	Forellenzucht Kaierde D-31073 Delligsen
8.	Hans-Peter Klusak	Fischzucht Grönegau D-49328 Melle
9.	F. Feuerhake	Forellenzucht Rheden D-31039 Rheden
10.	Horst Pöpke	Fischzucht Pöpke Hauptstraße 14 D-21745 Hemmoor

3.A.2. THURINGIA

1.	Firma Tautenhahn	D-98646 Trostadt
2.	Fischzucht Salza GmbH	D-99734 Nordhausen-Salza
3.	Fischzucht Kindelbrück GmbH	D-99638 Kindelbrück
4.	Reinhardt Strecker	Forellenzucht Orgelmühle D-37351 Dingelstadt

3.A.3. BADEN-WÜRTTEMBERG

1.	Walter Dietmayer	Forellenzucht Walter Dietmayer Hettingen D-72501 Gammertingen
2.	Heiner Feldmann	Bergatreute D-88630 Pfullendorf
3.	Oliver Fricke	Anlage Wuchzenhofen Boschenmühle 13 ¹ / ₂ D-87764 Mariasteinbach-Legau
4.	Peter Schmaus	Fischzucht Schmaus, Steinental D-88410 Steinental/Hauerz
5.	Josef Schnetz	Fenkenmühle D-88263 Horgenzell
6.	Falko Steinhart	Quellwasseranlage Steinhart Hettingen D-72513 Hettingen
7.	Hugo Strobel	Quellwasseranlage Otterswang Sägmühle D-72505 Hausen am Andelsbach
8.	Reinhard Lenz	Forsthaus Gaimühle D-64759 Sensbachtal

9.	Stephan Hofer	Sulzbach D-78727 Aisteig/Oberndorf
10.	Stephan Hofer	Oberer Lautenbach D-78727 Aisteig/Oberndorf
11.	Stephan Hofer	Unterer Lautenbach D-78727 Aisteig/Oberndorf
12.	Stephan Hofer	Schelklingen D-78727 Aistaig/Oberndorf
13.	Stephan Schuppert	Brutanlage: Obere Fischzucht Mastanlage: Untere Fischzucht D-88454 Unteressendorf
14.	Anton Jung	Brunnentobel D-88299 Leutkirch/Hebrachhofen
15.	Peter Störk	Wagenhausen D-88348 Saulgau
16.	Erwin Steinhart	Geislingen/St. D-73312 Geislingen/St.
17.	Joachim Schindler	Forellenzucht Lohmühle D-72275 Alpirsbach
18.	Georg Sohnus	Forellenzucht Sohnus D-72160 Horb-Diessen
19.	Claus Lehr	Forellenzucht Reinerzau D-72275 Alpirsbach-Reinerzau
20.	Hugo Hager	Bruthausanlage D-88639 Walbertsweiler
21.	Hugo Hager	Waldanlage D-88639 Walbertsweiler
22.	Gumpper und Stoll GmbH	Forellenhof Rössle Honau D-72805 Liechtenstein
23.	Hans Schmutz	Brutanlage 1, Brutanlage 2, Brut- und Setzlingsanlage 3 (Hausanlage) D-89155 Erbach
24.	Wilhelm Drafeh	Obersimonswald D-77960 Seelbach
25.	Wilhelm Drafeh	Brutanlage Seelbach D-77960 Seelbach
26.	Franz Schwarz	Oberharmersbach D-77784 Oberharmersbach
27.	Meinrad Nuber	Langenenslingen D-88515 Langenenslingen
28.	Walter Dietmayer	Höhmühle D-88353 Kitzlegg
29.	Fischbrutanstalt des Landes Baden-Württemberg	Argenweg 50 D-88085 Langenargen Anlage Osterhofen
30.	Kreissportfischereiverein Biberach	Warthausen D-88400 Biberach
31.	Hans Schmutz	Gossenzugen D-89155 Erbach

32.	Reinhard Rösch	Haigerach D-77723 Gengenbach
33.	Rainer Tress	Unterlauchringen D-79787 Unterlauchringen
34.	Andreas Tröndle	Tiefenstein D-79774 Albbruck
35.	Andreas Tröndle	Unteralpfen D-79774 Unteralpfen
36.	Stephan Hofer	Schenkenbach D-78727 Aisteig/Oberndorf
37.	Heiner Feldmann	Bainders D-88630 Pfullendorf
38.	Andreas Zordel	Fischzucht Im Gänsebrunnen D-75305 Neuenbürg
39.	Thomas Fischböck	Forellenzucht am Kocherursprung D-73447 Oberkochen
40.	Reinhold Bihler	Dorfstraße 22 D-88430 Rot a. d. Rot Haslach Anlage: Einöde
41.	Josef Dürr	Forellenzucht Igersheim D-97980 Bad Mergentheim
42.	Andreas Zordel	Anlage Berneck D-72297 Seewald
43.	Fischzucht Anton Jung	Anlage Rohrsee D-88353 Kißlegg
44.	Staatliches Forstamt Ravensburg	Anlage Karsee D-88239 Wangen i. A.
45.	Simon Phillipson	Anlage Weissenbronnen D-88364 Wolfegg
46.	Hans Klaiber	Anlage Bad Wildbad D-75337 Enzklösterle
47.	Josef Hönig	Forellenzucht Hönig D-76646 Bruchsal-Heidelheim
48.	Werner Baur	Blitzenreute D-88273 Fronreute-Blitzenreute
49.	Gerhard Weihmann	Mägerkingen D-72574 Bad Urach-Seeburg
50.	Hubert Belser GBR	Dettingen D-72401 Haigerloch-Gruol
51.	Staatliche Forstämter Ravensburg und Wangen	Altdorfer Wald D-88214 Ravensburg
52.	Anton Jung	Bunkhoferweiher, Schanzwiesweiher und Häcklerweiher D-88353 Kißlegg
53.	Hildegart Litke	Holzweiher D-88480 Achstetten
54.	Werner Wägele	Ellerazhofer Weiher D-88319 Aitrach

55.	Ernst Graf	Hatzenweiler Osterbergstr. 8 D-88239 Wangen-Hatzenweiler
56.	Fischbrutanstalt des Landes Baden-Württemberg	Argenweg 50 D-88085 Langenargen Anlage Obereisenbach
57.	Forellenzucht Kunzmann	Heinz Kunzmann Unterer Steinweg 64 D-75438 Knittlingen
58.	Meinrad Nuber	Ochsenhausen Obere Wiesen 1 D-88416 Ochsenhausen
59.	Bezirksfischereiverein Nagoldtal e.V.	Kentheim Lange Steige 34 D-75365 Calw
60.	Bernd und Volker Fähnrich	Neumühle D-88260 Ratzenried-Argenbühl
61.	Klaiber "An der Tierwiese"	Hans Klaiber Rathausweg 7 D-75377 Enzklösterle
62.	Parey, Bittigkoffer — Unterreichenbach	Klaus Parey Mörikeweg 17 D-75331 Engelsbran 2
63.	Farm Sauter Anlage Pfügelberg	Gerhard Sauter D-88239 Wangen-Pfügelberg 6
64.	Krattenmacher Anlage Osterhofen	Krattenmacher, Hittelhofen Gasthaus D-88339 Bad Waldsee
65.	Fähnrich Anlage Argenmühle D-88260 Ratzenried-Argenmühle	Bernd und Volker Fähnrich Von RütisträÙe D-88339 Bad Waldsee
66.	Gumpper und Stoll Anlage Unterhausen	Gumpper und Stoll GmbH und Co. KG Heerstr. 20 D-72805 Lichtenstein-Honau
67.	Durach Anlage Altann	Antonie Durach Panoramastr. 23 D-88346 Wolfegg-Altann
68.	Städler Anlage Raunsmühle	Paul Städler Raunsmühle D-88499 Riedlingen-Pfummern
69.	König Anlage Erisdorf	Sigfried König Helfenstr. 2/1 D-88499 Riedlingen-Neufra
70.	Forellenzucht Drafehñ Anlage Wittelbach	Wilhelm Drafehñ Schuttertalsstraße 1 D-77960 Seelbach-Wittelbach
71.	Wirth Anlage Dengelshofen	Günther Wirth D-88316 Isny-Dengelshofen 219
72.	Krämer, Bad Teinach	Sascha Krämer Poststr. 11 D-75385 Bad Teinach-Zavelstein
73.	Muffler Anlage Eigeltingen	Emil Muffler Brielholzer Hof D-78253 Eigeltingen

74.	Karpfenteichwirtschaft Mönchsroth	Karl Uhl Fischzucht D-91614 Mönchsroth
75.	Krattenmacher Anlage Dietmans	Krattenmacher, Hittelhofen Gasthaus D-88339 Bad Waldsee
76.	Bruthaus Fischzucht Anselm-Schneider	Dagmar Anselm-Schneider Grabenköpfel 1 D-77743 Neuried
77.	Matthias Grassmann	Fischzucht Grassmann D-75203 Königsbach-Stein

3.A.4. NORTH RHINE-WESTPHALIA

1.	Wolfgang Lindhorst-Emme	Hirschquelle D-33758 Schloss Holte-Stukenbrock
2.	Wolfgang Lindhorst-Emme	Am Oelbach D-33758 Schloss Holte-Stukenbrock
3.	Hugo Rameil und Söhne	Sauerländer Forellenzucht D-57368 Lennestadt-Gleierbrück
4.	Peter Horres	Ovenhausen, Jätzer Mühle D-37671 Höxter
5.	Wolfgang Middendorf	Fischzuchtbetrieb Middendorf D-46348 Raesfeld
6.	Michael und Guido Kamp	Lambacher Forellenzucht und Räucherei Lambachtalstr. 58 D-51766 Engelskirchen-Oesinghausen
7.	Thomas Rameil	Broodhouse Am Gensenberg Saalhauser Str. 8 D-57368 Lennestadt
8.	Ignaz Brands	Forellenzucht Brands Völmeder Str. 110 D-59590 Geseke

3.A.5. BAVARIA

1.	Gerstner Peter	(Forellenzuchtbetrieb Juraquell) Wellheim D-97332 Volkach
2.	Werner Ruf	Fischzucht Wildbad D-86925 Fuchstal-Leeder
3.	Rogg	Fisch Rogg D-87751 Heimertingen
4.	Fischzucht Graf Anlage D-87737 Reichau	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz
5.	Fischzucht Graf Anlage D-87727 Klosterbeuren	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz
6.	Fischzucht Graf Anlage D-87743 Egg an der Günz	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz

7.	Anlage Am Großen Dürrmaul D-95671 Bärnau	Andreas Rösch Am großen Dürrmaul 2 D-95671 Bärnau
8.	Andreas Hofer Anlage D-84524 Mitterhausen	Andreas Hofer Vils 6 D-84149 Velden
9.	Fischzucht Graf Anlage D-87743 Engishausen I	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz
10.	Fischzucht Graf Anlage D-87743 Engishausen II	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz

3.A.6. SAXONY

1.	Anglerverband Südsachsen "Mulde/Elster" e.V.	Forellenanlage Schlettau D-09487 Schlettau
2.	H. und G. Ermisch GbR	Forellen- und Lachszucht D-01844 Langburkersdorf
3.	Teichwirtschaft Weissig	Helga Bräuer Am Teichhaus 1 D-01920 Ossling OT Weissig
4.	Teichwirtschaft Zeisholz	Hagen Haedicke Grüner Weg 39 D-01936 Schwepnitz OT Grüngräbchen

3.A.7. HESSEN

1.	Hermann Rameil	Fischzuchtbetriebe Hermann Rameil D-34311 Naumburg OT Altendorf
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3.A.8. SCHLESWIG-HOLSTEIN

1.	Hubert Mertin	Forellenzucht Mertin Mühlenweg 6 D-24247 Roderbek
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3.B. FISH FARMS IN GERMANY APPROVED WITH REGARDS TO IHN

3.B.1. THURINGIA

1.	Thüringer Forstamt Leinefelde	Fischzucht Worbis D-37327 Leinefelde
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3.C. FISH FARMS IN GERMANY APPROVED WITH REGARDS TO VHS**3.C.1. BADEN-WÜRTTEMBERG**

1.	Heiner Feldmann	Riedlingen/Neufra D-88630 Pfullendorf
2.	Heiner Feldmann	Bad Waldsee D-88630 Pfullendorf

4. FISH FARMS IN SPAIN APPROVED WITH REGARD TO VHS AND IHN**4.1. REGION: AUTONOMOUS COMMUNITY OF ARAGON**

1.	Truchas del Prado	located in Alcala de Ebro, Province of Zaragoza (Aragón).
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4.2. REGION: AUTONOMOUS COMMUNITY OF ANDALUCIA

1.	Piscifactoria de Riodulce	D. Julio Domezain Fran. "Piscifactoria de Sierra Nevada S.L." Camino de la Piscifactoria nº 2. Loja-Granada. E-18313
2.	Piscifactoria Manzanil	D. Julio Domezain Fran. "Piscifactoria de Sierra Nevada S.L." Camino de la Piscifactoria nº 2. Loja-Granada. E-18313

4.3. REGION: AUTONOMOUS COMMUNITY OF CASTILLA-LA-MANCHA

1.	Piscifactoria Rincón de Uña	Junta de Comunidades de Castilla-La-Mancha S191100ID, Delegación de Medio Ambiente. C/ Colón nº 2-Cuenca E-16071 V-16-219-094
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5.A. FISH FARMS IN FRANCE APPROVED WITH REGARD TO VHS AND IHN**5.A.1. ADOUR-GARONNE**

1.	Pisciculture de Sarrance	F-64490 Sarrance (Pyrénées-Atlantiques)
2.	Pisciculture des Sources	F-12540 Cornus (Aveyron)
3.	Pisciculture de Pissos	F-40410 Pissos (Landes)
4.	Pisciculture de Tambareau	F-40000 Mont-de-Marsan (Landes)
5.	Pisciculture "Les Fontaines d'Escot"	F-64490 Escot (Pyrénées-Atlantiques)
6.	Pisciculture de la Forge	F-47700 Casteljaloux (Lot-et-Garonne)

5.A.2. ARTOIS-PICARDIE

1.	Pisciculture du Moulin du Roy	F-62156 Rémy (Pas-de-Calais)
2.	Pisciculture du Bléquin	F-62380 Seninghem (Pas-de-Calais)
3.	Pisciculture d'Earls Feldmann 76340 Hodeng-au-Bosc	F-80580 Bray-Lès-Mareuil
4.	Pisciculture Bonnelle, à Ponthoile	Bonnelle 80133 Ponthoile M. Sohier 26, rue Georges-Deray F-80100 Abbeville
5.	Pisciculture Bretel, à Gézaincourt	Bretel 80600 Gézaincourt-Doullens M. Sohier 26 rue Georges-Deray F-80100 Abbeville
6.	Pisciculture de Moulin Est	Earl Pisciculture Gobert 18, rue Pierre-à-l'Huile F-80150 Machiel

5.A.3. AQUITAINE

1.	SARL Salmoniculture de la Ponte — Station d'Alevinage du Ruisseau Blanc	Le Meysout F-40120 Arue
2.	L'EPST-INRA Pisciculture, à Léés-Athas	Saillet et Esquit F-64490 Léés-Athas INRA — BP 3 F-64310 Saint-Pée-sur-Nivelle
3.	Truites de Haut Bare tous Route de la Pierre-Saint-Martin 64570 Arette reg 64040154	M ^{me} Estournes Françoise Maison Ménin F-64570 Aramits

5.A.4. DRÔME

1.	Pisciculture "Sources de la Fabrique"	40, chemin de Robinson FF-26000 Valence
2.	Pisciculture Font Rome F-26400 Beaufort-sur-Gervanne	Pisciculture Font Rome Chemin des Îles — BP 25 F-07200 Aubenas

5.A.5. HAUTE-NORMANDIE

1.	Pisciculture des Godeliers	F-27210 Le Torpt
2.	Pisciculture fédérale de Sainte-Gertrude 76490 Maulévrier-Sainte-Gertrude	Fédération des associations pour la pêche et la protection du milieu aquatique de Seine-Maritime F-76490 Maulévrier-Sainte-Gertrude

5.A.6. LOIRE-BRETAGNE

1.	SCEA "Truites du lac de Cartravers"	Bois-Boscher F-22460 Merléac (Côtes d'Armor)
2.	Pisciculture du Thélohier	F-35190 Cardroc (Ille-et-Vilaine)
3.	Pisciculture de Plainville	F-28400 Marolles-les-Buis (Eure-et-Loir)
4.	Pisciculture Rémon à Parné-sur-Roc	SARL Remon 21, rue de la Véquerie F-53260 Parné-sur-Roc (de la Mayenne)
5.	Esosiculture de Feins Étang aux Moines F-5440 Feins	AAPPMA 9, rue Kerautret-Botmel F-35200 Rennes

5.A.7. RHIN-MEUSE

1.	Pisciculture du ruisseau de Dompierre	F-55300 Lacroix-sur-Meuse (Meuse)
2.	Pisciculture de la source de la Deüe	F-55500 Cousances-aux-Bois (Meuse)

5.A.8. RHONE-MEDITERRANEE-CORSE

1.	Pisciculture Charles Murgat	Les Fontaines F-38270 Beaufort (Isère)
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5.A.9. SEINE-NORMANDIE

1.	Pisciculture du Vaucheron	F-55130 Gondrecourt-le-Château (Meuse)
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5.A.10. LANGUEDOC ROUSSILLON

1.	Pisciculture de Pêcher F-48400 Florac	Fédération de la Lozère pour la pêche et la protection du milieu aquatique. F-48400 Florac
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5.A.11. MIDI-PYRENEES

1.	Pisciculture de la source du Durzon	SCEA Pisciculture du mas de pommiers F-12230 Nant
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5.A.12. ALPES MARITIME

1.	Centre Piscicole de Roquebillière 06450 Roquebillière	Fédération des Alpes Maritimes pour la pêche et la protection du milieu aquatique F-06450 Roquebillière
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5.A.13. HAUTES ALPES

1.	Pisciculture fédérale de La-Roche-de-Rame	Pisciculture fédérale F-05310 La-Roche-de-Rame
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5.A.14. RHONE-ALPES

1.	Pisciculture Petit Ronjon	M. Dannancier Pascal F-01270 Cormoz
2.	Gaec Piscicole de Teppe	Gaec Piscicole de Teppe 731 chemin de Jouffray F-01310 Polliat

5.A.15. LOZÈRE

1.	Ferme aquacole de la source de Frézal Site aquacole, chemin de Fraissinet F-48500 La Canourgue	Lycée d'enseignement général et technologique agricole — ministère de l'agriculture, de la pêche et de l'alimentation
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5.A.16. ARDÈCHE

1.	Pisciculture Font Rome Chemin des Îles — BP 25 F-07200 Aubenas	Pisciculture Font Rome Chemin des Îles — BP 25 F-07200 Aubenas
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5.B. FISH FARMS IN FRANCE APPROVED WITH REGARD TO VHS

5.B.1. ARTOIS-PICARDIE

1.	Pisciculture de Sangheen	F-62102 Calais (Pas-de-Calais)
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6.A. FISH FARMS IN ITALY APPROVED WITH REGARD TO VHS AND IHN

6.A.1. REGION: FRIULI VENEZIA GIULIA

1.	Azienda ittica agricola Collavini Mario N. I096UD005	Via Tiepolo 12 I-33032 Bertiole (UD)
2.	Impianto ittiogenico di Flambro de Talmassons	Ente tutela pesca del Friuli Venezia Giulia Via Colugna 3 I-33100 Udine
3.	Impianto ittiogenico di Forni di Sotto	Ente tutela pesca del Friuli Via Colugna 3 I-33100 Udine
4.	Impianto di Grauzaria di Moggio Udinese	Ente tutela pesca del Friuli Via Colugna 3 33100 Udine

5.	Impianto ittiogenico di Amaro	Ente tutela pesca del Friuli Via Colugna 3 I-33100 Udine
6.	Impianto ittiogenico di Somplago — Mena di Cavazzo Carnico	Ente tutela pesca del Friuli Via Colugna 3 I-33100 Udine
7.	S.A.I.S. srl Loc Blais Codropio (UD) Cod. I027UD001	Mirella Fossaluzza Via Rot 6/2 I-33080 Zoppola (PN)
8.	S.A.I.S. srl Poffabro-Frisanco (PN)	Mirella Fossaluzza Via Rot 6/2 I-33080 Zoppola (PN)
9.	Avanotteria Valbruna loc. Valbruna I022PN002	Az. Agr. Salvador Pier Antonio 1 Claudio s.s. Sacile Via San Giovanni del Tempio 92 Sacile (PN)

6.A.2. PROVINCIA: AUTONOMA DI TRENTO

1.	Ass. Pescatori Solandri (Loc. Fucine)	Cavizzana
2.	Troticoltura di Grossi Roberto N. 121TN010	Grossi Roberto Via Molini n. 11 Monoclassico (TN)
3.	Campestrin Giovanni	Telve Valsugana (Fontane)
4.	Ittica Resenzola Serafini	Grigno
5.	Ittica Resenzola Selva	Grigno
6.	Leonardi F.lli	Levico Terme (S. Giuliana)
7.	Dellai Giuseppe-Trot. Valsugana	Grigno (Fontana Secca, Maso Puele)
8.	Cappello Paolo	Via Zacconi 21 Loc. Maso Fontane, Roncegno
9.	Celva Remo	Pomarolo
10.	Margonar Domenico	Ala (Pilcante)
11.	Degiuli Pasquale	Mattarello (Regole)
12.	Tamanini Livio	Vigolo Vattaro
13.	Troticoltura Istituto Agrario di S. Michele a/A.	S. Michele all'Adige
14.	Ass. Pescatori Basso Sarca	Ragoli (Pez)
15.	Stab. Giudicariense La Mola	Tione (Delizia d'Ombra)
16.	Azienda Agricola La Sorgente s.s.	Tione (Saone)
17.	Fonti del Dal s.s.	Lomaso (Dasindo)
18.	Comfish srl (ex. Paletti)	Preore (Molina)
19.	Ass. Pescatori Basso Sarca	Tenno (Pranzo)
20.	Troticoltura La Fiana	Di Valenti Claudio (Bondo)

6.A.3. REGION: UMBRIA

1.	Impianto Ittogenico provinciale	Loc. Ponte di Cerreto di Spoleto (PG) — Impianto pubblico (provincia di Perugia)
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6.A.4. REGION: VENETO

1.	Centro Ittico Valdastico	Valdastico (Veneto, provincia di Vicenza)
2.	Azienda Agricola Lietta srl N. 052TV074	Via Rai 3 I-31010 Ormelle (TV)
3.	Azienda Agricola Troticoltura Grosselle Massimo N. 091VI831	Massimo Grosselle Via Palmirona 18 Sandrigo (VI)
4.	Biasia Luigi N. 013VI831	Biasia Luigi Via Ca' D'Oro 25 Bolzano Vic (VI)
5.	Polo Guerrino, Via S. Martino 51 Loc. Campese I-36061 Bassano del Grappa	Polo Guerrino Via Tre Case 4 I-36056 Tezze sul Brenta
6.	Piscicoltura Menozzi di Franco e Davide Menozzi s.s.	Davide Menozzi Via Mazzini 32 Bonferraro de Sorga
7.	Stanzial Eneide Loc Casotto	Stanzial Eneide I-37063 Isola Della Scala VR
8.	Vincheto di Celarda 021 BL 282	M.I.P.A. via Gregorio XVI, n. 8 I-32100 Belluno
9.	Azienda Agricola Troticoltura Rio Molini	Azienda Agricoltura Troticoltura Rio Molini Via Molini 6 I-37020 Brentino Belluno

6.A.5. REGION: VALLE D'AOSTA

1.	Stabilimento ittogenico regionale	Rue Mont Blanc 14, Morgex (AO)
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6.A.6. REGION: LOMBARDIA

1.	Azienda Troticoltura Foglio A. s.s.	Troticoltura Foglio Angelo s.s. Piazza Marconi 3 I-25072 Bagolino
2.	Azienda Agricola Pisani Dossi Cascina Oldani, Cislano (MI)	Giorgio Peterlongo Via Veneto 20 — Milano
3.	Centro ittogenico Unione Pesca Sportiva della Provincia di Sondrio	Unione Pesca Sportiva della Provincia di Sondrio Via Fiume 85 — Sondrio
4.	Ittica Acquasarga Allevamento Piscicoltura Valsassinese IT070LC087	Mirella Fossaluzza Via Rot 6/2 Zoppola (PN)

5.	Incubatoio Ittico U.P.S.I. 010BS070/l	Giorgio Pezzarossi Via Cadutin 71 I-25070 Bagolino (BS)
6.	Azienda agricola allevamento e commercio pesci 113PV03	Luigi Montagna Via Manfredi 1 I-27058 Voghera (PV)

6.A.7. REGION: TOSCANA

1.	Allevamento trote di Petrolini Marcello	Petrolini Marcello Via Mulino Vecchio 229 Maresca — S. Marcello P.se (PT)
2.	Azienda agricola Fratelli Mascalchi Loc. Carda, Castel Focognano (AR) Cod. IT008AR003	Fratelli Mascalchi Loc. Carda Castel Focognano (AR)

6.A.8. REGION: LIGURIA

1.	Incubatoio Ittico provinciale — Masone. Loc. Rio Freddo	Provincia di Genova Piazzale Mazzini 2 I-16100 Genova
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6.A.9. REGION: PIEMONTE

1.	Incubatoio Ittico della valle di Peleussieres Oulx (TO) Cod. 175 TO 802	Associazione Pescatori Valsusa Via Martiri della Libertà 1 I-10040 Caprie (TO)
2.	Azienda agricola Canali Cavour di Lucio Fariano	Lucio Fariano Via Marino 8 I-12044 Centallo (CN)
3.	Troticoltura Marco Borroni Loc. Gerb Veldieri (CN) Cod. 233 CN 800	Marco Borroni Via Piave 39 I-12044 Centallo (CN)
4.	Incubatoio ittico di valle — Loc. Cascina Prella — Traversella (TO) 278 TO 802	
5.	Azienda Agricola San Biagio Fraz. S. Biagio I-12084 Mondovì Cod. 130 CN 801	Revelli Delia Via Roma 36 I-12040 Margarita Cuneo
6.	Azienda Agricola Ossolana Acque I-051-VB-801	Paolo Buzzoni Via dei castani 3 I-28921 Verbania Pallanza (VB)

7.	A.A. San Biagio s.s. di Revelli Delia via S. Stefano IT144CN802	A.A. San Biagio s.s. di Revelli Delia Fraz. S. Biagio Mondavì (CN)
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6.A.10. REGION: ABRUZZO

1.	Impianti ittigenici di Popoli (PE) — Loc. S. Callisto	Nouva Azzurro Spa Viale del Lavoro 45 S. Martino BA (VR)
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6.A.11. REGION: EMILIA-ROMAGNA

1.	Troticoltura Alta Val Secchia srl (RE) Cod. 019RE050	Nicoletta Bestini Via Porali 1/A Collagna (RE)
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6.A.12. REGION: BASILICATA

1.	Assunta Brancati Cod. IT089PZ185/I	Via Tirreno 19 Contrada Piano del Greco 1 I-85050 Tito (PZ)
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6.A.13. REGION: CAMPANIA

1.	Ittica Fasanella Sant'Angelo a Fasanella Loc. Fiume (SA) Cod. 128SA077	Società cooperative Ittica Fasanella Sant'Angelo a Fasanella Loc. Fiume (SA)
2.	Ittico Tammaro s.a.s. di Silvana Di Mella ISTAT 044BN001	Ittico Tammaro s.a.s. di Silvana Di Mella — Contrada Piana 63 Morcone (BN)

6.A.14. REGION: MARCHE

1.	Troticoltura Cherubini snc IT010MC019	Troticoltura Cherubini snc Valle de Castel Sant'Angelo sul Nera (MC)
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6.B. FISH FARMS IN ITALY APPROVED WITH REGARD TO VHS

6.B.1. REGION: FRIULI VENEZIA GIULIA

1.	SGM srl	SGM srl Via Mulino del Cucco 38 Rivoli di Osoppo (UD)
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6.B.2. REGION: VENETO

1.	Azienda Troticoltura S. Cristina Cod. 064TV015	Azienda Troticoltura S. Cristina Via Chiesa Vecchia 14 Loc. S. Cristina di Quinto
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7. FISH FARMS IN AUSTRIA APPROVED WITH REGARD TO VHS AND IHN

1.	Alois Köttl	Forellenzucht Alois Köttl A-4872 Neukirchen a. d. Vöckla
2.	Herbert Böck	Forellenhof Kaumberg A-2572 Kaumberg, Höfnergraben 1
3.	Forellenzucht Glück	Erick und Sylvia Glück Hammerweg 13 A-5270 Mauerkirchen
4.	Forellenzuchtbetrieb St. Florian	Martin Ebner St. Florian 20 A-5261 Uttendorf
5.	Forellenzucht Jobst	Alois Jobst Bruggen 25 A-9761 Greifenburg
6.	Fischzuchtbetrieb Kölbl	Erwin Kölbl A-8812 Maria Hof Standort Gemeinde St. Blasen
7.	Forellenzucht Hartl Teichanlage Nöfing	Peter Hartl Hagenau 12 A-4963 St. Peter a. Hart'

COMMISSION DECISION**of 15 March 2006****on setting up a high level expert group to advise the European Commission on the implementation and the development of the i2010 strategy**

(2006/215/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

(1) As indicated in the conclusions of the Communication from the Commission entitled 'i2010 — A European Information Society for growth and employment' ⁽¹⁾ (hereafter i2010), 'the Commission will strengthen dialogue with stakeholders and work with Member States to address ICT issues, notably through the open method of coordination'. Therefore, the Commission may need to call upon the guidance and expertise of an advisory body with Member State officials specialising in the ICT policy area.

(2) The group must contribute to the efficient implementation of i2010.

(3) The group must be made up of high level representatives from the Member States, and open to observers from acceding and EEA countries.

(4) The 'i2010 high level group' has therefore to be set up and its terms of reference and structures must be detailed,

HAS DECIDED AS FOLLOWS:

Article 1

A group of experts, the 'i2010 High Level Group', hereinafter referred to as 'the Group', is hereby set up by the Commission.

*Article 2***Task**

The Commission may consult the group on any matter relating to the implementation of the i2010 strategy.

The Group's task is to:

— discuss strategic ICT policy issues in the context of i2010 and in the wider context of the Lisbon agenda, review the effectiveness of i2010, and give input and advice on

possible improvements and adjustments on i2010 actions, on the basis of the monitoring of i2010 implementation and the evolution of policy;

— offer a forum for strategic discussions and for the exchange of experiences, with all Commission services involved; and

— exchange views on issues arising from the national reform plans, in the areas covered by i2010, in relation to achieving the objectives of the Lisbon Strategy.

*Article 3***Composition — Appointment**

1. The Group shall be composed of one representative of each Member State and the Commission. Member State representatives may be accompanied by appropriate colleagues according to the subject matter discussed, without prejudice to the applicable rules for reimbursement of meeting expenses. The representatives shall be high level civil servants dealing with information society issues at national level, able to ensure appropriate coordination between the national public authorities involved in the various areas covered by the i2010 strategy.

2. The Commission may authorise the participation of observers from EEA countries and acceding countries. These observers are nominated according to the same criteria as referred to in paragraph 1.

3. Member States, EEA countries and acceding countries shall notify the Commission of the names and contact details of their nominees and of any subsequent changes.

4. The names of the appointed members shall be published on the i2010 website (www.europa.eu.int/i2010). The membership list will be updated by the Information Society and Media Directorate-General each time changes are notified by Member States.

*Article 4***Operation**

1. The group is chaired by the Commission.

⁽¹⁾ COM(2005) 229 final.

2. The Commission may, after consultation of the group, establish subgroups to examine specific questions under the terms of reference established by the group; they shall be disbanded as soon as these terms of reference have been fulfilled.

3. The Commission may ask experts or observers with specific competence on a subject on the agenda to participate in the group's or subgroup's deliberations if this is seen as useful and/or necessary.

4. Information obtained by participating in the group's or subgroup's deliberations shall not be divulged if the Commission indicates that this relates to confidential matters.

5. The group shall adopt its rules of procedure on the basis of the standard rules of procedure ⁽¹⁾.

6. The Commission may publish any résumé, conclusion, partial conclusion or working document of the group.

Article 5

Meeting expenses

The Commission shall reimburse travel and subsistence expenses for members, experts and observers in connection with the group's activities in accordance with the provisions in force in the Commission. The members shall not be paid for their duties.

Meeting expenses are reimbursed within the limits of the appropriations allocated to the department concerned under the annual procedure for allocating resources.

Article 6

Entry into force

The decision shall take effect on the day of its publication in the *Official Journal of the European Union*. It is applicable until 31 December 2010. The Commission shall decide on a possible extension before that date.

Done at Brussels, 15 March 2006.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ Annex III of SEC(2005) 1004 of 27 July 2005.

COMMISSION DECISION

of 16 March 2006

on the publication of the references of standard EN 143:2000 'Respiratory Devices — Particle filters — Requirements, testing, marking' in accordance with Council Directive 89/686/EEC (personal protective equipment)

*(notified under document number C(2006) 777)***(Text with EEA relevance)**

(2006/216/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

references of the national standards transposing the harmonised standards.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment ⁽¹⁾, and in particular Article 6(1) thereof,

Having regard to the opinion of the Standing Committee set up pursuant to Article 5 of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations ⁽²⁾,

Whereas:

(1) Directive 89/686/EEC provides that personal protective equipment may be placed on the market and brought into service only if it preserves the health and ensures the safety of users without prejudice to the health or safety of other individuals, domestic animals or goods, when properly maintained and used for its intended purpose.

(2) Pursuant to Article 5 of Directive 89/686/EEC, personal protective equipment bearing the CE marking and with respect to which the manufacturer is able to produce the declaration of conformity and the EC type-examination certificate issued by a notified body attesting to its conformity to the relevant national standards transposing the harmonised standards, the references of which have been published in the *Official Journal of the European Union* by the Commission, is to be presumed to satisfy the basic health and safety requirements referred to in Article 3 of Directive 89/686/EEC and set out in Annex II thereto. Member States are required to publish the

(3) Pursuant to Article 6(1) of Directive 89/686/EEC, the Commission and France have lodged a formal objection to the effect that standard EN 143:2000 'Respiratory Devices — Particle filters — Requirements, testing, marking', approved by the European Committee for Standardisation (CEN) on 7 January 2000 and the references of which were first published in the Official Journal on 24 January 2001 ⁽³⁾, does not completely satisfy the basic health and safety requirements referred to in Article 3 of Directive 89/686/EEC with respect to particle filters, the filtering efficiency of which is exclusively or partially achieved by the use of materials based on non-woven electrically-charged fibres, hereinafter referred to as 'electrostatic filters'.

(4) On the basis of the results of tests on the filtering efficiency of the various types of particle filters, there is substantive evidence that the test procedure for the measuring of filter penetration as set out in clauses 8.7.2.4, last sentence, and 8.7.3.4, last sentence, of standard EN 143:2000, according to which the measurement of penetration is taken three minutes after the start of the aerosol test, fails to ensure compliance with basic health and safety requirement 3.10.1 (Respiratory protection) of Annex II to Directive 89/686/EEC with respect to electrostatic filters.

(5) Specifically, it has been observed that the filtering efficiency of this type of filter can deteriorate rapidly during use. The filtering efficiency as determined according to the standardised test procedure — three minutes after the start of the test — can become meaningless at any instance beyond these three minutes. The filtering efficiency drop can be drastic and therefore compromise the efficiency class allocated to an electrostatic filter and the information related to it. When the allocation to an efficiency class is deemed not correct during the period of use, the resulting potential exposure to dangerous airborne particulates can seriously harm the health and safety of the user. Test results point to a loss of filter efficiency of electrostatic filters also when used intermittently.

⁽¹⁾ OJ L 399, 30.12.1989, p. 18. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 204, 21.7.1998, p. 37. Directive as last amended by the 2003 Act of Accession.

⁽³⁾ OJ C 21, 24.1.2001, p. 2.

- (6) In view of these findings, clauses 8.7.2.4, last sentence, and 8.7.3.4, last sentence, of standard EN 143:2000 also fail to ensure compliance with basic health and safety requirements 1.1.1 (Ergonomics), 1.1.2.1 (Highest level of protection possible) and 1.1.2.2 (Classes of protection appropriate to different levels of risk) of Annex II to Directive 89/686/EEC with respect to electrostatic filters. In addition, clause 10 of the standard fails to ensure compliance with basic health and safety requirement 1.4(b) (Information supplied by the manufacturer), since no warning of the deterioration of the filtering efficiency of electrostatic filters over time is required.
- (7) Accordingly, other related harmonised standards, which either provide that testing is to be done in accordance with standard EN 143:2000 or provide for a test measurement procedure identical to that set out in standard EN 143:2000, also fail to ensure compliance with the basic health and safety requirements of Directive 89/686/EEC referred to above with respect to electrostatic filters.
- (8) At the request of the Commission the European Standardisation Organisation — CEN, Technical Committee CEN/TC 79 'Respiratory protective devices', has started the revision of standard EN 143:2000 in order to address the described shortcomings. Pending this revision, in the interest of safety and legal certainty, the publication of the references of standard EN 143:2000 should be accompanied by an appropriate warning which should also be taken into account as regards the related harmonised standards. Member States should add an identical warning in their national standards transposing that harmonised standard.

- (9) The references of harmonised standard EN 143:2000 should therefore be republished accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The references of harmonised standard EN 143:2000 are replaced by the text set out in the Annex.

Article 2

Where, pursuant to Article 5(4) of Directive 89/686/EEC, Member States publish the references of the national standards transposing the harmonised standard referred to in Article 1, they shall add to that publication a warning identical to that provided for in the text set out in the Annex to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 16 March 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Publication of references of European harmonised standards in accordance with Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment

ESO (*)	Reference and title of the harmonised standard (and reference document)	First publication in OJ	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (**)
CEN	EN 143:2000 Respiratory protective devices — Particle filters — Requirements, testing, marking	24.1.2001	EN 143:1990	Date expired (31.8.2000)

Warning: As regards particle filters the filtering efficiency of which is exclusively or partially achieved by the use of materials based on non-woven electrically-charged fibres, this publication does not concern clauses 8.7.2.4, last sentence, 8.7.3.4, last sentence, and 10 of the standard, in respect of which there shall be no presumption of conformity with the basic health and safety requirements of Directive 89/686/EEC. This warning shall also be taken into account in the application of the following harmonised standards: EN 149:2001; EN 405:2001; EN 1827:1999; EN 12083:1998; EN 12941:1998; EN 12941:1998/A1:2003; EN 12942:1998; EN 12942:1998/A1:2002; EN 13274-7:2002.

(*) ESO: European Standardisation Organisation:

- CEN: rue de Stassart/Stassartstraat 36, B-1050 Brussels, Tel. (32-2) 550 08 11; fax (32-2) 550 08 19 (<http://www.cenorm.be>)
- CENELEC: rue de Stassart/Stassartstraat 35, B-1050 Brussels, Tel. (32-2) 519 68 71; fax (32-2) 519 69 19 (<http://www.cenelec.org>)
- ETSI: 650, route des Lucioles, F-06921 Sophia Antipolis, Tel. (33) 492 94 42 00; fax (33) 493 65 47 16 (<http://www.etsi.org>)

(**) Generally the date of cessation of presumption of conformity will be the date of withdrawal ('dow'), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

NOTE:

- Any information concerning the availability of the standards can be obtained either from the European Standardisation Organisations or from the national standardisation bodies of which the list is annexed to the Directive 98/34/EC.
- Publication of the references in the *Official Journal of the European Union* does not imply that the standards are available in all the Community languages.
- This list replaces all the previous lists published in the *Official Journal of the European Union*. The Commission ensures the updating of this list.

More information about harmonised standards on the Internet at <http://europa.eu.int/comm/enterprise/newapproach/standardization/harmstds/>