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Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 683/2006 of 27 February 2006 concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff** 1
- Commission Regulation (EC) No 684/2006 of 4 May 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables 3
- Commission Regulation (EC) No 685/2006 of 4 May 2006 fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 5 May 2006 5
- Commission Regulation (EC) No 686/2006 of 4 May 2006 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 7
- Commission Regulation (EC) No 687/2006 of 4 May 2006 fixing the maximum export refund for white sugar to certain third countries for the 25th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1138/2005 9
- ★ **Commission Regulation (EC) No 688/2006 of 4 May 2006 amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden ⁽¹⁾** 10
- Commission Regulation (EC) No 689/2006 of 4 May 2006 on the issuing of export licences for wine-sector products 11
- Commission Regulation (EC) No 690/2006 of 4 May 2006 fixing the export refunds on cereals and on wheat or rye flour, groats and meal 12

(¹) Text with EEA relevance

(Continued overleaf)

Commission Regulation (EC) No 691/2006 of 4 May 2006 concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1058/2005	14
Commission Regulation (EC) No 692/2006 of 4 May 2006 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1059/2005	15
Commission Regulation (EC) No 693/2006 of 4 May 2006 fixing the maximum reduction in the duty on sorghum imported in connection with the invitation to tender issued in Regulation (EC) No 2094/2005	16

II Acts whose publication is not obligatory

Council

2006/324/EC:

- ★ **Council Decision of 27 February 2006 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union ...** 17

Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union 19

2006/325/EC:

- ★ **Council Decision of 27 April 2006 concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters** 22

2006/326/EC:

- ★ **Council Decision of 27 April 2006 concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters** 23

Commission

2006/327/EC:

- ★ **Commission Decision of 28 April 2006 amending Decision 2003/526/EC as regards the prolongation of the application of protection measures relating to classical swine fever in certain Member States (notified under document number C(2006) 1719) ⁽¹⁾** 24

2006/328/EC:

- ★ **Commission Decision of 4 May 2006 amending Decision 2006/274/EC concerning certain protection measures relating to classical swine fever in Germany (notified under document number C(2006) 1897) ⁽¹⁾** 25



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 683/2006

of 27 February 2006

concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EEC) No 2658/87⁽¹⁾ established a goods nomenclature, hereinafter referred to as the 'Combined Nomenclature', and set out the conventional duty rates of the Common Customs Tariff.
- (2) By Decision 2006/324/EC of 27 February 2006 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union⁽²⁾, the Council approved, on behalf of

the Community, the said Agreement with a view to closing negotiations initiated pursuant to Article XXIV:6 of GATT 1994.

- (3) Regulation (EEC) No 2658/87 should therefore be amended and supplemented accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 2658/87, Annex 7 entitled 'WTO tariff quotas to be opened by the competent Community authorities', of Section III of Part Three of Annex I, shall be amended and supplemented as follows:

1. CN codes 1006 10, 1006 20, 1006 40, 1604 20 50 and 1604 20 70, set out in point (a) of Annex to this Regulation, shall be inserted into the said Annex 7;
2. CN code 1006 30 shall be supplemented with the volumes as set out in point (b) of Annex to this Regulation.

Article 2

The Regulation shall enter into force four weeks after 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, 27 February 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 486/2006 (OJ L 88, 25.3.2006, p. 1).

⁽²⁾ See page 17 of this Official Journal.

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the concessions being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the current regulation. Where ex CN codes are indicated, the concessions are to be determined by application of the CN code and corresponding description taken together.

(a)	CN Code	Description	Other terms and conditions
	Tariff item number 1006 10	Paddy rice	A new annual tariff rate quota (<i>erga omnes</i>) of 7 tonnes, in quota rate 15 %
	Tariff item number 1006 20	Husked rice	A new annual tariff rate quota (<i>erga omnes</i>) of 1 634 tonnes, in quota rate 15 %
	Tariff item number 1006 40	Broken rice	A new annual tariff rate quota (<i>erga omnes</i>) of 31 788 tonnes in quota rate 0 %
	Tariff item number 1604 20 50	Prepared or preserved fish (excl. whole or in pieces): — of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , fish or the species <i>Orcynopsis unicolor</i>	A new annual tariff rate quota of 2 275 tonnes of which 1 410 tonnes shall be allocated to Thailand, the rest <i>erga omnes</i> , with an in quota rate of 0 %, out of quota rate 25 %
	Tariff item number 1604 20 70	Prepared or preserved fish (excl. whole or in pieces): — of tunas, skipjack or other fish of the genus <i>Euthynnus</i>	A new annual tariff rate quota of 2 558 tonnes of which 1 816 tonnes shall be allocated to Thailand, the rest <i>erga omnes</i> , with an in quota rate of 0 %, out of quota rate 24 %
(b)	CN Code	Description	Other terms and conditions
	Tariff item number 1006 30	Semi-milled or wholly-milled rice	An increase in annual tariff rate quota of 25 516 tonnes (<i>erga omnes</i>) in the current EC15 quota, in quota rate 0 % A country allocation of 1 200 tonnes to Thailand to be integrated in the current EC15 semi-wholly milled rice quota, in quota rate 0 %

COMMISSION REGULATION (EC) No 684/2006**of 4 May 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 5 May 2006.

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

Done at Brussels, 4 May 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 4 May 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	101,1
	204	86,0
	212	127,8
	999	105,0
0707 00 05	052	115,7
	628	155,5
	999	135,6
0709 90 70	052	102,3
	204	83,4
	999	92,9
0805 10 20	052	46,6
	204	36,4
	212	60,2
	220	42,9
	400	50,1
	448	49,4
	624	59,4
	999	49,3
0805 50 10	052	42,3
	388	50,1
	508	39,2
	528	37,6
	624	61,7
	999	46,2
0808 10 80	388	82,8
	400	131,1
	404	108,9
	508	77,7
	512	82,3
	524	101,8
	528	91,7
	720	87,8
	804	100,3
	999	96,0

⁽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 685/2006**of 4 May 2006****fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 5 May 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 5 May 2006.

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

Done at Brussels, 4 May 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 5 May 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⁾	11,09	—	0
1703 90 00 ⁽²⁾	11,09	—	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 686/2006**of 4 May 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 5 May 2006.

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

Done at Brussels, 4 May 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 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 5 MAY 2006 ^(e)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	21,52 ^(f)
1701 11 90 9910	S00	EUR/100 kg	20,97 ^(f)
1701 12 90 9100	S00	EUR/100 kg	21,52 ^(f)
1701 12 90 9910	S00	EUR/100 kg	20,97 ^(f)
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,2340
1701 99 10 9100	S00	EUR/100 kg	23,40
1701 99 10 9910	S00	EUR/100 kg	22,80
1701 99 10 9950	S00	EUR/100 kg	22,80
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,2340

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).

^(e) 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).

^(f) 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 687/2006**of 4 May 2006****fixing the maximum export refund for white sugar to certain third countries for the 25th 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 25th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1138/2005 the maximum amount of the export refund shall be 27,802 EUR/100 kg.

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 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 185, 16.7.2005, p. 3.

COMMISSION REGULATION (EC) No 688/2006**of 4 May 2006****amending Annexes III and XI to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the monitoring of transmissible spongiform encephalopathies and specified risk material of bovine animals in Sweden****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular the first paragraph of Article 23 thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the monitoring of transmissible spongiform encephalopathies (TSE) in bovine, ovine and caprine animals.
- (2) In its opinion of 6 July 2000, the Scientific Steering Committee of the European Commission SSC concluded that the occurrence of bovine spongiform encephalopathies (BSE) in native cattle in Sweden was unlikely, but not excluded. On the basis of that opinion, Regulation (EC) No 999/2001 provides Sweden with a derogation to examine only a random sample of healthy slaughtered bovine animals born and reared on its territory. In its updated opinion adopted in July 2004 on the geographical BSE risk of Sweden the European Food Safety Authority supported this position classifying Sweden in GBR category II, i.e. that it is unlikely domestic cattle are infected with BSE-agent, but not excluded. In addition, Sweden could benefit from a derogation to allow the use of the vertebral column and dorsal root ganglia from bovine animals under certain conditions. However, Sweden never applied that derogation.

- (3) On 3 March 2006 the Community Reference Laboratory for TSEs confirmed the first case of BSE in Sweden. Therefore, as the occurrence of BSE in native cattle may no longer be considered unlikely, it is no longer appropriate that Sweden should benefit from derogations in respect of the monitoring of healthy slaughter cattle and of the age limit for the removal of vertebral column from bovine animals.
- (4) Regulation (EC) No 999/2001 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulation (EC) 999/2001 are amended as follows:

- (a) in Annex III, Part I of Chapter A, point 2.3 is deleted;
- (b) in Annex XI, Part A, the second subparagraph of point 2 is replaced by the following:
'Member States may apply for this derogation by submitting conclusive supporting evidence to the Commission regarding point (a) or (b), as appropriate'.

Article 2

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

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

Done at Brussels, 4 May 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 657/2006 (OJ L 116, 29.4.2006, p. 9).

COMMISSION REGULATION (EC) No 689/2006
of 4 May 2006
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001, laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector⁽¹⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 3 May 2006, the quantity still available for the period until 30 June 2006, for destination zones (1) Africa, (2) Asia, (3) Eastern Europe and (4) western Europe,

referred to in Article 9(5) of Regulation (EC) No 883/2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 1 to 2 May 2006 should be applied and the submission of applications and the issue of licences suspended for this zone until 1 July 2006,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 1 to 2 May 2006 under Regulation (EC) No 883/2001 shall be issued in concurrence with 16,20 % of the quantities requested for zone (1) Africa, in concurrence with 16,81 % of the quantities requested for zone (2) Asia, in concurrence with 18,36 % of the quantities requested for zone (3) eastern Europe and in concurrence with 14,54 % of the quantities requested for zone (4) western Europe.

2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 3 May 2006 and the submission of export licence applications from 5 May 2006 for destination zone (1) Africa, (2) Asia, (3) Eastern Europe and (4) western Europe shall be suspended until 1 July 2006.

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 2079/2005 (OJ L 333, 20.12.2005, p. 6).

⁽²⁾ 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).

COMMISSION REGULATION (EC) No 690/2006**of 4 May 2006****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

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) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

**to the Commission Regulation of 4 May 2006 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	7,94
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	7,32
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	6,76
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	C01	EUR/t	6,32
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	0	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	8,49				

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

C01: All third countries with the exception of Albania, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

COMMISSION REGULATION (EC) No 691/2006
of 4 May 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,

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

Having regard to the Treaty establishing the European Community,

(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.

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,

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

Whereas:

HAS ADOPTED THIS REGULATION:

(1) 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⁾.

Article 1

No action shall be taken on the tenders notified from 28 April to 4 May 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

(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

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 692/2006**of 4 May 2006****fixing the maximum export refund on common wheat in connection with the invitation to tender 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) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified from 28 April to 4 May 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1059/2005, the maximum refund on exportation of common wheat shall be 6,20 EUR/t.

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 693/2006**of 4 May 2006****fixing the maximum reduction in the duty on sorghum imported in connection with the invitation to tender issued in Regulation (EC) No 2094/2005**

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 sorghum imported into Spain from third countries was opened pursuant to Commission Regulation (EC) No 2094/2005 ⁽²⁾.
- (2) Pursuant to Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾, the Commission, acting under the procedure laid down in Article 25 of Regulation (EC) No 1784/2003, may decide to fix a maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. Whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

(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

For tenders notified from 28 April to 4 May 2006, pursuant to the invitation to tender issued in Regulation (EC) No 2094/2005, the maximum reduction in the duty on sorghum imported shall be 51,39 EUR/t and be valid for a total maximum quantity of 1 700 t.

Article 2

This Regulation shall enter into force on 5 May 2006.

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

Done at Brussels, 4 May 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 335, 21.12.2005, 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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 February 2006

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union

(2006/324/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 22 March 2004 the Council authorised the Commission to open negotiations with certain other Members of the WTO under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994, in the course of the accessions to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.
- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.
- (3) The Commission has finalised negotiations for an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the GATT 1994. The said Agreement should therefore be approved.

- (4) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union, with respect to the withdrawal of specific concessions in relation to the withdrawal of the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union, is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Article 2

The Commission shall adopt the detailed rules for implementing the Agreement in the form of an Exchange of Letters in accordance with the procedure referred to in Article 3(2), or in case of tariff rate quotas for tariff lines 1604 20, Article 4(2) of this Decision.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 25 of Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾ or the relevant committee instituted by the corresponding Article of the Regulation on the common market organisation for the product concerned.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its Rules of Procedure.

Article 4

1. The Commission shall be assisted by the Customs Code Committee instituted by Article 248a of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its Rules of Procedure.

Article 5

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community⁽³⁾.

Done at Brussels, 27 February 2006.

For the Council
The President
U. PLASSNIK

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

⁽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).

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union*.

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union

A. Letter from the European Community

Bangkok, *16 March 2006*

Sir,

Following the initiation of negotiations between the European Communities (EC) and the Kingdom of Thailand (Thailand) under Article XXIV:6 and Article XXVIII of GATT 1994 for the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the EC, the following is agreed between the EC and the Thailand in order to conclude the negotiations initiated following the EC's notification of 19 January 2004 to the WTO pursuant to Article XXIV:6 of GATT 1994.

The EC agrees to incorporate in its schedule for the customs territory of EC 25, the concessions that were included in its previous schedule of EC 15.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the Annex to this Agreement.

Thailand accepts the basic components of the EC's approach to adjusting the obligation of the EC 15 and those of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic following the recent enlargement of the EC: netting out of export commitments; netting out of tariff quotas; and aggregation of domestic support commitments.

This Agreement shall enter into force on the date on which the EC and Thailand have exchanged letters of agreement, following consideration by the parties in accordance with their own procedures. The EC shall use its best endeavours to put in place the appropriate implementing measures before 1 January 2006 and under no circumstances later than 1 July 2006.

Please accept, Sir, the assurance of my highest consideration.



On behalf of the European Community

ANNEX

1604 20 70: a new annual tariff rate quota of 2 558 tonnes of which 1 816 tonnes shall be allocated to Thailand, the rest *erga omnes*, with an in quota rate of 0 %, out of quota rate 24 %.

1604 20 50: a new annual tariff rate quota of 2 275 tonnes of which 1 410 tonnes shall be allocated to Thailand, the rest *erga omnes*, with an in quota rate of 0 %, out of quota rate 25 %.

1006 10 (Paddy rice): a new annual tariff rate quota (*erga omnes*) of 7 tonnes, in quota rate 15 %.

1006 20 (Husked rice): a new annual tariff rate quota (*erga omnes*) of 1 634 tonnes, in quota rate 15 %.

1006 30 (Semi/wholly milled rice): an increase in annual tariff rate quota of 25 516 tonnes (*erga omnes*) in the current EC 15 quota, in quota rate 0 %.

A country allocation of 1 200 tonnes to Thailand to be integrated in the current EC 15 semi/wholly milled rice quota, in-quota rate 0 %.

1006 40 (Broken rice): a new annual tariff rate quota of 31 788 tonnes (*erga omnes*) in the current EC 15 quota, in quota rate 0 %.

B. Letter from the Kingdom of Thailand

Bangkok, 16 March 2006

Sir,

Reference is made to your letter stating:

Following the initiation of negotiations between the European Communities (EC) and the Kingdom of Thailand (Thailand) under Article XXIV:6 and Article XXVIII of GATT 1994 for the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the EC, the following is agreed between the EC and Thailand in order to conclude the negotiations initiated following the EC's notification of 19 January 2004 to the WTO pursuant to Article XXIV:6 of GATT 1994.

The EC agrees to incorporate in its schedule for the customs territory of EC 25, the concessions that were included in its previous schedule of EC 15.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the Annex to this Agreement.

Thailand accepts the basic components of the EC's approach to adjusting the obligation of the EC 15 and those of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic following the recent enlargement of the EC: netting out of export commitments; netting out of tariff quotas; and aggregation of domestic support commitments.

This Agreement shall enter into force on the date on which the EC and Thailand have exchanged letters of agreement, following consideration by the parties in accordance with their own procedures. The EC shall use its best endeavours to put in place the appropriate implementing measures before 1 January 2006 and under no circumstances later than 1 July 2006.'

I hereby have the honour to express my government's agreement.

Please accept, Sir, the assurance of my highest consideration.



On behalf of the Kingdom of Thailand

COUNCIL DECISION**of 27 April 2006****concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**

(2006/325/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 61(c) thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark is not bound by the provisions of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽²⁾, nor subject to their application.
- (2) The Commission has negotiated an Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Regulation (EC) No 44/2001.
- (3) The Agreement was signed, on behalf of the European Community, on 19 October 2005, subject to its possible conclusion at a later date, in accordance with Council Decision 2005/790/EC of 20 September 2005 ⁽³⁾.

(4) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and the Treaty establishing the European Community, the United Kingdom and Ireland are taking part in the adoption and application of this Decision.

(5) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

(6) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters is hereby approved on behalf of the Community.

Article 2

The President of the Council is hereby authorised to designate the person empowered to make the notification provided for in Article 12(2) of the Agreement.

Done at Luxembourg, 27 April 2006.

For the Council

The President

L. PROKOP

⁽¹⁾ Opinion delivered on 23 March 2006 (not yet published in the Official Journal).

⁽²⁾ OJ L 12, 16.1.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 2245/2004 (OJ L 381, 28.12.2004, p. 10).

⁽³⁾ OJ L 299, 16.11.2005, p. 61.

COUNCIL DECISION

of 27 April 2006

concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters

(2006/326/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 61(c) thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark is not bound by the provisions of Council Regulation (EC) No 1348/2000 of 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters ⁽²⁾, nor subject to their application.
- (2) The Commission has negotiated an Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Regulation (EC) No 1348/2000.
- (3) The Agreement was signed, on behalf of the European Community, on 19 October 2005, subject to its possible conclusion at a later date, in accordance with Council Decision 2005/794/EC of 20 September 2005 ⁽³⁾.

(4) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and the Treaty establishing the European Community, the United Kingdom and Ireland are taking part in the adoption and application of this Decision.

(5) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

(6) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters is hereby approved on behalf of the Community.

Article 2

The President of the Council is hereby authorised to designate the person empowered to make the notification provided for in Article 10(2) of the Agreement.

Done at Luxembourg, 27 April 2006.

For the Council
The President
L. PROKOP

⁽¹⁾ Opinion delivered on 23 March 2006 (not yet published in the Official Journal).

⁽²⁾ OJ L 160, 30.6.2000, p. 37.

⁽³⁾ OJ L 300, 17.11.2005, p. 53.

COMMISSION

COMMISSION DECISION

of 28 April 2006

amending Decision 2003/526/EC as regards the prolongation of the application of protection measures relating to classical swine fever in certain Member States

(notified under document number C(2006) 1719)

(Text with EEA relevance)

(2006/327/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) In response to outbreaks of classical swine fever in certain Member States, Commission Decision 2003/526/EC of 18 July 2003 concerning protection measures relating to classical swine fever in certain Member States ⁽²⁾ was adopted. That Decision establishes certain additional disease control measures concerning classical swine fever and lays down the period of application of the measures.
- (2) It is appropriate in the light of the available epidemiological information to prolong the application of the measures until 30 April 2007.

(3) Decision 2003/526/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 11 of Decision 2003/526/EC '30 April 2006' is replaced by '30 April 2007'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 April 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽²⁾ OJ L 183, 22.7.2003, p. 46. Decision as last amended by Decision 2006/284/EC (OJ L 104, 13.4.2006, p. 48).

COMMISSION DECISION

of 4 May 2006

amending Decision 2006/274/EC concerning certain protection measures relating to classical swine fever in Germany

(notified under document number C(2006) 1897)

(Text with EEA relevance)

(2006/328/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Decision 2006/274/EC is amended as follows:

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 10(4) thereof,

1. In Article 1, paragraph 2(b) is replaced by the following:

Whereas:

(1) Outbreaks of classical swine fever have occurred in Germany.

(b) the transport of breeding and production pigs to a holding outside Germany, provided that the vehicles used for transport of pigs comply with the requirements in Article 6(2)(a) and that the pigs have been resident for at least 30 days, or since birth if less than 30 days of age, on a single holding:

(2) Commission Decision 2006/274/EC of 6 April 2006 concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 2006/254/EC ⁽²⁾ was adopted in order to maintain and extend the measures taken by Germany pursuant to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾.

(i) which is situated outside the areas listed in Annex I;

(ii) which has not received live pigs during the 30-day period immediately prior to the date of dispatch of the pigs;

(3) On the basis of new epidemiological information provided by Germany, the duration for the minimum residence of pigs in the holding of origin should be reduced from 45 days to 30 days.

(iii) on which the clinical examination carried out in accordance with Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results.'

(4) Decision 2006/274/EC should therefore be amended accordingly.

2. Article 2, paragraph 1(b) is replaced by the following:

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

(b) no pigs are dispatched from the areas listed in Annex I(B) to other areas within Germany, except for direct transport of:

⁽¹⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽²⁾ OJ L 99, 7.4.2006, p. 36. Decision as last amended by Decision 2006/306/EC (OJ L 113, 27.4.2006).

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

(i) slaughter pigs to a slaughterhouse for immediate slaughter, provided that the pigs originate from one single holding;

(ii) breeding and production pigs to a holding, provided that the pigs have been resident for at least 30 days, or since birth if less than 30 days of age, on a single holding:

- which has not received live pigs during the 30-day period immediately prior to the date of dispatch of the pigs; and
- on which the clinical examination carried out in accordance with Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results.'

3. Article 2, paragraph 2(b) is replaced by the following:

'(b) to a holding situated within the areas laid down in Annex I, provided that the pigs have been resident for at least 30 days, or since birth if less than 30 days of age, on a single holding:

- (i) which has not received live pigs during the 30-day period immediately prior to the date of dispatch of the pigs;
- (ii) on which the clinical examination carried out in accordance with Chapter IV(D)(2) of the Annex to Decision 2002/106/EC have been completed with negative results.

The German authorities shall record the above movements and inform immediately the Commission in the Standing Committee on the Food Chain and Animal Health on the movements that take place from a holding situated within the areas laid down in Annex I (A) to a holding situated within the areas laid down in Annex I (B).'

4. Article 6 is replaced by the following:

'Article 6

Member States shall ensure that vehicles which have been used for the transport of pigs in Germany or have entered a holding in Germany where pigs are kept are cleaned and disinfected twice after the last operation before these vehicles may be used for the transport of pigs outside Germany.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission