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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1199/2006
of 8 August 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 9 August 2006.

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

Done at Brussels, 8 August 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 8 August 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	44,8
	999	44,8
0707 00 05	052	105,3
	999	105,3
0709 90 70	052	91,0
	999	91,0
0805 50 10	052	63,2
	388	64,2
	512	41,8
	524	47,3
	528	54,9
	999	54,3
0806 10 10	052	98,1
	204	143,0
	220	182,2
	508	23,9
	999	111,8
0808 10 80	388	87,2
	400	91,4
	508	83,4
	512	86,0
	524	43,0
	528	80,2
	720	81,3
	804	101,2
999	81,7	
0808 20 50	052	127,4
	388	94,9
	512	83,4
	528	54,2
	804	186,4
999	109,3	
0809 20 95	052	233,8
	400	315,0
	404	399,0
	999	315,9
0809 30 10, 0809 30 90	052	143,3
	999	143,3
0809 40 05	068	110,8
	093	50,3
	098	53,9
	624	133,2
	999	87,1

⁽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 1200/2006

of 8 August 2006

opening a standing invitation to tender for the export of barley held by the Czech intervention agency in Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

particular those laid down in Regulation (EEC) No 2131/93.

Having regard to the Treaty establishing the European Community,

(5) To forestall reimportation, exports under this invitation to tender should be limited to certain third countries.

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

(6) With a view to modernising the management of the system, provision should be made for the electronic transmission of the information required by the Commission.

Whereas:

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

(1) Commission Regulation (EEC) No 2131/93 ⁽²⁾ lays down the procedure and conditions for the disposal of cereals held by intervention agencies.

HAS ADOPTED THIS REGULATION:

(2) Commission Regulation (EEC) No 3002/92 ⁽³⁾ lays down common detailed rules for verifying the use and/or destination of products from intervention.

Article 1

The Czech intervention agency shall issue a standing invitation to tender for the export of barley held by it in the places listed in Annex I to this Regulation, in accordance with Regulation (EEC) No 2131/93, save as otherwise provided in this Regulation.

(3) Commission Regulation (EC) No 256/2006 ⁽⁴⁾ opened a standing invitation to tender for the export of 53 665 tonnes of barley held by the Czech intervention agency in Belgium, under the Commission Decision authorising the Czech Republic to store outside its territory 300 000 tonnes of cereals from the 2004/05 marketing year ⁽⁵⁾. The last partial invitation to tender under that Regulation expired on 22 June 2006, although some quantities still remained available. In these circumstances and given the current market situation, a new standing invitation to tender should be opened for the quantities not awarded.

Article 2

The invitation to tender shall cover a maximum of 53 665 tonnes of barley for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, the Former Yugoslav Republic of Macedonia, Liechtenstein, Mexico, Montenegro, Romania, Serbia ⁽⁶⁾, Switzerland and the United States of America.

(4) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators. Derogations should accordingly be made to certain rules, in

Article 3

1. No export refund or tax or monthly increase shall be granted on exports carried out under this Regulation.

2. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

3. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender, with no monthly increase.

⁽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 191, 31.7.1993, p. 76. Regulation as last amended by Regulation (EC) No 749/2005 (OJ L 126, 19.5.2005, p. 10).

⁽³⁾ OJ L 301, 17.10.1992, p. 17. Regulation as last amended by Regulation (EC) No 770/96 (OJ L 104, 27.4.1996, p. 13).

⁽⁴⁾ OJ L 46, 16.2.2006, p. 3.

⁽⁵⁾ Notified to the Czech Republic on 17 June 2005, as amended by Decision 4013/2005 notified to the Czech Republic on 11 October 2005.

⁽⁶⁾ Including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999.

Article 4

1. Export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

2. Tenders submitted in response to this invitation to tender need not be accompanied by export licence applications submitted under Article 49 of Commission Regulation (EC) No 1291/2000 ⁽¹⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time-limit for submission of tenders under the first partial invitation to tender shall be 9.00 (Brussels time) on 10 August 2006.

The time-limit for submitting tenders under subsequent partial invitations to tender shall be 9.00 (Brussels time) each Thursday thereafter, with the exception of 17 August 2006, 24 August 2006, 2 November 2006, 28 December 2006, 5 April 2007 and 17 May 2007, i.e. weeks in which no invitation to tender shall be made.

The last partial invitation to tender shall expire at 9.00 (Brussels time) on 28 June 2007.

2. Tenders must be lodged with the Czech intervention agency:

Státní zemědělský intervenční fond
Odbor Rostlinných Komodit
Ve Smečkách 33
CZ-110 00, Praha 1
Telephone: (420) 222 871 667 – 222 871 403
Fax: (420) 296 806 404
E-mail: dagmar.hejrovaska@szif.cz

Article 6

The intervention agency, the storer and a successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful

tenderer's request or within three working days if the samples are taken on removal from storage.

In the event of a dispute, the analysis results shall be forwarded electronically to the Commission.

Article 7

1. The successful tenderer must accept the lot as established if the final result of the sample analyses indicates a quality:

(a) higher than that specified in the notice of invitation to tender;

(b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:

— 1 kilogram per hectolitre as regards specific weight, which must not, however, be less than 64 kg/hl,

— one percentage point as regards moisture content,

— half a percentage point as regards the impurities referred to in points B.2 and B.4 of Annex I to Commission Regulation (EC) No 824/2000 ⁽²⁾,

— half a percentage point as regards the impurities referred to in point B.5 of Annex I to Regulation (EC) No 824/2000, the percentages admissible for noxious grains and ergot remaining unchanged, however.

2. If the final result of the analyses carried out on the samples indicates a quality higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender and the difference exceeds the limits set out in paragraph 1(b), the successful tenderer may:

(a) accept the lot as established, or

(b) refuse to take over the lot concerned.

In the case of (b) above, the successful tenderer shall be discharged of all obligations relating to the lot in question and the security shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex II.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

⁽²⁾ OJ L 100, 20.4.2000, p. 31.

3. Where the final result of sample analyses indicates a quality below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. The successful tenderer shall be discharged of all obligations relating to the lot in question and the security shall be released provided the Commission and the intervention agency are immediately notified using the form in Annex II.

Article 8

Should the cases mentioned in point (b) of the first subparagraph of Article 7(2) and in Article 7(3) arise, the successful tenderer may ask the intervention agency to supply an alternative lot of barley of the requisite quality, at no extra cost. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof using the form in Annex II.

If, following successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of the first request for a replacement, the successful tenderer shall be discharged of all obligations and the security shall be released, provided the Commission and the intervention agency have been immediately informed using the form in Annex II.

Article 9

1. If the barley is removed before the results of the analyses provided for in Article 6 are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress the tenderer might have against the storer.

2. The costs of taking the samples and conducting the analyses provided for in Article 6, with the exception of those referred to in Article 7(3), shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) for up to one analysis per 500 tonnes, with the exception of the cost of inter-bin transfers. The costs of inter-bin transfers and any additional analyses requested by a successful tenderer shall be borne by that tenderer.

Article 10

Notwithstanding Article 12 of Commission Regulation (EEC) No 3002/92, the documents relating to the sale of barley under this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where applicable, the T5 copy shall carry one of the entries set out in Annex III.

Article 11

1. The security lodged under Article 13(4) of Regulation (EEC) No 2131/93 shall be released once the export licences have been issued to the successful tenderers.

2. Notwithstanding Article 17(1) of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded, but not less than EUR 25 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Article 12

The Czech intervention agency shall communicate to the Commission tenders submitted within two hours of the expiry of the deadline for the submission of tenders laid down in Article 5(1). If no tenders are submitted, the Czech Republic shall communicate this to the Commission within the same time-limits. If the Czech Republic does not send a communication to the Commission within the given deadline, the Commission shall consider that no tender has been submitted in the Member State concerned.

The communications referred to in the first subparagraph shall be sent electronically, in accordance with the model in Annex IV. The tenderers shall not be identified.

Article 13

1. In accordance with the procedure referred to in Article 25(2) of Regulation (EC) No 1784/2003 the Commission shall fix the minimum selling price, or decide to take no action in respect of the tenders received, in accordance with Article 10 of Regulation (EEC) No 2131/93.

2. If the fixing of a minimum price, in accordance with paragraph 1, would lead to an overrun on the maximum quantity available to a Member State, an award coefficient may be fixed at the same time for the quantities offered at the minimum price in order to comply with the maximum quantity available to that Member State.

Article 14

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, 8 August 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

Place of storage	Quantity (tonnes)
Ghent	53 665

ANNEX II

Communication to the Commission of refusal or possible replacement of lots under the standing invitation to tender for the export of barley held by the Czech intervention agency in Belgium

Model (*)

(Regulation (EC) No 1200/2006)

- Name of successful tenderer:
- Date of award:
- Date of refusal of the lot by the successful tenderer:

Lot number	Quantity (tonnes)	Silo address	Reason for refusal to take over
			<ul style="list-style-type: none"> — SW (kg/hl), — percentage of sprouted grains, — percentage of miscellaneous impurities (Schwarzbesatz), — percentage of matter other than basic cereals of unimpaired quality, — Other.

(*) To be sent to DG AGRI (Unit D.2)

ANNEX III

Entries referred to in Article 10

- *in Spanish:* Cebada de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 1200/2006
 - *in Czech:* Intervenční ječmen nepodléhá vývozní náhradě ani clu, nařízení (ES) č. 1200/2006
 - *in Danish:* Byg fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 1200/2006
 - *in German:* Interventionsgerste ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 1200/2006
 - *in Estonian:* Sekkumisoder, mille puhul ei rakendata toetust või maksu, määrus (EÜ) nr 1200/2006
 - *in Greek:* Κριθή παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 1200/2006
 - *in English:* Intervention barley without application of refund or tax, Regulation (EC) No 1200/2006
 - *in French:* Orge d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 1200/2006
 - *in Italian:* Orzo d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 1200/2006
 - *in Latvian:* Intervences mieži bez kompensācijas vai nodokļa piemērošanas, Regula (EK) Nr. 1200/2006
 - *in Lithuanian:* Intervenciniai miežiai, kompensacija ar mokesčiai netaikytini, Reglamentas (EB) Nr. 1200/2006
 - *in Hungarian:* Intervenciós árpa, visszatérítés, illetve adó nem alkalmazandó, 1200/2006/EK rendelet
 - *in Dutch:* Gerst uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 1200/2006
 - *in Polish:* Jęczmień interwencyjny niedający prawa do refundacji ani do opłaty, rozporządzenie (WE) nr 1200/2006
 - *in Portuguese:* Cevada de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 1200/2006
 - *in Slovak:* Intervenčný jačmeň nepodlieha vývozným náhradám ani clu, nariadenie (ES) č. 1200/2006
 - *in Slovenian:* Intervencija ječmena brez zahtevkov za nadomestila ali carine, Uredba (ES) št. 1200/2006
 - *in Finnish:* Interventio-ohra, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 1200/2006
 - *in Swedish:* Interventionskorn, utan tillämpning av bidrag eller avgift, förordning (EG) nr 1200/2006.
-

ANNEX IV

Communication to the Commission of tenders received under the standing invitation to tender for the export of barley held by the Czech intervention agency in Belgium

Model (*)

[Regulation (EC) No 1200/2006]

1	2	3	4	5	6
Serial numbers of tenderers	Lot number	Eligible quantity (tonnes)	Tender price (EUR/tonne) ⁽¹⁾	Increases (+) Reductions (-) (EUR/tonne) (p.m.)	Commercial costs ⁽²⁾ (EUR/tonne)
1					
2					
3					
etc.					

Indicate the total quantities offered (including rejected offers made for the same lot): [...] tonnes.

⁽¹⁾ This price includes increases and reductions affecting the lot covered by the tender.

⁽²⁾ The commercial costs corresponding to insurance and services provision borne after the exit of the intervention stock up to the FOB stage at the port of export, with the exception of transport costs. The notified costs shall be established on the basis of the average real costs recorded by the intervention agency in the six months preceding the opening of the tendering period and shall be expressed in euro per tonne.

(*) To be sent to DG AGRI (Unit D.2).

COMMISSION REGULATION (EC) No 1201/2006**of 8 August 2006****fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses for the 2006/07 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

marketing year and Commission Regulation (EC) No 1358/2005 should be repealed ⁽³⁾.

Having regard to the Treaty establishing the European Community,

(4) Since the 2006/07 marketing year begins on 1 July 2006, this Regulation should be applicable as of this date.

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular Article 4(6) thereof,

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

Whereas:

HAS ADOPTED THIS REGULATION:

(1) The Community market price for pig carcasses, as referred to in Article 4(2) of Regulation (EEC) No 2759/75, must be established by weighting the prices recorded in each Member State by coefficients expressing the relative size of the pig population of each Member State.

Article 1

The weighting coefficients referred to in Article 4(2) of Regulation (EEC) No 2759/75 shall be as specified in the Annex to this Regulation.

(2) These coefficients should be determined on the basis of the number of pigs counted at the beginning of December each year in accordance with Council Directive 93/23/EEC of 1 June 1993 on the statistical surveys to be carried out on pig production ⁽²⁾.

Article 2

Regulation (EC) No 1358/2005 is hereby repealed.

(3) In view of the results of the census of December 2005, new weighting coefficients should be set for the 2006/07

*Article 3*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2006.

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

Done at Brussels, 8 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 149, 21.6.1993, p. 1. Directive last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 214, 19.8.2005, p. 9.

ANNEX

Weighting coefficients to be used in calculating the Community market price for pig carcasses for the 2006/07 marketing year

Article 4(2) of Regulation (EEC) No 2759/75

Belgium	4,1
Czech Republic	1,8
Denmark	8,3
Germany	17,8
Estonia	0,2
Greece	0,7
Spain	16,4
France	10,0
Ireland	1,1
Italy	6,1
Cyprus	0,3
Latvia	0,3
Lithuania	0,7
Luxembourg	0,1
Hungary	2,5
Malta	0,1
Netherlands	7,3
Austria	2,1
Poland	12,3
Portugal	1,5
Slovenia	0,4
Slovakia	0,7
Finland	0,9
Sweden	1,2
United Kingdom	3,1

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 July 2006

excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

*(notified under document number C(2006) 3331)***(Only the Spanish, Greek, English, French, Italian and Portuguese texts are authentic)**

(2006/554/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 5(2)(c) thereof,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 7(4) thereof,

Having consulted the Fund Committee,

Whereas:

(1) Article 5 of Regulation (EEC) No 729/70, Article 7 of Regulation (EC) No 1258/1999, and Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽³⁾ provide that the Commission is to make the necessary verifications, inform the Member States of its findings, take account of the Member States' comments, initiate bilateral discussions with a view to reaching agreement with the Member States concerned and then formally commu-

nicate its conclusions to them, referring to Commission Decision 94/442/EC of 1 July 1994 setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁴⁾.

- (2) The Member States have had an opportunity to request that a conciliation procedure be initiated. That opportunity has been used in some cases and the report issued on the outcome has been examined by the Commission.
- (3) Under Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999, only refunds on exports to third countries and intervention to stabilise agricultural markets, granted and undertaken respectively according to Community rules within the framework of the common organisation of the agricultural markets, may be financed.
- (4) In the light of the checks carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil these requirements and cannot, therefore, be financed under the EAGGF Guarantee Section.
- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section should be indicated. Those amounts do not relate to expenditure incurred more than twenty-four months before the Commission's written notification of the results of the checks to the Member States.

⁽¹⁾ OJ L 94, 28.4.1970, p. 13. Regulation as last amended by Commission Regulation (EC) No 1287/95 (OJ L 125, 8.6.1995, p. 1).

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

⁽³⁾ OJ L 158, 8.7.1995, p. 6. Regulation as last amended by Regulation (EC) No 465/2005 (OJ L 77, 23.3.2005, p. 6).

⁽⁴⁾ OJ L 182, 16.7.1994, p. 45. Decision as last amended by Decision 2001/535/EC (OJ L 193, 17.7.2001, p. 25).

- (6) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States in a summary report on the subject.
- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 5 April 2006 and relating to its content,

from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland.

HAS ADOPTED THIS DECISION:

Done at Brussels, 27 July 2006.

Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section shall be excluded

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Member State	Audit Field	Reason	Correction	Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of this decision	Financial year
ES	Arable crops	Absence of a computerised LPS	flat-rate 2 %	EUR	- 43 299,48	0,00	- 43 299,48	1999-2000
ES	Arable crops	Deficient aid application procedure	flat-rate 5 %	EUR	- 2 024 643,26	0,00	- 2 024 643,26	2002-2004
ES	Arable crops	Non-application of penalties	flat-rate 2 %	EUR	- 316 545,67	0,00	- 316 545,67	2003-2004
ES	Animal premiums — OTMS	Animals subject of financing for both purchase and destruction	one-off	EUR	- 156 180,00	0,00	- 156 180,00	2002
ES	Animal premiums — OTMS	Non-reliable administrative and accounting system to monitor and account for animals	flat-rate 10 %	EUR	- 160 692,00	0,00	- 160 692,00	2001
ES	Butterfats in food processing	Overtracing — aid paid for part of tracers added	one-off 1,5 %	EUR	- 144 902,68	0,00	- 144 902,68	2002-2005
ES	Fruit and Veg — Bananas	Weaknesses in the determination of marketed quantities, non-representative sampling in quality controls	flat-rate 2 %	EUR	- 5 291 087,63	0,00	- 5 291 087,63	2002-2004
ES	Fruit and Veg — processing of peaches & pears	Non-compliance with payment deadlines	one-off	EUR	- 643 142,42	0,00	- 643 142,42	2002
ES	POSEI	Non-compliance with key controls	flat-rate 5 %	EUR	- 415 161,50	0,00	- 415 161,50	2003-2004
ES	POSEI	Non-compliance with payment deadlines	one-off	EUR	- 3 931 651,61	0,00	- 3 931 651,61	2003-2004
ES	Wine — production potential	Deficiencies in managing production potential	flat-rate 10 %	EUR	- 33 357 596,61	0,00	- 33 357 596,61	2001-2004
Total ES					- 46 484 902,86	0,00	- 46 484 902,86	
FR	Arable crops	Application of the rate of irrigation in wet regions	one-off	EUR	- 7 874 178,00	0,00	- 7 874 178,00	2001-2003
FR	Arable crops	Parcels not eligible for aid after grubbing of vines	one-off	EUR	- 36 610 625,00	0,00	- 36 610 625,00	2001-2005
FR	Arable crops	Meadows turned over in wet regions	one-off	EUR	- 12 521 275,00	0,00	- 12 521 275,00	2001-2005
FR	Arable crops	Penalties for aid paid unduly	one-off	EUR	- 20 128 846,00	0,00	- 20 128 846,00	2001-2005
FR	Olive oil — Production aid	Key controls not applied with sufficient rigour	flat-rate 2 %	EUR	- 156 181,66	0,00	- 156 181,66	2002-2004

Member State	Audit Field	Reason	Correction	Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of this decision	Financial year
FR	Rural Development Guarantee new measures	Weaknesses in key and secondary controls	flat-rate 5 %	EUR	- 4 349 136,00	0,00	- 4 349 136,00	2001-2002
FR	Rural Development Guarantee new measures	Weaknesses in controls on reduced-interest loans	flat-rate 5 %	EUR	- 4 331 384,00	0,00	- 4 331 384,00	2001-2002
Total FR					- 85 971 625,66	0,00	- 85 971 625,66	
UK	Butterfats in food processing	Insufficient quantity controls on manufactured quantities	flat-rate 5 %	GBP	- 1 351 441,25	0,00	- 1 351 441,25	2001-2004
UK	Butterfats in food processing	Overtracing — aid paid for part of tracers added	one-off	GBP	- 55 534,20	0,00	- 55 534,20	2002-2004
UK	Export refunds and food aid outside the EU	Deficiency in the scheduling regime	flat-rate 2 %	GBP	- 250 887,47	0,00	- 250 887,47	2001-2003
UK	Export refunds and food aid outside the EU	Failure to carry out the required number of substitution controls	flat-rate 5 %	GBP	- 7 314,57	0,00	- 7 314,57	2000-2001
Total UK					- 1 665 177,49	0,00	- 1 665 177,49	
GR	RD Guarantee accompanying measures	Key controls inadequately applied	flat-rate 5 %	EUR	- 1 795 865,00	0,00	- 1 795 865,00	2004
GR	RD Guarantee accompanying measures	Key controls inadequately applied	flat-rate 10 %	EUR	- 6 271 694,00	0,00	- 6 271 694,00	2002-2003
GR	RD Guarantee accompanying measures	Various weaknesses in the system for management, control and penalties	flat-rate 5 %	EUR	- 6 460 070,00	0,00	- 6 460 070,00	2004
Total EL					- 14 527 629,00	0,00	- 14 527 629,00	
IE	Animal premiums — OTMS	Administrative deficiencies	flat-rate 2 %	EUR	- 170 297,64	0,00	- 170 297,64	2001-2003
Total IE					- 170 297,64	0,00	- 170 297,64	

Member State	Audit Field	Reason	Correction	Currency	Expenditure to exclude from financing	Deductions already made	Financial impact of this decision	Financial year
IT	Fruit and vegetable — With-drawals	Inadequate rate of controls on composting and bio-degradation	one-off 100 %	EUR	- 9 107 445,49	0,00	- 9 107 445,49	2000-2002
IT	Fruit and vegetable — With-drawals	Several weaknesses in the system of checks as instituted	flat-rate 5 %	EUR	- 304 839,45	0,00	- 304 839,45	2001-2003
IT	Public storage of meat	Late payments	one-off	EUR	- 4 575,54	0,00	- 4 575,54	2001
IT	Public storage of meat	Presence of specified risk material, removal of neck muscle, acceptance of ineligible carcasses, poor storage conditions, labelling failings, reporting failings and inspection weaknesses	flat-rate 5 %	EUR	- 2 635 067,09	0,00	- 2 635 067,09	2001-2003
Total IT					- 12 051 927,57	0,00	- 12 051 927,57	
PT	Fruit and vegetable — Bananas	Deficiencies in the system for checking quantities eligible for aid and in the system for checking full payment of aid to beneficiaries, lack of oversight over delegated checks	flat-rate 2 %	EUR	- 257 901,65	0,00	- 257 901,65	2002-2004
Total PT					- 257 901,65	0,00	- 257 901,65	

COMMISSION DECISION

of 3 August 2006

amending Appendix B to Annex XII to the 2003 Act of Accession as regards certain establishments in the meat, fish and milk sectors in Poland

(notified under document number C(2006) 3462)

(Text with EEA relevance)

(2006/555/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular Annex XII, Chapter 6, Section B, Subsection I(1), paragraph (e) thereto,

Whereas:

- (1) Poland has been granted transitional periods for certain establishments listed in Appendix B to Annex XII to the 2003 Act of Accession.
- (2) Appendix B to Annex XII to the 2003 Act of Accession has been amended by Commission Decisions 2004/458/EC ⁽¹⁾, 2004/471/EC ⁽²⁾, 2004/474/EC ⁽³⁾, 2005/271/EC ⁽⁴⁾, 2005/591/EC ⁽⁵⁾, 2005/854/EC ⁽⁶⁾, 2006/14/EC ⁽⁷⁾, 2006/196/EC ⁽⁸⁾ and 2006/404/EC ⁽⁹⁾.
- (3) According to an official declaration from the Polish competent authority certain establishments in the meat, fish and milk sectors have completed their upgrading process and are now in full compliance with Community legislation. Certain establishments have ceased activities for which they have obtained a transitional period. Furthermore certain establishments in the milk sector which were allowed to process EU compliant

and non-compliant milk will process only EU compliant milk. Those establishments should therefore be deleted from the list of establishments in transition.

- (4) Appendix B to Annex XII to the 2003 Act of Accession should therefore be amended accordingly.
- (5) The Standing Committee on the Food Chain and Animal Health has been informed of the measures provided for in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The establishments listed in the Annex to this Decision are deleted from Appendix B to Annex XII to the 2003 Act of Accession.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 August 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 156, 30.4.2004, p. 52, corrected by OJ L 202, 7.6.2004, p. 39.

⁽²⁾ OJ L 160, 30.4.2004, p. 58, corrected by OJ L 212, 12.6.2004, p. 31.

⁽³⁾ OJ L 160, 30.4.2004, p. 74, corrected by OJ L 212, 12.6.2004, p. 44.

⁽⁴⁾ OJ L 86, 5.4.2005, p. 13.

⁽⁵⁾ OJ L 200, 30.7.2005, p. 96.

⁽⁶⁾ OJ L 316, 2.12.2005, p. 17.

⁽⁷⁾ OJ L 10, 14.1.2006, p. 66.

⁽⁸⁾ OJ L 70, 9.3.2006, p. 80.

⁽⁹⁾ OJ L 156, 9.6.2006, p. 16.

ANNEX

List of establishments to be deleted from Appendix B to Annex XII to the 2003 Act of Accession**Meat establishments***Initial list*

No	Veterinary No	Name of establishment
6	02260202	Zakład Mięсны 'NALPOL'
23	06110206	Zakład Mięсны 'Wierzejki' Jan i Marek Zdanowscy
29	08610305	Masarnia Podmiejska Sp. j.
65	12620313	Zakład Masarski 'ZDRÓJ' s.j.
133	20140101	MIĘSROL – Ubojnia Bydła, Trzody R. Tocicki
138	20060206	PPHU 'LEMIR'
140	22020207	Zakład Przetwórstwa Mięсного Jan Wnuk-Lipiński
189	26070201	Zakład Przetwórstwa Mięсного 'MARKUZ' – Marian Kuzka
205	30070209	PPH 'BARTEX' Sp. j. ZPChr R. G. Brońś
215	30120317	PW Domak Dariusz Rozum
235	30250102	Rzeźnictwo M. i M. Wędliniarstwo Matuszak
240	30280205	Masarnia Ubojnia BRONEX Łukaszewska i Królczyk Sp. j.
242	30280301	PPH ROMEX, Grażyna Pachela, Masarnia
249	32050203	Masarnia Wiejska 'Dyjak'
254	32080201	Rzeźnictwo Wędliniarstwo Rybarkiewicz Mirosław

Poultry meat*Initial list*

No	Veterinary No	Name of establishment
35	24020605	Chłodnie Składowe 'Delico' S.C.
52	32050501	Zakład Drobiarski 'Kardrob' Krystyna Skierska

Red meat low capacity establishments*Initial list*

No	Veterinary No	Name of establishment
5		Zakład Przetwórstwa Mięsa w Paczkowie PPH 'Kalmar' spółka jawna E.A.M. Kaleta, Szczodrowice 65, 57-140 Biały Kościół, ul. AK 40, 48-370 Paczków

Fish sector*Initial list*

No	Veterinary No	Name of establishment
17	22121821	'Szprot' s.c. R. Giedryś i K. Krzymuski

Milk sector*Initial list*

No	Veterinary No	Name of establishment
6	02201611	OSM Trzebnica
8	04041603	ZM w Brzozowie, Brzozowo
18	08611601	OSM Gorzów Wlkp.
32	10021602	OSM 'Proszkownia'
41	12111602	ZPJ 'Magda'
43	12171601	Podhalańska SM w Zakopanem
87	28071602	SM w Lubawie, Zakład Produkcyjny w Iławie
91	30031601	Rolnicza SM 'Rolmlecz' Zakład Mleczarski w Gnieźnie
95	30111603	'Champion' Sp. z o.o

Establishments allowed to process EU compliant and non-compliant milk

No	Veterinary No	Name of establishment
2	B1 20021601	SM Łapy
7	A 20101601	'Polser' Sp. z o.o
18	B1 14201603	OSM Raciąż
21	B1 20051601	OSM Hajnówka
30	B1 20631601	SM 'Sudowia' w Suwałkach
47	B1 14361601	RSM 'Rolmlecz'

COMMISSION DECISION

of 4 August 2006

amending Decision 92/452/EEC as regards certain embryo collection and production teams in the United States of America

(notified under document number C(2006) 3456)

(Text with EEA relevance)

(2006/556/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species⁽¹⁾, and in particular Article 8(1) thereof,

Whereas:

- (1) Commission Decision 92/452/EEC of 30 July 1992 establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community⁽²⁾ provides that Member States are only to import embryos from third countries where they have been collected, processed and stored by embryo collection teams listed in that Decision.
- (2) The United States of America have requested that amendments be made to the entries for that country on those lists as regards certain embryo collection and production teams.
- (3) The United States of America have provided guarantees regarding compliance with the appropriate rules set out in Directive 89/556/EEC and the embryo collection teams concerned have been officially approved for exports to the Community by the veterinary services of that country.

(4) Decision 92/452/EEC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 92/452/EEC is amended in accordance with the Annex to this Decision.

*Article 2*This Decision shall apply from the third day following its publication in the *Official Journal of the European Union*.*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 4 August 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1989, p. 1. Directive as last amended by Commission Decision 2006/60/EC (OJ L 31, 3.2.2006, p. 24).

⁽²⁾ OJ L 250, 29.8.1992, p. 40. Decision as last amended by Decision 2006/395/EC (OJ L 152, 7.6.2006, p. 34).

ANNEX

The Annex to Decision 92/452/EEC is amended as follows:

- (a) the row for United States of America embryo collection team No 98KY101 is replaced by the following:

'US		98KY101 E625		Kentucky-Bluegrass Genetics 4486 Jackson Road Eminence, KY 40019	Dr Cheryl Feddern Nelson'
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- (b) the following row for United States of America embryo collection teams is deleted:

'US		97KY096 E-1012		Kentucky-Bluegrass Genetics 4486 Jackson Road Eminence, KY	Dr Hardy Dungan'
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- (c) the following row for United States of America is added:

'US		96WI093 E1093		Wittenberg Embryo Transfer 102 E Vinal Street Wittenberg, WI 54499	Dr John Prosocki'
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COMMISSION DECISION

of 8 August 2006

amending Decision 2005/802/EC accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of potassium chloride originating in the Russian Federation

(2006/557/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the basic Regulation), and in particular Article 8 thereof,

After consulting the Advisory Committee,

Whereas:

PROCEDURE

- (1) The Council, by Regulation (EEC) No 3068/92⁽²⁾ (the original Regulation), imposed definitive anti-dumping duties on imports of potassium chloride (potash or the product concerned) originating, *inter alia*, in Belarus and Russia.
- (2) Following an expiry review pursuant to Article 11(2) and an interim review pursuant to Article 11(3) of the basic Regulation (the previous investigation) the Council, by Regulation (EC) No 969/2000⁽³⁾, decided that the above-mentioned measures should be maintained and amended the form of the measures. The measures were imposed in the form of a fixed amount in euro per tonne for the various categories and grades of potash.
- (3) By Regulation (EC) No 992/2004⁽⁴⁾, the Council provided for the exemption from the anti-dumping duties of imports into the Member States that acceded to the European Union on 1 May 2004 (the EU-10), made under the terms of special undertaking offers (enlargement undertakings), and authorised the Commission to accept those enlargement undertakings. On this basis, and pursuant to Articles 8, 11(3), 21 and 22(c) of the basic Regulation, the Commission, by Regu-

lation (EC) No 1002/2004⁽⁵⁾, accepted enlargement undertakings from (i) an exporting producer in Belarus jointly with companies situated in Austria, Lithuania and Russia, (ii) from an exporting producer in Russia jointly with companies situated in Russia and Austria, and (iii) from an exporting producer in Russia jointly with a company situated at the time of acceptance in Cyprus.

- (4) By Regulation (EC) No 858/2005⁽⁶⁾, the Commission accepted new undertakings from the above mentioned exporting producers until 13 April 2006.
- (5) Following two separate partial interim review investigations pursuant to Article 11(3) of the basic Regulation, requested by the Russian exporting producers JSC Silvinit and JSC Uralkali, the Council, by Regulation (EC) No 1891/2005, amended Regulation (EEC) No 3068/92 and replaced the fixed amounts of duties with individual ad valorem duties for all potash types manufactured by these Russian companies. By Decision 2005/802/EC⁽⁷⁾, the Commission accepted undertakings offered by JSC Silvinit and JSC Uralkali. At that time, JSC Silvinit had an exclusive distributor, JSC International Potash Company in Moscow, with whom JSC Silvinit offered the undertaking together.
- (6) In January 2006 JSC Silvinit informed the Commission that it wished to change its sales channels to the Community and to include Polyfer Handels GmbH, Vienna, Austria as a distributor. To take account of this change, JSC Silvinit requested that the relevant provisions of Decision 2005/802/EC be amended accordingly. To this end, JSC Silvinit together with JSC International Potash Company and Polyfer Handels GmbH have jointly offered a revised undertaking.
- (7) In this regard, it was concluded that the inclusion of Polyfer Handels GmbH in the sales channels of JSC Silvinit did not affect the workability or the effective monitoring of the undertaking.
- (8) In light of the above, it was considered appropriate to amend the operative part of Decision 2005/802/EC accordingly,

⁽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 L 308, 24.10.1992, p. 41. Regulation as last amended by Regulation (EC) No 1891/2005 (OJ L 302, 19.11.2005, p. 14).

⁽³⁾ OJ L 112, 11.5.2000, p. 4.

⁽⁴⁾ OJ L 182, 19.5.2004, p. 23.

⁽⁵⁾ OJ L 183, 20.5.2004, p. 16. Regulation as amended by Regulation (EC) No 588/2005 (OJ L 98, 16.4.2005, p. 11).

⁽⁶⁾ OJ L 143, 7.6.2005, p. 11.

⁽⁷⁾ OJ L 302, 19.11.2005, p. 79.

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 of Decision 2005/802/EC shall be replaced as follows:

'Article 1

The undertakings offered by the exporting producers and companies mentioned below, in connection with the anti-dumping proceeding concerning imports of potassium chloride originating in the Russian Federation, are hereby accepted.

Country	Company	Taric Additional Code
Russian Federation	Produced by JSC Silvinit, Solikamsk, Russia and sold by JSC International Potash Company, Moscow, Russia or by Polyfer Handels GmbH, Vienna, Austria to the first independent customer in the Community acting as an importer	A695
Russian Federation	Produced and sold by JSC Uralkali, Berezniki, Russia or produced by JSC Uralkali, Berezniki, Russia and sold by Uralkali Trading SA, Geneva, Switzerland to the first independent customer in the Community acting as an importer	A520'

Article 2

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

Done at Brussels, 8 August 2006.

For the Commission
Peter MANDELSON
Member of the Commission
