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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1829/2006
of 13 December 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 14 December 2006.

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

Done at Brussels, 13 December 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 13 December 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	97,0
	204	63,9
	999	80,5
0707 00 05	052	117,2
	204	67,3
	628	163,6
	999	116,0
0709 90 70	052	140,9
	204	64,3
	999	102,6
0805 10 20	052	58,8
	388	46,7
	999	52,8
0805 20 10	052	30,7
	204	60,5
	999	45,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	70,5
	624	71,9
	999	71,2
0805 50 10	052	60,4
	528	35,4
	999	47,9
0808 10 80	388	106,7
	400	89,7
	720	76,0
	999	90,8
0808 20 50	052	63,8
	400	110,2
	720	51,5
	999	75,2

⁽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 1830/2006**of 13 December 2006****amending Regulation (EC) No 2092/2004 laying down detailed rules for the application of an import tariff quota of dried boneless beef originating in Switzerland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular the first subparagraph of Article 32(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 2092/2004 ⁽²⁾ opens, on a multi-annual basis for periods from 1 January to 31 December, a duty-free import tariff quota for the import of 1 200 tonnes of dried boneless beef falling within CN code ex 0210 20 90 and originating in Switzerland.

(2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽³⁾ applies to import licences for import tariff quota periods starting from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular detailed provisions on applications for import licences, the status of applicants and the issue of licences. That Regulation provides that import tariff quotas shall be opened for a period of 12 consecutive months and limits the period of validity of licences to the last day of the import tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued pursuant to Regulation (EC) No 2092/2004, without prejudice to additional conditions or derogations laid down in that Regulation. As Regulation (EC) No 2092/2004 provides that the quota in question is managed on the basis of certificates of authenticity issued by the Swiss authorities and import licences, it is necessary to align the provisions of Regulation (EC) No 2092/2004 on Chapter I and III of Regulation (EC) No 1301/2006 where appropriate.

(3) Regulation (EC) No 2092/2004 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2092/2004 is amended as follows:

1. In Article 1, the first sub-paragraph is replaced by the following:

‘A Community duty-free import tariff quota for dried boneless meat of bovine animals falling within CN code ex 0210 20 90 and originating in Switzerland is hereby opened every year for an annual volume of 1 200 tonnes for periods from 1 January to 31 December (hereinafter the quota).’

2. In Article 2(2), the second sub-paragraph is deleted.

3. Article 5 is replaced by the following:

‘Article 5

Certificates of authenticity and import licences shall be valid for three months from their respective dates of issue.’

4. Article 6 is replaced by the following:

‘Article 6

The provisions of Regulations (EC) No 1291/2000 and (EC) No 1445/95, as well as Chapter I and III of Regulation (EC) No 1301/2006 shall apply, subject to the provisions of this Regulation.’

Article 2

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 362, 9.12.2004, p. 4.

⁽³⁾ OJ L 238, 1.9.2006, p. 13.

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

Done at Brussels, 13 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 1831/2006**of 13 December 2006****amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin, as regards Doramectin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

excluding animals from which milk is produced for human consumption.

Having regard to the Treaty establishing the European Community,

(3) Regulation (EEC) No 2377/90 should therefore be amended accordingly.

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, and in particular Article 2 thereof,(4) An adequate period should be allowed before the applicability of this Regulation in order to enable Member States to make any adjustment which may be necessary in the light of this Regulation to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽²⁾ to take account of the provisions of this Regulation.

Having regard to the opinions of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

(5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) All pharmacologically active substances used in the Community in veterinary medicinal products intended for food-producing animals should be evaluated in accordance with Regulation (EEC) No 2377/90.

Article 1

Annex I to Regulation (EEC) No 2377/90 is amended in accordance with the Annex to this Regulation.

(2) The substance Doramectin is included in Annex I to Regulation (EEC) No 2377/90 for bovine for muscle, fat, liver and kidney excluding bovines producing milk for human consumption. This substance is also included in Annex I to Regulation (EEC) No 2377/90 for porcine, ovine, deer, including reindeer, for muscle, fat, liver and kidney excluding ovines producing milk for human consumption. The entry for Doramectin in that Annex should be modified and extended to all mammalian food-producing species for muscle, fat, liver and kidney,

*Article 2*This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 12 February 2007.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 1805/2006 (OJ L 343, 8.12.2006, p. 66).

⁽²⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

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

Done at Brussels, 13 December 2006.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

The following substance is inserted in Annex I to Regulation (EEC) No 2377/90:

- 2. Antiparasitic agents
- 2.3. Agents acting against endo- and ectoparasites
- 2.3.1. Avermectins

Pharmacologically active Substance(s)	Marker residue	Animal species	MRLs	Target tissues
'Doramectin	Doramectin	All mammalian food producing species ⁽¹⁾	40 µg/kg 150 µg/kg 100 µg/kg 60 µg/kg	Muscle Fat Liver Kidney

⁽¹⁾ Not for use in animals from which milk is produced for human consumption.'

COMMISSION REGULATION (EC) No 1832/2006**of 13 December 2006****laying down transitional measures in the sugar sector by reason of the accession of Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 41 and Article 21 thereof in conjunction with point 4 of Section 3(a) of Annex V thereto,

Whereas:

(1) The rules concerning production and trade arrangements for the sugar market inserted in Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾ by the Act of Accession of Bulgaria and Romania should be applicable as from 1 January 2007, subject to the entry into force of the Act of Accession on that date. However, for the marketing year 2006/07, the entire beet sugar production of Bulgaria and Romania will have been produced under national arrangements. Transitional measures are therefore required to change over from the production and trade arrangements in force in Bulgaria and Romania to those provided for in Regulation (EC) No 318/2006. Consequently, the provisions on minimum beet prices, inter-professional agreements and quota allocation provided for in Articles 5, 6 and 7 of Regulation (EC) No 318/2006 should not apply to Bulgaria and Romania in the marketing year 2006/07.

(2) Article 4(1) of Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community and amending Regulation (EC) No 1290/2005 on the financing of the common agricultural policy⁽²⁾ fixes the deadline for submitting applications for the restructuring aid at 31 July 2006 in respect of the marketing year 2006/07. It was thus not possible for undertakings established in Bulgaria and Romania to submit applications for restructuring aid in respect of that marketing year. Those undertakings should therefore not have to pay the restructuring amount provided for in Article 11 of Regulation (EC) No 320/2006 in respect of the marketing year 2006/07.

(3) In the case of isoglucose, production is steady and in keeping with demand. It is necessary to determine for

the period from 1 January to 30 September 2007 the appropriate national isoglucose quotas for Bulgaria and Romania in order to ensure the balance between production and consumption in the Community as constituted at 1 January 2007. Those transitional isoglucose quotas should be calculated on a *pro rata temporis* basis.

(4) In order to allow undertakings established in Bulgaria and Romania to participate in the restructuring scheme established by Regulation (EC) No 320/2006 under the same conditions as those applicable to undertakings established in the Community as constituted at 31 December 2006, it is necessary to make certain adjustments in relation to the marketing year 2007/08, in particular as regards the chronological order referred to in Article 8(1) of Commission Regulation (EC) No 968/2006 of 27 June 2006 laying down detailed rules for the implementation of Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community⁽³⁾.

(5) In accordance with the Act of Accession, the agreed raw sugar supply need for refining is 198 748 tonnes for Bulgaria and 329 636 tonnes for Romania per marketing year. However, the quantities of traditional supply need distributed for Bulgaria and Romania should be reduced on a *pro rata temporis* basis to reflect the fact that Bulgaria and Romania will only participate in the 2006/07 marketing year for the period from 1 January 2007 to 30 September 2007.

(6) The full-time refiners in Bulgaria and Romania rely to a large extent on imports of raw cane sugar from traditional suppliers in certain third countries. The Commission has therefore proposed to the Council to open tariff quotas for imports of such sugar from any third country for the marketing years 2006/07, 2007/08 and 2008/2009⁽⁴⁾. However, in order to avoid disruption of the supply of raw cane sugar for refiners in these Member States at the moment of accession, it is considered necessary to adopt transitional measures for the purpose of opening such tariff quotas at 1 January 2007.

(7) The transitional tariff quotas opened for Bulgaria and Romania under this Regulation should apply only until the Council has adopted permanent measures.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

⁽²⁾ OJ L 58, 28.2.2006, p. 42.

⁽³⁾ OJ L 176, 30.6.2006, p. 32.

⁽⁴⁾ COM(2006) 798 final of 13 December 2006.

- (8) Import licences issued under the tariff quotas opened by this Regulation should be reserved for approved full-time refiners in Bulgaria and Romania.
- (9) The amount of the import duty applicable to imports under the tariff quotas opened by this Regulation should be fixed at a level which ensures fair competition in the Community sugar market, but which is not prohibitive for imports into Bulgaria and Romania. Taking into account that imports under these tariff quotas could be carried out from any third country it is therefore appropriate to fix the level of import charges at EUR 98 per tonne, which is the same level as fixed for CXL concessions sugar under Article 24 of Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽¹⁾.
- (10) There is a considerable risk of disruption on the markets in the sugar sector by products being introduced into Bulgaria and Romania before their accession to the European Union for speculation purposes. Provisions facilitating the transition should therefore be made to avoid such speculative movements or other market disturbances. Similar provisions have already been taken by Commission Regulation (EC) No 1683/2006 of 14 November 2006 on transitional measures to be adopted in respect of trade in agricultural products on account of the accession of Bulgaria and Romania ⁽²⁾. Specific rules are necessary in order to take into account the particularities of the sugar sector.
- (11) Provisions should be taken to prevent operators from circumventing the application of charges on certain sugar products in free circulation by placing goods which have been already released for free circulation in the Community as constituted at 31 December 2006 or in Bulgaria or Romania before accession under a suspensive regime, either in temporary storage or under one of the treatments or procedures referred to in Articles 4(15)(b) and (16)(b) to (g) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽³⁾.
- (12) Furthermore, and in accordance with the Act of Accession of Bulgaria and Romania, quantities of stocks of sugar or isoglucose exceeding the normal carry-over stock should be eliminated from the market at the expense of Bulgaria and Romania. Determination of the surplus quantities should be carried out by the Commission on the basis of trade developments and production and consumption trends in Bulgaria and Romania during the period from 1 January 2003 to 31 December 2006. For this procedure, besides sugar and isoglucose, other products with a significant added sugar equivalent content should also be considered as they could also be possible targets of speculation. In cases where the determined surplus quantity of sugar and isoglucose is not eliminated from the Community market by 30 April 2008 at the latest, Bulgaria and Romania should be made financially responsible for the relevant quantity.
- (13) The amount to be charged to Bulgaria or Romania and assigned to the Community budget in case of non elimination of surplus stocks should be calculated on the basis of the highest positive difference between the white sugar reference price fixed at EUR 631,9 per tonne by Article 3(1)(a) of Regulation (EC) No 318/2006 and the world market price of white sugar during the period of 1 January 2007 to 30 April 2008. For the purpose of this calculation the monthly average of the quotations at the London No. 5 white sugar futures market for the nearest term, that is to say the nearest delivery month for which trading of white sugar is possible, should be considered as the world market price.
- (14) It is in the interest of both the Community and Bulgaria and Romania to prevent the accumulation of surplus stocks and in any case be able to identify those operators or individuals involved in major speculative trade movements. For that purpose, Bulgaria and Romania should have in place on 1 January 2007 a system that enables them to identify those responsible for such developments. This system should allow Bulgaria and Romania to identify the economic operators which have contributed to surplus quantity referred to in recital 12 with a view to recovering, as far as possible, the amounts assigned to the Community budget. Bulgaria and Romania should use this system to compel identified operators to eliminate their individual surplus quantity from the Community market. Where identified operators cannot provide appropriate proof of elimination they should be charged EUR 500 per tonne (white sugar equivalent) for the surplus sugar not eliminated. This is the same amount as that fixed for the levy provided for in Article 3 of Commission Regulation (EC) No 967/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards sugar production in excess of the quota ⁽⁴⁾. While both economic operators and households may contribute to the surplus quantity referred to in recital 12, it is most likely to be operators. However, it is not feasible to require households to contribute to this amount.

⁽¹⁾ OJ L 178, 1.7.2006, p. 1.

⁽²⁾ OJ L 314, 15.11.2006, p. 18.

⁽³⁾ 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).

⁽⁴⁾ OJ L 176, 30.6.2006, p. 22.

- (15) For the determination of surplus stocks and the elimination of identified surplus stocks, Bulgaria and Romania should provide the Commission with the most recent statistics on trade, production and consumption of the products considered, as well as proof of elimination from the market of the identified surplus stocks by the set deadline.

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

HAS ADOPTED THIS REGULATION:

CHAPTER I

TRANSITIONAL MEASURES IN VIEW OF THE ACCESSION OF BULGARIA AND ROMANIA

SECTION 1

Applicability of the sugar CMO and the temporary restructuring scheme

Article 1

Applicability of certain provisions of Regulations (EC) No 318/2006 and (EC) No 320/2006

1. Articles 5, 6 and 7 of Regulation (EC) No 318/2006 and Article 11 of Regulation (EC) No 320/2006 shall not apply to Bulgaria and Romania for the marketing year 2006/07.

However, Article 7 shall apply in respect of the allocation in 2007 of the national quotas which will apply as from marketing year 2007/08 and the isoglucose quotas indicated in paragraph 2.

2. For the period from 1 January 2007 to 30 September 2007, the national quotas of isoglucose for Bulgaria and Romania for the purposes of Article 9 of Regulation (EC) No 318/2006 shall be as follows:

	National quota in tonnes of dry matter
Bulgaria	50 331
Romania	8 960

3. For the period from 1 January 2007 to 30 September 2007, the traditional supply need distributed for Bulgaria and Romania for the purposes of Article 29 of Regulation (EC) No 318/2006 shall be as follows:

	Traditional supply need distributed in tonnes of white sugar
Bulgaria	149 061
Romania	247 227

Article 2

Temporary restructuring scheme

1. This paragraph shall only apply if applications for restructuring aid, under Article 7 of Regulation (EC) No 968/2006, in respect of marketing year 2007/08 are submitted prior to 1 January 2007 in the Community as constituted on 31 December 2006. The date of the first such application shall be referred to as 'the reference date'.

Where applications for restructuring aid under Article 7 of Regulation (EC) No 968/2006, in respect of marketing year 2007/08, are submitted in Bulgaria or Romania on or after 1 January 2007, the length of time between the reference date and 1 January 2007 shall not be counted for those applications in establishing the chronological order referred to in Article 8(1) of Regulation (EC) No 968/2006.

2. With regard to the consultation conducted in the framework of the relevant agreements within the trade as referred to in the second subparagraph of Article 3(2) of Regulation (EC) No 320/2006, Bulgaria and Romania may, for the marketing year 2007/08, take into account consultations conducted in the framework of agreements which took place before the date of the entry into force of this Regulation, even if they do not comply with the requirements of Regulation (EC) No 968/2006.

SECTION 2

Opening of tariff quotas for refining

Article 3

Opening of tariff quotas for the import of raw cane sugar for refining

1. For the marketing year 2006/07, tariff quotas for a total of 396 288 t in white sugar equivalent for the import from any third country of raw cane sugar for refining, falling within CN code 1701 11 10 shall be opened at a duty of EUR 98 per tonne.

The quantity to be imported shall be distributed as follows:

Bulgaria: 149 061 tonnes;

Romania: 247 227 tonnes.

2. Quantities imported in accordance with this Regulation shall bear the order number shown in Annex I.

Article 4

Application of Regulation (EC) No 950/2006

The rules on import licences and traditional supply needs laid down in Regulation (EC) No 950/2006 shall apply to the imports of sugar under the tariff quotas opened by the present Regulation, unless otherwise provided for in Article 5.

Article 5

Import licences

1. Import licence applications for the quantities referred to in Article 3(1) shall be submitted to the competent authorities of Bulgaria and Romania as appropriate.

2. Import licence applications may be submitted only by full-time refiners which are established on the territory of Bulgaria and Romania and which are approved in accordance with Article 17 of Council Regulation (EC) No 318/2006.

3. Import licence applications and licences shall contain the following entries:

(a) in boxes 17 and 18: the quantities of raw sugar, in white sugar equivalent, which may not exceed the quantities for Bulgaria and Romania respectively indicated in Article 3(1);

(b) in box 20: at least one of the entries listed in part A of Annex II;

(c) in box 24 (in the case of licences): at least one of the entries listed in part B of Annex II.

4. Import licences issued under this Regulation shall be valid only for imports into the Member State in which they are issued. They shall be valid to the end of the marketing year 2006/07.

Article 6

End of application

The tariff quotas opened under this Regulation shall apply until a Council Regulation opening tariff quotas for imports into Bulgaria and Romania of raw cane sugar for supply to refineries for the period subsequent to 1 January 2007 enters into force.

CHAPTER II

TRANSITIONAL MEASURES TO AVOID SPECULATION AND MARKET DISTURBANCE

Article 7

Definitions

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

(a) 'sugar' means:

(i) beet sugar and cane sugar, in solid form, falling within CN code 1701;

(ii) sugar syrup falling within CN codes 1702 60 95 and 1702 90 99;

(iii) inulin syrup falling within CN codes 1702 60 80 and 1702 90 80;

(b) 'isoglucose' means the product falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10, 1702 90 30 and 2106 90 30;

(c) 'processed products' means products having an added sugar/sugar equivalent content exceeding 10 %, which have resulted from the processing of agricultural products;

(d) 'fructose' means chemically pure fructose under CN code 1702 50 00.

SECTION 1

Products under particular customs treatments and procedures at the date of accession

Article 8

Suspensive regime

1. By way of derogation from Section 4 of Annex V to the Act of Accession and from Articles 20 and 214 of Regulation (EEC) No 2913/92 products falling within CN codes, 1701, 1702, 1704, 1904, 1905, 2006, 2007, 2009, 2101 12 92, 2101 20 92, 2105 and 2202 except those listed in Article 4(5) of Commission Regulation (EC) No 1683/2006, which before 1 January 2007 have been in free circulation in the Community as constituted on 31 December 2006 or in Bulgaria or Romania, and on 1 January 2007 are in temporary storage or under one of the customs treatments or procedures referred to in Article 4(15)(b) and (16)(b) to (g) of Regulation (EEC) No 2913/92 in the enlarged Community, or which are in transport after having been the subject

of export formalities within the enlarged Community shall, where a customs debt on importation is incurred, be charged with the import duty in accordance with part two of Annex I to Council Regulation (EEC) No 2658/87 ⁽¹⁾ as applicable on the date of the incurrence of the customs debt, including additional duties, where applicable.

The first subparagraph shall not apply to products exported from the Community as constituted on 31 December 2006 if the importer gives evidence that no export refund has been sought for the products of the Member State of export. Upon the importer's request, the exporter shall arrange to obtain an endorsement by the competent authority on the export declaration that an export refund has not been sought for the products of the Member State of export.

2. By way of derogation from Section 4 of Annex V to the Act of Accession and from Articles 20 and 214 of Regulation (EEC) No 2913/92, products falling within CN codes, 1701, 1702, 1704, 1904, 1905, 2006, 2007, 2009, 2101 12 92, 2101 20 92, 2105 and 2202 except those listed in Article 4(5) of Commission Regulation (EC) No 1683/2006, coming from third countries and which are under inward processing referred to in Article 4(16)(d) of Regulation (EEC) No 2913/92 or temporary admission referred to in Article 4(16)(f) of that Regulation in Bulgaria or Romania on 1 January 2007, shall where a customs debt on importation is incurred, be charged with the import duty in accordance with part two of Annex I to Regulation (EEC) No 2658/87 as applicable at the date of the incurrence of the customs debt, including additional duties, where applicable.

SECTION 2

Surplus quantities

Article 9

Determination of surplus quantities

1. The Commission shall determine by 31 July 2007 at the latest, for Bulgaria and Romania respectively, in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006,

- (a) the quantity of sugar as such or in processed products (in white sugar equivalent);
- (b) the quantity of isoglucose (dry matter);
- (c) the quantity of fructose

exceeding the quantity considered as being normal carry-over stock at 1 January 2007 and which has to be eliminated from the market at the expense of Bulgaria and Romania.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

2. To determine the surplus quantities referred to in paragraph 1, account shall in particular be taken of the development from 1 January to 31 December 2006, in relation to the previous three years, counting from 1 January 2003 to 31 December 2005, of:

- (a) imported and exported quantities of sugar as such or in processed products, isoglucose and fructose;
- (b) production, consumption and stocks of sugar and isoglucose;
- (c) the circumstances in which stocks were built up.

Article 10

Identification of surplus quantities at the operators' level

1. Bulgaria and Romania shall have in place, on 1 January 2007, a system for the identification, at the level of operators, of traded or produced surplus quantities of sugar as such or in processed products, isoglucose or fructose. That system may in particular rely on import tracking, fiscal monitoring, surveys based on operators' accounts and physical stocks, and include measures such as risk guarantees and import licences.

The identification system shall be based on a risk assessment taking due account in particular of the following criteria:

- (a) type of activity of the operators concerned;
- (b) capacity of storage facilities;
- (c) level of activities.

2. Bulgaria and Romania shall each use the identification system referred in paragraph 1 to compel the operators concerned to eliminate from the market, at their own expense, a quantity of sugar or isoglucose equivalent to their individual surplus quantity.

Article 11

Elimination of surplus quantities

1. Bulgaria and Romania shall each ensure the elimination from the market, without Community intervention, of a quantity of sugar or isoglucose equal to the surplus quantity referred to in Article 9(1), by 30 April 2008 at the latest.

2. Elimination of surplus quantities determined pursuant to Article 9 shall be carried out without Community support, in accordance with the following methods:

- (a) by export from the Community by identified operators, without national support;
- (b) by use in the sector of combustibles;
- (c) by denaturation without aid for animal feed in accordance with Titles III and IV of Commission Regulation (EEC) No 100/72 ⁽¹⁾.

3. Where for Bulgaria or Romania, the total quantities determined by the Commission in accordance with Article 9(1) exceed the total quantities identified under Article 10, then Bulgaria or Romania, as appropriate, shall be charged with an amount equal to the difference between those figures [in white sugar or dry matter equivalent] multiplied by the highest positive difference between EUR 631,9 per tonne and the average monthly quotation of white sugar observed at the London No. 5 white sugar futures market for the nearest term during the period from 1 January 2007 to 30 April 2008. That amount shall be assigned to the Community budget by 31 December 2008 at the latest.

Article 12

Proofs of elimination by the operators

1. By 31 July 2008 at the latest, the operators concerned shall provide the proof, to the satisfaction of Bulgaria or Romania, as appropriate, that they have eliminated in accordance with Article 11(2), and at their own expense, their individual surplus quantities of sugar and isoglucose identified by virtue of the application of Article 10.

2. When the sugar or isoglucose is eliminated in accordance with Article 11(2)(a), the proof of elimination shall consist of:

- (a) export licences issued in accordance with Commission Regulations (EC) No 1291/2000 ⁽²⁾ and (EC) No 951/2006 ⁽³⁾;
- (b) relevant documents referred to in Articles 32 and 33 of Regulation (EC) No 1291/2000 necessary for the release of the guarantee.

The application for the export licence referred to in preceding subparagraph shall comprise in section 20 the following indication:

‘for export in accordance with Article 11(2)(a) of Regulation (EC) No 1832/2006.’

The export licence shall comprise in section 22 the following indication:

‘to be exported without refund ... (quantity for which this licence was issued) kg.’

The export licence shall be valid from the date of its issue until 30 April 2008.

3. In case the proof of elimination is not provided in accordance with paragraphs 1 to 2, Bulgaria or Romania, as appropriate, shall charge the operator concerned with an amount equal to its individual surplus quantity, identified by virtue of the application of Article 10, multiplied by EUR 500 per tonne (in white sugar or dry matter equivalent). This amount shall be assigned to the national budget of Bulgaria or Romania, as appropriate.

Article 13

Proof of elimination by new Member States

1. By 31 August 2008 at the latest, Bulgaria and Romania shall provide proof to the Commission that the surplus quantity referred to in Article 9(1) was eliminated from the Community market in accordance with Article 11(2) and specify for each method the quantity eliminated.

2. In case the proof of elimination from the Community market is not provided in accordance with paragraph 1, for all or part of the surplus quantity, Bulgaria and/or Romania, as appropriate, shall be charged an amount equal to the quantity not eliminated multiplied by the highest positive difference between EUR 631,9 per tonne and the average monthly quotation of white sugar observed at the London No 5 white sugar futures market for the nearest term during the period from 1 January 2007 to 30 April 2008, in white sugar or dry matter equivalent, from which shall be deducted any amount charged pursuant to Article 11(3).

This amount will be assigned to the Community budget by 31 December 2008 at the latest.

⁽¹⁾ OJ L 12, 15.1.1972, p. 15.

⁽²⁾ OJ L 152, 24.6.2000, p. 1.

⁽³⁾ OJ L 178, 1.7.2006, p. 24.

The amounts referred to in the preceding subparagraph and Article 11(3) shall be determined in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006 by 31 October 2008 at the latest on the basis of the communications made by Bulgaria and Romania pursuant to paragraph 1.

Article 14

Control

1. Bulgaria and Romania shall take all the necessary measures for the application of this Chapter and establish in particular the control procedures which prove necessary for the elimination of the surplus quantity referred to in Article 9(1).

2. Bulgaria and Romania shall communicate to the Commission by 31 March 2007 at the latest:

- (a) information on the system established for the identification of surplus quantities referred to in Article 10;
- (b) quantities of sugar, isoglucose, fructose and processed products imported and exported monthly for the period from 1 January 2003 to 31 December 2006, communicated separately for imports from and exports to

(i) the Community as constituted on 31 December 2006,

(ii) Bulgaria or Romania, as appropriate, and

(iii) third countries;

(c) for the period from 1 January 2003 to 31 December 2006, the quantities of sugar and isoglucose produced annually, broken down, as the case may be, by production under quota and out of quota, refined from imported raw sugar and consumed annually;

(d) for the period from 1 January 2003 to 31 December 2006, the stocks of sugar and isoglucose held on 1 January of each year.

CHAPTER III

FINAL PROVISION

Article 15

Entry into force

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of Bulgaria and Romania.

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

Done at Brussels, 13 December 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Order numbers

Import quota for imports into	Order number
Bulgaria	09.4365
Romania	09.4366

ANNEX II

A. Entries referred to in Article 5(3)(b):

- *in Bulgarian:* Преференциална сурова захар, предназначена за рафиниране, внесена съгласно член 3, параграф 1 от Регламент (ЕО) № 1832/2006. Пореден номер на квотата (да бъде вписан съгласно Приложение I)
- *in Spanish:* Azúcar en bruto preferencial para refinar, importado de acuerdo con el artículo 3, apartado 1, del Reglamento (CE) nº 1832/2006. Número de orden (insértese con arreglo al anexo I)
- *in Czech:* Preferenční surový cukr určený k rafinaci, dovezený podle čl. 3 odst. 1 nařízení (ES) č. 1832/2006. Pořadové číslo (vloží se pořadové číslo podle přílohy I).
- *in Danish:* Præferenceråsukker til raffinering, importeret i overensstemmelse med artikel 3, stk. 1, i forordning (EF) nr. 1832/2006. Løbenummer (løbenummer indsættes ifølge bilag I)
- *in German:* Präferenzroh Zucker zur Raffination, eingeführt gemäß Artikel 3 Absatz 1 der Verordnung (EG) Nr. 1832/2006. Laufende Nummer (Nummer gemäß Anhang I einsetzen)
- *in Estonian:* Sooduskorra alusel määruse (EÜ) nr 1832/2006 artikli 3 lõike 1 kohaselt imporditav rafineerimiseks ettenähtud toorsuhkur. Seerianumber ... (*märgitakse vastavalt I lisale*)
- *in Greek:* Προτιμησιακή ακατέργαστη ζάχαρη για ραφινάρισμα που εισάγεται σύμφωνα με το άρθρο 3 παράγραφος 1 του κανονισμού (ΕΚ) αριθ. 1832/2006. Αύξων αριθμός (αύξων αριθμός που παρεμβάλλεται σύμφωνα με το παράρτημα I)
- *in English:* Preferential raw sugar for refining, imported in accordance with Article 3(1) of Regulation (EC) No 1832/2006. Order No (order number to be inserted in accordance with Annex I)
- *in French:* Sucre brut préférentiel destiné au raffinage, importé conformément à l'article 3, paragraphe 1, du règlement (CE) nº 1832/2006. Numéro d'ordre (numéro d'ordre à insérer conformément à l'annexe I)
- *in Italian:* Zucchero greggio preferenziale destinato alla raffinazione, importato conformemente all'articolo 3, paragrafo 1, del regolamento (CE) n. 1832/2006. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Rafinēšanai paredzēts preferences jēlcukurs, kas ievests saskaņā ar Regulas (EK) Nr. 1832/2006 3. panta 1. punktu. Kārtas Nr. (kārtas numuru ieraksta saskaņā ar I pielikumu)
- *in Lithuanian:* Rafinuoti skirtas žaliavinis cukrus, lengvatinėmis sąlygomis įvežtas pagal Reglamento (EB) Nr. 1832/2006 3 straipsnio 1 dalį. Eilės numeris (eilės numeris įrašomas pagal I priedą).
- *in Hungarian:* Finomításra szánt preferenciális nyerscukor a 1832/2006/EK rendelet 3. cikkének (1) bekezdésével összhangban importálva. Tételszám (az I. mellékletnek megfelelő tételszámot kell beilleszteni).
- *in Maltese:* Zokkor mhux maħdum preferenzjali għar-raffinar, importat skond l-Artikolu 3(1) tar-Regolament (KE) Nru 1832/2006. Nru ta' l-ordni (in-numru ta' l-ordni għandu jiddahhal skond l-Anness I)
- *in Dutch:* Preferentiële ruwe suiker voor raffinage, ingevoerd overeenkomstig artikel 3, lid 1, van Verordening (EG) nr. 1832/2006. Volgnummer (het volgnummer invullen in overeenstemming met bijlage I)
- *in Polish:* Preferencyjny cukier surowy do rafinacji, przywieziony zgodnie z art. 3 ust. 1 rozporządzenia (WE) nr 1832/2006. Nr porządkowy (zgodnie z załącznikiem I)
- *in Portuguese:* Açúcar bruto preferencial para refinação, importado em conformidade com o n.º 1 do artigo 3.º do Regulamento (CE) n.º 1832/2006. Número de ordem (número de ordem a inserir de acordo com o anexo I)

- *in Romanian:* Zahăr brut preferențial destinat rafinării, importat în conformitate cu articolul 3 alineatul (1) din Regulamentul (CE) nr. 1832/2006. Nr. de serie (numărul de serie se va introduce conform anexei I)
- *in Slovak:* Preferenčný surový cukor určený na rafináciu dovezený v súlade s článkom 3 ods. 1 nariadenia (ES) č. 1832/2006. Poradové číslo (poradové číslo treba vložiť v súlade s prílohou I)
- *in Slovene:* Preferenčni surovi sladkor za prečiščevanje, uvožen v skladu s členom 3(1) Uredbe (ES) št. 1832/2006. Zaporedna št. (zaporedna številka se vnese v skladu s Prilogo I)
- *in Finnish:* Etuuskohteluun oikeutettu, puhdistettavaksi tarkoitettu raakasokeri, tuotu asetuksen (EY) N:o 1832/2006 1 artiklan mukaisesti. Järjestysnumero (lisätään liitteessä I esitetty järjestysnumero)
- *in Swedish:* Förmånsråsocker för raffinering importerat i enlighet med artikel 3.1 i förordning (EG) nr 1832/2006. Löpnummer (löpnummer skall anges enligt bilaga I).

B. Entries referred to in Article 5(3)(c):

- *in Bulgarian:* Внос при мито от 98 EUR за тон сурова захар със стандартно качество съгласно член 3, параграф 1 от Регламент (ЕО) № 1832/2006. Пореден номер на квотата (да бъде вписан съгласно Приложение I)
- *in Spanish:* Importación sujeta a un derecho de 98 euros por tonelada de azúcar en bruto de la calidad tipo en aplicación del artículo 3, apartado 1, del Reglamento (CE) nº 1832/2006. Número de orden (insértese con arreglo al anexo I)
- *in Czech:* Dovezeno s celní sazbou ve výši 98 EUR za tunu surového cukru standardní jakosti podle čl. 3 odst. 1 nařízení (ES) č. 1832/2006. Pořadové číslo (vloží se pořadové číslo podle přílohy I).
- *in Danish:* Import til en told på 98 EUR pr. ton råsukker af standardkvalitet i overensstemmelse med artikel 3, stk. 1, i forordning (EF) nr. 1832/2006. Løbenummer (løbenummer indsættes ifølge bilag I)
- *in German:* Einfuhr zum Zollsatz von 98 EUR je Tonne Rohzucker der Standardqualität gemäß Artikel 3 Absatz 1 der Verordnung (EG) Nr. 1832/2006. Laufende Nr. (Nummer gemäß Anhang I einsetzen)
- *in Estonian:* Vastavalt määruse (EÜ) nr 1832/2006 artikli 3 lõikele 1 tollimaksumääraga 98 eurot tonni kohta imporditud standardkvaliteediga toorsuhkur. Seerianumber ... (märgitakse vastavalt I lisale)
- *in Greek:* Δασμός 98 ευρώ ανά τόνο ακατέργαστης ζάχαρης ποιοτικού τύπου σύμφωνα με το άρθρο 3 παράγραφος 1 του κανονισμού (ΕΚ) αριθ. 1832/2006. Αύξων αριθμός (αύξων αριθμός που παρεμβάλλεται σύμφωνα με το παράρτημα I)
- *in English:* Import at a duty of EUR 98 per tonne of standard-quality raw sugar in accordance with Article 3(1) of Regulation (EC) No 1832/2006. Order No (order number to be inserted in accordance with Annex I)
- *in French:* Importation à droit de 98 EUR par tonne de sucre brut de la qualité type en application de l'article 3, paragraphe 1, du règlement (CE) n° 1832/2006 Numéro d'ordre (numéro d'ordre à insérer conformément à l'annexe I)
- *in Italian:* Importazione a un dazio di 98 EUR/t di zucchero greggio della qualità tipo conformemente all'articolo 3, paragrafo 1, del regolamento (CE) n. 1832/2006. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Regulas (EK) Nr. 1832/2006 3. panta 1. punktā definētā standarta kvalitātes jēlcukura ieviešana, piemērojot nodokļa likmi EUR 98 par tonnu. Kārtas Nr. (kārtas numuru ieraksta saskaņā ar I pielikumu)
- *in Lithuanian:* Standartinės kokybės žaliavinio cukraus importas pagal Reglamento (EB) Nr. 1832/2006 3 straipsnio 1 dalį taikant 98 EUR už toną importo muitą. Eilės numeris (eilės numeris įrašomas pagal I priedą).

- *in Hungarian:* Standard minőségű nyerscukor 98 euro/tonna vámátételen történő importja a 1832/2006/EK rendelet 3. cikkének (1) bekezdésével összhangban. Tételszám (az I. mellékletnek megfelelő tételszámot kell beilleszteni).
- *in Maltese:* Importazzjoni ta' zokkor mhux maħdum ta' kwalità standard bid-dazju ta' EUR 98 għal kull tunnellata skond l-Artikolu 3(1) tar-Regolament (KE) Nru 1832/2006. Nru ta' l-ordni (in-numru ta' l-ordni jiddahhal skond l-Anness I)
- *in Dutch:* Invoer tegen een recht van 98 euro per ton ruwe suiker van de standaardkwaliteit overkomstig artikel 3, lid 1, van Verordening (EG) nr. 1832/2006. Volgnummer (het volgnummer invullen in overeenstemming met bijlage I)
- *in Polish:* Przywóz po stawce celnej 98 EUR za tonę cukru surowego o standardowej jakości zgodnie z art. 3 ust. 1 rozporządzenia (WE) nr 1832/2006. Nr porządkowy (zgodnie z załącznikiem I)
- *in Portuguese:* Importação com direito de 98 euros por tonelada de açúcar bruto da qualidade-tipo, em aplicação do n.º 1 do artigo 3.º do Regulamento (CE) n.º 1832/2006. Número de ordem (número de ordem a inserir de acordo com o anexo I)
- *in Romanian:* Importat la o taxă de 98 EUR per tona de zahăr brut de calitate standard în conformitate cu articolul 3 alineatul (1) din Regulamentul (CE) Nr. 1832/2006. Nr. de serie (numărul de serie se va introduce conform Anexei I)
- *in Slovak:* Dovož s clom 98 EUR na tonu surového cukru štandardnej kvality v súlade s článkom 3 ods. 1 nariadenia (ES) č. 1832/2006. Poradové číslo (poradové číslo treba vložiť v súlade s prílohou I)
- *in Slovene:* Uvoz po dajatvi 98 EUR na tono surovega sladkorja standardne kakovosti v skladu s členom 3(1) Uredbe (ES) št. 1832/2006. Zaporedna št. (zaporedna številka se vnese v skladu s Prilogo I)
- *in Finnish:* Vakiolaatuisen raakasokerin tuonti, johon sovelletaan 98 euroa tonnilta olevaa tullia asetuksen (EY) N:o 1832/2006 3 artiklan 1 kohdan mukaisesti. Järjestysnumero (lisätään liitteessä I esitetty järjestysnumero)
- *in Swedish:* Förmånsråsocker för raffinering importerat i enlighet med artikel 3.1 i förordning (EG) nr 1832/2006. Löpnummer (löpnummer skall anges enligt bilaga I).
-

COMMISSION REGULATION (EC) No 1833/2006**of 13 December 2006****on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1172/95 of 22 May 1995 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

(1) Commission Regulation (EC) No 750/2005 of 18 May 2005 on the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States ⁽²⁾ set out the version of that nomenclature which was valid as of 1 June 2005.

(2) The alphabetical coding of countries and territories must be based on the current version of standard ISO alpha 2, insofar as it is compatible with the requirements of Community legislation and the statistical requirements of the Community. Commission Regulation (EC) No 2286/2003 of 18 December 2003 ⁽³⁾ amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code provided for a transitional period for the adaptation of

automated customs clearance systems. Whereas that period has now expired, it is no longer necessary to use the numerical codes in parallel with the alphabetical codes.

(3) Montenegro has become an independent State.

(4) It is therefore appropriate to draw up a new version of the nomenclature which takes account of these developments and of changes affecting certain codes.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Statistics Relating to the Trading of Goods with Non-Member Countries,

HAS ADOPTED THIS REGULATION:

Article 1

The version of the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States which shall be valid as from 1 January 2007 is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 2007.

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

Done at Brussels, 13 December 2006.

For the Commission

Joaquín ALMUNIA

Member of the Commission

⁽¹⁾ OJ L 118, 25.5.1995, p. 10. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 126, 19.5.2005, p. 12.

⁽³⁾ OJ L 343, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 215/2006 (OJ L 38, 9.2.2006, p. 11).

ANNEX

**NOMENCLATURE OF COUNTRIES AND TERRITORIES FOR THE EXTERNAL TRADE STATISTICS OF THE
COMMUNITY AND STATISTICS OF TRADE BETWEEN MEMBER STATES**

(Version valid with effect from 1 January 2007)

Code	Text	Description
AD	Andorra	
AE	United Arab Emirates	Abu Dhabi, Ajman, Dubai, Fujairah, Ras al Khaimah, Sharjah and Umm al Qaiwain
AF	Afghanistan	
AG	Antigua and Barbuda	
AI	Anguilla	
AL	Albania	
AM	Armenia	
AN	Netherlands Antilles	Bonaire, Curaçao, Saba, St Eustatius and southern part of St Martin
AO	Angola	Including Cabinda
AQ	Antarctica	Territory south of 60° south latitude; not including the French Southern Territories (TF), Bouvet Island (BV), South Georgia and South Sandwich Islands (GS)
AR	Argentina	
AS	American Samoa	
AT	Austria	
AU	Australia	
AW	Aruba	
AZ	Azerbaijan	
BA	Bosnia and Herzegovina	
BB	Barbados	
BD	Bangladesh	
BE	Belgium	
BF	Burkina Faso	
BG	Bulgaria	
BH	Bahrain	
BI	Burundi	
BJ	Benin	

Code	Text	Description
BM	Bermuda	
BN	Brunei Darussalam	Often referred to as Brunei
BO	Bolivia	
BR	Brazil	
BS	Bahamas	
BT	Bhutan	
BV	Bouvet Island	
BW	Botswana	
BY	Belarus	Often referred to as Belorussia
BZ	Belize	
CA	Canada	
CC	Cocos Islands (or Keeling Islands)	
CD	Congo, Democratic Republic of	Formerly Zaire
CF	Central African Republic	
CG	Congo	
CH	Switzerland	Including the German territory of Büsingen and the Italian municipality of Campione d'Italia
CI	Côte d'Ivoire	Often referred to as Ivory Coast
CK	Cook Islands	
CL	Chile	
CM	Cameroon	
CN	China	
CO	Colombia	
CR	Costa Rica	
CU	Cuba	
CV	Cape Verde	
CX	Christmas Island	
CY	Cyprus	
CZ	Czech Republic	
DE	Germany	Including the island of Heligoland; excluding the territory of Büsingen

Code	Text	Description
DJ	Djibouti	
DK	Denmark	
DM	Dominica	
DO	Dominican Republic	
DZ	Algeria	
EC	Ecuador	Including the Galápagos Islands
EE	Estonia	
EG	Egypt	
ER	Eritrea	
ES	Spain	Including the Balearic Islands and the Canary Islands; excluding Ceuta and Melilla
ET	Ethiopia	
FI	Finland	Including the Åland Islands
FJ	Fiji	
FK	Falkland Islands	
FM	Micronesia, Federated States of	Chuuk, Kosrae, Pohnpei and Yap
FO	Faroe Islands	
FR	France	Including Monaco and the French overseas departments (French Guiana, Guadeloupe, Martinique and Réunion)
GA	Gabon	
GB	United Kingdom	Great Britain, Northern Ireland, Channel Islands and Isle of Man
GD	Grenada	Including Southern Grenadines
GE	Georgia	
GH	Ghana	
GI	Gibraltar	
GL	Greenland	
GM	Gambia	
GN	Guinea	
GQ	Equatorial Guinea	
GR	Greece	

Code	Text	Description
GS	South Georgia and South Sandwich Islands	
GT	Guatemala	
GU	Guam	
GW	Guinea-Bissau	
GY	Guyana	
HK	Hong Kong	Hong Kong Special Administrative Region of the People's Republic of China
HM	Heard Island and McDonald Islands	
HN	Honduras	Including Swan Islands
HR	Croatia	
HT	Haiti	
HU	Hungary	
ID	Indonesia	
IE	Ireland	
IL	Israel	
IN	India	
IO	British Indian Ocean Territory	Chagos archipelago
IQ	Iraq	
IR	Iran, Islamic Republic of	
IS	Iceland	
IT	Italy	Including Livigno; excluding the municipality of Campione d'Italia
JM	Jamaica	
JO	Jordan	
JP	Japan	
KE	Kenya	
KG	Kyrgyz, Republic	
KH	Cambodia	
KI	Kiribati	
KM	Comoros	Anjouan, Grande Comore and Mohéli

Code	Text	Description
KN	St Kitts and Nevis	
KP	Korea, Democratic People's Republic of	Often referred to as North Korea
KR	Korea, Republic of	Often referred to as South Korea
KW	Kuwait	
KY	Cayman Islands	
KZ	Kazakhstan	
LA	Lao People's Democratic Republic	Often referred to as Laos
LB	Lebanon	
LC	St Lucia	
LI	Liechtenstein	
LK	Sri Lanka	
LR	Liberia	
LS	Lesotho	
LT	Lithuania	
LU	Luxembourg	
LV	Latvia	
LY	Libyan Arab Jamahiriya	Often referred to as Libya
MA	Morocco	
MD	Moldova, Republic of	
ME	Montenegro	
MG	Madagascar	
MH	Marshall Islands	
MK ⁽¹⁾	Former Yugoslav Republic of Macedonia	
ML	Mali	
MM	Myanmar	Often referred to as Burma
MN	Mongolia	
MO	Macao	Special Administrative Region of the People's Republic of China
MP	Northern Mariana Islands	

Code	Text	Description
MR	Mauritania	
MS	Montserrat	
MT	Malta	Including Gozo and Comino
MU	Mauritius	Mauritius, Rodrigues Island, Agalega Islands and Cargados Carajos Shoals (St Brandon Islands)
MV	Maldives	
MW	Malawi	
MX	Mexico	
MY	Malaysia	Peninsular Malaysia and Eastern Malaysia (Labuan, Sabah and Sarawak)
MZ	Mozambique	
NA	Namibia	
NC	New Caledonia	Including Loyalty Islands (Lifou, Maré and Ouvéa)
NE	Niger	
NF	Norfolk Island	
NG	Nigeria	
NI	Nicaragua	Including Corn Islands
NL	Netherlands	
NO	Norway	Including Svalbard Archipelago and Jan Mayen Island
NP	Nepal	
NR	Nauru	
NU	Niue	
NZ	New Zealand	Excluding Ross Dependency (Antarctica)
OM	Oman	
PA	Panama	Including former Canal Zone
PE	Peru	
PF	French Polynesia	Marquesas Islands, Society Islands (including Tahiti), Tuamotu Islands, Gambier Islands and Austral Islands. Also Clipperton Island
PG	Papua New Guinea	Eastern part of New Guinea; Bismarck Archipelago (including New Britain, New Ireland, Lavongai (New Hanover) and Admiralty Islands); Northern Solomon Islands (Bougainville and Buka); Trobriand Islands, Woodlark Island; d'Entrecasteaux Islands and Louisiade Archipelago.
PH	Philippines	
PK	Pakistan	

Code	Text	Description
PL	Poland	
PM	St Pierre and Miquelon	
PN	Pitcairn	Including the Ducie, Henderson and Oeno Islands
PS	Occupied Palestinian Territory	West Bank (including East Jerusalem) and Gaza Strip
PT	Portugal	Including Azores and Madeira
PW	Palau	
PY	Paraguay	
QA	Qatar	
RO	Romania	
RU	Russian Federation	Often referred to as Russia
RW	Rwanda	
SA	Saudi Arabia	
SB	Solomon Islands	
SC	Seychelles	Mahé Island, Praslin Island, La Digue, Frégate and Silhouette; Amirante Islands (including Desroches, Alphonse, Platte and Coëtivy); Farquhar Islands (including Providence); Aldabra Islands and Cosmoledo Islands.
SD	Sudan	
SE	Sweden	
SG	Singapore	
SH	Saint Helena	Including Ascension Island and Tristan da Cunha Islands
SI	Slovenia	
SK	Slovakia	
SL	Sierra Leone	
SM	San Marino	
SN	Senegal	
SO	Somalia	
SR	Suriname	
ST	Sao Tome and Principe	
SV	El Salvador	
SY	Syrian Arab Republic	Often referred to as Syria
SZ	Swaziland	

Code	Text	Description
TC	Turks and Caicos Islands	
TD	Chad	
TF	French Southern Territories	Including Kerguelén Islands, Amsterdam Island, Saint-Paul Island, Crozet Archipelago
TG	Togo	
TH	Thailand	
TJ	Tajikistan	
TK	Tokelau	
TL	Timor-Leste	
TM	Turkmenistan	
TN	Tunisia	
TO	Tonga	
TR	Turkey	
TT	Trinidad and Tobago	
TV	Tuvalu	
TW	Taiwan	Separate customs territory of Taiwan, Penghu, Kinmen and Matsu
TZ	Tanzania, United Republic of	Pemba, Zanzibar Island and Tanganyika
UA	Ukraine	
UG	Uganda	
UM	United States Minor Outlying Islands	Including Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll and Wake Island
US	United States	Including Puerto Rico
UY	Uruguay	
UZ	Uzbekistan	
VA	Holy See (Vatican City State)	
VC	St Vincent and the Grenadines	
VE	Venezuela	
VG	Virgin Islands, British	
VI	Virgin Islands, United States	
VN	Vietnam	
VU	Vanuatu	

Code	Text	Description
WF	Wallis and Futuna	Including Alofi Island
WS	Samoa	Formerly known as Western Samoa
XC	Ceuta	
XK	Kosovo	As defined by United Nations Security Council Resolution 1244 of 10 June 1999
XL	Melilla	Including Peñón de Vélez de la Gomera, Peñón de Alhucemas and Chafarinas Islands
XS	Serbia	
YE	Yemen	Formerly North Yemen and South Yemen
YT	Mayotte	Grande-Terre and Pamandzi
ZA	South Africa	
ZM	Zambia	
ZW	Zimbabwe	

MISCELLANEOUS

EU	European Community	Code reserved, in trade with non-member countries, for the declaration of the origin of goods according to the conditions laid down in the relevant Community provisions. Code not to be used for statistical purposes.
QQ or QR QS	Stores and provisions Stores and provisions within the framework of intra-Community trade Stores and provisions within the framework of trade with third countries	Optional heading Optional heading Optional heading
QU or QV QW	Countries and territories not specified Countries and territories not specified in the framework of intra-Community trade Countries and territories not specified within the framework of trade with third countries	Optional heading Optional heading Optional heading
QX or QY QZ	Countries and territories not specified for commercial or military reasons Countries and territories not specified for commercial or military reasons in the framework of intra-Community trade Countries and territories not specified for commercial or military reasons in the framework of trade with third countries	Optional heading Optional heading Optional heading

(¹) Provisional Code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.

COMMISSION REGULATION (EC) No 1834/2006**of 12 December 2006****establishing a prohibition of fishing for hake in ICES zone VIII c, IX, X, CECAF 34.1.1 (EC waters)
by vessels flying the flag of Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 12 December 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

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

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1642/2006 (OJ L 308, 8.11.2006, p. 5).

ANNEX

No	54
Member State	Portugal
Stock	HKE/8C3411
Species	Hake (<i>Merluccius merluccius</i>)
Zone	VIII c, IX, X, CECAF 34.1.1 (EC waters)
Date	11 November 2006

COMMISSION REGULATION (EC) No 1835/2006**of 12 December 2006****establishing a prohibition of fishing for anglerfish in ICES zone VIII c, IX, X, CECAF 34.1.1
(EC waters) by vessels flying the flag of Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 12 December 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

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

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1642/2006 (OJ L 308, 8.11.2006, p. 5).

ANNEX

No	55
Member State	Portugal
Stock	ANF/8C3411
Species	Anglerfish (<i>Lophiidae</i>)
Zone	VIII c, IX, X, CECAF 34.1.1 (EC waters)
Date	11 November 2006

COMMISSION REGULATION (EC) No 1836/2006**of 12 December 2006****establishing a prohibition of fishing for hake in ICES zone II a (EC waters), IV (EC waters) by vessels flying the flag of Belgium**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

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

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 12 December 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

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

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1642/2006 (OJ L 308, 8.11.2006, p. 5).

ANNEX

No	58
Member State	Belgium
Stock	HKE/2AC4-C
Species	Hake (<i>Merluccius merluccius</i>)
Zone	II a (EC waters), IV (EC waters)
Date	18 November 2006

COMMISSION REGULATION (EC) No 1837/2006**of 13 December 2006****reopening the fishery for herring in ICES zone IVc, VIIId by vessels flying the flag of France**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required⁽³⁾, lays down quotas for 2006.
- (2) On 28 February 2006 France notified the Commission, pursuant to Article 21(2) of Regulation (EEC) No 2847/93, that it would close the fishery for herring in the waters of ICES zone IVc, VIIId for vessels flying its flag, with effect from 1 March 2006.
- (3) On 26 April 2006 the Commission, pursuant to Article 21(3) of Regulation (EEC) No 2847/93 and Article 26(4) of Regulation (EC) No 2371/2002, adopted Regulation (EC) No 636/2006 prohibiting fishing for herring in the

waters of ICES zone IVc, VIIId by vessels flying the flag of France⁽⁴⁾ or registered in France, with effect from the same date.

- (4) According to the information received by the Commission from the French authorities, a quantity of herring is still available in the French quota for ICES zone IVc, VIIId. Consequently, fishing for herring in these waters by vessels flying the flag of France or registered in France should be authorised.
- (5) This authorisation should take effect on 19 October 2006, in order to allow the quantity of herring in question to be finished before the end of the current year.
- (6) Commission Regulation (EC) No 636/2006 should consequently be repealed with effect from 19 October 2006,

HAS ADOPTED THIS REGULATION:

*Article 1***Repeal**

Regulation (EC) No 636/2006 is hereby repealed.

*Article 2***Entry into force**

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

It shall apply from 19 October 2006.

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

Done at Brussels, 13 December 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

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

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1642/2006 (OJ L 308, 8.11.2006, p. 5).

⁽⁴⁾ OJ L 112, 26.4.2006, p. 10.

ANNEX

No	59
Member State	France
Stock	HER/4CXB7D — Reopen
Species	Herring (<i>Clupea harengus</i>)
Zone	IVc, VIId
Date	19 October 2006

COMMISSION REGULATION (EC) No 1838/2006**of 13 December 2006****setting the export refunds for nuts (shelled almonds, hazelnuts in shell, shelled hazelnuts and walnuts in shell) using system A1**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

prices that are most favourable from the point of view of exportation.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ sets detailed rules covering export refunds on fruit and vegetables.

(2) Under Article 35(1) of Regulation (EC) No 2200/96 refunds can be granted on products exported by the Community, to the extent necessary to enable economically significant quantities to be exported and within the limits ensuing from agreements concluded in line with Article 300 of the Treaty.

(3) In line with Article 35(2) of Regulation (EC) No 2200/96 care should be taken to ensure that trade flows already engendered by the granting of refunds are not disturbed. For that reason and given the seasonal nature of fruit and vegetable exports quantities should be set product by product using the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. In setting quantities account must be taken of perishability.

(4) Article 35(4) of Regulation (EC) No 2200/96 stipulates that when refunds are set account is to be taken of the existing situation and outlook for prices and availability of fruit and vegetables on the Community market and for international trade prices, of marketing and transport costs and of the economic aspects of the exportation envisaged.

(5) Article 35(5) of Regulation (EC) No 2200/96 requires Community market prices to be determined using the

(6) The international trade situation or specific requirements of certain markets may necessitate differentiation of the refund on a given product by destination.

(7) Economically significant exports can at present be made of shelled almonds, hazelnuts and walnuts in shell.

(8) Since nuts have a relatively long storage life export refunds can be set at longer intervals.

(9) In order to permit the best possible use of available resources the export refunds should, given the structure of exportation from the Community, be set using system A1.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refund rates for nuts, the period for lodging licence applications and the quantities permitted are stipulated in the Annex hereto.

2. Licences for food aid purposes issued as indicated in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not be counted against the quantities indicated in the Annex hereto.

3. Without prejudice to Article 5(6) of Regulation (EC) No 1961/2001, the type A1 licences shall be valid for three months.

Article 2

This Regulation shall enter into force on 3 January 2007.

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

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

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

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

Done at Brussels, 13 December 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX

to the Commission Regulation of 13 December 2006 setting the export refunds for nuts (system A1)

Period for lodging licence applications: from 3 January to 23 June 2007.

Produce code ⁽¹⁾	Destination ⁽²⁾	Rate of refund (EUR/t net)	Permitted quantities (t)
0802 12 90 9000	A00	45	1 400
0802 21 00 9000	A00	53	60
0802 22 00 9000	A00	103	2 500
0802 31 00 9000	A00	66	40

⁽¹⁾ The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

⁽²⁾ The series A destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numerical destination codes are defined in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 December 2006

adjusting the weightings applicable from 1 February, 1 March, 1 April, 1 May and 1 June 2006 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries

(2006/922/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EC, Euratom) No 2104/2005 ⁽²⁾, and in particular the second paragraph of Article 13 of Annex X thereto,

Whereas:

- (1) Pursuant to the first paragraph of Article 13 of Annex X to the Staff Regulations, the weightings to be applied from 1 July 2005 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries payable in the currency of their country of employment were laid down by Council Regulation (EC, Euratom) No 351/2006 ⁽³⁾.
- (2) Some of these weightings need to be adjusted in accordance with the second paragraph of Article 13 of Annex X to the Staff Regulations, with effect from 1 February, 1 March, 1 April, 1 May and 1 June 2006, since the statistics available to the Commission show that

in certain third countries the variation in the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings were last laid down or adjusted,

HAS DECIDED AS FOLLOWS:

Sole Article

With effect from 1 February, 1 March, 1 April, 1 May and 1 June 2006 the weightings applied to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries, payable in the currency of the country of employment, shall be those set out in the Annex hereto.

The exchange rates used for the calculation of this remuneration shall be established in accordance with the rules for the implementation of the Financial Regulation and correspond to the dates referred to in the first paragraph.

Done at Brussels, 12 December 2006.

For the Commission

Benita FERRERO-WALDNER

Member of the Commission

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

⁽²⁾ OJ L 337, 22.12.2005, p. 7.

⁽³⁾ OJ L 59, 1.3.2006, p. 1.

ANNEX

Place of employment	Weighting February 2006
Angola	120,0
Bangladesh	46,6
Bosnia and Herzegovina	78,6
Cape Verde	78,6
Cuba	99,3
Guinea	61,2
Hong Kong	94,8
Israel	102,2
Kenya	83,9
Lebanon	94,4
Madagascar	74,5
New Caledonia	129,1
Nicaragua	64,7
Niger	91,5
Philippines	61,3
Russia	118,3
Syria	62,9
Uganda	62,1
Venezuela	63,4
Zimbabwe	36,2

Place of employment	Weighting March 2006
Botswana	69,9
Cameroon	108,0
Dominican Republic	74,6
El Salvador	87,7
Laos	74,0
Malawi	76,1
Tanzania	62,5
Zimbabwe	44,4

Place of employment	Weighting April 2006
Egypt	55,1
Guinea	64,4
Haiti	105,5
Hong Kong	101,9
Mali	93,8
Saudi Arabia	94,1
Zimbabwe	48,7

Place of employment	Weighting May 2006
Benin	92,1
Democratic Republic of Congo	131,6
Jordan	73,2
Mozambique	67,0
Pakistan	53,8
Zambia	79,9

Place of employment	Weighting June 2006
Argentina	55,6
Botswana	65,6
Central African Republic	123,6
Chile	78,9
Ethiopia	85,1
Israel	105,5
Nepal	70,8
Peru	76,5
Tanzania	58,7
Thailand	59,6
Uganda	56,1
Yemen	70,6

COMMISSION DECISION

of 13 December 2006

on a Community financial contribution for 2006 and 2007 to cover expenditure incurred by Portugal for the purpose of combating *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle *et al.* (pinewood nematode)

(notified under document number C(2006) 6433)

(Only the Portuguese text is authentic)

(2006/923/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular Article 23(6) thereof,

Whereas:

- (1) Pursuant to Directive 2000/29/EC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them.
- (2) By Commission Decisions 2001/811/EC ⁽²⁾, 2002/889/EC ⁽³⁾, 2003/787/EC ⁽⁴⁾ and 2004/772/EC ⁽⁵⁾, a financial contribution from the Community was already granted to Portugal for measures aiming at the control of *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle *et al.* (pinewood nematode), hereinafter 'PWN', in the years 1999-2003, that is for the maximum duration possible. Starting from 2003 a 'mid-term eradication plan' was implemented by Portugal to control the spread of PWN with the aim of eradicating it.
- (3) However, Article 23(6) of Directive 2000/29/EC provides for the possibility to implement further action, if this is necessary to combat PWN.
- (4) In April 2006, Portugal presented to the Standing Committee on Plant Health (hereinafter referred to as the Committee) an overview of the results of the

survey and the control campaign conducted between 1 November 2005 and 1 April 2006 in the demarcated area for PWN in Portugal. The results showed that, despite the measures taken in the previous years, the area where PWN is present has enlarged considerably.

- (5) The Commission and the Committee concluded that the mid-term eradication plan has to be revised by Portugal and that urgent action was required, including an intensified survey campaign and a redefinition of the demarcated area.
- (6) In May 2006, Portugal presented to the Committee an action plan with measures to be envisaged for combating a further spread of PWN. ⁽⁶⁾ These measures included an updated delimitation of the demarcated area, eradication of all declining trees in that area, continued monitoring and the creation of a barrier free from all host trees of the pinewood nematode vector, that is a 'clear cut belt', which should stop the spread of PWN to other Member States, safeguarding them from devastating losses for pine forests and possible trade restrictions from third countries. It defines in particular the parts of the territory where the clear cut belt will be situated. A final version of this action plan was approved by the Committee in July 2006.
- (7) In July 2006, Portugal introduced a programme for further actions for PWN and a budget estimation referring to this programme in order to receive a financial contribution from the Community. The different parts of the Portuguese territory where the actions have to take place, which determine the geographical area benefiting from a financial contribution from the Community, are defined in the above mentioned action plan.
- (8) The programme provided for by Portugal has enabled the Commission to analyse the situation accurately and comprehensively and to conclude that the conditions for the granting of a Community financial contribution, as laid down in Article 23(6) of the Directive have been met. That Community financial contribution should be

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2006/35/EC (OJ L 88, 25.3.2006, p. 9).

⁽²⁾ OJ L 306, 23.11.2001, p. 25.

⁽³⁾ OJ L 311, 14.11.2002, p. 16.

⁽⁴⁾ OJ L 293, 11.11.2003, p. 13.

⁽⁵⁾ OJ L 341, 17.11.2004, p. 27.

⁽⁶⁾ These measures have been laid down in the Portuguese Decree No 103/2006 of 6 February 2006, as amended by Decree No 815/2006 of 16 August 2006.

granted for expenditure under that programme that improves the phytosanitary protection of the rest of the Community against a further spread of PWN from the demarcated area. That contribution should, consequently, be granted for all actions directly linked to the creation of a clear cut belt as an area free from PWN vector hosts.

- (9) The Community financial contribution may, in general, cover no more than 50 % of eligible expenditure. However, where such further action, is essentially designed to protect Community territories other than that of the Member State concerned, that contribution may be larger. Given the great relevance of PWN for coniferous plants and wood, the rapidity with which the disease spreads, the proximity of another Member State to the infested zone and the possible impact on European forestry and international wood trade, that condition is fulfilled with respect to the measures relating to the creation of a clear cut belt, as provided for in the Portuguese action plan. Therefore, it is appropriate to allocate a Community financial contribution of 75 %.
- (10) In accordance with Article 3(2)(a) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, plant-health measures are to be financed from the European Agricultural Guarantee Fund. For the purpose of financial control of these measures Articles 9, 36 and 37 of Regulation 1290/2005 shall apply.
- (11) The actions linked to the creation of a clear-cut belt as an area free from PWN vector hosts should be in compliance with the applicable Community environmental legislation.
- (12) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Principle

The allocation of a Community financial contribution for 2006 and 2007 to cover expenditure incurred by Portugal relating to further action, as specified in Article 23(6) of Directive 2000/29/EC, and taken for the purpose of combating *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle *et al.* (pinewood nematode), which is laid down in Annex I, and taken in the framework of the action plan proposed by Portugal, is hereby approved.

⁽¹⁾ OJ L 209, 11.8.2005, p. 1. Regulation as amended by Regulation (EC) No 320/2006 (OJ L 58, 28.2.2006, p. 42).

Article 2

Amount of Community financial contribution and eligible actions

The total maximum Community financial contribution referred to in Article 1 is EUR 8 417 848,95.

The eligible expenditure and the maximum Community financial contributions shall be set out in Annex I.

Article 3

Advance payment

An advance of EUR 2 000 000 shall be paid within 30 days from the date of adoption of this Decision.

Article 4

Payment of the balance of the Community financial contribution

The balance of the Community financial contributions as set out in Annex I shall be paid on the following conditions:

- (a) it can be concluded from technical progress reports to be provided by Portugal to the Commission on 15 January and 15 April 2007 and from inspection missions carried out by the Food and Veterinary Office of the Commission that the measures referred to in Annex I have been implemented by Portugal by 31 March 2007 at the latest, in an appropriate way to meet the objectives referred to in Article 1; and
- (b) an official request for payment has been submitted by Portugal to the Commission by 31 August 2007 at the latest, accompanied by a financial report and a final technical report as provided for in Article 5.

Article 5

Supporting documents

Evidence of the measures taken and the expenditure incurred shall be submitted by Portugal through:

- (a) a final technical report showing the implementation of all actions referred to in Annex I and their respective date of completion;
- (b) a financial report, presented in the format laid down in Annex II, showing the expenditure relating to the various measures for which a Community financial contribution is requested together with appropriate documentation, such as invoices or receipts.

*Article 6***Absence of overcompensation**

The expenditure incurred by Portugal for the measures laid down in Annex I shall not result in any overcompensation of the owners of the trees. The compensation shall be based on the value of the wood the owner would have been able to obtain immediately before the beginning of the actions in the clear cut belt.

*Article 7***Reduction in Community financial contribution**

1. If there is evidence that the measures laid down in Annex I have not been completed in an appropriate way by 31 March 2007 at the latest, the rate of Community financial contribution relating to the part of the eligible expenditure concerned by this late execution shall be reduced to a level specified in the following table:

Number of days of delay starting from 1 April 2007	Rate of Community financial contribution
1-15	60 %
16-30	50 %
31-60	25 %
61 or more	0 %

2. Without prejudice to paragraph 1, failure to submit the request for payment and the accompanying reports provided for in Article 4(b) by 31 August 2007 at the latest, shall result in a 25 % reduction in the Community financial contribution per calendar month of delay.

*Article 8***Compliance with other Community policies**

Portugal shall ensure that the further action referred to in Article 1 is implemented in compliance with the applicable Community environmental legislation.

*Article 9***Addressee**

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 13 December 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

Community financial contribution for 2006 and 2007 for the different actions of the programme presented by Portugal to control *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle *et al.* (pinewood nematode)

(in EUR)

Location	Measure	Eligible expenditure	Maximum Community financial contributions (at a co-financing rate of 75 %)
Clear cut belt ⁽¹⁾	Survey activities for PWN in belt area	156 000	117 000
	Cutting and transport of all PWN vector host trees	4 666 666	3 499 999,5
	Stripping of all PWN vector host trees	300 000	225 000
	Disposal of tree strippings	700 000	525 000
	Compensation for the value of the wood ⁽²⁾	4 666 666	3 499 999,5
	Re-design of clear cut belt dedicated information system	200 000	150 000
Subtotal		10 689 332	8 016 999
Subtotal	Coordination activities ⁽³⁾	534 466,6	400 849,95
Grand total		11 223 798,60	8 417 848,95
Total maximum Community financial contribution		8 417 848,95	

⁽¹⁾ 3 km wide zone on the outer borderline of the demarcated area as defined in Commission Decision 2006/133/EC (OJ L 52, 23.2.2006, p. 34).

⁽²⁾ Compensation to the land owner for the value of his wood because the cut trees are healthy trees and become the property of the companies cutting them.

⁽³⁾ Flat rate (5 %) for coordination activities.

ANNEX II

FINANCIAL COST STATEMENT
PINEWOOD NEMATODE CONTROL PROGRAMME PORTUGAL 2006-2007

DEMARCATED ZONE — CLEAR CUT BELT

Measure 1: Survey activities in the belt area

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	

Measure 2: Cutting and transport of trees

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	

Measure 3: Stripping of the trees

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	

Measure 4: Disposal of tree strippings

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	

Measure 5: Compensation for the value of the wood

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	

Measure 6: Re-design of information system

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Subtotal:	X,XX	X,XX					X,XX	
Total:	X,XX	X,XX					X,XX	

Measure 7: Coordination activities

Actually incurred and paid costs

Short description of expenditure	Eligible expenditure VAT excl.	Community contribution	Supporting document references number	Unit	Unit price	Quantity	Amount VAT excl.	Remarks
Grand total:	X,XX	X,XX					X,XX	

COMMISSION DECISION

of 13 December 2006

amending Decision 2005/176/EC laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC

(notified under document number C(2006) 6437)

(Text with EEA relevance)

(2006/924/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 56 thereof,

Having regard to Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

(1) Commission Decision 2005/176/EC lays down the codified form and the codes for the notification of animal diseases pursuant to Directive 82/894/EEC ⁽²⁾.

(2) In view of the Accession of Bulgaria and Romania, it is appropriate to adapt Decision 2005/176/EC.

(3) Decision No 1/2001 of the EC-Faeroe Islands Joint Committee of 31 January 2001 laying down the provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part ⁽³⁾, states that the Faeroe Islands are to take part in the Animal Disease Notification System (ADNS system).

(4) The Faeroe Islands have submitted to the Commission a list of the regions they will use in the ADNS system. Those regions should therefore be added to Decision 2005/176/EC.

(5) Spain has adjusted the names and boundaries of its veterinary regions. The adjustment of the regions in Spain affects the ADNS system set out in Decision 2005/176/EC. The new regions should therefore replace the current ones in the ADNS system.

(6) The World Organisation for Animal Health (OIE) in May 2005 at its General Assembly adopted a revised Chapter for avian influenza, making it compulsory from 1 January 2006 to notify both highly pathogenic avian influenza and low pathogenic avian influenza to the OIE. To enable the notification to the ADNS system of outbreaks of highly pathogenic avian influenza to be distinguished from notifications of outbreaks of low pathogenic avian influenza, different disease codes should be given for those diseases.

(7) Furthermore, to enable the notification of outbreaks of avian influenza in wild birds to be distinguished from those in domestic poultry, different codes should be given for these separate events.

(8) Decision 2005/176/EC should therefore be amended accordingly.

(9) In order to protect confidentiality of the transmitted information, the Annexes to this Decision should not be published.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2005/176/EC is amended as follows:

1. Annexes IV, V and X/11 are replaced by the text in Annex I to this Decision.

2. The text in Annex II to this Decision is inserted in Annex X.

⁽¹⁾ OJ L 378, 31.12.1982, p. 58. Directive as last amended by Decision 2004/216/EC (OJ L 67, 5.3.2004, p. 27).

⁽²⁾ OJ L 59, 5.3.2005, p. 40.

⁽³⁾ OJ L 46, 16.2.2001, p. 24. Decision as amended by Decision No 2/2005 (OJ L 8, 13.1.2006, p. 46).

Article 2

This Decision shall apply from 1 January 2007.

The introduction of Bulgaria and Romania into Annexes IV and X to Decision 2005/176/EC shall apply subject to and as from the date of the entry into force of the Treaty of Accession of Bulgaria and Romania.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 December 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION DECISION

of 13 December 2006

amending Decision 92/452/EEC as regards certain embryo collection and production teams in Canada, New Zealand and the United States of America*(notified under document number C(2006) 6441)***(Text with EEA relevance)**

(2006/925/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) Canada has requested to add a new embryo production team to the list as regards entries for that country.
- (3) New Zealand has requested that amendment be made to the name of a centre as regards the entries for that country.
- (4) The United States of America have requested to amend some details concerning certain embryo collection and production teams as regards entries for that country.
- (5) Canada, New Zealand and 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 those countries.

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

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

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 that of its publication in the *Official Journal of the European Union*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 December 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 2006/706/EC (OJ L 291, 21.10.2006, p. 40).

ANNEX

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

(a) the following row for Canada is inserted:

'CA		E1567 (IVF)		IND Lifetech Inc 1629 Fosters Way Delta, British Columbia V3M 6S7	Dr Richard Rémillard'
-----	--	-------------	--	---	-----------------------

(b) the row for New Zealand embryo collection team No NZEB11 is replaced by the following:

'NZ		NZEB11		IVP International (NZ) Ltd PO Box 23026 Hamilton	Dr Rob Courtney Dr William Hancock'
-----	--	--------	--	--	--

(c) the row for the United States of America embryo collection team No 02TX107 E1428 is replaced by the following:

'US		02TX107 E1428		OvaGenix 4700 Elmo Weedon RD #103 College Station, TX 77845	Dr Stacy Smitherman'
-----	--	---------------	--	---	----------------------

(d) the row for the United States of America embryo collection team No 99TX104 E874 is replaced by the following:

'US		99TX104 E874		Ultimate Genetics/Camp Cooley, Rt 3, Box 745 Franklin, TX 77856	Dr Joe Oden Dr Dan Miller'
-----	--	--------------	--	---	-------------------------------

(e) the row for the United States of America embryo collection team No 96TX088 E928 is replaced by the following:

'US		96TX088 E928		Ultimate Genetics/Normangee, 41402 OSR Normangee, TX 77871	Dr Joe Oden Dr Dan Miller'
-----	--	--------------	--	--	-------------------------------

(f) the row for the United States of America embryo collection team No 91TX012 E948 is replaced by the following:

'US		91TX012 E948		Veterinary Reproductive Services 8225 FM 471 South Castroville, TX 78009	Dr Sam Castleberry'
-----	--	--------------	--	--	---------------------

COMMISSION DECISION**of 13 December 2006****amending Decision 2001/881/EC as regards the list of border inspection posts in view of the accession of Bulgaria and Romania***(notified under document number C(2006) 6454)***(Text with EEA relevance)****(2006/926/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 56 thereof,

Whereas:

- (1) Commission Decision 2001/881/EC of 7 December 2001 drawing up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission ⁽¹⁾ sets out a list of border inspection posts for veterinary checks on live animals and animal products introduced into the Community from third countries in the Annex to that Decision ('the list of border inspection posts').
- (2) The accession of Bulgaria and Romania on 1 January 2007 will result in significant movements and changes in the Community's borders with neighbouring third countries.
- (3) Following the accession of those two countries, Hungary will cease to be the south eastern land border of the Community and the existing land border inspection post and live animal crossing point at Nagylak on the Hungarian-Romanian border will lose its function. Accordingly, it should be deleted from the list of border inspection posts. This deletion has been enacted in the package of legal technical adaptations necessary as a result of enlargement.
- (4) In addition, the Greek border with Bulgaria will also cease to be a frontier with a third country, and the existing land border inspection posts on that frontier at Ormenion and Promochonas will lose their function. Accordingly, they should be deleted from the list of

border inspection posts. This deletion has also been enacted in the package of legal technical adaptations necessary as a result of enlargement.

- (5) All the proposed new locations in Bulgaria and Romania, put forward as border inspection posts with third countries, have been inspected by the Food and Veterinary Office of the Commission who have recommended that those completed satisfactorily should be approved by the Commission. Therefore, those locations should be included in the list of border inspection posts.
- (6) Decision 2001/881/EC should therefore be amended accordingly.
- (7) 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 2001/881/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply subject to and from the date of entry into force of the Treaty of Accession of Bulgaria and Romania.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 December 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 326, 11.12.2001, p. 44. Decision as last amended by Decision 2006/414/EC (OJ L 164, 16.6.2006, p. 27).

ANNEX

The Annex to Decision 2001/881/EC is amended as follows:

1. The following entry is inserted for Bulgaria, between the entry for Belgium and the Czech Republic:

'Country: Bulgaria

1	2	3	4	5	6
Bregovo	BG 00199	R		HC (2), NHC	
Burgas	BG 00299	P		HC, NHC	
Gjushevo	BG 00399	R		HC (2), NHC	
Kalotina	BG 00499	R		HC (2), NHC	U, E, O
Kapitan Andreevo	BG 00599	R		HC, NHC	U, E, O
Sofia	BG 00699	A		HC (2), NHC (2)	E, O
Varna	BG 00799	P		HC, NHC	
Zlatarevo	BG 00899	R		HC (2), NHC'	

2. The following entry is inserted for Romania, between the entry for Portugal and Slovenia:

'Country: Romania

1	2	3	4	5	6
Albita	RO 40199	R	IC 1	HC (2)	
			IC 2	NHC-T(CH), NHC-NT	
			IC 3		U, E, O
Bucharest Otopeni	RO 10199	A	IC 1	HC-NT (2), HC-T(CH) (2), NHC-NT (2)	
			IC 2		E, O
Constanta North	RO 15199	P		HC (2), NHC-NT (2), NHC-T(CH) (2)	
Constanta South-Agigea	RO 15299	P		HC (2), NHC-T(CH) (2), NHC-NT (2)	
Halmeu	RO 33199	R	IC 1	HC (2), NHC (2)	
			IC 2		U, E, O
Sculeni Lasi	RO 25199	R		HC (2), NHC (2)	
Siret	RO 36199	R		HC (2), NHC (2)	
Stamora Moravita	RO 38199	R	IC 1	HC (2), NHC (2)	
			IC 2		U, E, O'

COMMISSION DECISION

of 13 December 2006

recognising in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of flubendiamide in Annex I to Council Directive 91/414/EEC

*(notified under document number C(2006) 6457)***(Text with EEA relevance)**

(2006/927/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection on the market ⁽¹⁾, and in particular Article 6(3) thereof,

Whereas:

(1) Directive 91/414/EEC provides for the development of a Community list of active substances authorised for incorporation in plant protection products.

(2) A dossier for the active substance flubendiamide was submitted by Bayer CropScience AG to the authorities of Greece on 30 March 2006 with an application to obtain its inclusion in Annex I to Directive 91/414/EEC.

(3) The authorities of Greece have indicated to the Commission that, on preliminary examination, the dossier for the active substance concerned appears to satisfy the data and information requirements set out in Annex II to Directive 91/414/EEC. The dossier submitted appears also to satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossier was subsequently forwarded by the applicant to the Commission and other Member States, and was referred to the Standing Committee on the Food Chain and Animal Health.

(4) By this Decision it should be formally confirmed at Community level that the dossier is considered as

satisfying in principle the data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, the requirements set out in Annex III to Directive 91/414/EEC.

(5) This Decision should not prejudice the right of the Commission to request the applicant to submit further data or information in order to clarify certain points in the dossier.

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

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Article 6(4) of Directive 91/414/EEC, the dossier concerning the active substance identified in the Annex to this Decision, which was submitted to the Commission and the Member States with a view to obtaining the inclusion of this substance in Annex I to that Directive, satisfies in principle the data and information requirements set out in Annex II to that Directive.

The dossier also satisfies the data and information requirements set out in Annex III to that Directive in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member State shall pursue the detailed examination for the dossier concerned and shall report the conclusions of its examinations accompanied by any recommendations on the inclusion or non-inclusion of the active substance concerned in Annex I of Directive 91/414/EEC and any conditions related thereto to the European Commission as soon as possible and at the latest within a period of one year from the date of publication of this Decision in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Directive 2006/85/EC (OJ L 293, 24.10.2006, p. 3).

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 December 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

ACTIVE SUBSTANCE CONCERNED BY THIS DECISION

No	Common Name, CIPAC Identification Number	Applicant	Date of application	Rapporteur Member State
1	Flubendiamide CIPAC No. not yet allocated	Bayer CropScience AG	30 March 2006	EL

COMMISSION DECISION

of 13 December 2006

establishing a mechanism for cooperation and verification of progress in Romania to address specific benchmarks in the areas of judicial reform and the fight against corruption

(notified under document number C(2006) 6569)

(2006/928/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty on European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Republic of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania, and in particular Articles 37 and 38 thereof,

Having regard to the opinions expressed by the Member States,

Whereas:

(1) The European Union is founded on the rule of law, a principle common to all Member States.

(2) The area of freedom, security and justice and the internal market, created by the Treaty on European Union and the Treaty establishing the European Community, are based on the mutual confidence that the administrative and judicial decisions and practices of all Member States fully respect the rule of law.

(3) This implies for all Member States the existence of an impartial, independent and effective judicial and administrative system properly equipped, *inter alia*, to fight corruption.

(4) On 1 January 2007, Romania will become a Member of the European Union. The Commission, whilst noting the considerable efforts to complete Romania's preparations for membership, has identified remaining issues in its Report of 26 September 2006, in particular in the accountability and efficiency of the judicial system and

law enforcement bodies, where further progress is still necessary to ensure their capacity to implement and apply the measures adopted to establish the internal market and the area of freedom, security and justice.

(5) Article 37 of the Act of Accession empowers the Commission to take appropriate measures in case of imminent risk that Romania would cause a breach in the functioning of the internal market by a failure to implement the commitments it has undertaken. Article 38 of the Act of Accession empowers the Commission to take appropriate measures in case of imminent risk of serious shortcomings in Romania in the transposition, state of implementation, or application of acts adopted under Title VI of the EU Treaty and of acts adopted under Title IV of the EC Treaty.

(6) The remaining issues in the accountability and efficiency of the judicial system and law enforcement bodies warrant the establishment of a mechanism for cooperation and verification of the progress of Romania to address specific benchmarks in the areas of judicial reform and the fight against corruption.

(7) If Romania should fail to address the benchmarks adequately, the Commission may apply safeguard measures based on Articles 37 and 38 of the Act of Accession, including the suspension of Member States' obligation to recognise and execute, under the conditions laid down in Community law, Romanian judgments and judicial decisions, such as European arrest warrants.

(8) This Decision does not preclude the adoption of safeguard measures at any time on the basis of Articles 36 to 38 of the Act of Accession, if the conditions for such measures are fulfilled.

(9) The present Decision should be amended if the Commission's assessment points at a need to adjust the benchmarks. The present Decision should be repealed when all the benchmarks have been satisfactorily fulfilled,

HAS ADOPTED THIS DECISION:

The Commission will report again thereafter as and when required and at least every six months.

Article 1

Romania shall, by 31 March of each year, and for the first time by 31 March 2007, report to the Commission on the progress made in addressing each of the benchmarks provided for in the Annex.

Article 3

This Decision shall enter into force only subject to and on the date of the entry into force of the Treaty of Accession.

Article 4

This Decision is addressed to all Member States.

The Commission may, at any time, provide technical assistance through different activities or gather and exchange information on the benchmarks. In addition, the Commission may, at any time, organise expert missions to Romania for this purpose. The Romanian authorities shall give the necessary support in this context.

Done at Brussels, 13 December 2006.

Article 2

The Commission will communicate to the European Parliament and the Council its own comments and findings on Romania's report for the first time in June 2007.

For the Commission

Olli REHN

Member of the Commission

ANNEX

Benchmarks to be addressed by Romania, referred to in Article 1:

1. Ensure a more transparent, and efficient judicial process notably by enhancing the capacity and accountability of the Superior Council of Magistracy. Report and monitor the impact of the new civil and penal procedures codes.
 2. Establish, as foreseen, an integrity agency with responsibilities for verifying assets, incompatibilities and potential conflicts of interest, and for issuing mandatory decisions on the basis of which dissuasive sanctions can be taken.
 3. Building on progress already made, continue to conduct professional, non-partisan investigations into allegations of high-level corruption.
 4. Take further measures to prevent and fight against corruption, in particular within the local government.
-

COMMISSION DECISION

of 13 December 2006

establishing a mechanism for cooperation and verification of progress in Bulgaria to address specific benchmarks in the areas of judicial reform and the fight against corruption and organised crime

(notified under document number C(2006) 6570)

(2006/929/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty on European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Republic of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania, and in particular Articles 37 and 38 thereof,

Having regard to the opinions expressed by the Member States,

Whereas:

- (1) The European Union is founded on the rule of law, a principle common to all Member States.
- (2) The area of freedom, security and justice and the internal market, created by the Treaty on European Union and the Treaty establishing the European Community, are based on the mutual confidence that the administrative and judicial decisions and practices of all Member States fully respect the rule of law.
- (3) This implies for all Member States the existence of an impartial, independent and effective judicial and administrative system properly equipped, *inter alia*, to fight corruption and organised crime.
- (4) On 1 January 2007, Bulgaria will become a member of the European Union. The Commission, whilst noting the

considerable efforts to complete Bulgaria's preparations for membership, has identified remaining issues in its Report of 26 September 2006, in particular in the accountability and efficiency of the judicial system and law enforcement bodies, where further progress is still necessary to ensure their capacity to implement and apply the measures adopted to establish the internal market and the area of freedom, security and justice.

- (5) Article 37 of the Act of Accession empowers the Commission to take appropriate measures in case of imminent risk that Bulgaria would cause a breach in the functioning of the internal market by a failure to implement the commitments it has undertaken. Article 38 of the Act of Accession empowers the Commission to take appropriate measures in case of imminent risk of serious shortcomings in Bulgaria in the transposition, state of implementation, or application of acts adopted under Title VI of the EU Treaty and of acts adopted under Title IV of the EC Treaty.
- (6) The remaining issues in the accountability and efficiency of the judicial system and law enforcement bodies warrant the establishment of a mechanism for cooperation and verification of the progress of Bulgaria to address specific benchmarks in the areas of judicial reform and the fight against corruption and organised crime.
- (7) If Bulgaria should fail to address the benchmarks adequately, the Commission may apply safeguard measures based on Articles 37 and 38 of the Act of Accession, including the suspension of Member States' obligation to recognise and execute, under the conditions laid down in Community law, Bulgarian judgments and judicial decisions, such as European arrest warrants.
- (8) This Decision does not preclude the adoption of safeguard measures at any time on the basis of Articles 36 to 38 of the Act of Accession, if the conditions for such measures are fulfilled.
- (9) The present Decision should be amended if the Commission's assessment points at a need to adjust the benchmarks. The present Decision should be repealed when all the benchmarks have been satisfactorily fulfilled,

HAS ADOPTED THIS DECISION:

The Commission will report again thereafter as and when required and at least every six months.

Article 1

Bulgaria shall, by 31 March of each year, and for the first time by 31 March 2007, report to the Commission on the progress made in addressing each of the benchmarks provided for in the Annex.

Article 3

This Decision shall enter into force only subject to and on the date of the entry into force of the Treaty of Accession.

The Commission may, at any time, provide technical assistance through different activities or gather and exchange information on the benchmarks. In addition, the Commission may, at any time, organise expert missions to Bulgaria for this purpose. The Bulgarian authorities shall give the necessary support in this context.

Article 4

This Decision is addressed to all Member States.

Done at Brussels, 13 December 2006.

Article 2

The Commission will communicate to the European Parliament and the Council its own comments and findings on Bulgaria's report for the first time in June 2007.

For the Commission

Olli REHN

Member of the Commission

ANNEX

Benchmarks to be addressed by Bulgaria, referred to in Article 1:

1. Adopt constitutional amendments removing any ambiguity regarding the independence and accountability of the judicial system.
 2. Ensure a more transparent and efficient judicial process by adopting and implementing a new judicial system act and the new civil procedure code. Report on the impact of these new laws and of the penal and administrative procedure codes, notably on the pre-trial phase.
 3. Continue the reform of the judiciary in order to enhance professionalism, accountability and efficiency. Evaluate the impact of this reform and publish the results annually.
 4. Conduct and report on professional, non-partisan investigations into allegations of high-level corruption. Report on internal inspections of public institutions and on the publication of assets of high-level officials.
 5. Take further measures to prevent and fight corruption, in particular at the borders and within local government.
 6. Implement a strategy to fight organised crime, focussing on serious crime, money laundering as well as on the systematic confiscation of assets of criminals. Report on new and ongoing investigations, indictments and convictions in these areas.
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