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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 733/2007

of 22 February 2007

concerning the implementation of the Agreement between the European Community and the Government of Canada on the conclusion of GATT Article XXIV:6 Negotiations, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EEC) No 2658/87 ⁽¹⁾ established a goods nomenclature, hereinafter referred to as the 'Combined Nomenclature', and set out the conventional duty rates of the Common Customs Tariff.
- (2) By its Decision 2007/444/EC of 22 February 2007 concerning the conclusion of an Agreement between the European Community and the Government of Canada on the conclusion of GATT Article XXIV:6 Negotiations ⁽²⁾, the Council approved, on behalf of the Community, the Agreement with a view to closing negotiations initiated pursuant to Article XXIV:6 of GATT 1994.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 2658/87, Annex 7 of Section III of Part Three (WTO tariff quotas to be opened by the Competent Community Authorities) shall be amended with the tariff quotas and supplemented with the volumes shown in the Annex to this Regulation.

Article 2

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

It shall apply from 1 August 2007.

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

Done at Brussels, 22 February 2007.

For the Council

The President

F. MÜNTEFERING

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 129/2007 (OJ L 56, 23.2.2007, p. 1).

⁽²⁾ See page 53 of this Official Journal.

ANNEX

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

PART THREE
Tariff Annexes

CN code	Description	Duty rate
0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 ex 0203 19 55 0203 19 59 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 ex 0203 29 55 0203 29 59	Cuts of domestic swine, fresh, chilled or frozen, with or without bone, excluding tenderloin presented separately	A country allocated (Canada) tariff rate quota of 4 624 tonnes in quota rate of 233-434 EUR/tonne
0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 ex 0203 19 55 0203 19 59 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 ex 0203 29 55 0203 29 59	Cuts of domestic swine, fresh, chilled or frozen, with or without bone, excluding tenderloin presented separately	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
ex 0203 19 55 ex 0203 29 55	Boneless loins and hams of domestic swine, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 11 10 0207 11 30 0207 11 90 0207 12 10 0207 12 90	Chicken carcass, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 13 10 0207 13 20 0207 13 30 0207 13 40 0207 13 50 0207 13 60 0207 13 70 0207 14 20 0207 14 30 0207 14 40 0207 14 60	Chicken cuts, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 14 10	Boneless cuts of fowls of the species <i>Gallus domesticus</i> , frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)

CN code	Description	Duty rate
0207 24 10 0207 24 90 0207 25 10 0207 25 90 0207 26 10 0207 26 20 0207 26 30 0207 26 40 0207 26 50 0207 26 60 0207 26 70 0207 26 80 0207 27 30 0207 27 40 0207 27 50 0207 27 60 0207 27 70	Turkey meat, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 27 10 0207 27 20 0207 27 80	Cuts of turkey, frozen Boneless Halves or quarters Other	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0402 10 19	Skimmed milk powder	Implemented through Council Regulation (EC) No 1839/2006 (OJ L 355, 15.12.2006, p. 1)
2204 29 65 2204 29 75	Wine of fresh grapes (other than sparkling wine and quality wine produced in specified regions) of an actual alcoholic strength by volume not exceeding 13 % vol., in containers holding more than 2 litres	Implemented through Council Regulation (EC) No 1839/2006 (OJ L 355, 15.12.2006, p. 1)
2204 21 79 2204 21 80	Wine of fresh grapes (other than sparkling wine and quality wine produced in specified regions) of an actual alcoholic strength by volume not exceeding 13 % vol., in containers holding 2 litres or less	Implemented through Council Regulation (EC) No 1839/2006 (OJ L 355, 15.12.2006, p. 1)
2205 90 10	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances, of an actual alcoholic strength by volume of 18 % vol. or less, in containers holding more than 2 litres	Implemented through Council Regulation (EC) No 1839/2006 (OJ L 355, 15.12.2006, p. 1)
2008 20 11 2008 20 19 2008 20 31 2008 20 39 2008 20 71 2008 30 11 2008 30 19 2008 30 31 2008 30 39 2008 30 79 2008 40 11 2008 40 19 2008 40 21 2008 40 29 2008 40 31 2008 40 39 2008 50 11 2008 50 19 2008 50 31 2008 50 39	Preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)

CN code	Description	Duty rate
2008 50 51 2008 50 59 2008 50 71 2008 60 11 2008 60 19 2008 60 31 2008 60 39 2008 60 60 2008 70 11 2008 70 19 2008 70 31 2008 70 39 2008 70 51 2008 70 59 2008 80 11 2008 80 19 2008 80 31 2008 80 39 2008 80 70		
1003 00	Barley	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
1001 90 99	Soft wheat	Expansion of 853 tonnes of Canada's existing country allocation in the EC tariff rate quota, in quota rate of 12 EUR/tonnes
1005 90 00 1005 10 90	Maize	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
2309 10 13 2309 10 15 2309 10 19 2309 10 33 2309 10 39 2309 10 51 2309 10 53 2309 10 59 2309 10 70	Dog and cat food	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
2309 90 31 2309 90 41 2309 90 51 2309 90 95 2309 90 99	Preparations of a kind used in animal feeding	Open a tariff rate quota 2 700 tonnes (<i>erga omnes</i>) in EC tariff rate quota, in quota rate of 7 %

The exact tariff description of the EC-15 shall apply to all tariff lines and quotas above.

COUNCIL REGULATION (EC) No 734/2007**of 11 June 2007****amending Regulation (EEC) No 1883/78 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 37(2) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) For intervention operations for which a unit amount has not been set by market organisation rules, basic Community financing rules have been set by Regulation (EEC) No 1883/78 ⁽²⁾, in particular as to the method of establishing the amounts to be financed, the financing of expenditure resulting from tying up the funds needed for intervention purchasing, the valuation of stocks to be carried over from one year to another and the financing of expenditure resulting from the physical operations of storage.
- (2) Article 5 of Regulation (EEC) No 1883/78 provides that the interest charges incurred by Member States in mobilising the funds used to purchase public intervention products are to be financed by the Community at a uniform interest rate.
- (3) It may appear that in certain Member States the buying into public intervention of agricultural products can be financed only at interest rates which are substantially higher than the uniform interest rate.
- (4) Where, in such cases, the average interest rate, in the course of the third month following the reference period used for the establishment of the uniform interest rate by the Commission, is more than twice

the uniform interest rate for a given Member State, provision should be made for a correcting mechanism to be applied. This average interest rate should nevertheless be partially borne by the Member State concerned in order to encourage it to seek the least costly financing method.

- (5) Regulation (EEC) No 1883/78 should therefore be amended accordingly.

- (6) This amendment to the rules should be carried out for the financial years 2007 and 2008 and should apply from the beginning of the current accounting year,

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 5 of Regulation (EEC) No 1883/78 is replaced by the following:

'By way of derogation from the first subparagraph, if the average interest rate borne by a Member State in the course of the third month following the reference period used for the establishment of the uniform interest rate by the Commission is more than twice the uniform interest rate, the Commission may, for the financial years 2007 and 2008, in financing the interest costs incurred by that Member State, cover the amount which corresponds to the interest rate borne by this Member State minus the uniform rate of interest.'

Article 2

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

It shall apply to expenditure incurred from 1 October 2006.

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

Done at Luxembourg, 11 June 2007.

For the Council
The President
H. SEEHOFER

⁽¹⁾ Opinion of the European Parliament delivered on 13 March 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 216, 5.8.1978, p. 1. Regulation as last amended by Regulation (EC) No 695/2005 (OJ L 114, 4.5.2005, p. 1).

COUNCIL REGULATION (EC) No 735/2007**of 11 June 2007****amending Regulation (EC) No 1784/2003 on the common organisation of the market in cereals**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 37(2) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) The measures concerning the common organisation of the market in cereals, as adopted under Regulation (EC) No 1784/2003 ⁽²⁾, comprise in the case of the internal market an intervention system, the main aim of which is to stabilise the markets and ensure a fair standard of living for the agricultural community in this sector.
- (2) The application of this system over the last two marketing years, 2004/2005 and 2005/2006 has had the effect of creating very substantial intervention stocks of maize which are proving particularly difficult to dispose of on the Community and international markets notably owing to their location. In addition, maize is a cereal which is not easy to preserve and which, by virtue of the gradual deterioration in its quality, becomes increasingly difficult to market the longer it is stored.
- (3) In the course of 2006, it was established that the intervention system as applied during the periods in question had not enabled the objectives which it pursues to be achieved, particularly as regards the position of maize producers in certain regions of the Community. Indeed, this system has become in those regions an alternative to the direct disposal of products on the market, despite the fact that the price actually received by these producers for the harvested maize has often been lower than the intervention price.
- (4) Under these circumstances, the safety net role which the intervention system was set up to fulfil has been

distorted as far as maize is concerned, thus preventing production from being geared towards the needs of the market.

- (5) The maintenance of the intervention system as it stands entails the risk of increasing the intervention stocks of maize still further without bringing any benefits to the producers concerned.
- (6) It is therefore necessary to adopt appropriate measures to guarantee the proper functioning of the Community market in cereals. To this end, a ceiling on the quantities of maize eligible for intervention fixed at a maximum overall quantity for the Community of 1 500 000 tonnes and 700 000 tonnes for the 2007/2008 marketing year and the 2008/2009 marketing year, respectively, and a reduction of this quantity to 0 tonnes from the 2009/2010 marketing year, would appear to be the most appropriate measure taking into account the facts set out above and the outlets available to producers on the domestic and international market.
- (7) Regulation (EC) No 1784/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph shall be added to Article 5(1) of Regulation (EC) No 1784/2003:

'By way of derogation from the first subparagraph, the quantities of maize bought in by the intervention agencies shall be subject to the following maximum quantity limits:

- 1 500 000 tonnes for the 2007/2008 marketing year,
- 700 000 tonnes for the 2008/2009 marketing year,
- 0 tonnes as from the 2009/2010 marketing year.'

Article 2

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

It shall apply from the 2007/2008 marketing year.

⁽¹⁾ Opinion delivered on 24 May 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

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

Done at Luxembourg, 11 June 2007.

For the Council

The President

H. SEEHOFER

COMMISSION REGULATION (EC) No 736/2007**of 28 June 2007****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 29 June 2007.

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

Done at Brussels, 28 June 2007.

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 28 June 2007 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	MA	33,8
	MK	39,3
	TR	91,9
	ZZ	55,0
0707 00 05	JO	159,1
	TR	111,2
	ZZ	135,2
0709 90 70	IL	42,1
	TR	88,0
	ZZ	65,1
0805 50 10	AR	57,4
	ZA	62,3
	ZZ	59,9
0808 10 80	AR	97,8
	BR	84,6
	CL	79,4
	CN	89,8
	CO	90,0
	NZ	99,0
	US	130,0
	UY	51,0
	ZA	96,9
	ZZ	90,9
0809 10 00	TR	177,4
	ZZ	177,4
0809 20 95	TR	286,0
	US	525,9
	ZZ	406,0
0809 40 05	IL	171,6
	ZZ	171,6

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 737/2007**of 27 June 2007****on laying down the procedure for the renewal of the inclusion of a first group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances****(Text with EEA relevance)**

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 products on the market ⁽¹⁾, and in particular Articles 6(1) and (5) thereof,

Whereas:

- (1) Directive 91/414/EEC provides that on request, the inclusion of a substance can be renewed once or more for a period not exceeding 10 years.
- (2) The Commission has received a request from certain producers requesting a renewal for the seven active substances first included in Annex I of Directive 91/414/EEC.
- (3) A procedure should be provided for by which all interested producers have the right to inform the Commission of their interest in securing the inclusion of an active substance in Annex I to Directive 91/414/EEC
- (4) Producers wishing to secure the renewal of inclusion of active substances covered by this Regulation should be required to notify the relevant rapporteur Member State.
- (5) The names and addresses of the producers whose notification has been found admissible should be published by the Commission in order to ensure that contacts can be made for presenting joint dossiers.
- (6) The relationship between producers, Member States, the European Food Safety Authority, hereinafter the 'Authority', and the Commission and the obligation on each of the parties for the implementation of the procedure should be laid down.

- (7) Technical or scientific information about an active substance, in particular with regard to its potentially dangerous effects or its residues, submitted within the relevant time limits by any other interested parties should be taken into consideration in the evaluations.
- (8) The information submitted should include new data relevant to the active substance and new risk assessments to reflect any changes in data requirements under Annexes II and III to Directive 91/414/EEC, and any changes in scientific or technical knowledge since the active substance was first included in Annex I to Directive 91/414/EEC, as reflected in guidance documents from the Commission's services and relevant opinions from the Scientific Committee on Plants (SCP) or the Authority. The range of uses submitted should reflect the representative use pattern. The producer should demonstrate, on the basis of the data submitted, that for one or more preparations the requirements of Directive 91/414/EEC in relation to the criteria referred to in its Article 5 can be met.
- (9) It should be established that rapporteur Member States should send reports of their evaluations to the Authority and the Commission as quickly as possible.
- (10) The assessment reports prepared by the rapporteur Member States may, where necessary, be the subject of an examination by experts of other Member States within a programme coordinated by the Authority before they are submitted to the Standing Committee on the Food Chain and Animal Health.
- (11) The rules on data protection under Article 13 of Directive 91/414/EEC are intended to provide an incentive to notifiers to assemble the detailed studies required under Annexes II and III to that Directive. However, data protection should not be extended artificially by the production of new studies which are not needed to decide on the renewal of an active substance. To this end, notifiers should be required to identify explicitly which studies are new compared to the original dossier used for the first inclusion of the substance in Annex I to Directive 91/414/EEC.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/31/EC (OJ L 140, 1.6.2007, p. 44).

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation lays down the procedure for the renewal of the inclusion in Annex I to Directive 91/414/EEC of the active substances listed in Annex I to this Regulation.

Article 2

Definition

For the purposes of this Regulation:

- (a) 'producer' means the person who manufactures the active substance on his own or who contracts the manufacturing to another party or a person designated by the manufacturer as his sole representative for the purpose of compliance with this Regulation;
- (b) 'Committee' means the Standing Committee on the Food Chain and Animal Health, referred to in Article 19 of the Directive 91/414/EEC;
- (c) 'Notifier' has the meaning given by Article 4(1) of this Regulation;
- (d) 'Original dossier', in relation to an active substance, means the dossier on the basis of which the active substance was included in Annex I to Directive 91/414/EEC.

Article 3

Designated Member State authority

1. Each Member State shall designate an authority or authorities to carry out the obligations of the Member States as defined in this Regulation.
2. The national authorities listed in Annex II shall coordinate and ensure all necessary contacts with notifiers, other Member States, the Commission and the Authority, in accordance with this Regulation.

Each Member State shall communicate modifications concerning the designated national coordinating authority to the Commission, the Authority and the designated coordinating authority of the other Member States.

Article 4

Notification

1. A producer wishing to renew the inclusion in Annex I to Directive 91/414/EEC of an active substance referred to in

column A of Annex I to this Regulation, or any variants thereof such as salts, esters or amines, shall send a notification, for each active substance separately, to the rapporteur Member State listed in column B of that Annex and to the co-rapporteur Member State listed in column C of that Annex by 6 October 2007 at the latest, using the model in Annex III. Such a producer is referred to hereinafter as 'the notifier'.

A copy of the notification shall be sent to the Commission.

2. A joint notification may be submitted by an association of producers designated by the producers for the purpose of compliance with this Regulation.
3. A producer who has not submitted a notification for the active substance concerned by 6 October 2007 at the latest or whose notification was rejected as inadmissible, shall not participate in the rest of the procedure, except together with another producer who has submitted an admissible notification.

Article 5

Admissibility of notifications and publication data concerning notifiers

1. For each active substance the rapporteur Member State shall examine the notifications referred to in Article 4(1) and, at the latest one month after the date referred to in that paragraph, assess the admissibility of the notifications received, taking into account the criteria referred to in Annex IV. It shall communicate its assessment to the Commission, which shall decide which notifications are admissible, taking account of the rapporteur Member State's assessment.
2. The Commission shall publish, for each active substance, the names and the addresses of the notifiers concerned.

Article 6

Submission of data

1. By 31 August 2008 at the latest, the notifiers concerned shall submit the following to the rapporteur Member State and the co-rapporteur Member State:
 - (a) a copy of the notification and, in the case of a joint notification in accordance with Article 4(2), the name of the person designated by the producers concerned as being responsible for the joint dossier and the processing of the dossier in accordance with this Regulation;
 - (b) any new data compared to the original dossier relevant to the active substance and any new risk assessments to reflect changes in data requirements under Annexes II and III to Directive 91/414/EEC, or any changes in scientific and technical knowledge since the active substance concerned was first included in Annex I to Directive 91/414/EEC;

(c) a checklist demonstrating that the dossier is complete, indicating which data are new.

2. Where the dossier contains studies which are more recent than those found in the original dossier, the notifier must explain for each new study why it is relevant.

3. The range of uses submitted should reflect a representative use pattern. The data submitted by the notifier shall demonstrate that, for one or more preparations, the active substance meets the requirements set out in Article 5(1) of Directive 91/414/EEC.

4. Where for an active substance listed in Annex I there are several notifications, the notifiers concerned shall take all reasonable steps to submit the data collectively. Where the data are not submitted jointly by all notifiers concerned, the notification shall mention the efforts made and the reasons why certain notifiers have not participated. For active substances notified by more than one notifier, those notifiers shall for each study involving vertebrate animals, give detailed explanation on the attempts made to avoid duplication of testing and give, if applicable, the reasons and a justification for conducting a duplicate study.

5. If requested by the Authority or a Member State, the notifier shall make available the original dossier and subsequent updates submitted for the first inclusion in Annex I to Directive 91/414/EEC.

Article 7

Subsequent submission

1. Without prejudice to Article 7 of Directive 91/414/EEC, the rapporteur Member State shall not accept the submission of additional information after 31 August 2008.

2. By way of derogation from paragraph 1, the rapporteur Member State may request additional information setting a time period for its submission ending on 31 March 2009 at the latest. The rapporteur Member State shall inform the Commission and the Authority of any such request it makes.

Information which has not been requested, or which has not been submitted before 31 March 2009, shall not be taken into account.

3. The rapporteur Member State shall inform the Commission and the Authority of cases where it receives information from the notifier, which it is required not to take into account under the provisions of this article.

Article 8

End of participation

1. When a notifier decides to end its participation in the renewal procedure for an active substance, he shall inform the rapporteur Member State, co-rapporteur Member State, the Commission and the other notifiers for the substance concerned, mentioning the reasons.

Where a notifier ends his participation or fails to fulfil his obligations provided for in this Regulation, the procedures provided for in Articles 10 to 14 shall not be continued for his dossier. In particular, where a notifier does not submit, where requested, the dossier referred to in Article 6(5), his participation will be considered to have ended.

2. When a notifier agrees with another producer that the notifier shall be replaced for the purposes of further participation in the renewal procedure, the notifier and the other producer shall inform the rapporteur Member State, co-rapporteur Member State and the Commission by a common declaration, agreeing that the other producer shall replace the notifier in carrying out the duties under this Regulation. They shall inform any other notifiers for the substance concerned at the same time. In such a case, the other producer may be liable for any fees remaining payable under the regime established by the rapporteur Member State pursuant to Article 15.

Article 9

Submission of information by third parties

Any person or Member State wishing to submit to the rapporteur Member State information which might contribute to the assessment, in particular with regard to the potentially dangerous effects of the active substance or its residues on human and animal health and on the environment shall do so by 31 May 2008 at the latest.

The rapporteur Member State shall submit without delay any information received to the Authority and the notifier.

The notifier may send its comments on the submitted information to the rapporteur Member State at the latest by 31 August 2008.

Article 10

Assessment by the rapporteur Member State

1. The rapporteur Member State shall assess the new data and risk assessments submitted under Article 6(1), and if necessary, information from the original dossier taking into consideration the information available on potentially dangerous effects submitted by any third party and any comments received from the notifier in accordance with Article 9.

The rapporteur Member State shall prepare an assessment report in consultation with the co-rapporteur Member State, setting out, where relevant, the points on which the co-rapporteur Member State did not agree.

The report shall include a recommendation concerning the decision to be taken with regard to the renewal. The report shall also assess whether the new studies identified under Article 6(2) are relevant for the evaluation.

The rapporteur Member State shall send the assessment report to the Authority and the Commission by 31 May 2009 at the latest. The report shall be submitted in the format defined in accordance with the procedure referred to in Article 19(2) of Directive 91/414/EEC.

2. The rapporteur Member State may consult the Authority and request additional technical or scientific information from other Member States.

Article 11

Access to the assessment report

1. After receiving the assessment report the Authority shall communicate it to the other Member States and notifier(s) for comments. Such comments shall be sent to the Authority, which shall collate them and forward them to the Commission.

2. The Authority shall make the assessment report available on request or keep it available for consultation by any person, except the elements thereof which have been accepted as confidential in accordance with Article 14 of Directive 91/414/EEC.

Article 12

Evaluation of the assessment report

1. The Commission shall evaluate the assessment report and the recommendation by the rapporteur Member State and the comments received.

The Commission may consult the Authority. Such consultation may, if appropriate, include a request to arrange a peer review of the rapporteur Member State's assessment report, to take the form of a conclusion on that report.

2. In cases where the Commission consults the Authority, the Authority shall deliver its response at the latest six months after receipt of that report.

3. The Commission and the Authority shall agree on a schedule for the delivery of the conclusions in order to facilitate the planning of the work. The Commission and the Authority

shall agree on the format in which the conclusions of the Authority are submitted.

Article 13

Presentation of a draft directive or draft decision

1. Without prejudice to any proposal it may submit with a view to amending the Annex to Council Directive 79/117/EEC⁽¹⁾, the Commission shall, at the latest six months after receipt of the assessment report or the conclusion of the Authority, submit to the Committee a draft review report to be finalised at its meeting.

That report shall be accompanied by one of the following:

(a) a draft directive to renew the inclusion of the active substance concerned in Annex I to Directive 91/414/EEC, setting out, where appropriate, the conditions and restrictions, including the period, for such inclusion; or

(b) a draft decision addressed to the Member States to withdraw the authorisations of plant protection products containing the active substance concerned, whereby the inclusion of that active substance in Annex I to Directive 91/414/EEC is not renewed, setting out the reasons for the non-inclusion.

2. The directive or decision referred to in paragraph 1 shall be adopted in accordance with the procedure referred to in Article 19(2) of Directive 91/414/EEC.

Article 14

Access to review report

The finalised review report, excluding any parts which refer to confidential information contained in the dossiers and determined as such in accordance with Article 14 of Directive 91/414/EEC, shall be made available for public consultation.

Article 15

Fees

1. Member States shall establish a regime obliging the notifiers to pay a fee for the administrative treatment and the evaluation of notifications as well as the dossiers related thereto, which have been submitted to them in accordance with Article 4 or Article 6 in each case where the Member State has been designated as the rapporteur Member State or co-rapporteur Member State.

2. Member States shall establish a specific fee for the evaluation of the notification.

⁽¹⁾ OJ L 33, 8.2.1979, p. 36.

3. For this purpose, the Member States and co-rapporteur Member States shall:

- (a) require the payment of a fee corresponding as far as possible to their costs in carrying out all the different procedures associated with the evaluation for each submission of a dossier, whether introduced by one notifier or collectively by several interested notifiers;
- (b) ensure that the amount of the fee is established in a transparent manner with a view to corresponding to the real cost of the examination and administrative treatment of a notification and a dossier; however, Member States may provide for a scale of fixed charges based on average costs for the calculation of the total fee;
- (c) ensure that the fee is received in accordance with the instructions given by the authority in each Member State listed in Annex II and that the income from the fee is used to finance exclusively the costs actually incurred by the rapporteur Member State and co-rapporteur Member State for the evaluation and administrative treatment of the noti-

fications and the dossiers for which that Member State is rapporteur or co-rapporteur Member State or to finance general actions for the implementation of its obligations as rapporteur Member State and co-rapporteur Member State.

Article 16

Other charges, levies or fees

Article 15 is without prejudice to Member States' rights to maintain or introduce, in accordance with the Treaty, charges, levies or fees with regard to the authorisation, placing on the market, use and control of active substances and plant protection products other than the fee provided for in Article 15.

Article 17

Entry into force

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

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

Done at Brussels, 27 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

List of active substances referred to in Article 1 and their rapporteur Member States and co-rapporteur Member States

A. Active substance	B. Rapporteur Member State	C. Co-rapporteur Member State
azoxystrobin	United Kingdom	Czech Republic
imazalil	The Netherlands	Spain
kresoxim-methyl	Belgium	Lithuania
spiroxamin	Germany	Hungary
azimsulfuron	Sweden	Slovenia
prohexadion-calcium	France	Slovakia
fluroxypyr	Ireland	Poland

ANNEX II

Coordinating authority in the Member States

BELGIUM

Service Public Fédéral Santé publique, Sécurité de la chaîne alimentaire et Environnement, Eurostation
Bloc II, 7^e étage
Place Victor Horta 40 boîte 10
1060 Bruxelles
Belgium

CZECH REPUBLIC

State Phytosanitary Administration
Section PPP
Zemědělská 1a
613 00 BRNO
Czech Republic

GERMANY

Bundesamt für Verbraucherschutz und Lebensmittelsicherheit (BVL) — Abteilung Pflanzenschutzmittel
Messeweg 11—12
38104 Braunschweig
Germany

IRELAND

Pesticide Control Service
Department of Agriculture and Food
Backweston Campus
Youngs Cross
Celbridge
Co. Kildare
Ireland

SPAIN

Ministerio de Agricultura, PESCA y Alimentación
Dirección General de Agricultura
Subdirección General de Medios de Producción Agrícolas
c/Alfonso XII, 62
ES-28071 Madrid
Spain

FRANCE

Ministère de l'agriculture et de la pêche
Bureau de la réglementation des produits antiparasitaires
251, rue de Vaugirard
F-75732 Paris Cedex 15
France

LITHUANIA

State Plant Protection Service
Kalvarijų str. 62
09304 Vilnius
Lithuania

HUNGARY

Central Agricultural Office
Directorate of Plant Protection, Soil Conservation and Agri-environment
Budaörsi út 141–145
H-1118 Budapest
Hungary

THE NETHERLANDS

College voor de Toelating van Bestrijdingsmiddelen
Postbus 217
6700 AE Wageningen
The Netherlands

POLAND

Ministerstwo Rolnictwa i Rozwoju Wsi
Departament Hodowli i Ochrony Roślin
ul. Wspólna 30
00-930 Warszawa
Poland

SLOVENIA

Ministry Of Agriculture Forestry and Food
PHYTOSANITARY ADMINISTRATION REPUBLIC OF SLOVENIA
Einspielerjeva 6
SI-1000 Ljubljana
Slovenia

SLOVAKIA

Central Controlling and Testing Institute in Agriculture
Department of Registration of Pesticides
Matuskova 21
833 16 Bratislava
Slovakia

SWEDEN

Kemikalieinspektionen
P. O. Box 2
172 13 Sundbyberg
Sweden

UNITED KINGDOM

Pesticides Safety Directorate
Mallard House
Kings Pool
3 Peasholme Green,
York YO1 7PX
United Kingdom

ANNEX III

Notification of an active substance according to Article 4

The notification shall be made on paper and sent by registered mail to European Commission, DG Health and Consumer Protection, unit E3, B-1049 Brussels,

The notification shall be submitted in accordance with the following model.

MODEL

1. Identification data on the notifier

1.1. Name and address of the producer including the name of the natural person responsible for the notification and further engagements resulting from this Regulation:

1.1.1. (a) Telephone No:

(b) Fax No:

(c) E-mail address:

1.1.2. (a) Contact:

(b) Alternative:

2. Information to ensure identification

2.1. Common name (proposed or ISO-accepted) specifying, where relevant, any variants thereof such as salts, esters or amines produced by the manufacturer:

2.2. Chemical name (IUPAC and CAS nomenclature):

2.3. CAS, CIPAC and EEC numbers (if available):

2.4. Empirical and structural formula, molecular mass:

2.5. Specification of purity of the active substance in g/kg or g/l as appropriate:

2.6. Classification and labelling of the active substance in accordance with the provisions of Council Directive 67/548/EEC ⁽¹⁾ (health and environment effects).

The notifier confirms that the above information submitted on ... (date) is honest and correct.

Signature (of the person competent to act for the company mentioned under 1.1).

.....

⁽¹⁾ OJ 196, 16.8.1967, p. 13. Directive as last amended by Directive 2006/121/EC of the European Parliament and of the Council (OJ L 396, 30.12.2006, p. 850), as corrected by OJ L 136, 29.5.2007, p. 281.

ANNEX IV

Criteria for the admissibility of notifications referred to in Article 4

A notification shall only be considered admissible if the following conditions are satisfied:

1. it is presented within the time limit referred to in Article 4(1);
 2. it is introduced by a notifier who is a producer of an active substance listed in Annex I;
 3. it is presented in the format as provided for in Annex III;
 4. a fee as referred to in Article 5 has been paid.
-

COMMISSION REGULATION (EC) No 738/2007**of 28 June 2007****adjusting the delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2006/2007 delivery period**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 31 thereof,

Whereas:

(1) Article 12 of Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽²⁾ provides for detailed rules for setting delivery obligations at zero duty for products falling within CN code 1701, expressed in white-sugar equivalent, for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India.

(2) These quantities were set, for the 2006/2007 delivery period, by Commission Regulation (EC) No 81/2007 of 29 January 2007 setting delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2006/2007 delivery period ⁽³⁾.

(3) Article 7(1) and (2) of the ACP Protocol lays down rules for cases where an ACP State fails to deliver its agreed quantity.

(4) The competent authorities of Congo, Côte d'Ivoire, Kenya, Madagascar, and Trinidad and Tobago informed the Commission that they will be unable to deliver their agreed quantities in full and that they do not wish to have an additional period for delivery.

(5) After consultation with the ACP States concerned, a reallocation of the shortfall should therefore be carried out for delivery during the 2006/2007 delivery period.

(6) Regulation (EC) No 81/2007 should therefore be repealed, and the delivery obligations for the 2006/2007 delivery period should be adjusted in accordance with Article 12(1) and (2)(c) of Regulation (EC) No 950/2006.

(7) Paragraph 2 of Article 14 of Regulation (EC) No 950/2006 states that paragraph 1 of that Article shall not apply to a quantity reallocated in accordance with Article 7(1) or (2) of the ACP Protocol. The quantity reallocated pursuant to this Regulation should therefore be imported before 30 June 2007. However, due to the late decision of this reallocation and account being taken of the time allowed for applying for import licences, it will be impossible to respect this deadline. Therefore Article 14(1) of Regulation (EC) No 950/2006 should also apply to the quantity reallocated pursuant to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The delivery obligations for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India in respect of products falling within CN code 1701, expressed in tonnes of white-sugar equivalent, in the 2006/2007 delivery period for each exporting country concerned, are hereby adjusted as shown in the Annex.

Article 2

By way of derogation from Article 14(2) of Regulation (EC) No 950/2006, Article 14(1) of that Regulation shall apply to the quantity reallocated pursuant to this Regulation and imported after 30 June 2007.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 371/2007 (OJ L 92, 3.4.2007, p. 6).

⁽³⁾ OJ L 21, 30.1.2007, p. 3.

Article 3

Regulation (EC) No 81/2007 is hereby repealed.

Article 4

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

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

Done at Brussels, 28 June 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Delivery obligations for imports of preferential sugar originating in countries which are signatories to the ACP Protocol and to the Agreement with India for the 2006/2007 delivery period, expressed in tonnes of white-sugar equivalent

ACP Protocol/India Agreement signatory country	Delivery obligations 2006/2007
Barbados	33 234,21
Belize	42 689,30
Congo	0,00
Côte d'Ivoire	520,00
Fiji	174 596,53
Guyana	167 302,91
India	10 208,11
Jamaica	121 412,96
Kenya	41,00
Madagascar	6 049,50
Malawi	27 983,19
Mauritius	488 343,91
Mozambique	10 488,04
Uganda	0,00
Saint Kitts and Nevis	0,00
Suriname	0,00
Swaziland	126 304,79
Tanzania	10 270,00
Trinidad and Tobago	23 500,00
Zambia	12 085,21
Zimbabwe	36 231,46
Total	1 291 261,13

COMMISSION REGULATION (EC) No 739/2007**of 28 June 2007****amending Regulation (EC) No 493/2006 laying down transitional measures within the framework of the reform of the common organisation of the markets in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(4) Regulation (EC) No 493/2006 should therefore be amended accordingly.

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 44 thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Whereas:

Article 9 of Regulation (EC) No 493/2006 is hereby amended as follows:

(1) According to Article 1(2) of Regulation (EC) No 318/2006, the marketing year for products in the sugar sector is the period from 1 October to 30 September. However, the marketing year 2006/2007 begins on 1 July 2006 and ends on 30 September 2007. Consequently, unlike a normal marketing year, it extends over 15 months rather than 12 months.

1. the following paragraph 3a is inserted:

‘3a For the marketing year 2006/2007, the Member States shall allocate to all undertakings that are in receipt of a sugar quota for the aforesaid marketing year, pursuant to Article 7(2) of Regulation (EC) No 318/2006, and that have used that quota exclusively to produce sugar by extraction from molasses, a transitional quota equal to 25 % of the said quota. This transitional quota may be used only for the production of sugar by extraction from molasses.’;

(2) In view of the length of the marketing year 2006/2007, Article 9(2) of Commission Regulation (EC) No 493/2006 ⁽²⁾ provides for a transitional isoglucose quota so as to ensure an allocation which corresponds to that of the preceding marketing year.

2. in paragraph 4, the introductory words are replaced by the following:

‘The transitional quotas laid down in paragraphs 1, 2, 3 and 3a.’;

(3) A number of Member States allocate sugar quotas to undertakings specialising in the production of sugar by extraction from molasses. As in the case of isoglucose, this involves consistent levels of production throughout a given marketing year. However, in accordance with Article 7(2) of Regulation (EC) No 318/2006, the quantity allocated for the marketing year 2006/2007 is equal to the quantity allocated for the marketing year 2005/2006. In the interests of fairness to the isoglucose producers, these undertakings, too, should be allocated a transitional quota taking into account the length of the marketing year 2006/2007.

3. paragraph 6 is replaced by the following paragraphs 6 and 7:

‘6. Member States shall communicate the following information to the Commission:

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 89, 28.3.2006, p. 11. Regulation last amended by Regulation (EC) No 119/2007 (OJ L 37, 9.2.2007, p. 3).

(a) before 15 July 2006, a breakdown by undertaking of the transitional quotas allocated under paragraphs 1, 2 and 3;

(b) before 30 June 2007, a breakdown by undertaking of the transitional quotas allocated under paragraph 3a.

7. The Member States shall introduce a control system and shall take all the necessary steps to verify the production of the products referred to in paragraphs 1, 2, 3 and 3a, ensuring in particular that the sugar corresponds to sugar beet sown before 1 January 2006.

The Member States shall notify the Commission, before 31 December 2007, of the control measures taken and the results thereof.'

Article 2

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

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

Done at Brussels, 28 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 740/2007**of 28 June 2007****amending Regulation (EC) No 1994/2006 opening Community tariff quotas for 2007 for sheep, goats, sheepmeat and goatmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2529/2001 of 19 December 2001 on the common organisation of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 16(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1994/2006 ⁽²⁾ provides for the opening of Community tariff quotas for sheep, goats, sheepmeat and goatmeat for the period from 1 January to 31 December 2007.
- (2) The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area ⁽³⁾, as approved by Council Decision 2007/138/EC ⁽⁴⁾, provides for the granting of an additional annual tariff quota quantity of 500 tonnes (carcase weight) of fresh, chilled, frozen or smoked sheepmeat for Iceland. However, as the Agreement is applicable as from 1 March 2007, the annual quantity for 2007 should be adjusted accordingly.

(3) The Agreement specifies that the opening of the tariff quota is to be made as from 1 July, on the basis of nine months for 2007. This Regulation should therefore apply as from 1 July 2007.

(4) Regulation (EC) No 1994/2006 should be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1994/2006 is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply as from 1 July 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 341, 22.12.2001, p. 3. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 413, 30.12.2006, p. 3; corrected by OJ L 50, 19.2.2007, p. 5.

⁽³⁾ OJ L 61, 28.2.2007, p. 29.

⁽⁴⁾ OJ L 61, 28.2.2007, p. 28.

ANNEX

'ANNEX

Sheepmeat and goatmeat (in tonnes of carcase weight equivalent)

Community tariff quotas for 2007

Country group No	CN codes	Ad valorem duty %	Specific duty EUR/100 kg	Order number under "first-come first-served"				Origin	Annual volume in tonnes of carcase weight equivalent
				Live animals (Coefficient = 0,47)	Boneless lamb ⁽¹⁾ (Coefficient = 1,67)	Boneless mutton/ sheep ⁽²⁾ (Coefficient = 1,81)	Bone-in and carcasses (Coefficient = 1,00)		
1.	0204	Zero	Zero	—	09.2101	09.2102	09.2011	Argentina	23 000
				—	09.2105	09.2106	09.2012	Australia	18 786
				—	09.2109	09.2110	09.2013	New Zealand	227 854
				—	09.2111	09.2112	09.2014	Uruguay	5 800
				—	09.2115	09.2116	09.1922	Chile	5 800
				—	09.2121	09.2122	09.0781	Norway	300
				—	09.2125	09.2126	09.0693	Greenland	100
				—	09.2129	09.2130	09.0690	Faeroes	20
2.	0204, 0210 99 21, 0210 99 29, 0210 99 60	Zero	Zero	—	09.2131	09.2132	09.0227	Turkey	200
				—	09.2171	09.2175	09.2015	Others ⁽³⁾	200
				—	09.2119	09.2120	09.0790	Iceland	1 725
3.	0104 10 30, 0104 10 80 and 0104 20 90. For the species "other than domestic sheep" only: ex 0204, ex 0210 99 21 and ex 0210 99 29.	Zero	Zero	09.2141	09.2145	09.2149	09.1622	ACP States	100

Country group No	CN codes	Ad valorem duty %	Specific duty EUR/100 kg	Order number under "first-come first-served"				Origin	Annual volume in tonnes of carcase weight equivalent
				Live animals (Coefficient = 0,47)	Boneless lamb ⁽¹⁾ (Coefficient = 1,67)	Boneless mutton/ sheep ⁽²⁾ (Coefficient = 1,81)	Bone-in and carcasses (Coefficient = 1,00)		
	For the species "domestic sheep" only: ex 0204, ex 0210 99 21 and ex 0210 99 29.	Zero	65 % reduction of specific duties	—	09.2161	09.2165	09.1626	ACP States	500
4.	0104 10 30 0104 10 80 0104 20 90	10 %	Zero	09.2181	—	—	09.2019	Erga omnes ⁽⁴⁾	92

⁽¹⁾ And goatmeat of kid.

⁽²⁾ And goatmeat other than kid.

⁽³⁾ "Others" shall refer to all origins including the ACP States and excluding the other countries mentioned in the current table.

⁽⁴⁾ "Erga omnes" shall refer to all origins including the countries mentioned in the current table.

COMMISSION REGULATION (EC) No 741/2007**of 28 June 2007****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

(4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to

those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter ⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

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

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 96/2007 (OJ L 25, 1.2.2007, p. 6).

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Heinz ZOUREK

Director-General Enterprise and Industry

ANNEX

Rates of the refunds applicable from 29 June 2007 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	0,00	0,00
	(b) on exportation of other goods	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	0,00	0,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	0,00	0,00
	(c) on exportation of other goods	0,00	0,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faerøe Islands, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

COMMISSION REGULATION (EC) No 742/2007**of 28 June 2007****granting no export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.

(2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender

procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 26 June 2007.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 26 June 2007 no export refund shall be granted for the products and destinations referred to in Article 1(1) of that Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 276/2007 (OJ L 76, 16.3.2007, p. 16).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

COMMISSION REGULATION (EC) No 743/2007**of 28 June 2007****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

(1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.

(2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

(3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

ANNEX

Export refunds on white and raw sugar exported without further processing applicable from 29 June 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	30,45 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	30,45 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	30,45 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	30,45 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3311
1701 99 10 9100	S00	EUR/100 kg	33,11
1701 99 10 9910	S00	EUR/100 kg	33,11
1701 99 10 9950	S00	EUR/100 kg	33,11
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,3311

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Bulgaria, Romania, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) 318/2006.

COMMISSION REGULATION (EC) No 744/2007**of 28 June 2007****fixing the export refunds on syrups and certain other sugar products exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(c), (d) and (g) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed

rules for the implementation of Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾.

- (5) Export refunds may be set to cover the competitive gap between Community and third country's exports. Community exports to certain close destinations and to third countries granting Community products a preferential import treatment are currently in a particular favourable competitive position. Therefore, refunds for exports to those destinations should be abolished.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.
2. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

ANNEX

Export refunds on syrups and certain other sugar products exported without further processing applicable from 29 June 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	33,11
1702 60 10 9000	S00	EUR/100 kg dry matter	33,11
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3311
1702 90 30 9000	S00	EUR/100 kg dry matter	33,11
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3311
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3311
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,3311 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	33,11
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3311

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 745/2007**of 28 June 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 958/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 958/2006 of 28 June 2006 on a standing invitation to tender to determine refunds on exports of white sugar for the 2006/2007 marketing year ⁽²⁾ requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 958/2006 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 28 June 2007, it is appropriate to fix a maximum export refund for that partial invitation to tender.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 28 June 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 38,107 EUR/100 kg.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 175, 29.6.2006, p. 49. Regulation as amended by Regulation (EC) No 203/2007 (OJ L 61, 28.2.2007, p. 3).

COMMISSION REGULATION (EC) No 746/2007**of 28 June 2007****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 14 of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 14 of Regulation (EC) No 1785/2003 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 2 of Commission Regulation (EC) No 1518/95 ⁽³⁾ on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

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

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 1549/2004 (OJ L 280, 31.8.2004, p. 13).

⁽³⁾ OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX

to Commission Regulation of 28 June 2007 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	8,96	1104 23 10 9300	C10	EUR/t	7,36
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	7,68	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	7,68	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C10	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C10	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C10	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	1,60
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C10	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	11,52	1107 10 91 9000	C10	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	8,96	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	7,68	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	7,68	1108 12 00 9200	C10	EUR/t	10,24
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	10,24
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	10,24
1103 20 60 9000	C10	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	10,24
1103 20 20 9000	C10	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	10,03
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	7,68
1104 19 50 9110	C10	EUR/t	10,24	1702 30 91 9000	C10	EUR/t	10,03
1104 19 50 9130	C10	EUR/t	8,32	1702 30 99 9000	C10	EUR/t	7,68
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	7,68
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	10,03
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	7,68
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	10,51
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	7,30
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C14	EUR/t	7,68
1104 23 10 9100	C10	EUR/t	9,60				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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

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

The other destinations are as follows:

C10: All destinations

C14: All destinations except for Switzerland and Liechtenstein.

COMMISSION REGULATION (EC) No 747/2007**of 28 June 2007****fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽²⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 28 June 2007 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

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

C10: All destinations.

COMMISSION REGULATION (EC) No 748/2007**of 28 June 2007****fixing production refunds on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003, on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽²⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 0,00 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 0,00 for potato starch.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1950/2005 (OJ L 312, 29.11.2005, p. 18).

COMMISSION REGULATION (EC) No 749/2007**of 28 June 2007****fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-

term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽³⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1584/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 28 June 2007.

For the Commission

Heinz ZOUREK

Director-General Enterprise and Industry

ANNEX

Rates of the refunds applicable from 29 June 2007 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

CN code	Description of products ⁽¹⁾	(EUR/100 kg) Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,640	0,640
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	0,640	0,640
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,480	0,480
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	0,480	0,480
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– other (including unprocessed)	0,640	0,640
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,640	0,640
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	0,640	0,640

(*) The rates set out in this Annex are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein.

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product (EUR/100 kg)	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients set out in Annex V to Commission Regulation (EC) No 1043/2005 is applicable.

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund relates only to the glucose syrup.

COMMISSION REGULATION (EC) No 750/2007**of 28 June 2007****establishing that certain limits for issuing import licences for sugar products under tariff quotas and preferential agreements are no longer reached**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/09 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽²⁾, and in particular Article 5(4) thereof,

Whereas:

- (1) The records referred to in Article 5(2) of Regulation (EC) No 950/2006 show that quantities of sugar are still available for the delivery obligations for preferential

sugar laid down under Article 12 of Regulation (EC) No 950/2006 bearing the serial numbers 09.4332, 09.4335, 09.4336, 09.4338, 09.4341, 09.4343, 09.4346 and 09.4351.

- (2) Under these circumstances, the Commission must indicate that the limits concerned are no longer reached,

HAS ADOPTED THIS REGULATION:

Article 1

The limits for the delivery obligations for preferential sugar bearing the serial numbers 09.4332, 09.4335, 09.4336, 09.4338, 09.4341, 09.4343, 09.4346 and 09.4351 for the 2006-2007 delivery periods are no longer reached.

Article 2

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

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

Done at Brussels, 28 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 2011/2006 (OJ L 384, 29.12.2006, p. 1).

⁽²⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

COMMISSION REGULATION (EC) No 751/2007**of 28 June 2007****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods

may not exceed the refund applicable to that product when exported without further processing.

- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2007.

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

Done at Brussels, 28 June 2007.

For the Commission

Heinz ZOUREK

Director-General Enterprise and Industry

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

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

ANNEX

Rates of refunds applicable from 29 June 2007 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	33,11	33,11

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

DIRECTIVES

COMMISSION DIRECTIVE 2007/40/EC

of 28 June 2007

amending Directive 2001/32/EC recognising protected zones exposed to particular plant health risks in the Community

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 the first subparagraph of Article 2(1)(h) thereof,

Having regard to the requests made by the Czech Republic, Denmark, France and Italy,

After consulting the Member States concerned,

Whereas:

(1) By Commission Directive 2001/32/EC⁽²⁾, certain Member States or certain areas in Member States were recognised as protected zones in respect of certain harmful organisms.

(2) Denmark was recognised as a protected zone with respect to *Cryphonectria parasitica* (Murrill) Barr. Following the results of the relevant surveys carried out in Denmark, Denmark has submitted information showing that an adequate phytosanitary protection of Denmark against *Cryphonectria parasitica* (Murrill) Barr does not require maintaining the status of Denmark as a protected zone against that organism and requested its protected zone status against *Cryphonectria parasitica* (Murrill) Barr be withdrawn. Denmark should therefore no longer be recognised as a protected zone in respect of that harmful organism.

(3) From information supplied by the Czech Republic, France and Italy, the Czech Republic, the regions of Champagne-Ardenne, Lorraine and Alsace in France

and the region of Basilicata in Italy should be recognised as protected zones in respect of Grapevine flavescence dorée MLO, because this pathogen is not present there.

(4) Directive 2001/32/EC should therefore be amended accordingly.

(5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 2001/32/EC is amended as follows:

1. in point (c)(01) 'Denmark' is deleted.

2. the following point (d)(4) is added:

'4. Grapevine flavescence dorée MLO	Czech Republic (until 31 March 2009), regions of Champagne-Ardenne, Lorraine and Alsace in France (until 31 March 2009), region of Basilicata in Italy (until 31 March 2009)
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Article 2

Member States shall adopt and publish by 31 October 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and the Directive.

They shall apply those provisions from 1 November 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made.

⁽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 127, 9.5.2001, p. 38. Directive as last amended by Directive 2006/36/EC (OJ L 88, 25.3.2006, p. 13).

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 28 June 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION DIRECTIVE 2007/41/EC

of 28 June 2007

amending certain Annexes to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

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 points (c) and (d) of the second paragraph of Article 14 thereof,

After consulting the Member States concerned,

Whereas:

- (1) Directive 2000/29/EC lists organisms which are harmful to plants or plant products and provides for certain measures against their introduction into the Member States from other Member States or third countries. It also provides for the recognition of protected zones within the Community.
- (2) Denmark was recognised as a protected zone with respect to *Cryphonectria parasitica* (Murrill) Barr. Following the results of the relevant surveys carried out in Denmark, Denmark has submitted information showing that an adequate phytosanitary protection of Denmark against *Cryphonectria parasitica* (Murrill) Barr does not require maintaining the status of Denmark as a protected zone against that organism and requested its protected zone status against *Cryphonectria parasitica* (Murrill) Barr be withdrawn. Denmark should therefore no longer be recognised as a protected zone in respect of that harmful organism.
- (3) From information supplied by the Czech Republic, France and Italy respectively the Czech Republic, the regions of Champagne-Ardenne, Lorraine and Alsace in France and the region of Basilicata in Italy should be recognised as protected zones in respect of Grapevine flavescence dorée MLO, because this pathogen is not present there. Special requirements should therefore be laid down as regards the introduction into and the movement within the relevant protected zones of vine propagating material.

(4) Annexes II, IV and V to Directive 2000/29/EC should therefore be amended accordingly.

(5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes II, IV and V to Directive 2000/29/EC are amended in accordance with the Annex to this Directive.

Article 2

Member States shall adopt and publish, by 31 October 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 November 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 28 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽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).

ANNEX

1. In Annex II, Part B(c), point 0.1, in the right hand column 'DK' is deleted.

2. In Annex II, Part B(d), the following point is added after point 1:

'2. Grapevine flavescence dorée MLO	Plants of <i>Vitis</i> L., other than fruit and seeds.	CZ, FR (Champagne-Ardenne, Lorraine and Alsace), IT (Basilicata)
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3. In Annex IV Part B, point 6.3., in the right hand column 'DK' is deleted.

4. In Annex IV Part B, the following point is added after point 31:

'32. Plants of <i>Vitis</i> L., other than fruit and seeds.	Without prejudice to the provisions applicable to the plants listed in Annex III(A)(15), IVA(II)17, and IVB21.1, official statement that: (a) the plants originate and have been grown in a place of production in a country where Grapevine flavescence dorée MLO is not known to occur; or (b) the plants originate and have been grown in a place of production in an area free from Grapevine flavescence dorée MLO established by the national plant protection organisation in accordance with the relevant international standards; or (c) the plants originate and have been grown in either the Czech Republic, France (Champagne-Ardenne, Lorraine and Alsace), or Italy (Basilicata); or (d) the plants originate and have been grown in a place of production where: (aa) no symptoms of Grapevine flavescence dorée MLO have been observed on the mother-stock plants since the beginning of the last two complete cycles of vegetation; and (bb) either (i) no symptoms of Grapevine flavescence dorée MLO have been found on the plants in the place of production; or, (ii) the plants have undergone hot water treatment of at least 50 °C for 45 minutes in order to eliminate the presence of Grapevine flavescence dorée MLO.'	CZ, FR (Champagne-Ardenne, Lorraine and Alsace), IT (Basilicata)
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5. In Annex V, part A.II, point 1.3, the text is replaced by the following:

'1.3. Plants, other than fruit and seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Eucalyptus* L'Herit., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L., *Sorbus* L. and *Vitis* L.'

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 22 February 2007

on the conclusion of an Agreement between the European Community and the Government of Canada on the conclusion of GATT Article XXIV:6 Negotiations

(2007/444/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Article XXIV:6 Negotiations. The Agreement should be approved.

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

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

Having regard to the proposal from the Commission,

HAS DECIDED AS FOLLOWS:

Whereas:

Article 1

- (1) On 22 March 2004 the Council authorised the Commission to open negotiations with certain other Members of the WTO under Article XXIV:6 of the General Agreement on Tariffs and Trade 1994 (GATT), in the course of the accessions to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

The Agreement between the European Community and the Government of Canada on the conclusion of GATT Article XXIV:6 Negotiations with respect to the withdrawal of specific concessions in relation to the withdrawal of the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Union, is hereby approved on behalf of the Community.

- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.

The text of the Agreement is attached to this Decision.

Article 2

- (3) The Commission has finalised negotiations for an Agreement between the European Community and the Government of Canada on the conclusion of GATT

The Commission shall adopt the detailed rules for implementing the Agreement in accordance with the procedure laid down in Article 3(2) of this Decision.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

Article 3

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

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

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

3. The Committee shall adopt its Rules of Procedure.

Article 4

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement referred to in Article 1 in order to bind the Community.

Done at Brussels, 22 February 2007.

For the Council

The President

F. MÜNTEFERING

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

AGREEMENT**between the European Community and the Government of Canada on the conclusion of GATT
Article XXIV:6 Negotiations**

FOLLOWING the initiation of negotiations between the European Communities and the Government of Canada under Article XXIV:6 and Article XXVIII of GATT 1994 for the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Community (EC), and following the EC's notification of 19 January 2004 to the WTO pursuant to Article XXIV:6 of GATT 1994,

THE EUROPEAN COMMUNITY (EC)

and

THE GOVERNMENT OF CANADA (Canada),

hereinafter jointly referred to as the 'Parties',

HAVE AGREED THE FOLLOWING PROVISIONS:

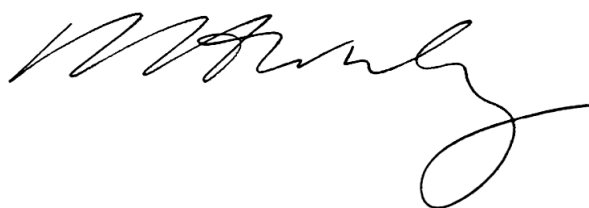
1. The EC shall incorporate in its schedule, valid for the customs territory of the European Communities of 25 (EC 25), the concessions that were included in its previous Schedule CLX of the European Communities of 15 (EC 15).
2. In addition, the EC shall incorporate in its schedule, valid for the customs territory of EC 25, the concessions contained in the Annex to this Agreement.
3. The EC shall reduce its tariffs and adjust tariff rate quotas as indicated in the Annex no later than 1 August 2007.
4. This Agreement shall enter into force on the date of Canada's notification of the completion of its appropriate domestic procedures, following the signing of the Agreement by the Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Brussels, this twenty-fifth day of June 2007, in two original copies, in the English and French languages, each version being equally authentic.

For the European Community

For the Government of Canada



ANNEX

- a country allocated (Canada) tariff rate quota of 4 624 tonnes of pork (tariff item numbers 0203 12 11, 0203 12 19, 0203 19 11, 0203 19 13, 0203 19 15, ex 0203 19 55, 0203 19 59, 0203 22 11, 0203 22 19, 0203 29 11, 0203 29 13, 0203 29 15, ex 0203 29 55 and 0203 29 59), in quota rate 233-434 EUR/t,
- add 35 tonnes (erga omnes) in EC tariff rate quota for cuts of domestic swine (tariff item numbers 0203 12 11, 0203 12 19, 0203 19 11, 0203 19 13, 0203 19 15, ex 0203 19 55, 0203 19 59, 0203 22 11, 0203 22 19, 0203 29 11, 0203 29 13, 0203 29 15, ex 0203 29 55 and 0203 29 59), in quota rate 233-434 EUR/t,
- add 1 265 tonnes (erga omnes) in EC tariff rate quota for frozen boneless hams and loins (ex 0203 19 55 and ex 0203 29 55), in quota rate 250 EUR/t,
- add 49 tonnes (erga omnes) in EC tariff rate quota for 'chicken carcass fresh, chilled or frozen' (tariff item numbers 0207 11 10, 0207 11 30, 0207 11 90, 0207 12 10, 0207 12 90), in quota rate 131-162 EUR/t,
- add 4 070 tonnes (erga omnes) in EC tariff rate quota for 'chicken cuts, fresh, chilled or frozen' (tariff item numbers 0207 13 10, 0207 13 20, 0207 13 30, 0207 13 40, 0207 13 50, 0207 13 60, 0207 13 70, 0207 14 20, 0207 14 30, 0207 14 40, 0207 14 60), in quota rate 93-512 EUR/t,
- add 1 605 tonnes (erga omnes) in EC tariff rate quota for 'cuts of fowls', (tariff item number 0207 14 10), in quota rate 795 EUR/t,
- add 201 tonnes (erga omnes) in EC tariff rate quota for 'turkey meat, fresh, chilled or frozen' (tariff item numbers 0207 24 10, 0207 24 90, 0207 25 10, 0207 25 90, 0207 26 10, 0207 26 20, 0207 26 30, 0207 26 40, 0207 26 50, 0207 26 60, 0207 26 70, 0207 26 80, 0207 27 30, 0207 27 40, 0207 27 50, 0207 27 60, 0207 27 70), in quota rate 93-425 EUR/t,
- add 2 485 tonnes (erga omnes) in EC tariff rate quota for 'turkey cuts, frozen' (tariff item numbers 0207 27 10, 0207 27 20, 0207 27 80), in quota rate 0 %,
- add 537 tonnes (erga omnes) in EC tariff rate quota for skimmed milk powder (tariff item number 0402 10 19), in quota rate 475 EUR/t,
- open a tariff rate quota 20 000 HLT (erga omnes) for wine (tariff item numbers 2204 29 65, 2204 29 75), in quota rate 8,0 EUR/hlt,
- open a tariff rate quota 40 000 HLT (erga omnes) for wine (tariff item numbers 2204 21 79, 2204 21 80), in quota rate 10,0 EUR/hlt,
- open a tariff rate quota 13 810 HLT (erga omnes) for wine (tariff item number 2205 90 10), in quota rate 7,0 EUR/hlt,
- open a tariff rate quota 2 838 tonnes (erga omnes) for preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries (tariff item numbers 2008 20 11, 2008 20 19, 2008 20 31, 2008 20 39, 2008 20 71, 2008 30 11, 2008 30 19, 2008 30 31, 2008 30 39, 2008 30 79, 2008 40 11, 2008 40 19, 2008 40 21, 2008 40 29, 2008 40 31, 2008 40 39, 2008 50 11, 2008 50 19, 2008 50 31, 2008 50 39, 2008 50 51, 2008 50 59, 2008 50 71, 2008 60 11, 2008 60 19, 2008 60 31, 2008 60 39, 2008 60 60, 2008 70 11, 2008 70 19, 2008 70 31, 2008 70 39, 2008 70 51, 2008 70 59, 2008 80 11, 2008 80 19, 2008 80 31, 2008 80 39, 2008 80 70), in quota rate 20 %,
- add 6 215 tonnes (erga omnes) in EC tariff rate quota for barley (tariff item number 1003 00), in quota rate 16 EUR/t,
- expansion of 853 tonnes of Canada's existing country allocation in the EC tariff rate quota for soft wheat (tariff item number 1001 90 99), in quota rate 12 EUR/t,

- open a tariff rate quota 242 074 tonnes (erga omnes) for maize (tariff item numbers 1005 90 00, 1005 10 90), in quota rate 0 %,
 - open a tariff rate quota 2 058 tonnes (erga omnes) for dog and cat food (tariff item numbers 2309 10 13, 2309 10 15, 2309 10 19, 2309 10 33, 2309 10 39, 2309 10 51, 2309 10 53, 2309 10 59, 2309 10 70), in quota rate 7 %,
 - add 2 700 tonnes (erga omnes) in EC tariff rate quota for preparations of a kind used in animal feeding (tariff item numbers 2309 90 31, 2309 90 41, 2309 90 51, 2309 90 95, 2309 90 99), in quota rate 7 %.
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COUNCIL DECISION

of 28 June 2007

implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decisions 2006/379/EC and 2006/1008/EC

(2007/445/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

(1) On 29 May 2006, the Council adopted Decision 2006/379/EC implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽²⁾, and establishing an updated list of persons and entities to which that Regulation applies.

(2) On 21 December 2006, the Council adopted Decision 2006/1008/EC implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽³⁾ adding certain other persons, groups and entities to the list of persons and entities to which that Regulation applies.

(3) The Council has provided all the persons, groups and entities for which this was practically possible with statements of reasons explaining the reasons why they have been listed in Decisions 2006/379/EC and 2006/1008/EC.

(4) By way of a notice published on 25 April 2007 ⁽⁴⁾, the Council informed the persons, groups and entities listed in Decisions 2006/379/EC and 2006/1008/EC that it intended to maintain them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request the Council's statement of reasons for including them on the list (where this had not already been communicated to them).

(5) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies, as required by Article 2(3) of that Regulation. In this regard, it has taken account of observations and documents submitted to the Council by certain persons, groups and entities concerned.

(6) Following this review, the Council has concluded that the persons, groups and entities listed in the Annex to this Decision have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁵⁾, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for in Regulation (EC) No 2580/2001.

(7) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 shall be replaced by the list contained in the Annex hereto.

Article 2

Decisions 2006/379/EC and 2006/1008/EC are hereby repealed.

Article 3

This Decision shall take effect on the day of its publication.

⁽¹⁾ OJ L 344, 28.12.2001, p. 70. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 144, 31.5.2006, p. 21.

⁽³⁾ OJ L 379, 28.12.2006, p. 123.

⁽⁴⁾ OJ C 90, 25.4.2007, p. 1.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 93.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 28 June 2007.

For the Council
The President
S. GABRIEL

ANNEX

List of persons, groups and entities referred to in Article 1

1. PERSONS

1. ABOU, Rabah Naami (a.k.a. Naami Hamza; a.k.a. Mihoubi Faycal; a.k.a. Fellah Ahmed; a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
3. AKHNIKH, Ismail (a.k.a. SUHAIB; a.k.a. SOHAIB), born 22.10.1982 in Amsterdam (The Netherlands), passport (The Netherlands) No. NB0322935 (Member of the 'Hofstadgroep')
4. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN; a.k.a. AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal, Saudi Arabia; citizen of Saudi Arabia
5. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa, Saudi Arabia; citizen of Saudi Arabia
6. AL YACIOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut, Saudi Arabia; citizen of Saudi Arabia
7. AOURLAGHE, Zine Labidine (a.k.a. Halifi Laarbi MOHAMED; a.k.a. Abed; a.k.a. Abid; a.k.a. Abu ISMAIL), born 18.7.1978 in Nador (Morocco), passport (Spain) No. ESPP278036 (Member of the 'Hofstadgroep')
8. ARIOUA, Azzedine, born 20.11.1960 in Costantine (Algeria) (Member of al-Takfir and al-Hijra)
9. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) (Member of al-Takfir and al-Hijra)
10. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) (Member of al-Takfir and al-Hijra)
11. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) (Member of al-Takfir and al-Hijra)
12. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour; a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon; citizen of Lebanon
13. BOUGHABA, Mohamed Fahmi (a.k.a. Mohammed Fahmi BOURABA; a.k.a. Mohammed Fahmi BURADA; a.k.a. Abu MOSAB), born 6.12.1981 in Al Hoceima (Morocco), (Member of the 'Hofstadgroep')
14. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR; a.k.a. SOBIAR; a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands), (Member of the 'Hofstadgroep')
15. DARIB, Noureddine (a.k.a. Carreto; a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria (Member of al-Takfir and al-Hijra)
16. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria (Member of al-Takfir and al-Hijra)
17. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI; a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA'E KA'E; a.k.a. Abu QAE QAE; a.k.a. FOUAD; a.k.a. FZAD; a.k.a. Nabil EL FATMI; a.k.a. Ben MOHAMMED; a.k.a. Ben Mohand BEN LARBI; a.k.a. Ben Driss Muhand IBN LARBI; a.k.a. Abu TAHAR; a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 (Member of the 'Hofstadgroep')
18. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali; a.k.a. EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 alt. 11.7.1965 in El Dibabiya, Saudi Arabia; citizen of Saudi Arabia
19. EL MORABIT, Mohamed, born 24.1.1981 in Al Hoceima (Morocco), passport (Morocco) No. K789742 (Member of the 'Hofstadgroep')
20. ETTOUMI, Youssef (a.k.a. Youssef TOUMI), born 20.10.1977 in Amsterdam (The Netherlands), ID-card (The Netherlands) No. LNB4576246 (Member of the 'Hofstadgroep')

21. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
22. HAMDI, Ahmed (a.k.a. Abu IBRAHIM), born 5.9.1978 in Beni Said (Morocco), passport (Morocco) No. K728658 (Member of the 'Hofstadgroep')
23. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed; a.k.a. SA-ID; a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
24. LASSASSI, Saber (a.k.a. Mimiche), born 30.11.1970 in Constantine (Algeria) (Member of al-Takfir and al-Hijra)
25. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem; a.k.a. BIN KHALID, Fahd Bin Adballah; a.k.a. HENIN, Ashraf Refaat Nabith; a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 alt. 1.3.1964 in Pakistan, passport No 488555
26. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) (Member of al-Takfir and al-Hijra)
27. MUGHNIYAH, Imad Fa'iz (a.k.a. MUGHNIYAH, Imad Fayiz), Senior Intelligence Officer of HIZBALLAH, born 7.12.1962 in Tayr Dibba, Lebanon, passport No 432298 (Lebanon)
28. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
29. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
30. SEDKAOUI, Nouredine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
31. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
32. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) (Member of al-Takfir and al-Hijra)
33. SISON, Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma, in charge of the Communist Party of the Philippines including NPA) born 8.2.1939 in Cabugao, Philippines
34. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) (Member of al-Takfir and al-Hijra)
35. WALTERS, Jason Theodore James (a.k.a. Abdullah; a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 (Member of the 'Hofstadgroep')

2. GROUPS AND ENTITIES

1. Abu Nidal Organisation (ANO), (a.k.a. Fatah Revolutionary Council, Arab Revolutionary Brigades, Black September, and Revolutionary Organisation of Socialist Muslims)
2. Al-Aqsa Martyrs' Brigade
3. Al-Aqsa e.V.
4. Al-Takfir and Al-Hijra
5. Aum Shinrikyo (a.k.a. AUM, a.k.a. Aum Supreme Truth, a.k.a. Aleph)
6. Babbar Khalsa
7. Communist Party of the Philippines, including New Peoples Army (NPA), Philippines, linked to Sison Jose Maria C. (a.k.a. Armando Liwanag, a.k.a. Joma, in charge of the Communist Party of the Philippines, including NPA)
8. Gama'a al-Islamiyya (Islamic Group), (a.k.a. Al-Gama'a al-Islamiyya, IG)

9. Great Islamic Eastern Warriors Front (IBDA-C)
 10. Hamas (including Hamas-Izz al-Din al-Qassem)
 11. Hizbul Mujahideen (HM)
 12. Hofstadgroep
 13. Holy Land Foundation for Relief and Development
 14. International Sikh Youth Federation (ISYF)
 15. Kahane Chai (Kach)
 16. Khalistan Zindabad Force (KZF)
 17. Kurdistan Workers' Party (PKK), (a.k.a. KADEK; a.k.a. KONGRA-GEL)
 18. Liberation Tigers of Tamil Eelam (LTTE)
 19. Mujahedin-e Khalq Organisation (MEK or MKO) [minus the 'National Council of Resistance of Iran' (NCRI)] (a.k.a. The National Liberation Army of Iran (NLA, the militant wing of the MEK), the People's Mujahidin of Iran (PMOI), Muslim Iranian Students' Society)
 20. National Liberation Army (Ejército de Liberación Nacional)
 21. Palestine Liberation Front (PLF)
 22. Palestinian Islamic Jihad (PIJ)
 23. Popular Front for the Liberation of Palestine (PFLP)
 24. Popular Front for the Liberation of Palestine — General Command (a.k.a PFLP — General Command)
 25. Revolutionary Armed Forces of Colombia (FARC)
 26. Revolutionary People's Liberation Army/Front/Party (DHKP/C) (a.k.a. Devrimci Sol (Revolutionary Left), Dev Sol)
 27. Shining Path (SL) (Sendero Luminoso)
 28. Stichting Al Aqsa (a.k.a. Stichting Al Aqsa Nederland, a.k.a. Al Aqsa Nederland)
 29. TAK — Teyrbazen Azadiya Kurdistan, a.k.a. Kurdistan Freedom Falcons, Kurdistan Freedom Hawks
 30. United Self-Defense Forces/Group of Colombia (AUC) (Autodefensas Unidas de Colombia).
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COMMISSION

COMMISSION DECISION

of 21 June 2007

on the participation of the Commission of the European Communities in the International Biofuels Forum

(2007/446/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) The European Community has stated goals in the energy sector of increasing security of supply and reaching a sustainable energy production and use, including reducing greenhouse gas emissions from its energy use and the biofuels policy of the European Community pursues these two objectives.
- (2) In the context of its international cooperation with international partners, the Commission is actively engaging in energy dialogues and other forms of cooperation on energy issues.
- (3) Brazil has initiated the International Biofuels Forum to promote the international market for sustainable biofuels and to exchange experience and build closer collaboration on standards and codes to facilitate trade in biofuels as well as to enhance collaboration in research. The International Biofuels Forum will in a first stage comprise six participants (the governments of Brazil, the United States, India, China, South Africa and the European Commission).
- (4) The President of Brazil in a letter to Commission President Barroso, dated 10 July 2006, has invited the Commission to join the International Biofuels Forum.

(5) The Commission will through its participation be better able to coordinate relevant activities including research with those of other developed and developing nations.

(6) The International Biofuels Forum itself does not run its own projects and does not require financial contributions to common budgets,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission of the European Communities (hereinafter referred to as the Commission) shall participate as Member in the International Biofuels Forum.

Article 2

The Commissioner for Energy, or his designated representative, is empowered to sign the Declaration on the International Biofuels Forum on behalf of the Commission and to represent the Commission in preparation thereof.

Done at Brussels, 21 June 2007.

For the Commission

Andris PIEBALGS

Member of the Commission

COMMISSION DECISION

of 26 June 2007

amending for the second time Decision 2005/263/EC authorising Member States to adopt certain derogations pursuant to Council Directive 94/55/EC with regard to the transport of dangerous goods by road

*(notified under document number C(2007) 2587)***(Only the Danish, English, Finnish, Portuguese and Swedish texts are authentic)****(Text with EEA relevance)**

(2007/447/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road ⁽¹⁾, and in particular Article 6(9) thereof,

Whereas:

- (1) Pursuant to Article 6(9) of Directive 94/55/EC, Member States must give the Commission advance notification of their derogations for the first time by 31 December 2002 or up to two years after the last date of application of the amended versions of the Annexes to the Directive.
- (2) By Commission Decision 2005/263/EC of 4 March 2005 authorising Member States to adopt certain derogations pursuant to Directive 94/55/EC with regard to the transport of dangerous goods by road ⁽²⁾, the Commission authorised Member States to adopt the derogations listed in Annexes I and II to that Decision.
- (3) Commission Directive 2006/89/EC adapted for the sixth time Annexes A and B to Directive 94/55/EC. By virtue of that Directive, Member States have to bring into force the necessary national legislation no later than 1 July 2007, as the last date of application referred to in Article 6(9) of Directive 94/55/EC is 30 June 2007.
- (4) Denmark, Finland, Ireland, Portugal and the United Kingdom notified the Commission by 31 December 2006 that they wished to adopt new derogations and to amend their existing derogations in Annexes I and II to Decision 2005/263/EC. The Commission has examined these notifications for compliance with the conditions laid down in Article 6(9) of Directive

94/55/EC and has approved them. Those Member States should therefore be authorised to adopt the derogations in question.

- (5) It is therefore necessary to amend the Annexes to Decision 2005/263/EC.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee on the transport of dangerous goods set up under Article 9 of Directive 94/55/EC,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2005/263/EC is hereby amended as follows:

1. Annex I shall be amended as set out in Annex I to this Decision.
2. Annex II shall be amended as set out in Annex II to this Decision.

Article 2

This Decision is addressed to the Kingdom of Denmark, Ireland, the Republic of Finland, the Republic of Portugal and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 June 2007.

For the Commission
Jacques BARROT
Vice-President

⁽¹⁾ OJ L 319, 12.12.1994, p. 7. Directive as last amended by Commission Directive 2006/89/EC (OJ L 305, 4.11.2006, p. 4).

⁽²⁾ OJ L 85, 2.4.2005, p. 58. Decision as amended by Decision 2005/903/EC (OJ L 328, 15.12.2005, p. 62).

ANNEX I

Derogations for Member States on small quantities of certain dangerous goods

In Annex I to Decision 2005/263/EC, the following derogations are to be read as follows:

DENMARK

RO-SQ 2.1 (amended)

Subject: Road transport of packagings or articles containing wastes or residues of dangerous goods collected from households and certain enterprises for the purpose of disposal.

Reference to the Annex to the Directive: Part 2, 3, 4.1, 5.2, 5.4 and 8.2.

Content of the Annex to the Directive: Principles for classification, special provisions, packing provisions, marking and labelling provisions, transport document and training.

Reference to the national legislation: Bekendtgørelse nr. 437 af 6. juni 2005 om vejtransport af farligt gods, § 4 stk. 3.

Content of the national legislation: Inner packagings or articles containing waste or residues of dangerous goods collected from households or certain enterprises may be packed together in outer packagings. The contents of each inner packaging and/or each outer packaging must not exceed set mass or volume limits. Derogations from the provisions concerning classification, packaging, marking and labeling, documentation and training.

Comments: It is not possible to carry out an accurate classification and apply all ADR provisions when wastes or residual amounts of dangerous goods are collected from households and certain enterprises for the purpose of disposal. The waste is typically contained in packagings which have been sold in retail sale.

IRELAND

RO-SQ 7.4 (amended)

Subject: Exemption from some of the provisions of the ADR on the packaging, marking and labelling of small quantities (below the limits in 1.1.3.6) of time-expired pyrotechnic articles of classification codes 1.3G, 1.4G and 1.4S of Class 1 of the ADR, bearing the respective substance identification numbers UN 0092, UN 0093, UN 0191, UN 0195, UN 0197, UN 0240, UN 0312, UN 0403, UN 0404 or UN 0453 for carriage to the nearest military barracks for disposal.

Reference to the Annex to the Directive: 1.1.3.6, 4.1, 5.2 and 6.1.

Content of the Annex to the Directive: Disposal of out-of-date pyrotechnics.

Content of the national legislation: The provisions of the ADR on the packaging, marking and labelling of expired pyrotechnic articles bearing the UN numbers UN 0092, UN 0093, UN 0403 or UN 0404 for carriage to the nearest military barracks do not apply provided the general packaging provisions of the ADR are complied with and additional information is included in the transport document. This applies only to local transport, to the nearest military barracks, of small quantities of these time-expired pyrotechnics for safe disposal.

Reference to the national legislation: Regulation 82(10) of the Carriage of Dangerous Goods by Road Regulations 2004.

Comments: The carriage of small quantities of time-expired marine emergency flares, especially from pleasure boat owners and ship chandlers, to military barracks for safe disposal has created difficulties, particularly in relation to packaging requirements. The derogation is for small quantities (below those specified in 1.1.3.6) for local transport.

THE UNITED KINGDOM

RO-SQ 15.4 (amended)

Subject: Exemption from the requirement for vehicles carrying low-level radioactive material to carry fire-fighting equipment (E4).

Reference to the Annex to the Directive: 8.1.4.

Content of the Annex to the Directive: Requirement for vehicles to carry fire-fighting appliances.

Reference to the national legislation: The Radioactive Material (Road Transport) Regulations 2002, Regulation 5(4)(d).

Content of the national legislation: Removes requirement to carry fire extinguishers when carrying only excepted packages (UN 2908, 2909, 2910 and 2911).

Restricts the requirement where only a small number of packages are carried.

Comments: Carriage of fire-fighting equipment is in practice irrelevant to the transport of UN 2908, 2909, 2910 and 2911, which are often carried in small vehicles.

RO-SQ 15.11 (amended)

Subject: Alternative to display of orange plates for small consignments of radioactive material in small vehicles.

Reference to the Annex to the Directive: 5.3.2.

Content of the Annex to the Directive: Requirement for orange plates to be displayed on small vehicles carrying radioactive material.

Reference to the national legislation: The Radioactive Material (Road Transport) Regulations 2002, Regulation 5(4)(d).

Content of the national legislation: Permits any derogation approved under this process. The derogation requested is:

Vehicles must either:

- (a) be placarded in accordance with the applicable provisions of ADR paragraph 5.3.2; or
 - (b) in the case of a vehicles carrying not more than ten packages containing non-fissile or fissile excepted radioactive material and where the sum of the transport indexes of these packages does not exceed 3, may alternatively carry a notice complying with the requirements laid down in national legislation.
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ANNEX II

Derogations for Member States on local transport limited to their territory

In Annex II to Decision 2005/263/EC, the following derogations are added:

DENMARK**RO-LT 2.2**

Subject: Adoption of RO-LT 14.6

Reference to the national legislation: Bekendtgørelse nr. 437 af 6. juni 2005 om vejtransport af farligt gods, as amended

RO-LT 2.3

Subject: Adoption of RO-LT 15.1

Reference to the national legislation: Bekendtgørelse nr. 437 af 6. juni 2005 om vejtransport af farligt gods, as amended.

PORTUGAL**RO-LT 12.1**

Subject: Transport documentation for UN 1965

Reference to the Annex to the Directive: 5.4.1.

Content of the Annex to the Directive: Requirements for transport documentation.

Reference to the national legislation: Despacho DGTT 7560/2004, 16 April 2004, under Article 5, No 1, of Decreto-Lei No 267-A/2003 of 27 October.

Content of the national legislation: The proper shipping name to be indicated in the transport document, as provided for in Section 5.4.1 of the RPE (Regulamento Nacional de Transporte de Mercadorias Perigosas por Estrada), for commercial butane and propane gases covered by the collective heading 'UN No 1965 hydrocarbon gas mixture, liquefied, n.o.s.', transported in cylinders, may be replaced by other trade names as follows:

- 'UN 1965 Butane' in the case of mixtures A, A01, A02 and A0, as described in Subsection 2.2.2.3 of the RPE, transported in cylinders;
- 'UN 1965 Propane' in the case of mixture C, as described in Subsection 2.2.2.3 of the RPE, transported in cylinders.

Comments: The importance of making it easier for economic operators to fill in transport documents for dangerous goods is recognised, provided that the safety of these operations is not affected.

RO-LT 12.2

Subject: Transport documentation for empty uncleaned tanks and containers.

Reference to the Annex to the Directive: 5.4.1.

Content of the Annex to the Directive: Requirements for transport documentation

Reference to the national legislation: Despacho DGTT 15162/2004, 28 July 2004, under Article 5, No 1, of Decreto-Lei No 267-A/2003, of 27 October.

Content of the national legislation: For the return journeys of empty tanks and containers that have transported dangerous goods, the transport document referred to in Section 5.4.1 of the RPE may be replaced by the transport document issued for the immediately preceding journey made to deliver the goods.

Comments: The obligation that the transport of empty tanks and containers that have contained dangerous goods be accompanied by a transport document in accordance with the RPE causes, in certain cases, practical difficulties, which can be kept to the minimum without prejudice to safety.

FINLAND

RO-LT 13.4

Subject: Adoption of RO-LT 14.10

Reference to the national legislation: To be specified in forthcoming legislation.

UNITED KINGDOM

RO-LT 15.3

Subject: Adoption of RO-LT 14.12

Reference to the national legislation: The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 Part 1.

RO-LT 15.4

Subject: Collection of used batteries for disposal or recycling.

Reference to the Annex of the Directive: Annexes A and B.

Content of the Annex to the Directive: Special Provision 636

Reference to the national legislation: The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment 2007 part 1.

Content of the national legislation: Permits the following alternative conditions for Special Provision 636 of Chapter 3.3:

Used lithium cells and batteries (UN 3090 and UN 3091) collected and presented for carriage for disposal between the consumer collecting point and the intermediate processing facility, together with other non-lithium cells or batteries (UN 2800 and UN 3028), are not subject to the other provisions of ADR if they meet the following conditions:

- They shall be packed in IH2 drums or 4H2 boxes conforming to the packing group II performance level for solids;
- Not more than 5 % of each package shall be lithium and lithium ion batteries;
- The maximum gross mass of each package shall not exceed 25 kg;
- The total quantity of packages per Transport Unit shall not exceed 333 kg;
- No other dangerous goods may be carried.

Comments: Consumer collection points are usually in retail outlets and it is not practical to train large numbers of people to sort and package used batteries in accordance with ADR. The UK system would operate under guidelines set by the UK Waste and Resources Action Programme and would involve the supplying suitable ADR compliant packaging and appropriate instructions.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2007/448/CFSP

of 28 June 2007

updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Positions 2006/380/CFSP and 2006/1011/CFSP

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 15 and 34 thereof,

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽¹⁾.
- (2) On 29 May 2006, the Council adopted Common Position 2006/380/CFSP updating Common Position 2001/931/CFSP ⁽²⁾.
- (3) On 21 December 2006, the Council adopted Common Position 2006/1011/CFSP implementing Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽³⁾, adding certain other persons, groups and entities to the list to which Common Position 2001/931/CFSP applies.
- (4) The Council has carried out a complete review of the list of persons, groups and entities to which Common Positions 2006/380/CFSP and 2006/1011/CFSP apply, in accordance with Article 1(6) of Common Position 2001/931/CFSP.
- (5) Following this review, the Council has concluded that the persons, groups and entities listed in the Annex to this Common Position have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.
- (6) The Council has also determined that another group has been involved in terrorist acts within the meaning of Common Position 2001/931/CFSP and that this group should therefore be added to the list set out below of

persons, groups and entities to which that Common Position applies.

- (7) The Council has determined that certain other groups no longer fulfil the criteria set out in Common Position 2001/931/CFSP and that they should be removed from the list of persons, groups and entities to which that Common Position applies.
- (8) The list of the persons, groups and entities to which Common Position 2001/931/CFSP applies should be updated accordingly,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The list of persons, groups and entities to which Common Position 2001/931/CFSP applies is contained in the Annex hereto.

Article 2

Common Positions 2006/380/CFSP and 2006/1011/CFSP are hereby repealed.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 28 June 2007.

For the Council
The President
S. GABRIEL

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 144, 31.5.2006, p. 25.

⁽³⁾ OJ L 379, 28.12.2006, p. 129.

ANNEX

List of persons, groups and entities referred to in Article 1 ⁽¹⁾**1. PERSONS**

1. ABOU, Rabah Naami (a.k.a. Naami Hamza; a.k.a. Mihoubi Faycal; a.k.a. Fellah Ahmed; a.k.a. Dafri Rème Lahdi) born 1.2.1966 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane) born 17.10.1964 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
3. AKHNIKH, Ismail (a.k.a. SUHAIB; a.k.a. SOHAIB), born 22.10.1982 in Amsterdam (The Netherlands), passport (The Netherlands) No. NB0322935 (Member of the 'Hofstadgroep')
4. * ALBERDI URANGA, Itziar (E.T.A. Activist) born 7.10.1963 in Durango (Biscay), identity card No 78.865.693
5. * ALBISU IRIARTE, Miguel (E.T.A. Activist; Member of Gestoras Pro-amnistía) born 7.6.1961 in San Sebastián (Guipúzcoa), identity card No 15.954.596
6. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN; a.k.a. AL MUGHASSIL, Ahmed Ibrahim) born 26.6.1967 in Qatif-Bab al Shamal, Saudi Arabia; citizen of Saudi Arabia
7. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa, Saudi Arabia; citizen of Saudi Arabia
8. AL YACoub, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut, Saudi Arabia; citizen of Saudi Arabia
9. AOURAGHE, Zine Labidine (a.k.a. Halifi Laarbi MOHAMED; a.k.a. Abed; a.k.a. Abid; a.k.a. Abu ISMAIL), born 18.7.1978 in Nador (Morocco), passport (Spain) No. ESPP278036 (Member of the 'Hofstadgroep')
10. * APAOLAZA SANCHO, Iván (E.T.A. Activist; Member of K. Madrid) born 10.11.1971 in Beasain (Guipúzcoa), identity card No 44.129.178
11. ARIOUA, Azzedine born 20.11.1960 in Constantine (Algeria) (Member of al-Takfir and al-Hijra)
12. ARIOUA, Kamel (a.k.a. Lamine Kamel) born 18.8.1969 in Constantine (Algeria) (Member of al-Takfir and al-Hijra)
13. ASLI, Mohamed (a.k.a. Dahmane Mohamed) born 13.5.1975 in Ain Taya (Algeria) (Member of al-Takfir and al-Hijra)
14. ASLI, Rabah born 13.5.1975 in Ain Taya (Algeria) (Member of al-Takfir and al-Hijra)
15. * ARZALLUS TAPIA, Eusebio (E.T.A. Activist) born 8.11.1957 in Regil (Guipúzcoa), identity card No 15.927.207
16. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour; a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon; citizen of Lebanon
17. BOUGHABA, Mohamed Fahmi (a.k.a. Mohammed Fahmi BOURABA; a.k.a. Mohammed Fahmi BURADA; a.k.a. Abu MOSAB), born 6.12.1981 in Al Hoceima (Morocco), (Member of the 'Hofstadgroep')
18. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR; a.k.a. SOBIAR; a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands), (Member of the 'Hofstadgroep')
19. DARIB, Noureddine (a.k.a. Carreto; a.k.a. Zitoun Mourad) born 1.2.1972 in Algeria (Member of al-Takfir and al-Hijra)
20. DJABALI, Abderrahmane (a.k.a. Touil) born 1.6.1970 in Algeria (Member of al-Takfir and al-Hijra)
21. * ECHEBERRIA SIMARRO, Leire (E.T.A. Activist) born 20.12.1977 in Basauri (Bizcay), identity card No 45.625.646

⁽¹⁾ Persons, groups and entities marked with an * shall be the subject of Article 4 of Common Position 2001/931/CFSP only.

22. * ECHEGARAY ACHIRICA, Alfonso (E.T.A. Activist) born 10.1.1958 in Plencia (Bizcay), identity card No 16.027.051
23. EL FATMI, Nouredine (a.k.a. Nouriddin EL FATMI; a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA'E KA'E; a.k.a. Abu QAE QAE; a.k.a. FOUAD; a.k.a. FZAD; a.k.a. Nabil EL FATMI; a.k.a. Ben MOHAMMED; a.k.a. Ben Mohand BEN LARBI; a.k.a. Ben Driss Muhand IBN LARBI; a.k.a. Abu TAHAR; a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 (Member of the 'Hofstadgroep')
24. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali; a.k.a. EL-HOURI, Ali Saed Bin Ali) born 10.7.1965 alt. 11.7.1965 in El Dibabiya, Saudi Arabia; citizen of Saudi Arabia
25. EL MORABIT, Mohamed, born 24.1.1981 in Al Hoceima (Morocco), passport (Morocco) No. K789742 (Member of the 'Hofstadgroep')
26. ETTOUMI, Youssef (a.k.a. Youssef TOUMI), born 20.10.1977 in Amsterdam (The Netherlands), ID-card (The Netherlands) No. LNB4576246 (Member of the 'Hofstadgroep')
27. FAHAS, Sofiane Yacine born 10.9.1971 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
28. * GOGESCOECHEA ARRONATEGUI, Eneko (E.T.A. Activist), born 29.4.1967 in Guernica (Biscay), identity card No 44.556.097
29. HAMD, Ahmed (a.k.a. Abu IBRAHIM), born 5.9.1978 in Beni Said (Morocco), passport (Morocco) No. K728658 (Member of the 'Hofstadgroep')
30. * IPARRAGUIRRE GUENECHEA, Ma Soledad (E.T.A. Activist) born 25.4.1961 in Escoriaza (Navarra), identity card No 16.255.819
31. * IZTUETA BARANDICA, Enrique (E.T.A. Activist) born 30.7.1955 in Santurce (Biscay), identity card No 14.929.950
32. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed; a.k.a. SA-ID; a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
33. LASSASSI, Saber (a.k.a. Mimiche) born 30.11.1970 in Constantine (Algeria) (Member of al-Takfir and al-Hijra)
34. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem; a.k.a. BIN KHALID, Fahd Bin Adballah; a.k.a. HENIN, Ashraf Refaat Nabith; a.k.a. WADOOD, Khalid Adbul) born 14.4.1965 alt. 1.3.1964 in Pakistan, passport No 488555
35. MOKTARI, Fateh (a.k.a. Ferdi Omar) born 26.12.1974 in Hussein Dey (Algeria) (Member of al-Takfir and al-Hijra)
36. * MORCILLO TORRES, Gracia (E.T.A. Activist; Member of Kas/Ekin) born 15.3.1967 in San Sebastián (Guipúzcoa), identity card No 72.439.052
37. MUGHNIYAH, Imad Fa'iz (a.k.a. MUGHNIYAH, Imad Fayiz), Senior Intelligence Officer of HIZBALLAH, born 7.12.1962 in Tayr Dibba, Lebanon, passport No 432298 (Lebanon)
38. * NARVÁEZ GOÑI, Juan Jesús (E.T.A. Activist) born 23.2.1961 in Pamplona (Navarra), identity card No 15.841.101
39. NOUARA, Farid born 25.11.1973 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
40. * ORBE SEVILLANO, Zigor (E.T.A. Activist; Member of Jarrai/Haika/Segi) born 22.9.1975 in Basauri (Biscay), identity card No 45.622.851
41. * PALACIOS ALDAY, Gorka (E.T.A. Activist; Member of K. Madrid), born 17.10.1974 in Baracaldo (Biscay), identity card No 30.654.356
42. * PEREZ ARAMBURU, Jon Iñaki (E.T.A. Activist; Member of Jarrai/Haika/Segi) born 18.9.1964 in San Sebastián (Guipúzcoa), identity card No 15.976.521

43. * QUINTANA ZORROZUA, Asier (E.T.A. Activist; Member of K. Madrid), born 27.2.1968 in Bilbao (Biscay), identity card No 30.609.430
44. RESSOUS, Hoari (a.k.a. Hallasa Farid) born 11.9.1968 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
45. * RUBENACH ROIG, Juan Luis (E.T.A. Activist; Member of K. Madrid), born 18.9.1963 in Bilbao (Biscay), identity card No 18.197.545
46. SEDKAOUI, Noureddine (a.k.a. Nounou) born 23.6.1963 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
47. SELMANI, Abdelghani (a.k.a. Gano) born 14.6.1974 in Algiers (Algeria) (Member of al-Takfir and al-Hijra)
48. SENOUCI, Sofiane born 15.4.1971 in Hussein Dey (Algeria) (Member of al-Takfir and al-Hijra)
49. SISON, Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma, in charge of the Communist Party of the Philippines including NPA) born 8.2.1939 in Cabugao, Philippines
50. TINGUALI, Mohammed (a.k.a. Mouh di Kouba) born 21.4.1964 in Blida (Algeria) (Member of al-Takfir and al-Hijra)
51. * URANGA ARTOLA, Kemen (E.T.A. Activist; Member of Herri Batasuna/E.H/Batasuna) born 25.5.1969 in Ondarroa (Biscay), identity card No 30.627.290
52. * VALLEJO FRANCO, Iñigo (E.T.A. Activist) born 21.5.1976 in Bilbao (Biscay), identity card No 29.036.694
53. * VILA MICHELENA, Fermín (E.T.A. Activist; Member of Kas/Ekin) born 12.3.1970 in Irún (Guipúzcoa), identity card No 15.254.214
54. WALTERS, Jason Theodore James (a.k.a. Abdullah; a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378, (Member of the 'Hofstadgroep')

2. GROUPS AND ENTITIES

1. Abu Nidal Organisation (ANO), (a.k.a. Fatah Revolutionary Council, Arab Revolutionary Brigades, Black September, and Revolutionary Organisation of Socialist Muslims)
2. Al-Aqsa Martyr's Brigade
3. Al-Aqsa e.V.
4. Al-Takfir and Al-Hijra
5. * Cooperativa Artigiana Fuoco ed Affini — Occasionalmente Spettacolare (Artisans' Cooperative Fire and Similar — Occasionally Spectacular)
6. * Nuclei Armati per il Comunismo (Armed Units for Communism)
7. Aum Shinrikyo (a.k.a. AUM, a.k.a. Aum Supreme Truth, a.k.a. Aleph)
8. Babbar Khalsa
9. * CCCCC — Cellula Contro Capitale, Carcere i suoi Carcerieri e le sue Celle (Cell Against Capital, Prison, Prison Warders and Prison Cells)
10. Communist Party of the Philippines, including New Peoples Army (NPA), Philippines, linked to Sison Jose Maria C. (a.k.a. Armando Liwanag, a.k.a. Joma, in charge of the Communist Party of the Philippines, including NPA)

11. * Continuity Irish Republican Army (CIRA)
12. * EPANASTATIKOS AGONAS — Revolutionary Struggle
13. * Euskadi Ta Askatasuna/Tierra Vasca y Libertad/Basque Fatherland and Liberty (E.T.A.) (The following organisations are part of the terrorist group E.T.A.: K.a.s., Xaki, Ekin, Jarrai Haika Segi, Gestoras pro-amnistía, Askatasuna, Batasuna (a.k.a. Herri Batasuna, a.k.a. Euskal Herritarrok)
14. Gama'a al-Islamiyya (Islamic Group), (a.k.a. Al-Gama'a al-Islamiyya, IG)
15. Great Islamic Eastern Warriors Front (IBDA-C)
16. * Grupos de Resistencia Antifascista Primero de Octubre/Antifascist Resistance Groups First of October (G.R.A.P.O.)
17. Hamas (including Hamas-Izz al-Din al-Qassem)
18. Hizbul Mujahideen (HM)
19. Hofstadgroep
20. Holy Land Foundation for Relief and Development
21. International Sikh Youth Federation (ISYF)
22. * Solidarietà Internazionale (International Solidarity)
23. Kahane Chai (Kach)
24. Khalistan Zindabad Force (KZF)
25. Kurdistan Workers' Party (PKK), (a.k.a. KADEK; a.k.a. KONGRA-GEL)
26. Liberation Tigers of Tamil Eelam (LTTE)
27. * Loyalist Volunteer Force (LVF)
28. Mujahedin-e Khalq Organisation (MEK or MKO) [minus the 'National Council of Resistance of Iran' (NCRI)] (a.k.a. The National Liberation Army of Iran (NLA, the militant wing of the MEK), the People's Mujahidin of Iran (PMOI), Muslim Iranian Student's Society)
29. National Liberation Army (Ejército de Liberación Nacional)
30. * Orange Volunteers (OV)
31. Palestine Liberation Front (PLF)
32. Palestinian Islamic Jihad (PIJ)
33. Popular Front for the Liberation of Palestine (PFLP)
34. Popular Front for the Liberation of Palestine-General Command, (a.k.a. PFLP-General Command)
35. * Real IRA
36. * Brigate Rosse per la Costruzione del Partito Comunista Combattente (Red Brigades for the Construction of the Fighting Communist Party)

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- 37. * Red Hand Defenders (RHD)
 - 38. Revolutionary Armed Forces of Colombia (FARC)
 - 39. * Revolutionary Nuclei/Epanastatiki Pirines
 - 40. * Revolutionary Organisation 17 November/Dekati Evdomi Noemvri
 - 41. Revolutionary People's Liberation Army/Front/Party (DHKP/C), (a.k.a. Devrimci Sol (Revolutionary Left), Dev Sol)
 - 42. Shining Path (SL) (Sendero Luminoso)
 - 43. Stichting Al Aqsa (a.k.a. Stichting Al Aqsa Nederland, a.k.a. Al Aqsa Nederland)
 - 44. TAK — Teyrbazen Azadiya Kurdistan, a.k.a. Kurdistan Freedom Falcons, Kurdistan Freedom Hawks
 - 45. * Brigata XX Luglio (Twentieth of July Brigade)
 - 46. * Ulster Defence Association/Ulster Freedom Fighters (UDA/UFF)
 - 47. United Self-Defense Forces/Group of Colombia (AUC) (Autodefensas Unidas de Colombia)
 - 48. * F.A.I. — Federazione Anarchica Informale (Unofficial Anarchist Federation)
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COUNCIL DECISION 2007/449/CFSP**of 28 June 2007****implementing Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)**

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to Council Common Position 2004/694/CFSP ⁽¹⁾, and in particular Article 2 thereof, in conjunction with the second indent of Article 23(2) of the Treaty on European Union,

Article 1

The Annex to Common Position 2004/694/CFSP shall be replaced by the Annex to this Decision.

Whereas:

Article 2

This Decision shall take effect on the date of its adoption.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

(1) Under the terms of Common Position 2004/694/CFSP, the Council adopted measures in order to freeze all funds and economic resources belonging to the natural persons listed in the Annex thereto, who had been indicted by the ICTY.

(2) Following the transfer of Mr Zdravko TOLIMIR and Mr Vlastimir DJORDJEVIC to the custody of the ICTY on 1 June 2007, their names should be removed from the list.

(3) Furthermore, reasons should be provided in relation to the individuals who remain listed.

(4) It is accordingly necessary to adapt the list set out in the Annex to Common Position 2004/694/CFSP accordingly,

Done at Luxembourg, 28 June 2007.

For the Council
The President
S. GABRIEL

⁽¹⁾ OJ L 315, 14.10.2004, p. 52. Common Position as amended by Decision 2006/484/CFSP (OJ L 189, 12.7.2006, p. 25) and extended by Common Position 2006/671/CFSP (OJ L 275, 6.10.2006, p. 66).

ANNEX

List of persons referred to in Article 1

	Individual	Reason
1.	Name: HADZIC Goran (male) Date of birth: 7.9.1958 Place of birth: Vinkovci, Croatia National of Serbia	indicted by ICTY and still at large <i>Indictment: 4.6.2004</i> <i>Case No: IT-04-75</i>
2.	Name: KARADZIC Radovan (male) Date of birth: 19.6.1945 Place of birth: Petnjica, Savnik municipality, Montenegro National of Bosnia and Herzegovina	indicted by ICTY and still at large <i>Initial indictment: 25.7.1995; second indictment: 16.11.1995; amended indictment: 31.5.2000</i> <i>Case No: IT-95-5/18</i>
3.	Name: MLADIC Ratko (male) Date of birth: 12.3.1948 Place of birth: Bozanovici, Kalinovik municipality, Bosnia and Herzegovina National of Bosnia and Herzegovina	indicted by ICTY and still at large <i>Initial indictment: 25.7.1995; second indictment: 16.11.1995; amended indictment: 8.11.2002</i> <i>Case No: IT-95-5/18</i>
4.	Name: ZUPLJANIN Stojan (male) Date of birth: 22.9.1951 Place of birth: Kotor Varos, Bosnia and Herzegovina National of Bosnia and Herzegovina	indicted by ICTY and still at large <i>Initial indictment: 17.12.1999; second amended indictment: 6.10.2004</i> <i>Case No: IT-99-36-I</i>