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DECISIONS

Council

2007/511/EC:

- ★ Council Decision of 15 February 2007 on the conclusion, on behalf of the Community, of an Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union 15

2007/512/EC:

- ★ Council Decision of 15 February 2007 on the signing, on behalf of the Community, and on the provisional application of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union 17

Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union 19

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 849/2007**of 19 July 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 20 July 2007.

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

Done at Brussels, 19 July 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 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 19 July 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	MK	52,4
	TR	106,7
	ZZ	79,6
0707 00 05	MK	68,1
	TR	104,4
	ZZ	86,3
0709 90 70	TR	90,5
	ZZ	90,5
0805 50 10	AR	55,1
	UY	55,7
	ZA	57,8
	ZZ	56,2
0808 10 80	AR	91,4
	BR	90,0
	CA	101,7
	CL	89,4
	CN	86,6
	NZ	100,0
	US	96,8
	UY	54,7
	ZA	97,3
0808 20 50	ZZ	89,8
	AR	82,7
	CL	83,8
	NZ	103,5
	TR	138,6
	ZA	125,0
0809 10 00	ZZ	106,7
	TR	179,3
	ZZ	179,3
0809 20 95	CA	344,6
	TR	302,2
	US	366,1
	ZZ	337,6
0809 30 10, 0809 30 90	TR	159,9
	ZZ	159,9
0809 40 05	IL	142,1
	ZZ	142,1

⁽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 850/2007**of 19 July 2007****amending Regulation (EC) No 378/2005 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the duties and tasks of the Community Reference Laboratory concerning applications for authorisations of feed additives****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

sets out a list of the consortium of National Reference Laboratories.

Having regard to the Treaty establishing the European Community,

- (5) The amount of the fee has never been adapted since the date of entry into force of Regulation (EC) No 378/2005 and should be increased to take account of experience gained since that date.

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular the third subparagraph of Article 21 thereof,

- (6) The Czech Republic, Ireland, Hungary and Finland have informed the Commission that the name or certain details of their National Reference Laboratories taking part in the consortium have changed. Accordingly, the list in Annex II to Regulation (EC) No 378/2005 should be replaced by the list in the Annex to this Regulation.

Whereas:

- (1) Regulation (EC) No 1831/2003 establishes a Community procedure for authorising the placing on the market and use of feed additives in animal nutrition. It provides that any person seeking authorisation for a feed additive or a new use of a feed additive is to submit an application for authorisation to the Commission in accordance with that Regulation (the application).

- (7) Regulation (EC) No 378/2005 should therefore be amended accordingly.

- (2) In addition, Regulation (EC) No 1831/2003 provides for the establishment of a Community Reference Laboratory (CRL) to carry out certain duties and tasks set out in Annex II thereto. That Regulation also provides that the CRL may be assisted by a consortium of National Reference Laboratories.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 378/2005 is amended as follows:

- (3) Regulation (EC) No 378/2005 lays down detailed rules for the implementation of Regulation (EC) No 1831/2003 as regards applications and the duties and tasks of the CRL.

1. in Article 4, paragraph 1 is replaced by the following:

- (4) Article 4(1) to Regulation (EC) No 378/2005 provides that the CRL is to charge applicants a fee for each application (the fee). In addition, Annex II to that Regulation

‘1. The CRL shall charge the applicant a fee of EUR 6 000 for each application (the fee).’;

⁽¹⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

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

Article 2

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

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

Done at Brussels, 19 July 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

‘ANNEX II

Community Reference Laboratory and consortium of National Reference Laboratories, as referred to in Article 6(2)

COMMUNITY REFERENCE LABORATORY

Joint Research Centre of the European Commission, Institute for Reference Materials and Measurements, Geel, Belgium.

NATIONAL REFERENCE LABORATORIES OF THE MEMBER STATES

Belgique/België

- Federaal Voedingslabo Tervuren (AFSCA-FAVV), Tervuren,
- Vlaamse Instelling voor Technologisch Onderzoek (VITO), Mol.

Česká republika

- Ústřední kontrolní a zkušební ústav zemědělský (ÚKZÚZ), Praha.

Danmark

- Plantedirektoratets Laboratorium, Lyngby.

Deutschland

- Schwerpunktlabor Futtermittel des Bayerischen Landesamtes für Gesundheit und Lebensmittelsicherheit (LGL), Oberschleißheim,
- Landwirtschaftliche Untersuchungs- und Forschungsanstalt (LUFA) Speyer, Speyer,
- Sächsische Landesanstalt für Landwirtschaft, Fachbereich 8 — Landwirtschaftliches Untersuchungswesen, Leipzig,
- Thüringer Landesanstalt für Landwirtschaft (TLL), Abteilung Untersuchungswesen. Jena.

Eesti

- Põllumajandusuuringute Keskus (PMK), Jäädikide ja saastainete labor, Saku, Harjumaa,
- Põllumajandusuuringute Keskus (PMK), Taimse materjali analüüsi labor, Saku, Harjumaa.

Éire/Ireland

- The State Laboratory, Kildare.

España

- Laboratorio Arbitral Agroalimentario, Ministerio de Agricultura, Pesca y Alimentación, Madrid,
- Laboratori Agroalimentari, Departament d'Agricultura, Ramaderia i Pesca, Generalitat de Catalunya, Cabrils.

France

- Laboratoire de Rennes, Direction générale de la concurrence, de la consommation et de la répression des fraudes (DGCCRF), Rennes.

Italia

- Istituto Superiore di Sanità, Dipartimento di Sanità alimentare ed animale, Roma,
- Centro di referenza nazionale per la sorveglianza ed il controllo degli alimenti per gli animali (CReAA), Torino.

Κύπρος

- Εργαστήριο Ελέγχου Ζωοτροφών, Τμήμα Γεωργίας, Λευκωσία.

Latvija

- Valsts veterinārmedicīnas diagnostikas centrs (VVMDC), Rīga.

Lietuva

- Nacionalinė veterinarijos laboratorija, Vilnius,
- Klaipėdos apskrities VMVT laboratorija, Klaipėda.

Luxembourg

- Laboratoire de contrôle et d'essais — ASTA, Ettelbruck.

Magyarország

- Mezőgazdasági Szakigazgatási Hivatal (MgSzH) Élelmiszer- és Takarmánybiztonsági Igazgatóság, Központi Takarmányvizsgáló Laboratórium – Nemzeti Referencia Laboratórium, Budapest.

Nederland

- RIKILT-Instituut voor Voedselveiligheid, Wageningen,
- Rijksinstituut voor Volksgezondheid en Milieu (RIVM), Bilthoven.

Österreich

- Österreichische Agentur für Gesundheit und Ernährungssicherheit (AGES), Wien.

Polska

- Instytut Zootechniki w Krakowie, Krajowe Laboratorium Pasz, Lublin,
- Państwowy Instytut Weterynaryjny, Puławy.

Portugal

- Laboratório Nacional de Investigação Veterinária, Lisboa.

Slovenija

- Univerza v Ljubljani, Veterinarska fakulteta. Nacionalni veterinarski inštitut, Enota za patologijo prehrane in higieno okolja, Ljubljana,
- Kmetijski inštitut Slovenije, Ljubljana.

Slovensko

- Skúšobné laboratórium – Oddelenie analýzy krmív, Ústredný kontrolný a skúšobný ústav poľnohospodársky, Bratislava.

Suomi/Finland

- Elintarviketurvallisuusvirasto/Livsmedelssäkerhetsverket (Evira), Helsinki/Helsingfors.

Sverige

- Foderavdelningen, Statens Veterinärmedicinska Anstalt (SVA), Uppsala.

United Kingdom

- The Laboratory of the Government Chemist, Teddington.

NATIONAL REFERENCE LABORATORIES OF EFTA COUNTRIES**Norway**

- LabNett AS, Agricultural Chemistry Laboratory, Stjørdal.
-

COMMISSION REGULATION (EC) No 851/2007**of 19 July 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 20 July 2007.

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

Done at Brussels, 19 July 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 20 July 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	34,70	34,70

⁽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.

COMMISSION REGULATION (EC) No 852/2007**of 19 July 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 20 July 2007.

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

Done at Brussels, 19 July 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 20 July 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	31,91 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	31,91 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	31,91 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	31,91 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3470
1701 99 10 9100	S00	EUR/100 kg	34,70
1701 99 10 9910	S00	EUR/100 kg	34,70
1701 99 10 9950	S00	EUR/100 kg	34,70
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,3470

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, 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⁾ 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) No 318/2006.

COMMISSION REGULATION (EC) No 853/2007**of 19 July 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 20 July 2007.

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

Done at Brussels, 19 July 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 20 July 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	34,70
1702 60 10 9000	S00	EUR/100 kg dry matter	34,70
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3470
1702 90 30 9000	S00	EUR/100 kg dry matter	34,70
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3470
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3470
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,3470 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	34,70
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3470

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 854/2007**of 19 July 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 19 July 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 19 July 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 39,695 EUR/100 kg.

Article 2

This Regulation shall enter into force on 20 July 2007.

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

Done at Brussels, 19 July 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 855/2007**of 19 July 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 38/2007**

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:

in response to the partial invitation to tender ending on 18 July 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

- (1) Commission Regulation (EC) No 38/2007 of 17 January 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden ⁽²⁾ requires the issuing of partial invitations to tender.

For the partial invitation to tender ending on 18 July 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 38/2007 shall be 45,236 EUR/100 kg.

Article 2

- (2) Pursuant to Article 4(1) of Regulation (EC) No 38/2007 and following an examination of the tenders submitted

This Regulation shall enter into force on 20 July 2007.

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

Done at Brussels, 19 July 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 11, 18.1.2007, p. 4. Regulation as amended by Regulation (EC) No 203/2007 (OJ L 61, 28.2.2006, p. 3).

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 15 February 2007

on the conclusion, on behalf of the Community, of an Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

(2007/511/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(a) and Article 66 in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

(1) According to Article 21(3) of Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union ⁽²⁾, countries associated with the implementation, application and development of the Schengen *acquis* are to participate in the Agency. The modalities of their participation are to be determined in further arrangements to be concluded between the Community and those countries.

(2) Following the authorisation given to the Commission on 7 October 2004, negotiations with the Republic of Iceland and the Kingdom of Norway for an Arrangement on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union have been concluded.

(3) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Decision and is not bound by it, or subject to its application. Since this Decision builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark should, in accordance with Article 5 of the said Protocol, decide within a period of six months after the Council has adopted this Decision whether it will implement it in its national law or not.

(4) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽³⁾. The United Kingdom is therefore not taking part in its adoption and is not bound by it, or subject to its application.

(5) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽⁴⁾. Ireland is therefore not taking part in its adoption and is not bound by it, or subject to its application.

⁽¹⁾ Opinion of the European Parliament of 12 December 2006 (not yet published in the Official Journal).

⁽²⁾ OJ L 349, 25.11.2004, p. 1.

⁽³⁾ OJ L 131, 1.6.2000, p. 43.

⁽⁴⁾ OJ L 64, 7.3.2002, p. 20.

(6) According to Council Decision 2007/512/EC ⁽¹⁾, and pending its final conclusion at a later date, the Arrangement has been signed on behalf of the Community on 1 February 2007.

(7) The Arrangement should be concluded,

HAS DECIDED AS FOLLOWS:

Article 1

The Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union is hereby approved on behalf of the Community.

The text of the Arrangement is attached to this Decision ⁽²⁾.

Article 2

The President of the Council is hereby authorised to designate the person empowered to deposit on behalf of the Community the instrument of approval provided for in Article 9(1) of the Arrangement in order to express the consent of the Community to be bound.

Done at Brussels, 15 February 2007.

For the Council
The President
W. SCHÄUBLE

⁽¹⁾ See page 17 of this Official Journal.

⁽²⁾ See page 19 of this Official Journal.

COUNCIL DECISION

of 15 February 2007

on the signing, on behalf of the Community, and on the provisional application of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

(2007/512/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(a) and Article 66 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) According to Article 21(3) of Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union ⁽¹⁾, countries associated with the implementation, application and development of the Schengen *acquis* should participate in the Agency. The modalities of their participation are to be determined in further arrangements to be concluded between the Community and those countries.
- (2) Following the authorisation given to the Commission on 7 October 2004, negotiations with the Republic of Iceland and the Kingdom of Norway for an Arrangement on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union have been concluded.
- (3) Subject to its conclusion at a later date, the Arrangement initialled on 18 May 2005 should be signed and the attached Joint Declaration approved. The Arrangement should be applied on a provisional basis.
- (4) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the

European Community, Denmark is not taking part in the adoption of this Decision and is not bound by it, or subject to its application. Since this Decision builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark should, in accordance with Article 5 of the said Protocol, decide within a period of six months after the Council has adopted this Decision whether it will implement it in its national law or not.

- (5) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽²⁾. The United Kingdom is therefore not taking part in its adoption and is not bound by it, or subject to its application.
- (6) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽³⁾. Ireland is therefore not taking part in its adoption and is not bound by it, or subject to its application,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union and the Joint Declaration is hereby approved on behalf of the Community, subject to the conclusion of the Arrangement.

The text of the Arrangement and the Joint Declaration is attached to this Decision.

⁽¹⁾ OJ L 349, 25.11.2004, p. 1.

⁽²⁾ OJ L 131, 1.6.2000, p. 43.

⁽³⁾ OJ L 64, 7.3.2002, p. 20.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Arrangement on behalf of the Community, subject to its conclusion.

Article 3

Pending the completion of the procedures for its formal conclusion, the Arrangement shall be applied on a provisional basis in accordance with Article 9(2) thereof ⁽¹⁾.

Done at Brussels, 15 February 2007.

For the Council
The President
W. SCHÄUBLE

⁽¹⁾ The date of signature of the Arrangement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

ARRANGEMENT

between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

THE EUROPEAN COMMUNITY,

represented by the Council of the European Union,

of the one part, and

THE REPUBLIC OF ICELAND, hereinafter referred to as 'Iceland', and

THE KINGDOM OF NORWAY, hereinafter referred to as 'Norway',

of the other part,

HAVING REGARD to the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those States with the implementation, application and development of the Schengen *acquis* (hereinafter referred to as the Agreement),

WHEREAS:

- (1) By Council Regulation (EC) No 2007/2004⁽¹⁾ (hereinafter referred to as the Regulation) the European Community established the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (hereinafter referred to as the Agency).
- (2) The Regulation constitutes a development of the Schengen *acquis* within the meaning of the Agreement.
- (3) The Regulation confirms that countries associated with the implementation, application and development of the Schengen *acquis* should participate fully in activities of the Agency, albeit with limited voting rights.
- (4) The Agreement does not address the modalities of the association of Iceland and Norway with the activities of new bodies set up by the European Union in the framework of the further development of the Schengen *acquis*, and certain aspects of the association with the Agency should be settled in an additional arrangement between the Contracting Parties to the Agreement,

HAVE AGREED AS FOLLOWS:

*Article 1***The Management Board**

1. Iceland and Norway shall be represented in the Management Board of the Agency, as laid down in Article 21(3) of the Regulation.

⁽¹⁾ OJ L 349, 25.11.2004, p. 1.

2. They shall have voting rights:

- (a) as regards decisions on specific activities to be carried out at, or in the vicinity of, their external borders. Proposals for such decisions shall require a vote in favour of their adoption by their representative in the Management Board;
- (b) as regards decisions on specific activities under Article 3 (joint operations and pilot projects at external borders), Article 7 (management of technical equipment), Article 8 (support to Member States in circumstances requiring increased technical and operational assistance at external borders) and Article 9(1), first sentence (joint return operations) to be carried out with human resources and/or equipment made available by Iceland and/or Norway;
- (c) as regards decisions on risk analysis (development of the common integrated risk analysis, general and specific risk analysis), directly affecting them, under Article 4;
- (d) as regards decisions on training activities under Article 5, except on establishment of the common core curriculum.

*Article 2***Financial contribution**

Iceland and Norway shall contribute to the budget of the Agency in accordance with the percentage laid down in Article 12(1) of the Agreement.

*Article 3***Protection and confidentiality of data**

1. Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽¹⁾ shall apply where personal data are forwarded by the Agency to Icelandic and Norwegian authorities.

2. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾ shall apply to data forwarded by the Icelandic and Norwegian authorities to the Agency.

3. Iceland and Norway shall respect the rules on confidentiality of documents held by the Agency, as set out in the Rules of Procedure of the Management Board.

*Article 4***Legal status**

The Agency shall have legal personality under Icelandic and Norwegian law and shall enjoy in Iceland and Norway the most extensive legal capacity accorded to legal persons under Icelandic and Norwegian law. It may, in particular, acquire or dispose of movable and immovable property and may be party to legal proceedings.

*Article 5***Liability**

The liability of the Agency shall be governed, as provided for in Article 19(1), (3) and (5) of the Regulation.

*Article 6***Court of Justice**

Iceland and Norway shall recognise the jurisdiction of the Court of Justice of the European Communities over the Agency, as provided for in Article 19(2) and (4) of the Regulation.

*Article 7***Privileges and immunities**

Iceland and Norway shall apply to the Agency and to its staff the Protocol on the Privileges and Immunities of the European Communities and applicable rules adopted pursuant to that Protocol.

*Article 8***Staff**

1. By way of derogation from Article 12(2)(a) of the Conditions for employment of other servants of the European Communities, nationals of Iceland and Norway enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Agency.

2. Nationals of Iceland and Norway may not, however, be appointed to the posts of Executive Director or Deputy Executive Director of the Agency.

3. Nationals of Iceland and Norway may not be elected as Chairperson or Deputy Chairperson of the Management Board.

*Article 9***Entry into force**

1. This Arrangement shall enter into force one month following the day on which the Secretary-General of the Council, who shall act as its depositary, has established that all formal requirements concerning the expression of the consent by or on behalf of the Parties to this Arrangement to be bound by it have been fulfilled.

2. This Arrangement shall apply provisionally as from the day following that of its signature.

*Article 10***Validity and termination**

1. This Arrangement shall be concluded for an unlimited period.

2. This Arrangement shall cease to be in force six months after the Agreement is denounced by Iceland or by Norway or by decision of the Council of the European Union, or is otherwise terminated in accordance with the procedures described in Articles 11 and 16 of the Agreement.

The agreement referred to in Article 17 of the Agreement shall also cover the consequences of termination of this Arrangement.

This Arrangement, as well as the Joint Declaration annexed thereto, shall be drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish, Icelandic and Norwegian languages, each of those texts being equally authentic.

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

Съставено в Брюксел на първи февруари две хиляди и седма година.

Hecho en Bruselas, el uno de febrero del dos mil siete.

V Bruselu dne prvného února dva tisíce sedm.

Udfærdiget i Bruxelles, den første februar to tusind og syv.

Geschehen zu Brüssel am ersten Februar zweitausendsieben.

Kahe tuhande seitsmenda aasta veebruarikuu esimesel päeval Brüsselis.

Έγινε στις Βρυξέλλες, την πρώτη Φεβρουαρίου δύο χιλιάδες επτά.

Done at Brussels on the first day of February in the year two thousand and seven.

Fait à Bruxelles, le premier février deux mille sept.

Fatto a Bruxelles, addì primo febbraio duemilasette.

Briselē, divtūkstoš septītā gada pirmajā februārī.

Priimta du tūkstančiai septintų metų vasario pirmą dieną Briuselyje.

Kelt Brüsszelben, a kettőezer hetedik év február első napján.

Magħmul fi Brussell, fl-ewwel jum ta' Frar tas-sena elfejn u sebgha.

Gedaan te Brussel, de eerste februari tweeduizend zeven.

Sporządzono w Brukseli, dnia pierwszego lutego roku dwa tysiące siódmego.

Feito em Bruxelas, em um de Fevereiro de dois mil e sete.

Întocmit la Bruxelles, întâi februarie două mii șapte.

V Bruseli prvého februára dvetisícšedem.

V Bruslju, prvega februarja leta dva tisoč sedem.

Tehty Brysselissä ensimmäisenä päivänä helmikuuta vuonna kaksituhattaseitsemän.

Som skedde i Bryssel den första februari tjugohundrasju.

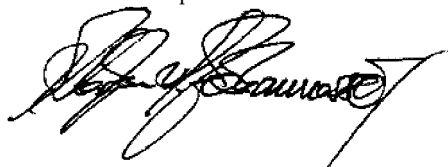
Gjört í Brussel fyrsta dag febrúarmánaðar árið tvö þúsund og sjö.

Utferdiget i Brussel den 1. februar 2007.

За Европейската общност
 Por la Comunidad Europea
 Za Evropské společenství
 For Det Europæiske Fællesskab
 Für die Europäische Gemeinschaft
 Euroopa Ühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 az Európai Közösség részéről
 Għall-Komunità Ewropea
 Voor de Europese Gemeenschap
 W imieniu Wspólnoty Europejskiej
 Pela Comunidade Europeia
 Pentru Comunitatea Europeană
 Za Európske spoločenstvo
 Za Evropsko skupnost
 Euroopan yhteisön puolesta
 På Europeiska gemenskapens vägnar
 Fyrir hönd Evrópubandalagsins
 For Det europeiske fellesskap



За Европейската общност
 Por la República de Islandia
 Za Íslandskou republiku
 For Republikken Island
 Für die Republik Island
 Íslandi Vabariigi nimel
 Για τη Δημοκρατία της Ισλανδίας
 For the Republic of Iceland
 Pour la République d'Islande
 Per la Repubblica d'Islanda
 Islandes Republikas vārdā
 Islandijos Respublikos vardu
 az Izlandi Köztársaság részéről
 Għar-Repubblika ta' l-Iżlanda
 Voor de Republiek IJsland
 W imieniu Republiki Islandii
 Pela República da Islândia
 Pentru Republica Islanda
 Za Íslandskú republiku
 Za Republiko Islandijo
 Islannin tasavallan puolesta
 På Republiken Islands vägnar
 Fyrir hönd lýðveldisins Íslands
 For Republikken Island



За Република Норвегия
 Por el Reino de Noruega
 Za Norské království
 For Kongeriget Norge
 Für das Königreich Norwegen
 Norra Kuningriigi nimel
 Για το Βασίλειο της Νορβηγίας
 For the Kingdom of Norway
 Pour le Royaume de Norvège
 Per il Regno di Norvegia
 Norvēģijas Karalistes vārdā
 Norvegijos Karalystės vardu
 A Norvég Királyság részéről
 Għar-Renju tan-Norveġja
 Voor het Koninkrijk Noorwegen
 W imieniu Królestwa Norwegii
 Pelo Reino da Noruega
 Pentru Regatul Norvegiei
 Za Nórske kráľovstvo
 Za Kraljevino Norveško
 Norjan kuningaskunnan puolesta
 På Konungariket Norges vägnar
 Fyrir hönd konungsríkisins Noregs
 For Kongeriket Norge



JOINT DECLARATION

by the European Community and the Governments of the Republic of Iceland and the Kingdom of Norway concerning the agreement on the arrangements for the participation by the Republic of Iceland and the Kingdom of Norway in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

The European Community,
the Government of the Republic of Iceland
and

the Government of the Kingdom of Norway,

Having concluded an agreement on the arrangements for the participation by the Republic of Iceland and the Kingdom of Norway in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union in accordance with Article 21(3) of Council Regulation (EC) No 2007/2004,

Hereby jointly declare that:

The voting rights provided for in the Agreement are justified by the special relations with Iceland and Norway flowing from the association of these States with the implementation, application and development of the Schengen *acquis*, as recognised in the Schengen Protocol to the Treaty of Amsterdam.

Those voting rights are of an exceptional nature attributable to the specific nature of Schengen cooperation and the special position of Norway and Iceland.

They may therefore not be regarded as a legal or political precedent for any other field of cooperation between the parties to the Agreement or for the participation of other third countries in other agencies of the Union.

In no circumstances may these voting rights be exercised in respect of decisions of a regulatory or legislative nature.
