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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 101/2006**of 20 January 2006**

amending Regulations (EC) No 1975/2004 and (EC) No 1976/2004 extending definitive anti-dumping and countervailing duties on imports of polyethylene terephthalate (PET) film originating in India, to imports of polyethylene terephthalate (PET) film consigned from Brazil and from Israel, whether declared as originating in Brazil or Israel or not

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ ('the basic anti-dumping Regulation'), and in particular Articles 11(4) and 13(4) thereof, and to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community⁽²⁾ ('the basic anti-subsidy Regulation') and in particular Articles 20 and 23(3) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. MEASURES IN FORCE

- (1) The Council, by Regulations (EC) No 1676/2001⁽³⁾ and (EC) No 2597/1999⁽⁴⁾ imposed anti-dumping and countervailing measures respectively on polyethylene terephthalate ('PET') film originating, *inter alia*, in India.
- (2) By Regulations (EC) No 1975/2004⁽⁵⁾ and (EC) No 1976/2004⁽⁶⁾, the Council extended these measures to PET film consigned from Israel and from Brazil ('the extended measures') with the exception of imports produced by one Brazilian company, Terphane Ltda, and one Israeli company, Jolybar Ltd, specifically mentioned in each of those regulations.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 288, 21.10.1997, p. 1. Regulation as last amended by Regulation (EC) No 461/2004.

⁽³⁾ OJ L 227, 23.8.2001, p. 1.

⁽⁴⁾ OJ L 316, 10.12.1999, p. 1.

⁽⁵⁾ OJ L 342, 15.11.2004, p. 1.

⁽⁶⁾ OJ L 342, 15.11.2004, p. 8.

- (3) On 10 December 2004⁽⁷⁾, the Commission initiated an expiry review of the definitive countervailing measures on the basis of Article 18 of the basic anti-subsidy (see 1st recital) Regulation. The repeal or continuation of the extended measures will depend on the findings of that investigation.

B. CURRENT INVESTIGATION**1. Request for a review**

- (4) The Commission subsequently received a request for an exemption from the extended measures pursuant to Articles 11(4) and 13(4) of the basic anti-dumping Regulation and Articles 20 and 23(3) of the basic anti-subsidy Regulation. The application was lodged by Hanita Coatings Rural Cooperative Association Ltd, Kibbutz Hanita, 22885, Israel ('Hanita'), a producer in Israel ('the country concerned').

2. Initiation of a review

- (5) The Commission examined the evidence submitted by Hanita and considered it sufficient to justify the initiation of an investigation pursuant to Articles 11(4) and 13(4) of the basic anti-dumping Regulation and Articles 20 and 23(3) of the basic anti-subsidy Regulation for the purposes of determining the possibility of granting Hanita an exemption from the extended measures. After consultation of the Advisory Committee, and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by Regulation (EC) No 1370/2005⁽⁸⁾, a review of Regulations (EC) No 1975/2004 and (EC) No 1976/2004 with regard to Hanita.
- (6) The Regulation initiating the review repealed the anti-dumping duty imposed by Regulation (EC) No 1975/2004 with regard to imports of the product under investigation consigned from Israel by Hanita. Simultaneously, pursuant to Article 14(5) of the basic anti-dumping Regulation, customs authorities were directed to take appropriate steps to register such imports.

⁽⁷⁾ OJ C 306, 10.12.2004, p. 2.

⁽⁸⁾ OJ L 218, 23.8.2005, p. 3.

3. Product concerned

- (7) The product concerned is, as defined in the original investigation, polyethylene terephthalate (PET) film originating in India, normally declared under CN codes ex 3920 62 19 and ex 3920 62 90 ('the product concerned').
- (8) It is considered that the product concerned and PET film consigned from Israel to the Community under CN codes ex 3920 62 19 and ex 3920 62 90 ('the product under review') have the same basic technical, physical and chemical characteristics and the same uses. Therefore, they are considered as like products within the meaning of Article 1(4) of the basic anti-dumping Regulation and Article 1(5) of the basic anti-subsidy Regulation.

4. Investigation

- (9) The Commission officially advised Hanita and the representatives of the country concerned of the initiation of the review. Interested parties were invited to make their views known and informed of the possibility to request a hearing. No such request was, however, received.
- (10) The Commission also sent out a questionnaire to Hanita and received a satisfactory reply within the relevant deadline. The Commission sought and verified all the information deemed necessary for the purposes of the review. A verification visit was carried out at Hanita's premises.

5. Investigation period

- (11) The investigation covered the period from 1 January 2004 to 30 June 2005 ('the IP'). Data was collected from 2001 up to the end of the IP to investigate any change in the pattern of trade.

C. RESULTS OF THE INVESTIGATION

- (12) The investigation confirmed that Hanita did not export the product under review to the Community during the investigation period of the investigation that led to the extended measures, i.e. 1 January to 31 December 2003. Hanita's first exports of the product under review occurred subsequent to the extension of measures.
- (13) Furthermore, according to documentary evidence submitted, Hanita was able to satisfactorily demonstrate that it did not have any direct or indirect links with any of the Indian exporting producers or Israeli companies

subject to the anti-dumping and countervailing measures in force.

- (14) As already mentioned at recital (12), Hanita's exports to the Community of the product under review first occurred after the extension of measures. Hanita converts and slits purchased PET film and produces a range of products, some of which fall under the same CN codes as the product concerned. The PET film processed by Hanita and exported to the Community does not use any inputs from India. It is therefore concluded that this is not a practice constituting circumvention.

D. AMENDMENT OF THE MEASURES BEING REVIEWED

- (15) In accordance with the above findings that Hanita was found not to have circumvented the measures in force, the company should be exempted from the extended measures.
- (16) The registration of imports of PET film consigned from Israel by Hanita, as imposed by the initiating Regulation, should cease. In accordance with Article 14(5) of the basic anti-dumping Regulation, which provides that measures shall be applied against registered imports from the date of registration, no anti-dumping duty should be collected on imports of PET film consigned from Israel by Hanita which entered the Community under registration imposed by the initiating Regulation.
- (17) The exemption from the extended measures granted to PET film produced by Hanita shall, in accordance with Article 13(4) of the basic anti-dumping Regulation and Article 23(3) of the basic anti-subsidy Regulation, remain valid under the requirement that it is not established that the exemption was granted on the basis of false or misleading information submitted by the company concerned. Should *prima facie* evidence indicate otherwise, an investigation may be initiated by the Commission to establish if withdrawal of the exemption is warranted.

- (18) The exemption from the extended measures of imports of PET film from Hanita was established on the basis of the findings of the present review. This exemption is thus exclusively applicable to imports of PET film consigned from Israel and produced by that specific legal entity. Imported PET film produced or consigned by any company not specifically mentioned in Article 1(1) of Regulations (EC) No 1975/2004 and (EC) No 1976/2004 with its name and address, including entities related to those specifically mentioned, cannot benefit from the exemption and should be subject to the residual duty rate as imposed by Regulations (EC) No 1676/2001 and (EC) No 2597/1999.

E. **PROCEDURE**

- (19) Hanita and all other interested parties were informed of the facts and considerations on the basis of which it was intended to grant an exemption to Hanita from the extended measures and no comments were received,

HAS ADOPTED THIS REGULATION:

Article 1

1. Article 1(1) of Regulation (EC) No 1975/2004 shall be replaced by the following:

'1. The definitive anti-dumping duty of 53,3 % imposed by Regulation (EC) No 1676/2001 on imports of polyethylene terephthalate film originating in India, falling within CN codes ex 3920 62 19 and ex 3920 62 90, is hereby extended to imports of the same polyethylene terephthalate film consigned from Brazil and consigned from Israel (whether declared as originating in Brazil or Israel or not) (TARIC codes 3920 62 19 01, 3920 62 19 04, 3920 62 19 07, 3920 62 19 11, 3920 62 19 14, 3920 62 19 17, 3920 62 19 21, 3920 62 19 24, 3920 62 19 27, 3920 62 19 31, 3920 62 19 34, 3920 62 19 37, 3920 62 19 41, 3920 62 19 44, 3920 62 19 47, 3920 62 19 51, 3920 62 19 54, 3920 62 19 57, 3920 62 19 61, 3920 62 19 67, 3920 62 19 74, 3920 62 19 92, 3920 62 90 31, 3920 62 90 92) with the exception of those produced by Terphane Ltda, BR 101, km 101, City of Cabo de Santo Agostinho, State of Pernambuco, Brazil (TARIC additional code A569), by Jolybar Filmtechnic Converting Ltd (1987), Hacharutsim str. 7, Ind. Park Siim 2000, Natania South, 42504, POB 8380, Israel (TARIC additional code A570) and by Hanita Coatings Rural Cooperative Association Ltd, Kibbutz Hanita, 22885, Israel (TARIC additional code A691).'

2. Article 1(1) of Regulation (EC) No 1976/2004 shall be replaced by the following:

'1. The definitive countervailing duty of 19,1 % imposed by Regulation (EC) No 2597/1999 on imports of polyethylene terephthalate film originating in India, falling within CN codes ex 3920 62 19 and ex 3920 62 90, is hereby extended to imports of the same polyethylene terephthalate film consigned from Brazil and consigned from Israel (whether declared as originating in Brazil or Israel or not) (TARIC codes 3920 62 19 01, 3920 62 19 04, 3920 62 19 07, 3920 62 19 11, 3920 62 19 14, 3920 62 19 17, 3920 62 19 21, 3920 62 19 24, 3920 62 19 27, 3920 62 19 31, 3920 62 19 34, 3920 62 19 37, 3920 62 19 41, 3920 62 19 44, 3920 62 19 47, 3920 62 19 51, 3920 62 19 54, 3920 62 19 57, 3920 62 19 61, 3920 62 19 67, 3920 62 19 74, 3920 62 19 92, 3920 62 90 31, 3920 62 90 92) with the exception of those produced by Terphane Ltda, BR 101, km 101, City of Cabo de Santo Agostinho, State of Pernambuco, Brazil (TARIC additional code A569), by Jolybar Filmtechnic Converting Ltd (1987), Hacharutsim str. 7, Ind. Park Siim 2000, Natania South, 42504, POB 8380, Israel (TARIC additional code A570) and by Hanita Coatings Rural Cooperative Association Ltd, Kibbutz Hanita, 22885, Israel (TARIC additional code A691).'

Article 2

The registration of imports of PET film imposed by Article 3 of Regulation (EC) No 1370/2005 shall cease without the collection of anti-dumping duties.

Article 3

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

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

Done at Brussels, 20 January 2006.

For the Council

The President

U. PLASSNIK

COMMISSION REGULATION (EC) No 102/2006**of 20 January 2006****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 January 2006.

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

Done at Brussels, 20 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 20 January 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	99,5
	204	72,5
	212	95,5
	624	115,6
	999	95,8
0707 00 05	052	137,6
	204	101,1
	999	119,4
0709 10 00	220	88,5
	999	88,5
0709 90 70	052	144,3
	204	139,9
	999	142,1
0805 10 20	052	46,0
	204	61,7
	212	61,8
	220	50,3
	624	58,4
	999	55,6
0805 20 10	052	74,2
	204	75,6
	999	74,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,6
	204	95,6
	400	86,0
	464	142,9
	624	74,0
	662	27,9
	999	81,5
0805 50 10	052	50,2
	220	60,5
	999	55,4
0808 10 80	400	117,5
	404	104,8
	512	58,4
	720	64,2
	999	86,2
0808 20 50	400	81,6
	720	39,1
	999	60,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 103/2006**of 20 January 2006****adopting additional provisions for the application of the Community scale for the classification of carcasses of adult bovine animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals ⁽²⁾, and in particular the first paragraph of Article 6 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2930/81 of 12 October 1981 adopting additional provisions for the application of the Community scale for the classification of carcasses of adult bovine animals ⁽³⁾ has been substantially amended ⁽⁴⁾. In the interests of clarity and rationality the said Regulation should be codified.
- (2) In order to ensure the uniform classification of the carcasses of adult bovine animals in the Community, it is necessary to make the definitions of classes of conformation and fat cover more precise.

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional provisions making the definitions of classes of conformation and fat cover more precise as referred to in the first paragraph of Article 6 of Regulation (EEC) No 1208/81 shall be as listed in Annex I to this Regulation.

Article 2

Regulation (EEC) No 2930/81 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Article 3

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, 20 January 2006.

For the Commission

The President

José Manuel BARROSO

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

⁽²⁾ OJ No L 123, 7.5.1981, p. 3. Regulation as amended by Regulation (EEC) No 1026/91 (OJ L 106, 26.4.1991, p. 2).

⁽³⁾ OJ L 293, 13.10.1981, p. 6. Regulation as amended by Regulation (EEC) No 2237/91 (OJ L 204, 27.7.1991, p. 11).

⁽⁴⁾ See Annex II.

ANNEX I

1. CONFORMATION

Development of carcase profiles, and in particular the essential parts (round, back, shoulder)

Conformation class	Additional provisions	
S Superior	Round: very highly rounded doublemuscled visibly separated seams Back: very wide and very thick, up to the shoulder Shoulder: very rounded	Topside spreads very markedly over the symphysis (<i>symphysis pelvis</i>) Rump very rounded
E Excellent	Round: very rounded Back: wide and very thick, up to the shoulder Shoulder: very rounded	Topside spreads markedly over the symphysis (<i>symphysis pelvis</i>) Rump very rounded
U Very good	Round: rounded Back: wide and thick, up to the shoulder Shoulder: rounded	Topside spreads over the symphysis (<i>symphysis pelvis</i>) Rump rounded
R Good	Round: well-developed Back: still thick but less wide at the shoulder Shoulder: fairly well-developed	Topside and rump are slightly rounded
O Fair	Round: average development to lacking development Back: average thickness to lacking thickness Shoulder: average development to almost flat	Rump straight profile
P Poor	Round: poorly developed Back: narrow with bones visible Shoulder: flat with bones visible	

2. DEGREE OF FAT COVER

Amount of fat on the outside of the carcase and in the thoracic cavity

Class of fat cover	Additional provisions
1 low	No fat within the thoracic cavity
2 slight	Within the thoracic cavity the muscle is clearly visible between the ribs
3 average	Within the thoracic cavity the muscle is still visible between the ribs
4 high	The seams of fat on the round are prominent. Within the thoracic cavity the muscle between the ribs may be infiltrated with fat
5 very high	The round is almost completely covered with fat, so that the seams of fat are no longer clearly visible. Within the thoracic cavity the muscle between the ribs is infiltrated with fat

ANNEX II

Repealed Regulation with its successive amendment

Commission Regulation (EEC) No 2930/81	(OJ L 293, 13.10.1981, p. 6)
Commission Regulation (EEC) No 2237/91	(OJ L 204, 27.7.1991, p. 11)

ANNEX III

Correlation Table

Regulation (EEC) No 2930/81	This Regulation
Article 1	Article 1
—	Article 2
Article 2	Article 3
Annex	Annex I
—	Annex II
—	Annex III

COMMISSION REGULATION (EC) No 104/2006**of 20 January 2006****on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2247/2003 of 19 December 2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) ⁽³⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 1 of Regulation (EC) No 2247/2003 provides for the possibility of issuing import licences for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.
- (2) The applications for import licences submitted between 1 to 10 January 2006, expressed in terms of boned meat, in accordance with Regulation (EC) No 2247/2003, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.

- (3) The quantities in respect of which licences may be applied for from 1 February 2006 should be fixed within the scope of the total quantity of 52 100 t.

- (4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States shall issue on 21 January 2006 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

— 250 t originating in Botswana,

— 250 t originating in Namibia;

United Kingdom:

— 200 t originating in Botswana,

— 200 t originating in Namibia.

Article 2

Licence applications may be submitted, pursuant to Article 4(2) of Regulation (EC) No 2247/2003, during the first 10 days of February 2006 for the following quantities of boned beef and veal:

Botswana:	18 466 t,
Kenya:	142 t,
Madagascar:	7 579 t,
Swaziland:	3 363 t,
Zimbabwe:	9 100 t,
Namibia:	12 550 t.

Article 3

This Regulation shall enter into force on 21 January 2006.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Commission Regulation (EC) No 1899/2004 (OJ L 328, 30.10.2004, p. 67).

⁽²⁾ OJ L 348, 21.12.2002, p. 5.

⁽³⁾ OJ L 333, 20.12.2003, p. 37. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

⁽⁴⁾ OJ L 302, 31.12.1972, p. 28. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

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

Done at Brussels, 20 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

COMMISSION REGULATION (EC) No 105/2006**of 20 January 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 70/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 21 January 2006.

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

Done at Brussels, 20 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 11, 17.1.2006, p. 15.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 21 January 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	32,98	1,39
1701 11 90 ⁽¹⁾	32,98	5,04
1701 12 10 ⁽¹⁾	32,98	1,26
1701 12 90 ⁽¹⁾	32,98	4,71
1701 91 00 ⁽²⁾	31,08	9,69
1701 99 10 ⁽²⁾	31,08	5,17
1701 99 90 ⁽²⁾	31,08	5,17
1702 90 99 ⁽³⁾	0,31	0,34

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 106/2006
of 20 January 2006
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned

cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 22,345 EUR/100 kg.

Article 2

This Regulation shall enter into force on 21 January 2006.

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

Done at Brussels, 20 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 107/2006
of 20 January 2006
on the issue of import licences for certain preserved mushrooms for applications for the period
1 January to 31 December 2006

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1864/2004 of 26 October 2004 opening and providing for the administration of tariff quotas for preserved mushrooms imported from third countries ⁽²⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) The quantities for which licence applications have been lodged by traditional importers and/or by new importers between 2 and 6 January 2006 pursuant to Article 8(1) and (2) of Regulation (EC) No 1864/2004, exceed the quantities available for products originating in China.
- (2) It is therefore necessary to establish the extent to which the licence applications sent to the Commission on 16 January 2006 can be met and to fix, for each category of

importer and product origin, the dates until which the issue of certificates must be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged under Article 4 of Regulation (EC) No 1864/2004 between 2 and 6 January 2006 and sent to the Commission on 16 January 2006 shall be met at a percentage rate of the quantities applied for as set out in Annex I hereto.

Article 2

For each category of importer and origin involved, applications for import licences under Article 4 of Regulation (EC) No 1864/2004 for the period 1 January to 31 December 2006, lodged after 6 January 2006 but before the date in Annex II hereto, shall be rejected.

Article 3

This Regulation shall enter into force on 21 January 2006.

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

Done at Brussels, 20 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 325, 28.10.2004, p. 30.

ANNEX I

Origin of products	Percentage allocations			
	Bulgaria	Romania	China	Third countries other than Bulgaria, Romania and China
— traditional importers (Article 3(1) of Regulation (EC) No 1864/2004)	100 %	—	42,84 %	100 %
— new importers (Article 3(2) of Regulation (EC) No 1864/2004)			7,09 %	—

‘—’: No licence application has been sent to the Commission.

ANNEX II

Origin of products	Dates			
	Bulgaria	Romania	China	Third countries other than Bulgaria, Romania and China
— traditional importers (Article 3(1) of Regulation (EC) No 1864/2004)	1.1.2007	1.1.2007	1.1.2007	1.1.2007
— new importers (Article 3(2) of Regulation (EC) No 1864/2004)			1.1.2007	1.1.2007

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 January 2006

granting certain parties an exemption from the extension to certain bicycle parts of the anti-dumping duty on bicycles originating in the People's Republic of China imposed by Council Regulation (EEC) No 2474/93, last maintained and amended by Regulation (EC) No 1095/2005, and lifting the suspension of the payment of the anti-dumping duty extended to certain bicycle parts originating in the People's Republic of China granted to certain parties pursuant to Regulation (EC) No 88/97

(notified under document number C(2006) 54)

(2006/22/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 71/97 ⁽²⁾ of 10 January 1997 extending the definitive anti-dumping duty imposed by Regulation (EEC) No 2474/93 on bicycles originating in the People's Republic of China to imports of certain bicycle parts from the People's Republic of China, and levying the extended duty on such imports registered under Regulation (EC) No 703/96 (the extending Regulation), maintained by Regulation (EC) No 1524/2000 ⁽³⁾ and amended by Regulation (EC) No 1095/2005 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 88/97 ⁽⁵⁾ of 20 January 1997 on the authorisation of the exemption of imports of certain bicycle parts originating in the People's Republic of China from the extension by Council Regulation (EC) No 71/97 of the anti-dumping duty imposed by Council Regulation (EEC) No 2474/93 (the exemption Regulation), maintained by Regulation (EC) No 1524/2000 and amended by Regulation (EC) No 1095/2005, and in particular Article 7 thereof,

After consulting the Advisory Committee,

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 16, 18.1.1997, p. 55.

⁽³⁾ OJ L 175, 14.7.2000, p. 39.

⁽⁴⁾ OJ L 183, 14.7.2005, p. 1.

⁽⁵⁾ OJ L 17, 21.1.1997, p. 17.

Whereas:

- (1) After the entry into force of the exemption Regulation, a number of bicycle assemblers submitted requests pursuant to Article 3 of that Regulation for exemption from the anti-dumping duty, as extended to imports of certain bicycle parts from the People's Republic of China by Regulation (EC) No 71/97 (the extended anti-dumping duty). The Commission has published, in the Official Journal, successive lists of applicants ⁽¹⁾ for which the payment of the extended anti-dumping duty in respect of their imports of essential bicycle parts declared for free circulation was suspended pursuant to Article 5(1) of the exemption Regulation.
- (2) Following the last publication of the list of parties under examination ⁽²⁾, a period of examination has been selected. This period was defined as from 1 January 2004 to 31 December 2004 for parties located in the 15 Member States prior to enlargement of the European Union on 1 May 2004, and from 1 May 2004 to 31 December 2004 for parties located in the new Member States. A questionnaire was sent to all parties under examination, requesting information on the assembly operations conducted during the relevant period of examination.

A. REQUESTS FOR EXEMPTION FOR WHICH SUSPENSION WAS PREVIOUSLY GRANTED

A.1. Acceptable requests for exemption

- (3) The Commission received from the parties listed in table 1 below all the information required for the determination of the admissibility of their requests. The information provided was examined and verified, where necessary, at the premises of the parties concerned. Based on this information, the Commission found that the requests submitted by the parties listed in table 1 below are admissible pursuant to Article 4(1) of the exemption Regulation.

Table 1

Name	Address	Country	TARIC additional code
4EVER s.r.o.	2. května 267, CZ-742 13 Studénka	Czech Republic	A558
Accell Hunland Kft.	Parkoló tér 1., H-1059 Tószeg	Hungary	A534
AMP Welding, s.r.o.	Orlové 165, SK-01701 Považská Bystrica	Slovak Republic	A572
Bike Fun International s.r.o.	Štefánikova 1163, CZ-742 21 Kopřivnice	Czech Republic	A536
BPS Bicycle Industrial s.r.o.	Šumavská 779/2, CZ-787 01 Šumperk	Czech Republic	A537
CAPRI-Ne Kft.	Kiskút útja 1., H-8000 Székesfehérvár	Hungary	A562
Ciclo Meccanica Srl	Via delle Industrie 14 I-20050 Sulbiate (MI)	Italy	A170
EURO.T POLSKA Sp. z o.o.	ul. Drogowców 12, PL-42-200 Częstochowa	Poland	A549
Eurobik, s.r.o.	Bardejovská 36, SK-080 06 Prešov	Slovak Republic	A575
EXPLORER group s.r.o.	CZ-742 67 Ženkla 167	Czech Republic	A563
Falter Bike GmbH & Co. KG	Bunzlauer Straße 15, D-33719 Bielefeld	Germany	A125

⁽¹⁾ OJ C 45, 13.2.1997, p. 3, OJ C 112, 10.4.1997, p. 9, OJ C 220, 19.7.1997, p. 6, OJ C 378, 13.12.1997, p. 2, OJ C 217, 11.7.1998, p. 9, OJ C 37, 11.2.1999, p. 3, OJ C 186, 2.7.1999, p. 6, OJ C 216, 28.7.2000, p. 8, OJ C 170, 14.6.2001, p. 5, OJ C 103, 30.4.2002, p. 2, OJ C 35, 14.2.2003, p. 3, OJ C 43, 22.2.2003, p. 5, OJ C 54, 2.3.2004, p. 2 and OJ C 299, 4.12.2004, p. 4.

⁽²⁾ OJ C 299, 4.12.2004, p. 4.

Name	Address	Country	TARIC additional code
FHMM Sp. z o.o.	ul. Ciecholowicka 29, 55-120 Oborniki Śląskie	Poland	A548
IB Sp. z o.o.	Zakład Pracy Chronionej, ul. Miłośników Podhala 1, PL-34-425 Białe Dunajce	Poland	A539
IDEAL EUROPE Sp. z o.o.	ul. Metalowa 11, PL-99-300 Kutno	Poland	A540
Jan Zasada Biuro Ekonomiczno-Handlowe	ul. Fabryczna 6, PL-98-300 Wieluń	Poland	A542
Jozef Kender-Kenzel	Imeľ č. 830, SK-946 52 Imeľ	Slovak Republic	A557
KROSS S.A.	ul. Leszno 46, PL-06-300 Przasnysz	Poland	A543
Mama spol. s.r.o.	Krajinská 1, SK-921 01 Piešťany	Slovak Republic	A551
Master Bike, s.r.o.	Sadová 2, CZ-789 01 Zábřeh na Moravě	Czech Republic	A552
N.V. Race Productions	Ambachtstraat 19, B-3980 Tessenderlo	Belgium	A576
Neuzer Kerékpár Kereskedelmi és Szolgáltató Kft.	Eötvös u. 48., H-2500 Esztergom	Hungary	A545
Novus Bike s.r.o.	Hlavní 266, CZ-747 81 Otice	Czech Republic	A553
Olimpia Kerékpár Kft.	Ostorhegy u. 4., H-1164 Budapest	Hungary	A554
Przedsiębiorstwo Handlowo Produkcyjne UNIBIKE Jerzy Orłowski, Piotr Drobotowski Sp. Jawna	ul. Przemysłowa 28B, PL-85-758 Bydgoszcz	Poland	A556
Schwinn-Csepel Kerékpár-gyártó és Forgalmazó Rt.	Gyepsor u. 1., H-1211 Budapest	Hungary	A555
Sprick Rowery Sp. z o.o.	ul. Świerczewskiego 76, PL-66-200 Świebodzin	Poland	A571
Trade-Stomil Sp. z o.o.	ul. 6 Sierpnia 74, PL-90-646 Łódź	Poland	A574
UAB Baltik Vairas	Pramonės g. 3, LT-78138 Šiauliai	Lithuania	A547
Zweirad Paulsen	Hauptstraße 80, D-49635 Badbergen	Germany	A566

- (4) The facts as finally ascertained by the Commission show that for all these applicants' bicycle assembly operations, the value of the parts originating in the People's Republic of China which were used in their assembly operations was lower than 60 % of the total value of the parts used in these assembly operations, and they, therefore, fall outside the scope of Article 13(2) of the basic Regulation.
- (5) For the above reason, and in accordance with Article 7(1) of the exemption Regulation, the parties listed in the above table should be exempt from the extended anti-dumping duty.
- (6) In accordance with Article 7(2) of the exemption Regulation, the exemption of the parties listed in table 1 from the extended anti-dumping duty should take effect as from the date of receipt of their requests. In addition, their customs debt in respect of the extended anti-dumping duty is to be considered void as from the date of receipt of their requests for exemption.

- (7) It is to be noted that the following five parties listed in table 1 informed the Commission services of a change in their name and/or in their legal seat, or transfer of economic activity, during the examination period:
- ‘AB Baltik Vairas, Tilžės g. 74, 5410 Šiauliai, Lithuania’, changed its name and transferred its legal seat to ‘UAB Baltik Vairas, Pramonės g. 3, 78138, Lithuania’;
 - ‘EXPLORER Bike s.r.o., Štefánikova 1163, 742 21 Kopřivnice, Czech Republic’, changed its name and transferred its legal seat to ‘EXPLORER Group s.r.o., Ženklava 167, 742 67 Ženklava, Czech Republic’;
 - ‘Firma Handlowa Marta Majcher, ul. Małomska 48/1, 59-300 Lubin, Poland’, transferred its economic activity to ‘FHMM Sp. z o.o., ul. Ciechelowicka 29, 55-120 Oborniki Śląskie, Poland’;
 - ‘KROSS Sp. z o.o., Ul. Leszno 46, 06-300 Przasnysz, Poland’, changed its name into ‘KROSS S.A., Ul. Leszno 46, 06-300 Przasnysz, Poland’;
 - ‘Master Bike, s.r.o., Písařov 86, 789 91 Písařov, Czech Republic’, transferred its legal seat to ‘Sadová 2, 789 01 Zábřeh na Moravě, Czech Republic’.
- (8) It has been established that these changes in the name and/or legal seat and transfer of economic activity did not affect the assembly operations with regard to the stipulations of the exemption Regulation and therefore the Commission does not consider that these changes should affect the exemption from the extended anti-dumping duty.

A.2. Unacceptable requests for exemption and withdrawals

- (9) The parties listed in table 2 below also submitted requests for exemption from the extended anti-dumping duty.

Table 2

Name	Address	Country	TARIC additional code
Czech Bike, a.s.	Palackého 82, CZ-612 00 Brno	Czech Republic	A560
MEMO cz, s.r.o.	Jungmannova 319, CZ-506 01 Jičín	Czech Republic	A544
Special Bike di Diciolla Francesco	Via dei Mille 50, I-71042 Cerignola (Foggia)	Italy	A533
Winora Staiger GmbH	Max-Planck-Straße 6, D-97526 Sennfeld	Germany	A559

- (10) The on-the-spot verifications at the premises of one party revealed that it failed to keep certain specific records and to provide detailed information necessary to the granting of the exemption. In particular, information related to the origin of the bicycle parts used in the assembly operations, as required by Article 6(2) of the exemption Regulation, could not be verified. The party was informed that it was intended to reject its request, and subsequently submitted comments in writing. However, it did not provide any additional verifiable evidence to support its arguments.
- (11) Another party withdrew its request for exemption and informed the Commission accordingly.

- (12) Another party failed to submit the requested information required for the examination of its request. For this reason, and in accordance with Article 7(3) of the exemption Regulation, the Commission informed this party that it intended to reject its request for exemption. This party was given an opportunity to comment. No comments were received.
- (13) Another party did not use the bicycle parts for the production or assembly of bicycles during the examination period, which constitutes a breach of the obligations set out in Article 6(2) of the exemption Regulation. The party was informed accordingly and submitted comments in writing. However, since this information related to a period subsequent to the examination period, it could not be taken into account pursuant to Article 6(1) of the basic Regulation.
- (14) Since the parties listed in table 2 failed to meet the criteria for exemption set by Article 6(2) of the exemption Regulation, the Commission has to reject their requests for exemption, in accordance with Article 7(3) of the Regulation. In the light of this, the suspension of the payment of the extended anti-dumping duty referred to in Article 5 of the exemption Regulation must be lifted and the extended anti-dumping duty must be collected as from the date of receipt of the requests submitted by these parties.

A.3. Requests for exemption requiring further examination

- (15) The parties listed in table 3 below also submitted requests for exemption from the payment of the extended anti-dumping duty.

Table 3

Name	Address	Country	TARIC additional code
ARKUS Sp. z o.o.	Podgródzie 32c, PL-39-200 Dębica	Poland	A565
Athletic International Sp. z o.o.	ul. Drawska 21, PL-02-202 Warszawa	Poland	A568
BELVE s.r.o.	Palkovičova 5, SK-915 01 Nové Mesto nad Váhom	Slovak Republic	A535
ROG Kolesa, d.d.	Letališka 29, SI-1000 Ljubljana	Slovenia	A538
Fabryka Rowerów Romet-Jastrowie Sp. z o.o.	ul. Naturowicza 14, PL-64-915 Jastrowie	Poland	A564
ISTRO-HGA, spol. s.r.o.	Svätopeterská 14, SK-947 01 Hurbanovo	Slovak Republic	A541
OLPRAN, spol. s.r.o.	Libušina 101, CZ-772 11 Olomouc	Czech Republic	A546

- (16) It is to be noted that 'ROG Kolesa, d.d., Letališka 29, 1000 Ljubljana, Slovenia' listed in table 3 informed the Commission services of a change in name from 'ELAN Bikes, d.d.' to 'ROG Kolesa, d.d.'. It has been established that this change in the name did not affect the request for exemption from the extended anti-dumping duty.
- (17) With regard to these requests, it should be noted that, because of particular circumstances relating to the changed corporate structure of some of the companies, it was not possible for the Commission to determine whether the assembly operations of these parties fell outside the scope of Article 13(2) of the basic Regulation for the period of examination.
- (18) As regards one party, the Commission services could not verify the questionnaire data on the spot since the essential accounting documents necessary to the granting of the exemption were kept by the Settlement Senate of the District Court. This Court received the accounting records of this party in the framework of a compulsory settlement plan.

- (19) Two of the parties merged into a new legal entity. Since this event occurred after the submission of the questionnaire response, the Commission was not in a position to verify whether the assembly operations of the new legal entity fell outside the scope of the Article 13(2) of the basic Regulation.
- (20) Another party has imported parts during the period of examination, but it had only started its assembly operations after the period of examination.
- (21) With regard to the three remaining parties, it was not possible during the verification visit to determine the ratio of the value of the bicycle parts originating in the People's Republic of China in the total value of the bicycle parts used in the assembly operations for the period of examination since, the parties used a very large number of parts purchased prior to enlargement in their assembly operations.
- (22) In light of the above, the parties listed in table 3 should be maintained in the list of parties under examination. The payment of the anti-dumping duty in respect of the imports of essential bicycle parts declared for free circulation by these parties should remain suspended.

B. REQUESTS FOR EXEMPTION FOR WHICH SUSPENSION WAS NOT PREVIOUSLY GRANTED

B.1. Inadmissible requests for exemption

- (23) The parties listed in table 4 also submitted requests for exemption from the payment of the extended anti-dumping duty:

Table 4

Name	Address	Country
Avex Kft.	Csenterics u. 3., H-2440 Százhalombatta	Hungary
Ets Duret	8, rue de Clémont, F-18410 Argent sur Sauldre	France
P.P.H.U. Interbike	ul. Drogowców 12, PL-42-200 Częstochowa	Poland
P.P.U.H. POL-FOX	ul. Tenisowa 81, PL-42-200 Częstochowa	Poland
Unimex	Domburgseweg 87, 4356 BK Oostkapelle, Nederland	The Netherlands

- (24) With regard to these parties, it should be noted that their requests did not meet the admissibility criteria set out in Article 4(1) of the exemption Regulation.
- (25) Two applicants use essential bicycle parts for the production or assembly of bicycles in quantities below 300 units per type on a monthly basis.
- (26) Three applicants did not provide *prima facie* evidence that their assembly operations fall outside the scope of Article 13(2) of the basic Regulation, notably the value of the parts originating in the People's Republic of China, which were used in their assembly operations, was higher than 60 % of the total value of the parts used in these assembly operations.
- (27) These parties were informed accordingly and were given an opportunity to comment. No comments were received. Accordingly, no suspension was granted to these parties.

B.2. Admissible requests for exemption for which suspension should be granted

- (28) Interested parties are hereby informed of the receipt of further requests for exemption, pursuant to Article 3 of the exemption Regulation, from parties listed in table 5. The suspension from the extended duty, following these requests, should take effect as shown in the column headed 'Date of effect':

Table 5

Name	Address	Country	Suspension pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
A.J. Maias Lda	Estrada Nacional N.º 1, Malaposta, Apart. 27, P-3781-908 Sangalhos	Portugal	Article 5	23.2.2005	A401
Avantisbike — Fabrico de Bicicletas S.A.	Rua do Casarão, P-3750-869 Borralha	Portugal	Article 5	10.11.2005	A726
Bike Mate s.r.o.	Dlhá 248/43, SK-905 01 Senica	Slovak Republic	Article 5	8.10.2004	A589
Bike Sport	Krzemionka 14, PL-62-872 Godziesze	Poland	Article 5	3.1.2005	A593
Cannondale Europe B.V.	Hanzeport 27, 7575 DB Oldenzaal, Nederland	The Netherlands	Article 5	21.6.2005	A686
Cseke Trade Kft.	Gyepsor u. 1., H-1211 Budapest	Hungary	Article 5	21.4.2005	A685
C-TRADING, s.r.o.	V. Palkovicha 19, SK-946 03 Kolárovo	Slovak Republic	Article 5	10.2.2005	A662
Decathlon Sp. z o.o.	ul. Malborska 53, PL-03-286 Warszawa	Poland	Article 5	19.8.2005	A696
Eurobike Kft.	Zengő utca 58., H-7693 Pécs-Hird	Hungary	Article 5	28.1.2005	A624
Firma Wielobranżowa ART-POL Artur Nowak	ul. Homera 4/20, PL-42-200 Częstochowa	Poland	Article 5	22.9.2005	A697
Hermann Hartje KG	Deichstraße 120—122, D-27318 Hoya/Weser	Germany	Article 5	7.11.2005	A725
Koliken Kft.	Széchenyi u. 103., H-6400 Kiskunhalas	Hungary	Article 5	8.11.2004	A616
Koninklijke Gazelle B.V.	Wilhelminaweg 8, 6951 BP Dieren, Nederland	The Netherlands	Article 5	29.6.2005	8609
Kynast Bike GmbH	Artlandstraße 55, D-49610 Quakenbrück	Germany	Article 5	29.7.2005	A692
Manufacture de Cycles du Comminges	Z.I. Ouest, F-31800 Saint-Gaudens	France	Article 5	29.6.2005	A690
Maver Sp. z o.o.	ul. Przasnysza 77, 06-200 Maków Mazowiecki	Poland	Article 5	19.10.2005	A728
Maxbike s.r.o.	Svatoplukova 2771, CZ-700 30 Ostrava-Vitkovice	Czech Republic	Article 5	3.1.2005	A664
Muller Sport Bohemia s.r.o.	Okružní 110 Hlincová Hora, CZ-373 71 Rudolfov	Czech Republic	Article 5	8.11.2004	A605
P.W.U.H. Sterna	ul. Lotników 51, PL-73-102 Stargard Szczeciński	Poland	Article 5	2.2.2005	A631
PIFF Vertriebs GmbH	Wilhelmstraße 58, D-49610 Quakenbrück	Germany	Article 5	6.4.2005	A668
TIESSE Snc di Tosato Virginio & C.	Via Meucci 12, I-35030 Caselle di Selvazzano Dentro (PD)	Italy	Article 5	24.10.2005	A724
TOLIN Przedsiębiorstwo Prywatne Jerzy Topolski	Łęg Witoszyn, PL-87-811 Fabianki	Poland	Article 5	10.9.2004	A586
Victus International Trading S.A.	ul. Naramowicka 150, PL-61-619 Poznań	Poland	Article 5	11.10.2004	A588
Vizija Sport d.o.o.	Tržaska cesta 87b, SI-1370 Logatec	Slovenia	Article 5	24.1.2005	A630

HAS ADOPTED THIS DECISION:

Article 1

The parties listed below in table 1 are hereby exempt from the extension to imports of certain bicycle parts from the People's Republic of China by Regulation (EC) No 71/97 of the definitive anti-dumping duty on bicycles originating in the People's Republic of China imposed by Regulation (EEC) No 2474/93, as maintained by Regulation (EC) No 1524/2000 and amended by Regulation (EC) No 1095/2005.

The exemption shall take effect in relation to each party as from the relevant date shown in the column headed 'Date of effect'.

Table 1

List of parties to be exempt

Name	Address	Country	Exemption pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
4EVER s.r.o.	2. května 267, CZ-742 13 Studénka	Czech Republic	Article 7	1.5.2004	A558
Accell Hunland Kft.	Parkoló tér 1., H-1059 Tószeg	Hungary	Article 7	1.5.2004	A534
AMP Welding, s.r.o.	Orlové 165, SK-017 01 Považská Bystrica	Slovak Republic	Article 7	14.6.2004	A572
Bike Fun International s.r.o.	Štefánikova 1163, CZ-742 21 Kopřivnice	Czech Republic	Article 7	1.5.2004	A536
BPS Bicycle Industrial s.r.o.	Šumavská 779/2, CZ-787 01 Šumperk	Czech Republic	Article 7	1.5.2004	A537
CAPRI-Ne Kft.	Kiskút útja 1., H-8000 Székesfehérvár	Hungary	Article 7	3.5.2004	A562
Ciclo Meccanica Srl	Via delle Industrie 14 I-20050 Sulbiate (MI)	Italy	Article 7	16.9.2004	A170
EURO.T POLSKA Sp. z o.o.	ul. Drogowców 12, PL-42-200 Częstochowa	Poland	Article 7	1.5.2004	A549
Eurobik, s.r.o.	Bardejovská 36, SK-080 06 Prešov	Slovak Republic	Article 7	27.8.2004	A575
EXPLORER group s.r.o.	CZ-742 67 Ženkla 167	Czech Republic	Article 7	24.5.2004	A563
Falter Bike GmbH & Co. KG	Bunzlauer Straße 15, D-33719 Bielefeld	Germany	Article 7	22.7.2004	A125
FHMM Sp. z o.o.	ul. Ciecholewicka 29, 55-120 Oborniki Śląskie	Poland	Article 7	1.5.2004	A548
IB Sp. z o.o.	Zakład Pracy Chronionej, ul. Miłośników Podhala 1, PL-34-425 Biały Dunajec	Poland	Article 7	1.5.2004	A539
IDEAL EUROPE Sp. z o.o.	ul. Metalowa 11, PL-99-300 Kutno	Poland	Article 7	1.5.2004	A540
Jan Zasada Biuro Ekonomiczno- Handlowe	ul. Fabryczna 6, PL-98-300 Wieluń	Poland	Article 7	1.5.2004	A542
Jozef Kender-Kenzel	Imeľ č. 830, SK-946 52 Imeľ	Slovak Republic	Article 7	1.5.2004	A557
KROSS S.A.	ul. Leszno 46, PL-06-300 Przasnysz	Poland	Article 7	1.5.2004	A543
Mama spol. s.r.o.	Krajinská 1, SK-921 01 Piešťany	Slovak Republic	Article 7	1.5.2004	A551
Master Bike, s.r.o.	Sadová 2, CZ-789 01 Zábřeh na Moravě	Czech Republic	Article 7	4.5.2004	A552
N.V. Race Productions	Ambachtstraat 19, B-3980 Tessenderlo	Belgium	Article 7	15.9.2004	A576

Name	Address	Country	Exemption pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
Neuzer Kerékpár Kereskedelmi és Szolgáltató Kft.	Eötvös u. 48., H-2500 Esztergom	Hungary	Article 7	1.5.2004	A545
Novus Bike s.r.o.	Hlavní 266, CZ-747 81 Otice	Czech Republic	Article 7	1.5.2004	A553
Olimpia Kerékpár Kft.	Ostorhegy u. 4., H-1164 Budapest	Hungary	Article 7	1.5.2004	A554
Przedsiębiorstwo Handlowo Produkcyjne UNIBIKE Jerzy Orłowski, Piotr Drobotowski Sp. Jawna	ul. Przemysłowa 28B, PL-85-758 Bydgoszcz	Poland	Article 7	1.5.2004	A556
Schwinn-Csepel Kerékpárgyártó és Forgalmazó Rt.	Gyepsor u. 1., H-1211 Budapest	Hungary	Article 7	1.5.2004	A555
Sprick Rowery Sp. z o.o.	ul. Świerczewskiego 76, PL-66-200 Świebodzin	Poland	Article 7	7.6.2004	A571
Trade-Stomil Sp. z o.o.	ul. 6 Sierpnia 74, PL-90-646 Łódź	Poland	Article 7	30.7.2004	A574
UAB Baltik Vairas	Pramonės g. 3, LT-78138 Šiauliai	Lithuania	Article 7	1.5.2004	A547
Zweirad Paulsen	Hauptstraße 80, D-49635 Badbergen	Germany	Article 7	22.6.2004	A566

Article 2

The requests for exemption from the extended anti-dumping duty submitted pursuant to Article 3 of Regulation (EC) No 88/97 by the parties listed below in table 2 are hereby rejected.

The suspension of payment of the extended anti-dumping duty pursuant to Article 5 of Regulation (EC) No 88/97 is hereby lifted for the parties concerned as from the relevant date shown in the column headed 'Date of effect'.

Table 2

List of parties for which the suspension is to be lifted

Name	Address	Country	Suspension pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
Czech Bike, a.s.	Palackého 82, CZ-612 00 Brno	Czech Republic	Article 5	17.5.2004	A560
MEMO cz, s.r.o.	Jungmannova 319, CZ-506 01 Jičín	Czech Republic	Article 5	5.5.2004	A544
Special Bike di Diciolla Francesco	Via dei Mille 50, I-71042 Cerignola (Foggia)	Italy	Article 5	5.3.2004	A533
Winora Staiger GmbH	Max-Planck-Straße 6, D-97526 Sennfeld	Germany	Article 5	29.4.2004	A559

Article 3

The parties listed below in table 3 constitute the updated list of parties under examination pursuant to Article 3 of Regulation (EC) No 88/97. The suspension from the extended duty, following these requests, took effect as from the relevant date in the column headed 'Date of effect' in table 3.

Table 3

List of parties under examination

Name	Address	Country	Suspension pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
A.J. Maías Lda	Estrada Nacional N.º 1, Malaposta, Apart. 27, P-3781-908 Sangalhos	Portugal	Article 5	23.2.2005	A401
Avantisbike — Fabrico de Bicicletas S.A.	Rua do Casarão, P-3750-869 Borralha	Portugal	Article 5	10.11.2005	A726
ARKUS Sp. z o.o.	Podgrodzie 32c, PL-39-200 Dębica	Poland	Article 5	from 23.6.2004 to 31.5.2005	A565
ARKUS & ROMET Group Sp. z o.o.	Podgrodzie 32c, PL-39-200 Dębica	Poland	Article 5	1.6.2005	A565
Athletic International Sp. z o.o.	ul. Drawska 21, PL-02-202 Warszawa	Poland	Article 5	3.8.2004	A568
BELVE s.r.o.	Palkovičova 5, SK-915 01 Nové Mesto nad Váhom	Slovak Republic	Article 5	4.5.2004	A535
Bike Mate s.r.o.	Dlhá 248/43, SK-905 01 Senica	Slovak Republic	Article 5	8.10.2004	A589
Bike Sport	Krzemionka 14, PL-62-872 Godziesze	Poland	Article 5	3.1.2005	A593
Cannondale Europe B.V.	Hanzeport 27, 7575 DB Oldenzaal, Nederland	The Netherlands	Article 5	21.6.2005	A686
Cseke Trade Kft.	Gyepsor u. 1., H-1211 Budapest	Hungary	Article 5	21.4.2005	A685
C-TRADING, s.r.o.	V. Palkovicha 19, SK-946 03 Kolárovo	Slovak Republic	Article 5	10.2.2005	A662
Decathlon Sp. z o.o.	ul. Malborska 53, PL-03-286 Warszawa	Poland	Article 5	19.8.2005	A696
ROG Kolesa, d.d.	Letališka 29, SLO-1000 Ljubljana	Slovenia	Article 5	1.5.2004	A538
Eurobike Kft.	Zengő utca 58., H-7693 Pécs-Hird	Hungary	Article 5	28.1.2005	A624
Fabryka Rowerów Romet-Jastrowie Sp. z o.o.	ul. Naturowicza 14, PL-64-915 Jastrowie	Poland	Article 5	from 14.6.2004 to 31.5.2005	A564
Firma Wielobranżowa ART-POL Artur Nowak	ul. Homera 4/20, PL-42-200 Częstochowa	Poland	Article 5	22.9.2005	A697
Hermann Hartje KG	Deichstraße 120—122, D-27318 Hoya/Weser	Germany	Article 5	7.11.2005	A725
ISTRO-HGA, spol. s.r.o.	Svätopeterská 14, SK-947 01 Hurbanovo	Slovak Republic	Article 5	1.5.2004	A541
Koliken Kft.	Széchenyi u. 103., H-6400 Kiskunhalas	Hungary	Article 5	8.11.2004	A616
Koninklijke Gazelle B.V.	Wilhelminaweg 8, 6951 BP Dieren, Nederland	The Netherlands	Article 5	29.6.2005	8609
Kynast Bike GmbH	Artlandstraße 55, D-49610 Quakenbrück	Germany	Article 5	29.7.2005	A692
Manufacture de Cycles du Comminges	Z.I. Ouest, F-31800 Saint-Gaudens	France	Article 5	29.6.2005	A690
Maver Sp. z o.o.	ul. Przasnysza 77, 06-200 Maków Mazowiecki	Poland	Article 5	19.10.2005	A728
Maxbike s.r.o.	Svatoplukova 2771, CZ-700 30 Ostrava-Vítkovice	Czech Republic	Article 5	3.1.2005	A664

Name	Address	Country	Suspension pursuant to Regulation (EC) No 88/97	Date of effect	TARIC additional code
Muller Sport Bohemia s.r.o.	Okružní 110 Hlincová Hora, CZ-373 71 Rudolfov	Czech Republic	Article 5	8.11.2004	A605
OLPRAN, spol. s.r.o.	Libušina 101, CZ-772 11 Olomouc	Czech Republic	Article 5	1.5.2004	A546
P.W.U.H. Sterna	ul. Lotników 51, PL-73-102 Stargard Szczeciński	Poland	Article 5	2.2.2005	A631
PFIFF Vertriebs GmbH	Wilhelmstraße 58, D-49610 Quakenbrück	Germany	Article 5	6.4.2005	A668
TIESSE Snc di Tosato Virginio & C.	Via Meucci 12, I-35030 Caselle di Selvazzano Dentro (PD)	Italy	Article 5	24.10.2005	A724
TOLIN Przedsiębiorstwo Prywatne Jerzy Topolski	Łęg Witoszyn, PL-87-811 Fabianki	Poland	Article 5	10.9.2004	A586
Victus International Trading S.A.	ul. Naramowicka 150, PL-61-619 Poznań	Poland	Article 5	11.10.2004	A588
Vizija Sport d.o.o.	Tržaška cesta 87b, SI-1370 Logatec	Slovenia	Article 5	24.1.2005	A630

Article 4

The requests for exemption from the extended anti-dumping duty made by the parties listed below in table 4 are hereby rejected.

Table 4

List of parties for which the request for exemption is rejected

Name	Address	Country
Avex Kft.	Csenterics u. 3., H-2440 Százhalombatta	Hungary
Ets Duret	8, rue de Clémont, F-18410 Argent-sur-Sauldre	France
P.P.H.U. Interbike	ul. Drogowców 12, PL-42-200 Częstochowa	Poland
P.P.U.H. POL-FOX	ul. Tenisowa 81, PL-42-200 Częstochowa	Poland
Unimex	Domburgseweg 87, 4356 BK Oostkapelle, Nederland	The Netherlands

Article 5

This Decision is addressed to the Member States and to the parties listed in Articles 1, 2, 3 and 4.

Done at Brussels, 20 January 2006.

For the Commission
Peter MANDELSON
Member of the Commission

COMMISSION DECISION

of 20 January 2006

amending Decision 2005/710/EC concerning certain protection measures in relation to a suspicion of highly pathogenic avian influenza in Romania

(notified under document number C(2006) 61)

(Text with EEA relevance)

(2006/23/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and other birds, causing mortality and disturbance which can quickly take on epizootic proportions liable to present a serious threat to animal and public health and to reduce the profitability of poultry farming sharply. There is a risk that the disease agent might be introduced via international trade in live poultry and poultry products.
- (2) On 12 October 2005 Romania notified the Commission of the isolation of an influenza A virus of subtype H5N1 Asian strain collected from a clinical case in poultry. Commission Decision 2005/710/EC of 13 October 2005 concerning certain protection measures in relation to a suspicion of highly pathogenic avian influenza in Romania ⁽³⁾ was therefore adopted.
- (3) Romania has applied strict disease control measures and has sent further information on the disease situation to the Commission which justify limiting the suspension of imports to those parts of the territory of Romania that are affected and at risk.

(4) Decision 2005/710/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2005/710/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. Member States shall suspend the importation of:
 - (a) live poultry, ratites, farmed and wild feathered game, and hatching eggs of these species coming from the part of the territory of Romania referred to in Part A of the Annex; and
 - (b) the following products coming from the part of the territory of Romania mentioned in Part B of the Annex:
 - fresh meat of poultry, ratites, farmed and wild feathered game,
 - meat preparations and meat products consisting of or containing meat of those species,
 - raw pet food and unprocessed feed material containing any parts of those species,
 - eggs for human consumption,
 - non-treated game trophies from any birds, and
 - unprocessed feathers and parts of feathers.

2. By way of derogation from paragraph 1(b), Member States shall authorise the importation of the products covered by paragraph 1(b) first to third indent, which have been obtained from birds slaughtered before 1 August 2005.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1, as corrected by OJ L 191, 28.5.2004, p. 1).

⁽³⁾ OJ L 269, 14.10.2005, p. 42.

3. In the veterinary certificates/commercial documents accompanying consignments of the products referred to in paragraph 2 the following words as appropriate to the species shall be included:

“Fresh poultry meat/fresh ratite meat/fresh meat of wild feathered game/fresh meat of farmed feathered game/meat product consisting of, or containing meat of poultry, ratites, farmed or wild feathered game meat/meat preparation consisting of, or containing meat of poultry, ratites, farmed or wild feathered game meat/raw pet food and unprocessed feed material containing any parts of poultry, ratites, farmed or wild feathered game (*) obtained from birds slaughtered before 1 August 2005 and in accordance with Article 1(2) of Commission Decision 2005/710/EC.

(*) Delete as appropriate.”

4. By derogation from paragraph 1(b), second indent, Member States shall authorise the importation of meat products consisting of or containing meat of poultry, ratites, farmed and wild feathered game under the condition that the meat of these species has undergone at

least one of the specific treatments referred to under points B, C or D in Part IV of Annex II to Commission Decision 2005/432/EC.’;

2. the Annex the text of which is set out in the Annex to this Decision is added.

Article 2

Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 January 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

'ANNEX

Parts of territory of Romania referred to in Article 1(a) and (b) respectively:

PART A

ISO country code	Name of country	Description of part of territory
RO	Romania	— Whole of the territory of Romania

PART B

ISO country code	Name of country	Description of part of territory
RO	Romania	In Romania the counties of: — Tulcea — Constanta — Galati — Braila — Ialomita — Calarasi'

COMMISSION DECISION

of 20 January 2006

amending for the second time Decision 2005/710/EC concerning certain protection measures in relation to a suspicion of highly pathogenic avian influenza in Romania

(notified under document number C(2006) 62)

(Text with EEA relevance)

(2006/24/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽²⁾, and in particular Article 22(6) thereof,

Whereas:

(1) Avian influenza is an infectious viral disease in poultry and other birds, causing mortality and disturbance which can quickly take on epizootic proportions liable to present a serious threat to animal and public health and to reduce the profitability of poultry farming sharply. There is a risk that the disease agent might be introduced via international trade in live poultry and poultry products.

(2) On 12 October 2005 Romania notified the Commission of the isolation of the Asian strain of the avian influenza virus collected from a clinical case in poultry. Commission Decision 2005/710/EC of 13 October 2005 concerning certain protection measures in relation to a suspicion of highly pathogenic avian influenza in Romania⁽³⁾ was therefore adopted.

(3) That Decision was amended to regionalise Romania for imports into the Community of poultry meat and poultry

meat products in view of the fact that the outbreaks of the Asian strain of the avian influenza virus in Romania were confined to the Danube delta.

(4) New outbreaks of the disease have occurred in that part of Romania considered free of infection. The area of Romania from which imports into the Community of poultry meat and poultry meat products should still be prohibited therefore needs to be extended to cover that part of the country east and south of the Carpathian Mountains.

(5) As Romania has now confirmed the presence of the disease on its territory, the title of Decision 2005/710/EC should be amended to take this into account.

(6) Decision 2005/710/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2005/710/EC is amended as follows:

1. the title is replaced by the following:

‘Commission Decision 2005/710/EC of 13 October 2005 concerning certain protection measures in relation to highly pathogenic avian influenza in Romania’;

2. the Annex is replaced by the Annex to this Decision.

Article 2

The Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1, as corrected by OJ L 191, 28.5.2004, p. 1).

⁽³⁾ OJ L 269, 14.10.2005, p. 42. Decision as last amended by Decision 2006/23/EC (see page 27 of this Official Journal).

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 January 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

'ANNEX

Parts of territory of Romania referred to in Article 1(a) and (b)

PART A

ISO country code	Name of country	Description of part of territory
RO	Romania	— Whole of the territory of Romania

PART B

ISO country code	Name of country	Description of part of territory
RO	Romania	In Romania, the counties of: — Arges — Bacau — Botosani — Braila — Bucuresti — Buzau — Calarasi — Constanta — Dimbovita — Dolj — Galati — Giurgiu — Gorj — Ialomita — Iasi — Ilfov — Mehedinti — Neamt — Olt — Prahova — Suceava — Teleorman — Tulcea — Vaslui — Vilcea — Vrancea'