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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 503/2006
of 29 March 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 30 March 2006.

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

Done at Brussels, 29 March 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 29 March 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	106,5
	204	48,1
	212	102,0
	999	85,5
0707 00 05	052	137,1
	628	155,5
	999	146,3
0709 90 70	052	113,6
	204	49,7
	999	81,7
0805 10 20	052	72,3
	204	41,1
	212	51,1
	220	41,1
	400	58,7
	624	60,6
	999	54,2
0805 50 10	624	65,2
	999	65,2
0808 10 80	388	81,5
	400	126,2
	404	92,9
	508	77,6
	512	80,2
	528	79,3
	720	89,0
	999	89,5
0808 20 50	388	82,6
	512	71,1
	528	48,2
	720	129,3
	999	82,8

⁽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 504/2006**of 29 March 2006****amending Regulation (EC) No 1695/2005 as regards the quantity covered by the standing invitation to tender for the export of common wheat held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1695/2005 ⁽²⁾ has opened a standing invitation to tender for the export of 1 500 000 tonnes of common wheat held by the French intervention agency.
- (2) The invitations to tender made since this invitation to tender was opened have almost completely exhausted the quantities made available to the economic operators. In view of the strong demand recorded in recent weeks and the market situation, new quantities should be made available and the French intervention agency should be authorised to increase by 200 000 tonnes the quantity put out to tender for export.
- (3) Regulation (EC) No 1695/2005 should be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 1695/2005 is hereby replaced by the following:

'Article 2

The invitation to tender shall cover a maximum of 1 700 000 tonnes of common wheat for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Liechtenstein, Romania, Serbia and Montenegro ^(*) and Switzerland.

^(*) Including Kosovo as defined in UN Security Council Resolution 1244 of 10 June 1999.'

Article 2

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

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

Done at Brussels, 29 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 272, 18.10.2005, p. 3. Regulation as last amended by Commission Regulation (EC) No 310/2006 (OJ L 52, 23.2.2006, p. 9).

COMMISSION REGULATION (EC) No 505/2006**of 29 March 2006****amending Regulation (EC) No 27/2006 as regards the quantity covered by the standing invitation to tender for the export of common wheat held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 27/2006 ⁽²⁾ has opened a standing invitation to tender for the export of 1 000 000 tonnes of common wheat held by the German intervention agency.
- (2) The invitations to tender made since this invitation to tender was opened have almost completely exhausted the quantities made available to the economic operators. In view of the strong demand recorded in recent weeks and the market situation, new quantities should be made available and the German intervention agency should be authorised to increase by 500 000 tonnes the quantity put out to tender for export.
- (3) Regulation (EC) No 27/2006 should be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 27/2006 is hereby replaced by the following:

‘Article 2

The invitation to tender shall cover a maximum of 1 500 000 tonnes of common wheat for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Liechtenstein, Romania, Serbia and Montenegro ^(*) and Switzerland.

^(*) Including Kosovo as defined in UN Security Council Resolution 1244 of 10 June 1999.’

Article 2

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

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

Done at Brussels, 29 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 6, 11.1.2006, p. 15. Regulation as amended by Regulation (EC) No 311/2006 (OJ L 52, 23.2.2006, p. 10).

COMMISSION REGULATION (EC) No 506/2006**of 29 March 2006****amending Regulation (EC) No 1061/2005 as regards the quantity covered by the standing invitation to tender for the export of common wheat held by the Polish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1061/2005 ⁽²⁾ opened a standing invitation to tender for the export of 250 000 tonnes of common wheat held by the Polish intervention agency.
- (2) Poland has informed the Commission of its intervention agency's intention to increase by 250 000 tonnes the quantity put out to tender for export. In view of the quantities available and the market situation, the request made by Poland should be granted.
- (3) Regulation (EC) No 1061/2005 should therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 1061/2005 is replaced by the following:

'Article 2

The invitation to tender shall cover a maximum of 500 000 tonnes of common wheat for export to third countries with the exception of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Liechtenstein, Romania, Serbia and Montenegro (*) and Switzerland.

(*) including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.'

Article 2

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

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

Done at Brussels, 29 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 24.

COMMISSION REGULATION (EC) No 507/2006**of 29 March 2006****on the conditional marketing authorisation for medicinal products for human use falling within the scope of Regulation (EC) No 726/2004 of the European Parliament and of the Council****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency ⁽¹⁾, and in particular Article 14(7) thereof,

Whereas:

- (1) Before a medicinal product for human use is authorised for placing on the market of one or more Member States, it generally has to undergo extensive studies to ensure that it is safe, of high quality and effective for use in the target population. The rules and procedures for obtaining a marketing authorisation are laid down in Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use ⁽²⁾ and in Regulation (EC) No 726/2004.
- (2) In the case of certain categories of medicinal products, however, in order to meet unmet medical needs of patients and in the interests of public health, it may be necessary to grant marketing authorisations on the basis of less complete data than is normally the case and subject to specific obligations, hereinafter 'conditional marketing authorisations'. The categories concerned should be medicinal products which aim at the treatment, prevention or medical diagnosis of seriously debilitating or life-threatening diseases, or medicinal products to be used in emergency situations in response to public health threats recognised either by the World Health Organisation or by the Community in the framework of Decision No 2119/98/EC of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community ⁽³⁾, or medicinal products designated as orphan medicinal products in accordance with Regu-

lation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products ⁽⁴⁾.

- (3) Although the data upon which an opinion on a conditional marketing authorisation is based may be less complete, the risk-benefit balance, as defined in Article 1(28a) of Directive 2001/83/EC should be positive. Furthermore, the benefits to public health of making the medicinal product concerned immediately available on the market should outweigh the risk inherent in the fact that additional data are still required.
- (4) Where conditional marketing authorisations are granted, they should be restricted to situations where only the clinical part of the application dossier is less complete than normal. Incomplete pre-clinical or pharmaceutical data should be accepted only in the case of a product to be used in emergency situations, in response to public health threats.
- (5) In order to ensure that the right balance is struck between facilitating access to medicines for patients with unmet medical needs and preventing the authorisation of medicines with an unfavourable risk-benefit profile, it is necessary to make those marketing authorisations subject to specific obligations. The holder should be required to complete or initiate certain studies with a view to confirming that the risk-benefit balance is positive and resolving any questions relating to the quality, safety and efficacy of the product.
- (6) Conditional marketing authorisations are distinct from marketing authorisations granted in exceptional circumstances in accordance with Article 14(8) of Regulation (EC) No 726/2004. In the case of the conditional marketing authorisation, authorisation is granted before all data are available. The authorisation is not intended, however, to remain conditional indefinitely. Rather, once the missing data are provided, it should be possible to replace it with a marketing authorisation which is not conditional, that is to say, which is not subject to specific obligations. In contrast, it will normally never be possible to assemble a full dossier in respect of a marketing authorisation granted in exceptional circumstances.

⁽¹⁾ OJ L 136, 30.4.2004, p. 1.

⁽²⁾ OJ L 311, 28.11.2001, p. 67. Directive as last amended by Directive 2004/27/EC (OJ L 136, 30.4.2004, p. 34).

⁽³⁾ OJ L 268, 3.10.1998, p. 1. Decision as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽⁴⁾ OJ L 18, 22.1.2000, p. 1.

- (7) It should also be made clear that applications containing requests for conditional marketing authorisations may be the subject of an accelerated assessment procedure in accordance with Article 14(9) of Regulation (EC) No 726/2004.
- (8) Since the provisions of Regulation (EC) No 726/2004 apply to conditional marketing authorisations unless otherwise provided for in this Regulation, the procedure for evaluating a conditional marketing authorisation is the normal procedure laid down in Regulation (EC) No 726/2004.
- (9) In accordance with Regulation (EC) No 726/2004, conditional marketing authorisations will be valid for one year on a renewable basis. The deadline for submission of a renewal application should be six months prior to the expiry of the marketing authorisation, and the opinion of the European Medicines Agency (hereinafter the Agency) on the application should be adopted within 90 days of its receipt. To ensure that medicinal products are not removed from the market except for reasons related to public health, the conditional marketing authorisation should, as long as a renewal application is submitted within the deadline, remain valid until the Commission reaches a decision based on the renewal assessment procedure.
- (10) Clear information should be provided to patients and healthcare professionals on the conditional nature of the authorisations. It is therefore necessary that such information be clearly stated in the summary of product characteristics of the medicinal product concerned as well as on the package leaflet.
- (11) Enhanced pharmacovigilance for medicinal products granted a conditional marketing authorisation is important and is already adequately provided for in Directive 2001/83/EC and Regulation (EC) No 726/2004. However, the time schedule for submitting periodic safety update reports should be adapted to accommodate the annual renewal of conditional marketing authorisations.
- (12) The planning of studies and of the submission of an application for a marketing authorisation occurs at an early stage in the development of medicinal products. Such planning will critically depend on whether a conditional marketing authorisation is a possibility. For this reason it is necessary to provide a mechanism for the Agency to give companies advice on whether a medicinal product falls within the scope of this Regulation. Such

advice should be an additional service to the existing scientific advice provided by the Agency.

- (13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Medicinal Products for Human Use,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down rules on the granting of a marketing authorisation subject to specific obligations in accordance with Article 14(7) of Regulation (EC) No 726/2004, hereinafter 'conditional marketing authorisation'.

Article 2

Scope

This Regulation shall apply to medicinal products for human use that fall under Article 3(1) and (2) of Regulation (EC) No 726/2004 and belong to one of the following categories:

1. medicinal products which aim at the treatment, the prevention or the medical diagnosis of seriously debilitating diseases or life-threatening diseases;
2. medicinal products to be used in emergency situations, in response to public health threats duly recognised either by the World Health Organisation or by the Community in the framework of Decision No 2119/98/EC;
3. medicinal products designated as orphan medicinal products in accordance with Article 3 of Regulation (EC) No 141/2000.

Article 3

Requests or proposals

1. A request for a conditional marketing authorisation may be presented by the applicant together with an application in accordance with Article 6 of Regulation (EC) No 726/2004. The request shall be accompanied by details showing that the product falls within the scope of this Regulation and satisfies the requirements laid down in Article 4(1).

The Agency shall immediately inform the Commission of applications containing a request for a conditional marketing authorisation.

2. The Committee for Medicinal Products for Human Use, hereinafter 'the Committee', may, in its opinion on an application submitted in accordance with Article 6 of Regulation (EC) No 726/2004, propose a conditional marketing authorisation, after having consulted the applicant.

Article 4

Requirements

1. A conditional marketing authorisation may be granted where the Committee finds that, although comprehensive clinical data referring to the safety and efficacy of the medicinal product have not been supplied, all the following requirements are met:

- (a) the risk-benefit balance of the medicinal product, as defined in Article 1(28a) of Directive 2001/83/EC, is positive;
- (b) it is likely that the applicant will be in a position to provide the comprehensive clinical data;
- (c) unmet medical needs will be fulfilled;
- (d) the benefit to public health of the immediate availability on the market of the medicinal product concerned outweighs the risk inherent in the fact that additional data are still required.

In emergency situations as referred to in Article 2(2), a conditional marketing authorisation may be granted, subject to the requirements set out in points (a) to (d) of this paragraph, also where comprehensive pre-clinical or pharmaceutical data have not been supplied.

2. For the purposes of paragraph 1(c), 'unmet medical needs' means a condition for which there exists no satisfactory method of diagnosis, prevention or treatment authorised in the Community or, even if such a method exists, in relation to which the medicinal product concerned will be of major therapeutic advantage to those affected.

Article 5

Specific obligations

1. By way of specific obligations, the holder of a conditional marketing authorisation shall be required to complete ongoing studies, or to conduct new studies, with a view to confirming

that the risk-benefit balance is positive and providing the additional data referred to in Article 4(1).

In addition, specific obligations may be imposed in relation to the collection of pharmacovigilance data.

2. The specific obligations referred to in paragraph 1 and the timeframe for their completion shall be clearly specified in the conditional marketing authorisation.

3. The Agency shall make the specific obligations and the timeframe for their completion publicly available.

Article 6

Renewal

1. After its period of validity of one year the conditional marketing authorisation may be renewed annually.

2. The application for renewal shall be submitted to the Agency at least six months before the expiry of the conditional marketing authorisation, together with an interim report on the fulfilment of the specific obligations to which it is subject.

3. The Committee shall assess the application for a renewal, on the basis that the risk-benefit balance is to be confirmed, taking into account the specific obligations contained in the authorisation and the timeframe for their fulfilment, and shall formulate an opinion as to whether the specific obligations or their timeframes need to be retained or modified. The Agency shall ensure that the opinion of the Committee is given within 90 days following receipt of a valid renewal application. That opinion shall be made publicly available.

4. Once a renewal application has been submitted in accordance with paragraph 2, the conditional marketing authorisation shall remain valid until a decision is adopted by the Commission in accordance with Article 10 of Regulation (EC) No 726/2004.

Article 7

Marketing authorisation not subject to specific obligations

Where the specific obligations laid down in accordance with Article 5(1) have been fulfilled, the Committee may at any time adopt an opinion in favour of the granting of a marketing authorisation in accordance with Article 14(1) of Regulation (EC) No 726/2004.

*Article 8***Product Information**

Where a medicinal product has been granted conditional marketing authorisation in accordance with this Regulation, the information included in the summary of product characteristics and package leaflet shall contain a clear mention of that fact. The summary of product characteristics shall also contain the date on which the conditional authorisation is due for renewal.

*Article 9***Periodic safety update reports**

The periodic safety update reports provided for in Article 24(3) of Regulation (EC) No 726/2004 shall be submitted to the Agency and Member States immediately upon request or at least every six months following the granting or renewal of a conditional marketing authorisation.

*Article 10***Agency advice prior to marketing authorisation application**

A potential applicant for a marketing authorisation may request the advice of the Agency on whether a specific medicinal

product being developed for a specific therapeutic indication falls within one of the categories set out in Article 2 and fulfils the requirement laid down in Article 4(1)(c).

*Article 11***Guidelines**

The Agency shall develop guidelines concerning the scientific application and the practical arrangements necessary to implement this Regulation. The guidelines shall be adopted after consultation with stakeholders and a favourable opinion of the Commission.

*Article 12***Transitional provision**

This Regulation shall apply to applications pending at the time of its entry into force.

*Article 13***Entry into force**

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

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

Done at Brussels, 29 March 2006.

For the Commission

Günter VERHEUGEN

Vice-President

COMMISSION REGULATION (EC) No 508/2006**of 29 March 2006****amending Regulation (EC) No 174/1999 as regards export licences for milk powder exported to the Dominican Republic**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

switch products provided that they have an identical export refund rate and provided the exporter makes such request before completion of the export formalities.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 30(1) thereof,

- (4) Paragraph 4(a) of Article 20a reserves a part of the quota to those exporters who can prove that they have exported the products concerned during each of the three calendar years prior to the period for submission of applications. It appears, due to specific temporary circumstances in the Dominican Republic, that some traditional exporters have not been able to actually export in one of the reference years, although they can prove regularity in their export patterns. It is therefore appropriate to extend the reference period.

Whereas:

- (5) Regulation (EC) No 174/1999 should therefore be amended accordingly.

- (1) Article 20a of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽²⁾ lays down the rules for administering the milk powder quota for export to the Dominican Republic under the Memorandum of Understanding between the European Community and the Dominican Republic, approved by Council Decision 98/486/EC ⁽³⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

- (2) Given an increasing interest for milk powder in retail packs in the Dominican Republic it is appropriate to include the product code 0402 10 11 9000 in the list of products eligible for an export licence under Article 20a of Regulation (EC) No 174/1999.

Article 20a of Regulation (EC) No 174/1999 is amended as follows:

- (3) Since there might be a considerable period of time between the day on which a licence application has been lodged and the time of actual export, experience has shown that it is very difficult to foresee which will be the final packaging of the product on the day of its export. To solve this problem it should be allowed to

1. In paragraph 3, product code 0402 10 11 9000 is inserted before code 0402 10 19 9000;

2. In paragraph 4, point (a) is replaced by the following:

‘(a) the first part, equal to 80 % or 17 920 t, shall be distributed among Community exporters who can prove that they have exported products as referred to in paragraph 3 to the Dominican Republic during at least three of the four calendar years prior to the period for submission of applications;’

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

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation last amended by Regulation (EC) No 409/2006 (OJ L 71, 10.3.2006, p. 5).

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

3. The following paragraph 18 is added:

‘18. By way of derogation from Article 5(1), licence holders may on request obtain a change of the code in Section 16 of the export licence to another code referred to in paragraph 3 of this Article, where the refund is identical.

Such request shall be lodged before completion of the formalities referred to in Article 5 or 26 of Regulation (EC) No 800/1999.

Within two working days after a product code change, the competent authorities of the Member State shall report to the Commission:

(a) the name and the address of the licence holder,

(b) the serial number of the licence or the licence extract and the date of issue,

(c) the initial product code,

(d) the final product code.’

Article 2

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

It shall only apply to export licences applied for in accordance with Article 20a of Regulation (EC) No 174/1999 as from 1 April 2006.

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

Done at Brussels, 29 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 March 2006

concerning national provisions imposing on supermarkets an obligation to place genetically modified foods on separate shelves from non-genetically modified foods, notified by Cyprus pursuant to Article 95(5) of the EC Treaty

(notified under document number C(2006) 797)

(Only the Greek version is authentic)

(2006/255/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 95(5) thereof,

Whereas:

State deems it necessary to introduce national provisions based on new scientific evidence relating to the protection of the environment or the working environment on grounds of a problem specific to that Member State arising after the adoption of the harmonisation measure, it shall notify the Commission of the envisaged provisions as well as the grounds for introducing them.

I. FACTS

- (1) By letter of 15 September 2005, the chairman of the Cypriot House of Representatives Committee on the Environment notified the European Union, pursuant to Article 95(5) of the EC Treaty, of a 2005 legislative bill (hereinafter 'the bill') amending the laws of 1996 to 2005 on foods (control and sale) (referred to as the 'basic law') imposing on supermarkets an obligation to place genetically modified foods in a specially designated place on their shelves separate from non-genetically modified foods, in derogation of the provisions of Regulations (EC) No 1829/2003 ⁽¹⁾ and (EC) No 1830/2003 ⁽²⁾ of the European Parliament and of the Council.

1. Article 95(5) and (6) of the EC Treaty

- (2) Article 95(5) and (6) of the Treaty provides:

'5. (...) If, after the adoption by the Council or by the Commission of a harmonisation measure, a Member

6. The Commission shall, within six months of the notification as referred to in paragraphs (...) 5, approve or reject the national provisions involved after having verified whether or not they are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they shall constitute an obstacle to the functioning of the internal market.

In the absence of a Decision by the Commission within this period the national provisions referred to in paragraphs (...) 5 shall be deemed to have been approved.'

2. National provisions notified

- (3) The legislative bill is to be referred to as 'the 2005 (Amendment) Law (Article 2) on Foods (Control and Sale)' and is to be read in conjunction with the laws of 1996 to 2005 on foods (control and sale) (hereinafter 'basic law'). The body of law comprising the basic law and this bill is to be referred to as 'the 1996 - 2005 (Article 2) laws on foods (control and sale)'.

⁽¹⁾ OJ L 268, 18.10.2003, p. 1.

⁽²⁾ OJ L 268, 18.10.2003, p. 24.

- (4) The purpose of this bill is to amend the basic law by adding a new Article 22(1), which reads as follows: 'in all supermarkets, genetically modified foods shall be kept in a specially designated place on shelves separate from those holding non-genetically modified foods'.
- (5) Retailers who infringe the above provisions or fail to comply with them are guilty of a criminal offence punishable by a fine not exceeding 3 000 Cyprus pounds or, for a repeat offence, 6 000 Cyprus pounds, or imprisonment of up to six months, or both.
- (6) The bill defines 'retailer' as 'any natural or legal person or public or private law body with responsibility for or who owns a supermarket, including the owner or main shareholder, managing director, general manager or any other person or persons supervising or managing a supermarket and having the authority to take decisions concerning the operation of the supermarket.
- (7) The bill also specifies that the term 'genetically modified food' shall have the meaning given to it by Regulation (EC) No 1829/2003.

3. Justifications put forward by Cyprus

- (8) According to the Cypriot authorities, the purpose of the bill is to protect consumers. They take the view that placing products containing GMOs on separate shelves would enable consumers to recognise and distinguish more easily between the various types of products and make a clear choice as to which goods they want to buy.

II. PROCEDURE

- (9) By letter dated 15 September 2005, the Cypriot House of Representatives informed the Commission, in accordance with Article 95(5) of the Treaty, of the existence of a legislative bill seeking to impose an obligation on supermarkets to place genetically modified foods in a place specially designated for them on separate shelves from non-genetically modified goods, in derogation of the provisions of Regulations (EC) No 1829/2003 and (EC) No 1830/2003 and in the light of Articles 37, 95 and 152(4)(b) of the EC Treaty, which constitutes the legal base for the aforementioned Regulations.
- (10) In a letter dated 11 November 2005, the Commission informed the Cypriot authorities that it had received their

notification pursuant to Article 95(5) of the EC Treaty and that the six-month period for examining the provisions in question would run from 16 September 2005, i.e. the day following receipt of the notification.

- (11) By letter of 20 December 2005, the Commission informed the other Member States of the request submitted by the Republic of Cyprus. The Commission also published a notification concerning the request in the *Official Journal of the European Union* so as to inform the other interested parties of the draft national measures the Republic of Cyprus intended to adopt.

III. LEGAL ASSESSMENT

- (12) The derogation procedure provided for in Article 95(5) of the Treaty is intended only for the adoption of national provisions designed to achieve the objectives listed. A notification from a Member State which does not refer to one of these objectives must therefore be declared inadmissible under that provision of the Treaty.
- (13) Under the legislative bill in question, supermarkets would be under an obligation to place genetically modified foods in a specially designated place on separate shelves from non-genetically modified goods. In the explanatory memorandum accompanying the bill, the Cypriot authorities considered that the content of the bill could conflict with the provisions on labelling in Regulations (EC) No 1829/2003 and (EC) No 1830/2003. They also indicated clearly that the purpose of the measure was to enable consumers to distinguish more easily between genetically modified and other foods, thereby allowing them to make an informed choice.
- (14) The notification from Cyprus does not make any reference to either of the objectives mentioned in Article 95(5) of the EC Treaty. Under those circumstances, the Commission is not in a position to carry out the verification referred to in paragraph 6 of that Article. The Commission does not take a view on the matter if the notification concerns an area which has been harmonised under Community legislation, nor does it take a view on the compliance of the measure with Community law or the rules of the WTO.

IV. **CONCLUSION**

- (15) The Commission therefore considers that the notification provided by the Cypriot authorities does not contain the information which would allow the measure to be examined under Article 95(5) and (6) of the EC Treaty. The Commission therefore takes the view that the notification is not admissible.
- (16) In the light of the above considerations, and without prejudice to any subsequent examination by the Commission of the compatibility of the national measures notified with Community law, the Commission is of the opinion that the notification from the Republic of Cyprus concerning an obligation on supermarkets to place genetically modified foods in a specially designated place on separate shelves from non-genetically modified goods, as submitted on 15 September 2005 with reference to Article 95(5) of the Treaty, is not admissible,

HAS ADOPTED THIS DECISION:

Article 1

The notification concerning a legislative bill seeking to impose on supermarkets an obligation to place genetically modified foods in a place specially designated for them on separate shelves from non-genetically modified goods, submitted by the Republic of Cyprus on 15 September 2005 on the basis of Article 95(5) of the EC Treaty, is declared non-admissible.

Article 2

This decision is addressed to the Republic of Cyprus.

Done at Brussels, 14 March 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

COMMISSION DECISION

of 27 March 2006

amending for the second time Decision 2005/758/EC as regards the extension of the parts of Croatia subject to certain protection measures in relation highly pathogenic avian influenza

*(notified under document number C(2006) 891)***(Text with EEA relevance)**

(2006/256/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) Commission Decision 2005/758/EC of 27 October 2005 concerning certain protection measures in relation to a suspicion of highly pathogenic avian influenza in Croatia and repealing Decision 2005/749/EC ⁽³⁾ was adopted following notification to the Commission from that third country of a suspicion of highly pathogenic avian influenza A virus of subtype H5 in wild birds in its territory.
- (2) Croatia has reported further cases in wild birds outside the area currently regionalised in that Decision which justify extending the suspension of certain imports from Croatia to cover the newly affected part of the territory of that third country.

(3) Decision 2005/758/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2005/758/EC is replaced by the text in the Annex to this Decision.

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, 27 March 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽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), corrected by OJ L 191, 28.5.2004, p. 1.

⁽³⁾ OJ L 285, 28.10.2005, p. 50. Decision as amended by Decision 2006/11/EC (OJ L 7, 12.1.2006, p. 29).

ANNEX

'ANNEX

Part of the territory of Croatia referred to in Article 1(1)

ISO country code	Name of country	Part of territory
HR	Croatia	In Croatia the counties of: — Viroviticko-Podravska — Osjecko-Baranjska — Splitsko-Dalmatinska'

EUROPEAN ECONOMIC AREA
THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 1/2006

of 27 January 2006

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 140/2005 of 2 December 2005 ⁽¹⁾.
- (2) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 36/2005 of 12 January 2005 amending Annexes III and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards epidemio-surveillance for transmissible spongiform encephalopathies in bovine, ovine and caprine animals ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2005/93/EC of 2 February 2005 as regards transitional provisions concerning the introduction and the storage period for consignments of certain products of animal origin in customs warehouses in the Community ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 260/2005 of 16 February 2005 amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards rapid tests ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

⁽¹⁾ OJ L 53, 23.2.2006, p. 34.

⁽²⁾ OJ L 3, 5.1.2005, p. 1.

⁽³⁾ OJ L 10, 13.1.2005, p. 9.

⁽⁴⁾ OJ L 31, 4.2.2005, p. 64.

⁽⁵⁾ OJ L 46, 17.2.2005, p. 31.

Article 2

The texts of Regulations (EC) No 1/2005, (EC) No 36/2005 and (EC) No 260/2005 and Decision 2005/93/EC in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

(*) No constitutional requirements indicated.

ANNEX

Chapter I of Annex I to the Agreement shall be amended as specified below:

1. The following point shall be inserted after point 1 (Commission Decision 95/117/EC) in Part 5.2:

‘2. **32005 D 0093**: Commission Decision 2005/93/EC of 2 February 2005 as regards transitional provisions concerning the introduction and the storage period for consignments of certain products of animal origin in customs warehouses in the Community (OJ L 31, 4.2.2005, p. 64).’
 2. The following indents shall be added in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:

‘— **32005 R 0036**: Commission Regulation (EC) No 36/2005 of 12 January 2005 (OJ L 10, 13.1.2005, p. 9),

— **32005 R 0260**: Commission Regulation (EC) No 260/2005 of 16 February 2005 (OJ L 46, 17.2.2005, p. 31).’
 3. The following point shall be inserted after point 9 (Commission Decision 2000/50/EC) in Part 9.1:

‘10. **32005 R 0001**: Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).’
 4. The following indent shall be added in point 1 (Council Directive 64/432/EEC) in Part 4.1:

‘— **32005 R 0001**: Council Regulation (EC) No 1/2005 of 22 December 2004 (OJ L 3, 5.1.2005, p. 1).’
 5. The following shall be added in point 2 (Council Directive 93/119/EC) in Part 9.1:

‘, as amended by:

— **32005 R 0001**: Council Regulation (EC) No 1/2005 of 22 December 2004 (OJ L 3, 5.1.2005, p. 1).’
 6. The following shall be added in the fourth indent (Council Regulation (EC) No 1255/97) of point 1 (Council Directive 91/628/EEC) in Part 9.1:

‘, as amended by:

— **32005 R 0001**: Council Regulation (EC) No 1/2005 of 22 December 2004 (OJ L 3, 5.1.2005, p. 1).’
-

DECISION OF THE EEA JOINT COMMITTEE

No 2/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 112/2005 of 30 September 2005 ⁽¹⁾.
- (2) Commission Directive 2005/30/EC of 22 April 2005 amending, for the purposes of their adaptation to technical progress, Directives 97/24/EC and 2002/24/EC of the European Parliament and of the Council, relating to the type-approval of two or three-wheel motor vehicles ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter I of Annex II to the Agreement shall be amended as follows:

1. The following indent shall be added in points 45x (Directive 97/24/EC of the European Parliament and of the Council) and 45za (Directive 2002/24/EC of the European Parliament and of the Council):

‘— **32005 L 0030**: Commission Directive 2005/30/EC of 22 April 2005 (OJ L 106, 27.4.2005, p. 17).’

2. The following point shall be inserted after point 45zf (Commission Directive 2004/104/EC):

‘45zg. **32005 L 0030**: Commission Directive 2005/30/EC of 22 April 2005 amending, for the purposes of their adaptation to technical progress, Directives 97/24/EC and 2002/24/EC of the European Parliament and of the Council, relating to the type-approval of two or three-wheel motor vehicles (OJ L 106, 27.4.2005, p. 17).’

Article 2

The texts of Directive 2005/30/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee ^(*).

⁽¹⁾ OJ L 339, 22.12.2005, p. 10.

⁽²⁾ OJ L 106, 27.4.2005, p. 17.

^(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

DECISION OF THE EEA JOINT COMMITTEE

No 3/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area signed on 14 October 2003 in Luxembourg ⁽¹⁾.
- (2) Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter X of Annex II to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 7b (Commission Directive 94/26/EC):
'7c. **32004 L 0108:** Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC (OJ L 390, 31.12.2004, p. 24).'
2. The text of point 6 (Council Directive 89/336/EEC) shall be deleted with effect from 20 July 2007.

Article 2

The texts of Directive 2004/108/EEC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee
The President
R. WRIGHT

⁽¹⁾ OJ L 130, 29.4.2004, p. 3.

⁽²⁾ OJ L 390, 31.12.2004, p. 24.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 4/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 131/2005 of 21 October 2005 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1646/2004 of 20 September 2004 amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽²⁾, as corrected by OJ L 374, 22.12.2004, p. 76, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 14 (Council Regulation (EEC) No 2377/90) of Chapter XIII of Annex II to the Agreement:

‘— **32004 R 1646**: Commission Regulation (EC) No 1646/2004 of 20 September 2004 (OJ L 296, 21.9.2004, p. 5), as corrected by OJ L 374, 22.12.2004, p. 76.’

Article 2

The texts of Regulation (EC) No 1646/2004, as corrected by OJ L 374, 22.12.2004, p. 76, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 14, 19.1.2006, p. 18.

⁽²⁾ OJ L 296, 21.9.2004, p. 5.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 5/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 145/2005 of 2 December 2005 ⁽¹⁾.
- (2) Commission Decision 2005/270/EC of 22 March 2005 establishing the formats relating to the database system pursuant to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste ⁽²⁾ is to be incorporated into the Agreement.
- (3) Decision 2005/270/EC repeals Commission Decision 97/138/EC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter XVII of Annex II to the Agreement shall be amended as follows:

1. The text of point 7b (Commission Decision 97/138/EC) shall be deleted.
2. The following point shall be inserted after point 7d (Commission Decision 2001/171/EC):

'7e. **32005 D 0270:** Commission Decision 2005/270/EC of 22 March 2005 establishing the formats relating to the database system pursuant to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste (OJ L 86, 5.4.2005, p. 6).'

Article 2

The texts of Decision 2005/270/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 53, 23.2.2006, p. 42.

⁽²⁾ OJ L 86, 5.4.2005, p. 6.

⁽³⁾ OJ L 52, 22.2.1997, p. 22.

(*) No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee
The President
R. WRIGHT

DECISION OF THE EEA JOINT COMMITTEE

No 6/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 145/2005 of 2 December 2005 ⁽¹⁾.
- (2) Commission Recommendation 2005/27/EC of 12 January 2005 on what, for the purposes of Directive 98/70/EC of the European Parliament and of the Council concerning petrol and diesel fuels, constitutes availability of unleaded petrol and diesel fuel with a maximum sulphur content on an appropriately balanced geographical basis ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be inserted after point 9 (European Parliament and Council Directive 2004/42/EC) of Chapter XVII of Annex II to the Agreement:

'ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

10. **32005 H 0027**: Commission Recommendation 2005/27/EC of 12 January 2005 on what, for the purposes of Directive 98/70/EC of the European Parliament and of the Council concerning petrol and diesel fuels, constitutes availability of unleaded petrol and diesel fuel with a maximum sulphur content on an appropriately balanced geographical basis (OJ L 15, 19.1.2005, p. 26).'

Article 2

The texts of Recommendation 2005/27/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 53, 23.2.2006, p. 42.

⁽²⁾ OJ L 15, 19.1.2005, p. 26.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 7/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 43/2005 of 11 March 2005 ⁽¹⁾.
- (2) Commission Decision 2005/323/EC of 21 April 2005 on the safety requirements to be met by the European standards for floating leisure articles for use on or in the water pursuant to Directive 2001/95/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 3h (Directive 2001/95/EC of the European Parliament and of the Council) of Chapter XIX of Annex II to the Agreement:

- '3i. **32005 D 0323:** Commission Decision 2005/323/EC of 21 April 2005 on the safety requirements to be met by the European standards for floating leisure articles for use on or in the water pursuant to Directive 2001/95/EC of the European Parliament and of the Council (OJ L 104, 23.4.2005, p. 39).'

Article 2

The texts of Decision 2005/323/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 198, 28.7.2005, p. 45.

⁽²⁾ OJ L 104, 23.4.2005, p. 39.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 8/2006

of 27 January 2006

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 7/1994 of 21 March 1994 ⁽¹⁾.
- (2) Commission Decision 2004/388/EC of 15 April 2004 on an Intra-Community transfer of explosives document ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2004/57/EC of 23 April 2004 on the identification of pyrotechnic articles and certain ammunition for the purposes of Council Directive 93/15/EEC on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 1 (Council Directive 93/15/EEC) of Chapter XXIX of Annex II to the Agreement:

- '2. **32004 D 0388**: Commission Decision 2004/388/EC of 15 April 2004 on an Intra-Community transfer of explosives document (OJ L 120, 24.4.2004, p. 43).
3. **32004 L 0057**: Commission Directive 2004/57/EC of 23 April 2004 on the identification of pyrotechnic articles and certain ammunition for the purposes of Council Directive 93/15/EEC on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses (OJ L 127, 29.4.2004, p. 73).'

Article 2

The texts of Directive 2004/57/EC and Decision 2004/388/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 160, 28.6.1994, p. 1.

⁽²⁾ OJ L 120, 24.4.2004, p. 43.

⁽³⁾ OJ L 127, 29.4.2004, p. 73.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 9/2006

of 27 January 2006

amending Annex XI (Telecommunication services) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No 148/2005 of 2 December 2005 ⁽¹⁾.
- (2) Commission Decision 2004/915/EC of 27 December 2004 amending Decision 2001/497/EC as regards the introduction of an alternative set of standard contractual clauses for the transfer of personal data to third countries ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 5ed (Commission Decision 2001/497/EC) of Annex XI to the Agreement:

‘, as amended by:

— **32004 D 0915**: Commission Decision 2004/915/EC of 27 December 2004 (OJ L 385, 29.12.2004, p. 74).’

Article 2

The texts of Decision 2004/915/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 53, 23.2.2006, p. 46.

⁽²⁾ OJ L 385, 29.12.2004, p. 74.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 10/2006
of 27 January 2006
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 153/2005 of 2 December 2005 ⁽¹⁾.
- (2) Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network ⁽²⁾, as corrected by OJ L 201, 7.6.2004, p. 56, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 17h (Directive 2000/30/EC of the European Parliament and of the Council) of Annex XIII to the Agreement:

- '17i. **32004 L 0054:** Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network (OJ L 167, 30.4.2004, p. 39), as corrected by OJ L 201, 7.6.2004, p. 56.

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The following shall be added to paragraph 2.3.6 of Annex I to the Directive:

"An exception can be made for tunnels shorter than 10 km and with traffic volume lower than 4 000 vehicles per lane if a risk analysis shows that the same or better overall safety can be obtained with alternative safety measures."

Article 2

The texts of Directive 2004/54/EC, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 53, 23.2.2006, p. 55.

⁽²⁾ OJ L 167, 30.4.2004, p. 39.

(*) Constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

DECISION OF THE EEA JOINT COMMITTEE
No 11/2006
of 27 January 2006
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 153/2005 of 2 December 2005 ⁽¹⁾.
- (2) Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 49 (Commission Decision 77/527/EEC) of Annex XIII to the Agreement:

'49a. **32005 L 0044:** Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p. 152).'

Article 2

The texts of Directive 2005/44/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee
The President
R. WRIGHT

⁽¹⁾ OJ L 53, 23.2.2006, p. 55.

⁽²⁾ OJ L 255, 30.9.2005, p. 152.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 12/2006****of 27 January 2006****amending Annex XX (Environment) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 107/2005 of 8 July 2005 ⁽¹⁾.
- (2) Commission Decision 2005/338/EC of 14 April 2005 establishing the ecological criteria for the award of the Community eco-label to campsite service ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2005/341/EC of 11 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to personal computers ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2005/342/EC of 23 March 2005 establishing revised ecological criteria for the award of the Community eco-label to hand dishwashing detergents ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2005/343/EC of 11 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to portable computers ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2005/344/EC of 23 March 2005 establishing ecological criteria for the award of the Community eco-label to all-purpose cleaners and cleaners for sanitary facilities ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Decision 2005/384/EC of 12 May 2005 amending Decisions 2000/45/EC, 2001/405/EC, 2001/688/EC, 2002/255/EC and 2002/747/EC in order to prolong the validity of the ecological criteria for the award of the Community eco-label to certain products ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Decision 2005/360/EC of 26 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to lubricants ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 306, 24.11.2005, p. 45.

⁽²⁾ OJ L 108, 29.4.2005, p. 67.

⁽³⁾ OJ L 115, 4.5.2005, p. 1.

⁽⁴⁾ OJ L 115, 4.5.2005, p. 9.

⁽⁵⁾ OJ L 115, 4.5.2005, p. 35.

⁽⁶⁾ OJ L 115, 4.5.2005, p. 42.

⁽⁷⁾ OJ L 127, 20.5.2005, p. 20.

⁽⁸⁾ OJ L 118, 5.5.2005, p. 26.

- (9) Commission Decision 2002/747/EC of 9 September 2002 establishing revised ecological criteria for the award of the Community eco-label to light bulbs and amending Decision 1999/568/EC ⁽⁹⁾ is to be incorporated into the Agreement.
- (10) Decision 2005/341/EC repeals Commission Decision 2001/686/EC ⁽¹⁰⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (11) Decision 2005/342/EC repeals Commission Decision 2001/607/EC ⁽¹¹⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (12) Decision 2005/343/EC repeals Commission Decision 2001/687/EC ⁽¹²⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (13) Commission Decisions 94/924/EC ⁽¹³⁾, 94/925/EC ⁽¹⁴⁾, 1999/568/EC ⁽¹⁵⁾, 1999/10/EC ⁽¹⁶⁾, 96/304/EC ⁽¹⁷⁾, 96/337/EC ⁽¹⁸⁾, 1999/554/EC ⁽¹⁹⁾, 2000/40/EC ⁽²⁰⁾, 98/634/EC ⁽²¹⁾ and 1999/179/EC ⁽²²⁾, which are incorporated into the Agreement, are no longer in force and should therefore be deleted from the Agreement.
- (14) Upon the entry into force of Decision of the EEA Joint Committee No 123/2003 ⁽²³⁾ Council Directive 90/313/EEC ⁽²⁴⁾ is to be deleted from the Agreement.
- (15) Chapter I of Annex XX to the Agreement should be renumbered due to the fact that the numbering system is reaching its limits.
- (16) It is appropriate to restructure Chapter I of Annex XX to the Agreement and group all acts concerning eco-labels under a sub-heading thereto,

HAS DECIDED AS FOLLOWS:

Article 1

The text of Chapter I of Annex XX to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

Council Directive 90/313/EEC shall be deleted from the Agreement as soon as Decision of the EEA Joint Committee No 123/2003 enters into force.

⁽⁹⁾ OJ L 242, 10.9.2002, p. 44.

⁽¹⁰⁾ OJ L 334, 18.12.2001, p. 35.

⁽¹¹⁾ OJ L 334, 18.12.2001, p. 34.

⁽¹²⁾ OJ L 242, 12.9.2001, p. 11.

⁽¹³⁾ OJ L 364, 31.12.1994, p. 24.

⁽¹⁴⁾ OJ L 364, 31.12.1994, p. 32.

⁽¹⁵⁾ OJ L 216, 14.8.1999, p. 18.

⁽¹⁶⁾ OJ L 5, 9.1.1999, p. 77.

⁽¹⁷⁾ OJ L 116, 11.5.1996, p. 30.

⁽¹⁸⁾ OJ L 128, 29.5.1996, p. 24.

⁽¹⁹⁾ OJ L 210, 10.8.1999, p. 16.

⁽²⁰⁾ OJ L 13, 19.1.2000, p. 22.

⁽²¹⁾ OJ L 302, 12.11.1998, p. 31.

⁽²²⁾ OJ L 57, 5.3.1999, p. 31.

⁽²³⁾ OJ L 331, 18.12.2003, p. 50.

⁽²⁴⁾ OJ L 158, 23.6.1990, p. 56.

Article 3

The texts of Decisions 2005/338/EC, 2005/341/EC, 2005/342/EC, 2005/343/EC, 2005/344/EC, 2005/384/EC, 2005/360/EC and 2002/747/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

(*) No constitutional requirements indicated.

ANNEX

The text of Chapter I of Annex XX to the Agreement shall be replaced by the following:

- '1a. **385 L 0337**: Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ L 175, 5.7.1985, p. 40), as amended by:
 - **397 L 0011**: Council Directive 97/11/EC of 3 March 1997 (OJ L 73, 14.3.1997, p. 5).
- 1b. **32003 L 0004**: Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).
- 1ba. **390 L 0313**: Council Directive 90/313/EEC of 7 June 1990 on freedom of access to information on the environment (OJ L 158, 23.6.1990, p. 56).
- 1c. **391 L 0692**: Council Directive 91/692/EEC of 23 December 1991 standardizing and rationalizing reports on the implementation of certain Directives relating to the environment (OJ L 377, 31.12.1991, p. 48).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The provisions of this Directive apply only to Directives included in the EEA Agreement.

Liechtenstein shall put into effect the measures necessary to comply with this Directive as from 1 July 1996.
- 1ca. **394 D 0741**: Commission Decision 94/741/EC of 24 October 1994 concerning questionnaires for Member State's reports on the implementation of certain Directives in the waste sector (implementation of Council Directive 91/692/EEC) (OJ L 296, 17.11.1994, p. 42).
- 1cb. **397 D 0622**: Commission Decision 97/622/EC of 27 May 1997 concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector (implementation of Council Directive 91/692/EEC) (OJ L 256, 19.9.1997, p. 13).
- 1d. **396 D 0511**: Commission Decision 96/511/EC of 29 July 1996 concerning the questionnaires provided for in Council Directives 80/779/EEC, 82/884/EEC, 84/360/EEC and 85/203/EEC (OJ L 213, 22.8.1996, p. 16).
- 1e. **393 R 1836**: Council Regulation (EEC) No 1836/93 of 29 June 1993 allowing voluntary participation by companies in the industrial sector in the Community eco-management and audit scheme (OJ L 168, 10.7.1993, p. 1), as corrected by OJ L 247, 5.10.1993, p. 28.
- 1ea. **32001 R 0761**: Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (OJ L 114, 24.4.2001, p. 1), as amended by:
 - **1 03 T**: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) The following shall be added to the list of national standard bodies in point A of Annex I:

IS: IST (Staðlaráð Íslands)

N: NSF (Norges Standardiseringsforbund)"

(b) The following shall be added to the table in paragraph 2 of Annex IV:

Icelandic:	"Sannprófuð umhverfisstjórnun"	"Fullgiltar upplýsingar"
Norwegian:	"Kontrollert miljøledelsessystem"	"Bekreftet informasjon" "

1eaa. **32001 D 0681**: Commission Decision 2001/681/EC of 7 September 2001 on guidance for the implementation of Regulation (EC) No 761/2001 of the European Parliament and of the Council allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (OJ L 247, 17.9.2001, p. 24).

1f. **396 L 0061**: Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).

The transitional arrangements set out in the Annexes to the Act of Accession of 16 April 2003 for Latvia (Annex VIII, Chapter 10, Section D, point 2), Poland (Annex XII, Chapter 13, Section D, point 1), Slovenia (Annex XIII, Chapter 9, Section C) and Slovakia (Annex XIV, Chapter 9, Section D, point 2) shall apply.

1fa. **32000 D 0479**: Commission Decision 2000/479/EC of 17 July 2000 on the implementation of a European pollutant emission register (EPER) according to Article 15 of Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) (OJ L 192, 28.7.2000, p. 36).

1fb. **399 D 0391**: Commission Decision 1999/391/EC of 31 May 1999 concerning the questionnaire relating to Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) (implementation of Council Directive 91/692/EEC) (OJ L 148, 15.6.1999, p. 39), as amended by:

— **32003 D 0241**: Commission Decision 2003/241/EC of 26 March 2003 (OJ L 89, 5.4.2003, p. 17).

1g. **32001 L 0042**: Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Article 3(2)(b) of the Directive shall not apply.

(b) The words " , such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC" shall be deleted from point d of Annex I (Information referred to in Article 5(1)) to the Directive.

Eco-Labels

2a. **32000 R 1980**: Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme (OJ L 237, 21.9.2000, p. 1).

2aa. **394 D 0010**: Commission Decision 94/10/EC of 21 December 1993 on a standard summary form for the notification of a decision to award the Community eco-label (OJ L 7, 11.1.1994, p. 17).

2ab. **32000 D 0728**: Commission Decision 2000/728/EC of 10 November 2000 establishing the application and annual fees of the Community Eco-label (OJ L 293, 22.11.2000, p. 18).

2ac. **32000 D 0729**: Commission Decision 2000/729/EC of 10 November 2000 on a standard contract covering the terms of use of the Community Eco-label (OJ L 293, 22.11.2000, p. 20).

2ad. **32000 D 0730**: Commission Decision 2000/730/EC of 10 November 2000 establishing the European Union Eco-labelling Board and its rules of procedure (OJ L 293, 22.11.2000, p. 24).

2ae. **32000 D 0731**: Commission Decision 2000/731/EC of 10 November 2000 establishing the rules of procedure of the Consultation Forum of the revised Community Eco-label Scheme (OJ L 293, 22.11.2000, p. 31).

- 2b. **32000 D 0045**: Commission Decision 2000/45/EC of 17 December 1999 establishing the ecological criteria for the award of the Community eco-label to washing machines (OJ L 16, 21.1.2000, p. 73), as amended by:
- **32003 D 0240**: Commission Decision 2003/240/EC of 24 March 2003 (OJ L 89, 5.4.2003, p. 16),
 - **32005 D 0384**: Commission Decision 2005/384/EC of 12 May 2005 (OJ L 127, 20.5.2005, p. 20).
- 2c. **32001 D 0689**: Commission Decision 2001/689/EC of 28 August 2001 establishing the ecological criteria for the award of the Community eco-label to dishwashers (OJ L 242, 12.9.2001, p. 23).
- 2d. **32001 D 0688**: Commission Decision 2001/688/EC of 28 August 2001 establishing ecological criteria for the award for the Community eco-label to soil improvers and growing media (OJ L 242, 12.9.2001, p. 17), as amended by:
- **32005 D 0384**: Commission Decision 2005/384/EC of 12 May 2005 (OJ L 127, 20.5.2005, p. 20).
- 2e. **32003 D 0200**: Commission Decision 2003/200/EC of 14 February 2003 establishing revised ecological criteria for the award of the Community eco-label to laundry detergents and amending Decision 1999/476/EC (OJ L 76, 22.3.2003, p. 25).
- 2f. **32002 D 0371**: Commission Decision 2002/371/EC of 15 May 2002 establishing the ecological criteria for the award of the Community eco-label to textile products and amending Decision 1999/178/EC (OJ L 133, 18.5.2002, p. 29).
- 2g. **32002 D 0231**: Commission Decision 2002/231/EC of 18 March 2002 establishing revised ecological criteria for the award of the Community eco-label to footwear and amending Decision 1999/179/EC (OJ L 77, 20.3.2002, p. 50).
- 2h. **32003 D 0031**: Commission Decision 2003/31/EC of 29 November 2002 establishing revised ecological criteria for the award of the Community eco-label to detergents for dishwashers and amending Decision 1999/427/EC (OJ L 9, 15.1.2003, p. 11).
- 2i. **32001 D 0405**: Commission Decision 2001/405/EC of 4 May 2001 establishing the ecological criteria for the award of the Community eco-label to tissue paper products (OJ L 142, 29.5.2001, p. 10), as amended by:
- **32005 D 0384**: Commission Decision 2005/384/EC of 12 May 2005 (OJ L 127, 20.5.2005, p. 20).
- 2j. **32002 D 0255**: Commission Decision 2002/255/EC of 25 March 2002 establishing the ecological criteria for the award of the Community eco-label to televisions (OJ L 87, 4.4.2002, p. 53), as amended by:
- **32005 D 0384**: Commission Decision 2005/384/EC of 12 May 2005 (OJ L 127, 20.5.2005, p. 20).
- 2k. **32002 D 0272**: Commission Decision 2002/272/EC of 25 March 2002 establishing the ecological criteria for the award of the Community eco-label to hard floor-coverings (OJ L 94, 11.4.2002, p. 13).
- 2l. **32003 D 0121**: Commission Decision 2003/121/EC of 11 February 2003 establishing the ecological criteria for the award of the Community eco-label to vacuum cleaners (OJ L 47, 21.2.2003, p. 56).
- 2m. **32003 D 0287**: Commission Decision 2003/287/EC of 14 April 2003 establishing the ecological criteria for the award of the Community eco-label to tourist accommodation service (OJ L 102, 24.4.2003, p. 82).
- 2n. **32004 D 0669**: Commission Decision 2004/669/EC of 6 April 2004 establishing revised ecological criteria for the award of the Community eco-label to refrigerators and amending Decision 2000/40/EC (OJ L 306, 2.10.2004, p. 16).

- 2o. **32002 D 0747**: Commission Decision 2002/747/EC of 9 September 2002 establishing revised ecological criteria for the award of the Community eco-label to light bulbs and amending Decision 1999/568/EC (OJ L 242, 10.9.2002, p. 44), as amended by:
- **32005 D 0384**: Commission Decision 2005/384/EC of 12 May 2005 (OJ L 127, 20.5.2005, p. 20).
- 2p. **32005 D 0338**: Commission Decision 2005/338/EC of 14 April 2005 establishing the ecological criteria for the award of the Community eco-label to campsite service (OJ L 108, 29.4.2005, p. 67).
- 2q. **32005 D 0341**: Commission Decision 2005/341/EC of 11 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to personal computers (OJ L 115, 4.5.2005, p. 1).
- 2r. **32005 D 0342**: Commission Decision 2005/342/EC of 23 March 2005 establishing revised ecological criteria for the award of the Community eco-label to hand dishwashing detergents (OJ L 115, 4.5.2005, p. 9).
- 2s. **32005 D 0343**: Commission Decision 2005/343/EC of 11 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to portable computers (OJ L 115, 4.5.2005, p. 35).
- 2t. **32005 D 0344**: Commission Decision 2005/344/EC of 23 March 2005 establishing ecological criteria for the award of the Community eco-label to all-purpose cleaners and cleaners for sanitary facilities (OJ L 115, 4.5.2005, p. 42).
- 2u. **32005 D 0360**: Commission Decision 2005/360/EC of 26 April 2005 establishing ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to lubricants (OJ L 118, 5.5.2005, p. 26).'
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DECISION OF THE EEA JOINT COMMITTEE
No 13/2006
of 27 January 2006
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 107/2005 of 8 July 2005 ⁽¹⁾.
- (2) Commission Decision 2005/174/EC of 28 February 2005 establishing guidance notes supplementing part B of Annex II to Council Directive 90/219/EEC on the contained use of genetically modified micro-organisms ⁽²⁾, as corrected by OJ L 65, 11.3.2005, p. 39, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 24b (Commission Decision 2000/608/EC) of Annex XX to the Agreement:

- '24c. **32005 D 0174:** Commission Decision 2005/174/EC of 28 February 2005 establishing guidance notes supplementing part B of Annex II to Council Directive 90/219/EEC on the contained use of genetically modified micro-organisms (OJ L 59, 5.3.2005, p. 20), as corrected by OJ L 65, 11.3.2005, p. 39.'

Article 2

The texts of Decision 2005/174/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee
The President
R. WRIGHT

⁽¹⁾ OJ L 306, 24.11.2005, p. 45.

⁽²⁾ OJ L 59, 5.3.2005, p. 20.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 14/2006
of 27 January 2006
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 107/2005 of 8 July 2005 ⁽¹⁾.
- (2) Commission Decision 2005/293/EC of 1 April 2005 laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 32ec (Commission Decision 2003/138/EC) of Annex XX to the Agreement:

'32ed. **32005 D 0293**; Commission Decision 2005/293/EC of 1 April 2005 laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 94, 13.4.2005, p. 30).'

Article 2

The texts of Decision 2005/293/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 306, 24.11.2005, p. 45.

⁽²⁾ OJ L 94, 13.4.2005, p. 30.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 15/2006
of 27 January 2006
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 107/2005 of 8 July 2005 ⁽¹⁾.
- (2) Commission Decision 2005/369/EC of 3 May 2005 laying down rules for monitoring compliance of Member States and establishing data formats for the purposes of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 32fb (Commission Decision 2004/249/EC) of Annex XX to the Agreement:

'32fc. **32005 D 0369:** Commission Decision 2005/369/EC of 3 May 2005 laying down rules for monitoring compliance of Member States and establishing data formats for the purposes of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (OJ L 119, 11.5.2005, p. 13).'

Article 2

The texts of Decision 2005/369/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee
The President
R. WRIGHT

⁽¹⁾ OJ L 306, 24.11.2005, p. 45.

⁽²⁾ OJ L 119, 11.5.2005, p. 13.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 16/2006

of 27 January 2006

amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 156/2005 of 2 December 2005 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1099/2005 of 13 July 2005 implementing Regulation (EC) No 808/2004 of the European Parliament and of the Council concerning Community statistics on the information society ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 28 (Regulation (EC) No 808/2004 of the European Parliament and of the Council) of Annex XXI to the Agreement:

- '28a. **32005 R 1099:** Commission Regulation (EC) No 1099/2005 of 13 July 2005 implementing Regulation (EC) No 808/2004 of the European Parliament and of the Council concerning Community statistics on the information society (OJ L 183, 14.7.2005, p. 47).'

Article 2

The texts of Regulation (EC) No 1099/2005 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 28 January 2006, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 53, 23.2.2006, p. 60.

⁽²⁾ OJ L 183, 14.7.2005, p. 47.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 17/2006

of 27 January 2006

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 129/2005 of 30 September 2005 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 854/2005/EC of the European Parliament and of the Council of 11 May 2005 on establishing a multiannual Community Programme on promoting safer use of the Internet and new online technologies ⁽²⁾.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place with effect from 1 January 2006,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in Article 2(5) of Protocol 31 to the Agreement:

‘— **32005 D 0854:** Decision No 854/2005/EC of the European Parliament and of the Council of 11 May 2005 on establishing a multiannual Community Programme on promoting safer use of the Internet and new online technologies (OJ L 149, 11.6.2005, p. 1).’

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*).

It shall apply from 1 January 2006.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 27 January 2006.

For the EEA Joint Committee

The President

R. WRIGHT

⁽¹⁾ OJ L 339, 22.12.2005, p. 55.

⁽²⁾ OJ L 149, 11.6.2005, p. 1.

(*) Constitutional requirements indicated.