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⁽¹⁾ Text with EEA relevance.

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1894/2006
of 18 December 2006**

concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and Brazil relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Community, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

Article 1

Having regard to the proposal from the Commission,

Annex I (Combined Nomenclature) of Regulation (EEC) No 2658/87 shall be amended as follows:

Whereas:

- (1) Council Regulation (EEC) No 2658/87 ⁽¹⁾ established a goods nomenclature, hereinafter referred to as the 'Combined Nomenclature' or 'CN', and set out the conventional duty rates of the Common Customs Tariff.
 - (2) By Decision 2006/1894/EC ⁽²⁾, the Council approved, on behalf of the Community, the Agreement in the form of an Exchange of Letters between the European Community and Brazil relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Community with a view to closing negotiations initiated pursuant to Article XXIV:6 of GATT 1994.
 - (3) Regulation (EEC) No 2658/87 should therefore be amended and supplemented accordingly,
- (a) Parts Two (schedule of customs duties) and Three (tariff annexes) shall be amended with the duties and supplemented with the volumes shown in the Annex to this Regulation;
 - (b) CN codes 0201 30 00, 0202 30 90, 0206 10 95, 0206 29 91 in Annex 7 (WTO tariff quotas to be opened by the competent Community authorities) of Section III of Part Three shall be amended as follows:
 - (i) the description of the EC tariff rate quota of 5 000 tonnes 'Boneless "high quality" meat, fresh chilled or frozen, answering the following description: Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of a good maturity and which meet the following beef carcass classification requirements: meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality will be boxed in cartons bearing the words "high quality beef" shall be replaced by 'Boneless high quality meat of bovine animals fresh, chilled or frozen';
 - (ii) under 'Other terms and conditions' the text 'Supplying country Brazil' shall be inserted.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 1549/2006 (OJ L 301, 31.10.2006, p. 1).

⁽²⁾ See page 1 of this Official Journal.

Article 2

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

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

Done at Brussels, 18 December 2006.

For the Council
The President
J.-E. ENESTAM

ANNEX

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

Part Two Schedule of Customs duties		
CN code	Description	Duty rate
2106 10 80	Protein concentrates	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
2401 10 90	Tobacco	Reduce the EC bound duty of EUR 11,2 MIN 22,0/100 kg/net MAX EUR 56,0/100 kg/net to EUR 10 MIN 22,0/100 kg/net MAX EUR 56,0/kg/net
Part Three Tariff Annexes		
CN code	Description	Duty rate
1701 11 10	Raw cane sugar for refining	A country allocated (Brazil) tariff rate quota 10 124 tonnes at in-quota rate of EUR 98/tonne
0207 14 10 0207 14 50 0207 14 70	Frozen cuts of fowls of the species <i>Gallus domesticus</i>	A country allocated (Brazil) tariff rate quota 2 332 tonnes at in-quota rate of 0 %
0207 11 10 0207 11 30 0207 11 90 0207 12 10 0207 12 90	Chicken carcass, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 13 10 0207 13 20 0207 13 30 0207 13 40 0207 13 50 0207 13 60 0207 13 70 0207 14 20 0207 14 30 0207 14 40 0207 14 60	Chicken cuts, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 14 10	Cuts of fowls	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
0207 24 10 0207 24 90 0207 25 10 0207 25 90 0207 26 10 0207 26 20 0207 26 30 0207 26 40 0207 26 50 0207 26 60 0207 26 70 0207 26 80 0207 27 30 0207 27 40 0207 27 50 0207 27 60 0207 27 70	Turkey meat, fresh, chilled or frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)

Part Three Tariff Annexes		
CN code	Description	Duty rate
0207 27 10 0207 27 20 0207 27 80	Turkey cuts, frozen	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
1005 90 00 1005 10 90	Maize	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
2008 20 11 2008 20 19 2008 20 31 2008 20 39 2008 20 71 2008 30 11 2008 30 19 2008 30 31 2008 30 39 2008 30 79 2008 40 11 2008 40 19 2008 40 21 2008 40 29 2008 40 31 2008 40 39 2008 50 11 2008 50 19 2008 50 31 2008 50 39 2008 50 51 2008 50 59 2008 50 71 2008 60 11 2008 60 19 2008 60 31 2008 60 39 2008 60 60 2008 70 11 2008 70 19 2008 70 31 2008 70 39 2008 70 51 2008 70 59 2008 80 11 2008 80 19 2008 80 31 2008 80 39 2008 80 70	Preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)
2009 11 11 2009 11 19 2009 19 11 2009 19 19 2009 29 11 2009 29 19 2009 39 11 2009 39 19 2009 49 11 2009 49 19 2009 79 11 2009 79 19 2009 80 11 2009 80 19 2009 80 34 2009 80 35 2009 80 36 2009 80 38 2009 90 11 2009 90 19 2009 90 21 2009 90 29	Fruit juices	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)

Part Three Tariff Annexes		
CN code	Description	Duty rate
1806	Chocolate	Implemented through Council Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1)

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

COUNCIL REGULATION (EC, Euratom) No 1895/2006

of 19 December 2006

adjusting with effect from 1 July 2006 the remuneration and pensions of officials and other servants of the European Communities and the correction coefficients applied thereto

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of Officials and the Conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, and in particular Articles 63, 64, 65 and 82 of the Staff Regulations and Annexes VII, XI and XIII thereto, and the first paragraph of Article 20, Article 64 and Article 92 of the Conditions of employment of other servants,

Having regard to the proposal from the Commission,

Whereas:

- (1) In order to guarantee that the purchasing power of Community officials and other servants develops in parallel with that of national civil servants in the Member States, the remuneration and pensions of officials and other servants of the Communities should be adjusted under the 2006 annual review.
- (2) Following the accession of Bulgaria and Romania, which shall take effect as from 1 January 2007, the correction coefficients applying to the remuneration of officials and other servants of the European Communities should be fixed for those Member States in accordance with Annex XI to the Staff Regulations,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 2006, the date '1 July 2005' in the second subparagraph of Article 63 of the Staff Regulations shall be replaced by '1 July 2006'.

⁽¹⁾ OJ L 56, 4.3.1968, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1066/2006 (OJ L 194, 14.7.2006, p. 1).

With effect from 1 July 2006, the table of basic monthly salaries in Article 66 of the Staff Regulations applicable for the purposes of calculating remuneration and pensions shall be replaced by the following:

1/07/2006	STEP				
GRADE	1	2	3	4	5
16	15.605,87	16.261,64	16.944,98		
15	13.792,98	14.372,58	14.976,53	15.393,20	15.605,87
14	12.190,69	12.702,96	13.236,76	13.605,02	13.792,98
13	10.774,54	11.227,30	11.699,08	12.024,57	12.190,69
12	9.522,89	9.923,06	10.340,04	10.627,71	10.774,54
11	8.416,65	8.770,33	9.138,87	9.393,12	9.522,89
10	7.438,91	7.751,50	8.077,23	8.301,95	8.416,65
9	6.574,76	6.851,04	7.138,92	7.337,54	7.438,91
8	5.810,99	6.055,17	6.309,62	6.485,16	6.574,76
7	5.135,94	5.351,76	5.576,65	5.731,80	5.810,99
6	4.539,32	4.730,06	4.928,83	5.065,95	5.135,94
5	4.012,00	4.180,59	4.356,26	4.477,46	4.539,32
4	3.545,94	3.694,94	3.850,21	3.957,33	4.012,00
3	3.134,02	3.265,71	3.402,94	3.497,61	3.545,94
2	2.769,95	2.886,34	3.007,63	3.091,31	3.134,02
1	2.448,17	2.551,05	2.658,24	2.732,20	2.769,95

Article 3

With effect from 16 May 2006, the correction coefficients applicable to the remuneration of officials and other servants employed in the countries and places listed below shall be as follows:

Slovenia – 86,8.

Article 4

With effect from 1 July 2006, the correction coefficients applicable under Article 64 of the Staff Regulations to the remuneration of officials and other servants shall be as indicated in column 2 of the following table. However, the date of entering into force of the correction coefficients for Bulgaria and Romania shall be 1 January 2007.

With effect from 1 January 2007, the correction coefficients applicable under Article 17(3) of Annex VII to the Staff Regulations to transfers by officials and other servants shall be as indicated in column 3 of the following table.

With effect from 1 July 2006, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 4 of the following table. However, the date of entering into force of the correction coefficients for Bulgaria and Romania shall be 1 January 2007.

With effect from 1 May 2007, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 5 of the following table.

1	2	3	4	5
Country / Place	Remuneration 1.7.2006	Transfer 1.1.2007	Pension 1.7.2006	Pension 1.5.2007
Bulgaria	64,1*	60,5	100,0*	100,0
Czech Rep.	85,3	79,0	100,0	100,0
Denmark	137,9	132,4	134,6	133,5
Germany	100,1	101,7	101,1	101,4
Bonn	97,2			
Karlsruhe	95,8			
Münich	106,6			
Estonia	79,5	80,6	100,0	100,0
Greece	93,3	91,7	100,0	100,0
Spain	102,2	97,5	100,0	100,0
France	118,2	106,9	111,4	109,2
Ireland	122,0	114,9	117,7	116,3
Italy	112,5	107,9	109,7	108,8
Varese	100,3			
Cyprus	91,3	94,9	100,0	100,0
Latvia	76,7	75,0	100,0	100,0
Lithuania	75,5	73,6	100,0	100,0
Hungary	76,2	64,5	100,0	100,0
Malta	90,6	92,0	100,0	100,0
Netherlands	110,2	101,3	104,9	103,1
Austria	106,5	106,1	106,3	106,2
Poland	76,6	70,8	100,0	100,0
Portugal	91,9	89,8	100,0	100,0
Romania	64,7*	57,9	100,0*	100,0
Slovenia	86,8**	84,0	100,0	100,0
Slovakia	88,1	78,6	100,0	100,0
Finland	116,6	112,3	114,0	113,2
Sweden	114,9	110,1	112,0	111,1
United Kingdom	139,4	115,6	125,1	120,4
Culham	114,2			

* The correction coefficients for Bulgaria and Romania indicated in column 2 (Remuneration) and column 4 (Pension) shall enter into force from 1 January 2007.

** The correction coefficient for Slovenia indicated in column 2 (Remuneration) shall enter into force from 16 May 2006.

Article 5

With effect from 1 July 2006, the amount of the parental leave allowance referred to in Article 42a of the Staff Regulations shall be EUR 840,97 and EUR 1 121,28 for single parents.

Article 6

With effect from 1 July 2006 the basic amount of the household allowance referred to in Article 1(1) of Annex VII to the Staff Regulations shall be EUR 157,29.

With effect from 1 July 2006 the amount of the dependent child allowance referred to in Article 2(1) of Annex VII to the Staff Regulations shall be EUR 343,69.

With effect from 1 July 2006 the amount of the education allowance referred to in Article 3(1) of Annex VII to the Staff Regulations shall be EUR 233,20.

With effect from 1 July 2006 the amount of the education allowance referred to in Article 3(2) of Annex VII to the Staff Regulations shall be EUR 83,96.

With effect from 1 July 2006, the minimum amount of the expatriation allowance referred to in Article 69 of the Staff Regulations and in the second subparagraph of Article 4(1) of Annex VII thereto shall be EUR 466,17.

Article 7

With effect from 1 January 2007, the kilometric allowance referred to in Article 8 of Annex VII to the Staff Regulations shall be adjusted as follows:

EUR 0 for every km from 0 to 200 km

EUR 0,3496 for every km from 201 to 1 000 km

EUR 0,5826 for every km from 1 001 to 2 000 km

EUR 0,3496 for every km from 2 001 to 3 000 km

EUR 0,1165 for every km from 3 001 to 4 000 km

EUR 0,0561 for every km from 4 001 to 10 000 km

EUR 0 for every km over 10 000 km.

To the above kilometric allowance a flat-rate supplement shall be added, amounting to:

— EUR 174,77 if the distance by train between the place of employment and the place of origin is between 725 km and 1 450 km,

— EUR 349,52 if the distance by train between the place of employment and the place of origin is greater than 1 450 km.

Article 8

With effect from 1 July 2006 the daily subsistence allowance referred to in Article 10 of Annex VII to the Staff Regulations shall be:

— EUR 36,12 for an official who is entitled to the household allowance,

— EUR 29,12 for an official who is not entitled to the household allowance.

Article 9

With effect from 1 July 2006, the lower limit for the installation allowance referred to in Article 24(3) of the Conditions of employment of other servants shall be:

— EUR 1 028,45 for a servant who is entitled to the household allowance,

— EUR 611,52 for a servant who is not entitled to the household allowance.

Article 10

With effect from 1 July 2006, for the unemployment allowance referred to in the second subparagraph of Article 28a(3) of the Conditions of employment of other servants, the lower limit shall be EUR 1 233,40, the upper limit shall be EUR 2 466,81 and the standard allowance shall be EUR 1 121,28.

Article 11

With effect from 1 July 2006, the table of basic monthly salaries in Article 63 of the Conditions of employment of other servants shall be replaced by the following:

1/07/2006		STEP			
CATEGORY	GROUP	1	2	3	4
A	I	6.286,09	7.064,74	7.843,39	8.622,04
	II	4.562,34	5.006,91	5.451,48	5.896,05
	III	3.833,94	4.004,72	4.175,50	4.346,28
B	IV	3.683,00	4.043,56	4.404,12	4.764,68
	V	2.892,93	3.083,63	3.274,33	3.465,03
C	VI	2.751,39	2.913,37	3.075,35	3.237,33
	VII	2.462,59	2.546,38	2.630,17	2.713,96
D	VIII	2.225,80	2.356,89	2.487,98	2.619,07
	IX	2.143,53	2.173,39	2.203,25	2.233,11

Article 12

With effect from 1 July 2006, the table of basic monthly salaries in Article 93 of the Conditions of employment of other servants shall be replaced by the following:

FUNCTION GROUP	1/07/2006	STEP						
	GRADE	1	2	3	4	5	6	7
IV	18	5.379,73	5.491,61	5.605,81	5.722,39	5.841,39	5.962,87	6.086,87
	17	4.754,75	4.853,63	4.954,56	5.057,60	5.162,77	5.270,14	5.379,73
	16	4.202,37	4.289,76	4.378,97	4.470,03	4.562,99	4.657,88	4.754,75
	15	3.714,16	3.791,40	3.870,25	3.950,73	4.032,89	4.116,76	4.202,37
	14	3.282,67	3.350,94	3.420,62	3.491,76	3.564,37	3.638,50	3.714,16
	13	2.901,31	2.961,65	3.023,23	3.086,11	3.150,28	3.215,80	3.282,67
	12	3.714,11	3.791,34	3.870,18	3.950,66	4.032,81	4.116,67	4.202,28
III	11	3.282,65	3.350,91	3.420,59	3.491,72	3.564,33	3.638,45	3.714,11
	10	2.901,31	2.961,64	3.023,22	3.086,09	3.150,27	3.215,78	3.282,65
	9	2.564,27	2.617,59	2.672,02	2.727,59	2.784,31	2.842,20	2.901,31
	8	2.266,38	2.313,51	2.361,62	2.410,73	2.460,86	2.512,03	2.564,27
	7	2.564,20	2.617,54	2.671,98	2.727,55	2.784,28	2.842,19	2.901,31
II	6	2.266,26	2.313,40	2.361,52	2.410,64	2.460,77	2.511,96	2.564,20
	5	2.002,94	2.044,60	2.087,13	2.130,54	2.174,85	2.220,09	2.266,26
	4	1.770,22	1.807,04	1.844,62	1.882,99	1.922,15	1.962,13	2.002,94
	3	2.180,77	2.226,03	2.272,23	2.319,38	2.367,52	2.416,65	2.466,81
I	2	1.927,89	1.967,90	2.008,75	2.050,43	2.092,99	2.136,43	2.180,77
	1	1.704,34	1.739,71	1.775,82	1.812,67	1.850,29	1.888,69	1.927,89

Article 13

With effect from 1 July 2006, the lower limit for the installation allowance referred to in Article 94 of the Conditions of employment of other servants shall be:

- EUR 773,57 for a servant who is entitled to the household allowance,
- EUR 458,63 for a servant who is not entitled to the household allowance.

Article 14

With effect from 1 July 2006, for the unemployment allowance referred to in the second subparagraph of Article 96(3) of the Conditions of employment of other servants, the lower limit shall be EUR 925,06, the upper limit shall be EUR 1 850,11 and the standard allowance shall be EUR 840,97.

Article 15

With effect from 1 July 2006, the allowances for shiftwork laid down in Article 1 of Council Regulation (ECSC, EEC, Euratom) No 300/76 ⁽¹⁾ shall be EUR 352,51, EUR 532,06, EUR 581,74 and EUR 793,10.

Article 16

With effect from 1 July 2006, the amounts in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68 ⁽²⁾ shall be subject to a coefficient of 5,088579.

Article 17

With effect from 1 July 2006, the table in Article 8(1) of Annex XIII to the Staff Regulations shall be replaced by the following:

1/07/2006	STEP							
GRADE	1	2	3	4	5	6	7	8
16	15.605,87	16.261,64	16.944,98	16.944,98	16.944,98	16.944,98		
15	13.792,98	14.372,58	14.976,53	15.393,20	15.605,87	16.261,64		
14	12.190,69	12.702,96	13.236,76	13.605,02	13.792,98	14.372,58	14.976,53	15.605,87
13	10.774,54	11.227,30	11.699,08	12.024,57	12.190,69			
12	9.522,89	9.923,06	10.340,04	10.627,71	10.774,54	11.227,30	11.699,08	12.190,69
11	8.416,65	8.770,33	9.138,87	9.393,12	9.522,89	9.923,06	10.340,04	10.774,54
10	7.438,91	7.751,50	8.077,23	8.301,95	8.416,65	8.770,33	9.138,87	9.522,89
9	6.574,76	6.851,04	7.138,92	7.337,54	7.438,91			
8	5.810,99	6.055,17	6.309,62	6.485,16	6.574,76	6.851,04	7.138,92	7.438,91
7	5.135,94	5.351,76	5.576,65	5.731,80	5.810,99	6.055,17	6.309,62	6.574,76
6	4.539,32	4.730,06	4.928,83	5.065,95	5.135,94	5.351,76	5.576,65	5.810,99
5	4.012,00	4.180,59	4.356,26	4.477,46	4.539,32	4.730,06	4.928,83	5.135,94
4	3.545,94	3.694,94	3.850,21	3.957,33	4.012,00	4.180,59	4.356,26	4.539,32
3	3.134,02	3.265,71	3.402,94	3.497,61	3.545,94	3.694,94	3.850,21	4.012,00
2	2.769,95	2.886,34	3.007,63	3.091,31	3.134,02	3.265,71	3.402,94	3.545,94
1	2.448,17	2.551,05	2.658,24	2.732,20	2.769,95			

⁽¹⁾ Council Regulation (ECSC, EEC, Euratom) No 300/76 of 9 February 1976 determining the categories of officials entitled to allowances for shiftwork, and the rates and conditions thereof (OJ L 38, 13.2.1976, p. 1). Regulation as supplemented by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ L 124, 13.5.1987, p. 6) and last amended by Regulation (EC, Euratom) No 860/2004 (OJ L 161, 30.4.2004, p. 26).

⁽²⁾ Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities (OJ L 56, 4.3.1968, p. 8). Regulation as last amended by Regulation (EC, Euratom) No 1750/2002 (OJ L 264, 2.10.2002, p. 15).

Article 18

With effect from 1 July 2006 the amount of the dependent child allowance referred to in Article 14(1) of Annex XIII to the Staff Regulations shall be as follows:

1.7.06-31.12.06	302,32
1.1.07-31.12.07	316,11
1.1.08-31.12.08	329,89

Article 19

With effect from 1 July 2006 the amount of the education allowance referred to in Article 15(1) of Annex XIII to the Staff Regulations shall be as follows:

1.7.06-31.8.06	33,59
1.9.06-31.8.07	50,361
1.9.07-31.8.08	67,16

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

Done at Brussels, 19 December 2006.

Article 20

With effect from 1 July 2006, for the purposes of application of Article 18 of Annex XIII to the Staff Regulations, the amount of the fixed allowance mentioned in the former Article 4a of Annex VII to the Staff Regulations in force before 1 May 2004 shall be:

- EUR 121,61 per month for officials in Grade C4 or C5,
- EUR 186,45 per month for officials in Grade C1, C2 or C3.

Article 21

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

For the Council
The President
J. KORKEAOJA

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 18 December 2006

concerning the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and Brazil relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Community

(2006/963/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

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

Having regard to the proposal from the Commission,

Whereas:

- (1) On 22 March 2004 the Council authorised the Commission to open negotiations with certain other Members of the WTO under Article XXIV.6 of the GATT 1994, in the course of the accessions to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.
- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.
- (3) The Commission has finalised negotiations for an Agreement in the form of an Exchange of Letters between the European Community and Brazil.
- (4) The Agreement in the form of an Exchange of Letters should be approved,

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and Brazil relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Community, is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 18 December 2006.

For the Council
The President
J.-E. ENESTAM

AGREEMENT

in the form of an Exchange of Letters between the European Community and Brazil relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of accession to the European Community

A. Letter from the European Community

Geneva, 18 December 2006

Sir,

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

The EC agrees to incorporate in its schedule for the customs territory of EC 25, the concessions that were included in its previous schedule of EC 15.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the Annex to this Agreement.

This Agreement shall enter into force upon the date on which the EC and Brazil have exchanged letters of agreement, following consideration by the parties in accordance with their own procedures. The EC shall use its best endeavours to put in place the appropriate implementing measures before 1 November and no later than 1 January 2007.

On behalf of the European Community

A large, stylized handwritten signature in dark ink, consisting of a series of loops and a long, sweeping horizontal stroke at the bottom.

ANNEX

- a country allocated (Brazil) tariff rate quota 10 124 tonnes of raw cane sugar for refining (tariff item number 1701 1110), at in-quota rate of EUR 98/t,
- a country allocated (Brazil) tariff rate quota 2 332 tonnes of 'cuts of fowls of the species Gallus domesticus' (tariff item numbers 0207 1410, 0207 1450, 0207 1470), at in-quota rate of 0 %,
- add 49 tonnes (erga omnes) in the EC tariff rate quota for 'chicken carcass, fresh, chilled or frozen', (tariff item numbers 0207 1110, 0207 1130, 0207 1190, 0207 1210, 0207 1290), at in-quota rate of EUR 131-162/t,
- add 4 070 tonnes (erga omnes) in the EC tariff rate quota for 'chicken cuts, fresh, chilled or frozen' (tariff item numbers 0207 1310, 0207 1320, 0207 1330, 0207 1340, 0207 1350, 0207 1360, 0207 1370, 0207 1420, 0207 1430, 0207 1440, 0207 1460), at in-quota rate of EUR 93-512/t,
- add 1 605 tonnes (erga omnes) in the EC tariff rate quota for 'cuts of fowls' (tariff item number 0207 1410), at in-quota rate of EUR 795/t,
- add 201 tonnes (erga omnes) in the EC tariff rate quota for 'turkey meat, fresh, chilled or frozen' (tariff item numbers 0207 2410, 0207 2490, 0207 2510, 0207 2590, 0207 2610, 0207 2620, 0207 2630, 0207 2640, 0207 2650, 0207 2660, 0207 2670, 0207 2680, 0207 2730, 0207 2740, 0207 2750, 0207 2760, 0207 2770), at in-quota rate of EUR 93-425/t,
- add 2 485 tonnes (erga omnes) in the EC tariff rate quota for 'turkey cuts, frozen' (tariff item numbers 0207 2710, 0207 2720, 0207 2780), at in-quota rate of 0 %,
- open a tariff rate quota 242 074 tonnes (erga omnes) for maize (tariff item numbers 1005 9000, 1005 1090), at in-quota rate of 0 %,
- open a tariff rate quota 2 838 tonnes (erga omnes) for preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries (tariff item numbers 2008 2011, 2008 2019, 2008 2031, 2008 2039, 2008 2071, 2008 3011, 2008 3019, 2008 3031, 2008 3039, 2008 3079, 2008 4011, 2008 4019, 2008 4021, 2008 4029, 2008 4031, 2008 4039, 2008 5011, 2008 5019, 2008 5031, 2008 5039, 2008 5051, 2008 5059, 2008 5071, 2008 6011, 2008 6019, 2008 6031, 2008 6039, 2008 6060, 2008 7011, 2008 7019, 2008 7031, 2008 7039, 2008 7051, 2008 7059, 2008 8011, 2008 8019, 2008 8031, 2008 8039, 2008 8070), at in-quota rate of 20 %,
- open a tariff rate quota 7 044 tonnes (erga omnes) for fruit juices (tariff item numbers 2009 1111, 2009 1119, 2009 1911, 2009 1919, 2009 2911, 2009 2919, 2009 3911, 2009 3919, 2009 4911, 2009 4919, 2009 7911, 2009 7919, 2009 8011, 2009 8019, 2009 8032, 2009 8033, 2009 8035, 2009 8036, 2009 8038, 2009 9011, 2009 9019, 2009 9021, 2009 9029), at in-quota rate of 20 %,
- eliminate the ad valorem duty of 9 % on protein concentrates (tariff item number 2106 1080),
- open a tariff rate quota 107 tonnes (erga omnes) for chocolate (tariff item number 1 806), at in-quota rate of 43 %,
- reduce the EC bound duty of EUR 11,2 MIN 22,0/100 kg/net MAX EUR 56,0/100 kg/net to EUR 10 MIN 22,0/100 kg/net MAX EUR 56,0/100 kg/net for tobacco (tariff item number 2401 1090),
- adjust the description of the EC tariff rate quota for high quality beef (5 000 tonnes) to: 'boneless high quality meat of bovine animals fresh, chilled or frozen', indicating supplying country Brazil.

B. *Letter from the Government of the Federative Republic of Brazil*

Geneva, 18 December 2006

Sir,

Reference is made to your letter stating:

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

The EC agrees to incorporate in its schedule for the customs territory of EC 25, the concessions that were included in its previous schedule of EC 15.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the Annex to this agreement.

This Agreement shall enter into force upon the date on which the EC and Brazil have exchanged letters of agreement, following consideration by the parties in accordance with their own procedures. The EC shall use its best endeavours to put in place the appropriate implementing measures before 1 November and no later than 1 January 2007.'

I hereby have the honour to express my Government's agreement.

On behalf of the Government of the Federative Republic of Brazil

A handwritten signature in black ink, appearing to read 'Antônio Carlos', is written over a horizontal line.

COUNCIL DECISION**of 18 December 2006****on the conclusion of the Agreement between the European Community and the Government of Canada establishing a framework for cooperation in higher education, training and youth**

(2006/964/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Articles 149 and 150 in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas:

- (1) By its decision of 24 October 2005 the Council authorised the Commission to negotiate with the government of Canada an agreement renewing the cooperation programme in the fields of higher education, training and youth.
- (2) On behalf of the Community, the Commission has negotiated an agreement with the government of Canada in accordance with the directives in the Annex to the said decision.
- (3) The Community and Canada expect to obtain mutual benefit from such cooperation, which must, on the Community's side, be complementary to the bilateral programmes between the Member States and Canada and provide a European added value.
- (4) The Agreement was signed on behalf of the Community on 5 December 2006 subject to its possible conclusion at a later date.
- (5) The Agreement should be approved,

Article 1

1. The Agreement between the European Community and the government of Canada establishing a framework for cooperation in higher education, training and youth is hereby approved on behalf of the Community.

2. The text of the Agreement is attached to this Decision.

Article 2

The delegation of the European Community to the Joint Committee referred to in Article 6 of the Agreement shall consist of a representative from the Commission assisted by a representative from each Member State.

Article 3

The President of the Council is authorised to designate the person empowered to make the notification provided for in Article 12(1) of the Agreement.

Done at Brussels, 18 December 2006.

For the Council
The President
J.-E. ENESTAM

AGREEMENT

between the European Community and the Government of Canada establishing a framework for cooperation in higher education, training and youth

THE EUROPEAN COMMUNITY,

on the one part, and

THE GOVERNMENT OF CANADA,

on the other part,

hereinafter collectively referred to as "the Parties",

NOTING that the Declaration on European Community-Canada Relations adopted by the European Community and its Member States and the Government of Canada on 22 November 1990 makes specific reference to strengthening mutual cooperation in various fields which directly affect the present and future well-being of their citizens, such as exchanges and joint projects in education and culture, including academic and youth exchanges;

NOTING that the Canada-EU Joint Political Declaration and Action Plan adopted on 17 December 1996 states that in order to renew their ties based on shared cultures and values, the Parties will encourage contacts between their citizens at every level, especially among their youth; and that the Joint Action Plan attached to the Declaration encourages the Parties to further strengthen their cooperation through the Agreement between the European Community and the Government of Canada Establishing a Cooperation Programme in Higher Education and Training ratified in 1996;

NOTING that the EU-Canada Partnership Agenda adopted on 18 March 2004 at the EU-Canada Summit refers to the need to seek new ways to foster links between our respective peoples, notably by broadening the scope of Canadian and European Community exchange programmes for young people and by exploring avenues to reinforce and broaden the scope of EC-Canada cooperation when renewing the Agreement between the European Community and the Government of Canada Renewing a Cooperation Programme in Higher Education and Training ratified in March 2001;

NOTING that the Joint Declaration adopted at the EU-Canada Summit on 19 June 2005 further refers to the EU and Canadian leaders' intention to renew, reinforce and broaden the scope of the Agreement Renewing a Cooperation Programme in Higher Education and Training, ratified in 2001, notably through the addition of cooperation on youth, to strengthen academic cooperation and transatlantic exchange between our citizens;

CONSIDERING the full respect for the responsibilities of the Member States of the European Community and for the legislative powers of the provinces and territories of Canada in the fields of education and training, and the autonomy of the higher education and training institutions;

CONSIDERING that the adoption and the implementation of the 1996 and 2001 Agreements on Higher Education and Training realise the commitments of the EU-Canada Declarations, and that the cooperation has been highly positive for both Parties;

ACKNOWLEDGING the crucial contribution of higher education and training to the development of human resources capable of participating in the global knowledge-based economy;

RECOGNISING that cooperation in higher education, training and youth should complement other relevant cooperation initiatives between the European Community and Canada;

ACKNOWLEDGING the importance of taking into account the work done in the field of higher education and training by international organisations active in these fields such as the OECD, UNESCO and the Council of Europe;

RECOGNISING that the Parties have a common interest in cooperation in higher education, training and youth, as part of the wider cooperation that exists between the European Community and Canada;

EXPECTING to obtain mutual benefit from cooperation in higher education, training and youth;

RECOGNISING the need to widen access to the activities supported under this Agreement, in particular those activities in the training and youth sectors;

DESIRING to renew the basis for continuing cooperation in higher education and training,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

This Agreement establishes a framework for cooperation in higher education, training and youth between the European Community and Canada.

Article 2

Definitions

For the purpose of this Agreement:

- 1) 'higher education institution' means any establishment according to either Party's applicable laws or practices that offers qualifications or diplomas at higher education level, irrespective of the designation given to it;
- 2) 'training institution' means any type of public, semi-public or private body, which, irrespective of the designation given to it, in accordance with either Party's applicable laws and practices, designs or undertakes vocational education or training, further vocational training, refresher vocational training or retraining contributing to qualifications recognised by the competent authorities;
- 3) 'students' means all those persons who follow learning or training courses or programmes which are run by higher education or training institutions as defined in this Article, and that are recognised or financially supported by the competent authorities;
- 4) 'youth' means areas of activities linked to non-formal and informal learning involving youth organisations and other youth associations as well as youth workers, young leaders and other actors working for, or with, young people.

Article 3

Objectives

1. The general objectives of this Agreement shall be to:
 - (a) promote mutual understanding between the peoples of the European Union and Canada including broader knowledge of their languages, cultures and institutions;

- (b) improve the quality of human resources in both the European Community and Canada, by facilitating the acquisition of skills required to meet the challenges of the global knowledge-based economy.

2. The specific objectives of this Agreement shall be to:

- (a) reinforce a European Community and a Canadian value-added dimension to transatlantic cooperation in higher education, training and youth;

- (b) contribute to transatlantic exchanges between citizens of both the European Union and Canada;

- (c) contribute to the development of higher education and training institutions, as well as youth structures and organisations;

- (d) promote and/or enhance partnerships among stakeholders active in the areas of higher education, training and youth in the European Community and Canada;

- (e) contribute to the professional development of individuals while achieving the general objectives of the Agreement;

- (f) develop opportunities for dialogue and exchanges on youth policy and youth work.

3. The operational objectives of this Agreement shall be to:

- (a) support collaboration between higher education and training institutions with a view to promoting and developing joint study and/or training programmes and student mobility;

- (b) improve the quality of transatlantic student mobility by promoting transparency, mutual recognition of qualifications and periods of study and training, and where appropriate portability of credits;

- (c) support collaboration among public and private organisations active in the areas of higher education, training and youth with a view to encouraging discussion and exchange of experience on policy issues;

- (d) support transatlantic mobility of professionals (including professionals-in-training) with a view to improving mutual understanding, and expertise, of issues relevant to European Union/Canada relations;
- (e) support collaboration among youth structures and organisations as well as youth workers, young leaders and other youth actors with a view to promoting exchanges of good practices and developing networks.

Article 4

Principles

Cooperation under this Agreement shall be conducted on the basis of the following principles:

- 1) full respect for the responsibilities of the Member States of the European Community and for the legislative powers of the Provinces and Territories of Canada in the fields of education and training, and the autonomy of the higher education and training institutions;
- 2) overall balance of benefits from activities undertaken through this Agreement;
- 3) broad participation across the different Member States of the European Community and the Provinces and Territories of Canada;
- 4) recognition of the full cultural, social and economic diversity of the European Community and Canada;
- 5) enhanced collaboration between the European Community and Canada and complementarity with bilateral programmes between the Member States of the European Community and Canada, as well as other European Community and Canada programmes and initiatives in higher education, training and youth.

Article 5

Cooperation

Cooperation shall be pursued by means of the actions described in the Annex, which forms an integral part of this Agreement.

Article 6

Joint Committee

- 1. A Joint Committee is hereby established. It shall comprise representatives of each Party.

- 2. The functions of the Joint Committee shall be to:

- (a) review the cooperation envisaged under this Agreement;
- (b) report to the Parties on the level, status and effectiveness of the cooperation in accordance with the objectives and principles of this Agreement;
- (c) share information on recent developments, policies, new trends or innovative practices related to higher education, training and youth.

- 3. The Joint Committee shall endeavour to meet every second year, with such meetings being held alternately in the European Union and Canada. Other meetings may be held as mutually determined.

- 4. Decisions of the Joint Committee shall be reached by consensus. Minutes shall be agreed upon by those persons selected from each side to chair the meeting jointly, and shall, together with the report, be made available to the Joint Cooperation Committee established under the 1976 Framework Agreement on Commercial and Economic Cooperation between the European Community and Canada as well as appropriate Ministers of each Party.

Article 7

Monitoring and evaluation

Cooperation shall be monitored and evaluated as appropriate on a cooperative basis thus permitting, as necessary, the reorientation of the cooperative activities in the light of any needs or opportunities becoming apparent in the course of their implementation.

Article 8

Funding

- 1. Cooperation shall be subject to the availability of funds and to the applicable laws and regulations, policies and programmes of the European Community and Canada. Financing will be on the basis of an overall matching of funds between the Parties.

- 2. Each Party shall provide funds for the direct benefit of:

- for the European Community, citizens of one of the European Community Member States or persons recognised by a Member State as having official status as permanent residents,
- for Canada, its own citizens and permanent residents as defined by Canadian law.

3. Costs incurred by or on behalf of the Joint Committee shall be met by the Party to whom the respective member who has incurred the cost is responsible. Costs, other than those of travel and subsistence, that are directly associated with meetings of the Joint Committee, shall be met by the host Party.

Article 9

Entry of personnel

Each Party shall take all reasonable steps and use its best efforts to facilitate entry to and exit from its territory of personnel, students, material and equipment of the other Party engaged in or used in cooperation under this Agreement in accordance with their respective laws and regulations.

Article 10

Other agreements

1. This Agreement is without prejudice to cooperation which may be taken pursuant to other agreements between the Parties.
2. This Agreement is without prejudice to existing or future bilateral agreements between individual Member States of the European Community and Canada in the fields covered herein.

Article 11

Territorial application of this Agreement

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Canada.

Article 12

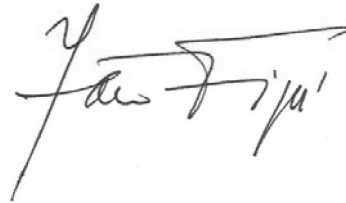
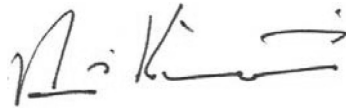
Final clauses

1. Each Party shall notify the other in writing of its consent to be bound by this Agreement. This Agreement shall enter into force on the first day of the month following the date on which the last Party shall have so notified the other.
2. This Agreement shall remain in force for a period of eight years, following which it may be extended by written agreement of the Parties.
3. This Agreement may be amended by mutual written agreement of the Parties.
4. Amendments or extensions shall be in writing and shall enter into force on a date determined by the Parties.
5. This Agreement may be terminated at any time by either Party upon twelve months written notice. The expiration or termination of this Agreement shall not affect the validity or duration of any arrangements made under it or the obligations established pursuant to the Annex to this Agreement.

IN WITNESS WHEREOF the undersigned have signed this Agreement.

Done at Helsinki this 5 December 2006, in two original texts in the English, French, Czech, Danish, Dutch, Estonian, Finnish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages, all texts being equally authentic.

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



Por el Gobierno de Canadá
Za vládu Kanady
For Canadas regering
Für die Regierung Kanadas
Kanada valitsuse nimel
Για την Κυβέρνηση του Καναδά
For the Government of Canada
Pour le gouvernement du Canada
Per il governo del Canada
Kanādas valdības vārdā
Kanados Vyriausybės vardu
Kanada Kormány részéről
Għall-Gvern tal-Kanada
Voor de Regering van Canada
W imieniu Rządu Kanady
Pelo Governo do Canadá
Za vládu Kanady
Za vlado Kanade
Kanadan hallituksen puolesta
För Canadas regering



ANNEX

ACTIONS

1. **Higher education and training action**

- 1.1. The Parties shall provide support to higher education institutions and training institutions which form joint EC/Canada consortia for the purpose of undertaking joint projects in the area of higher education and training.
- 1.2. Each joint consortium must be formed by a multilateral partnership comprising institutions from at least two Member States of the European Community and at least two provinces or territories of Canada.
- 1.3. Joint consortia activities should normally involve transatlantic mobility of students in the framework of joint study programmes, mutual credit recognition, language and cultural preparation, with a goal of parity in the flows in each direction.
- 1.4. The priority and eligible subject areas for joint EC/Canada consortia cooperation shall be mutually agreed upon by each Party's appropriate authorities.
- 1.5. The Parties may provide financial support for student mobility to joint consortia of higher education and/or vocational training institutions that have a proven track record of excellence in the implementation of joint projects funded by the Parties.

2. **Youth action**

The Parties may provide financial support to activities involving youth structures, organisations, youth workers, young leaders and other youth actors. These activities may include seminars, training courses, job shadowing and study visits, on targeted themes, e.g. citizenship, cultural diversity, community work/volunteering, and recognition of non-formal and informal learning.

3. **Complementary action**

- 3.1. The Parties may support a limited number of complementary activities in accordance with the objectives of the Agreement, including exchanges of experience and good practices, pooling resources and e-based material in the areas of higher education, training and youth.
- 3.2. The Parties may provide financial support to policy-oriented measures involving organisations active in higher education, training and youth; these measures may include studies, conferences, seminars, working groups, professional development workshops, benchmarking exercises and address horizontal higher education and vocational training issues, including recognition of qualifications and the transfer of credits under the European Credit Transfer System (ECTS).
- 3.3. The Parties may provide financial support for the mobility of professionals (including new graduates and professionals-in-training) who want to undertake short duration studies, or training programmes to develop their expertise, in areas of specific relevance to the EC/Canada relationship, which would be identified by the Parties.
- 3.4. The Parties may provide financial support to an Alumni Association involving students who have participated in exchanges implemented by the EC/Canada consortia in higher education and vocational training. This Alumni Association may be run by one or more organisations that the Parties shall jointly designate.

Management of the actions

1. Each Party may provide financial support for activities provided under the Agreement.
2. Administration of the Actions shall be implemented by the competent officials of each Party. These tasks may comprise:
 - deciding the rules and procedures for the presentation of proposals including the preparation of common guidelines for applicants,

- establishing the timetable for publication of calls for proposals, submission and selection of proposals,
 - providing information on activities under this agreement and their implementation,
 - appointing academic advisors and experts, including for independent appraisal of proposals,
 - recommending to the appropriate authorities of each Party which projects to finance,
 - financial management,
 - a collaborative approach to monitoring and evaluation.
3. As a rule, the European Community will provide support (including scholarships) for the use of the EC project partners; Canada will provide support for Canadian project partners.

Technical support measures

The Parties shall make funds available for purchasing services to ensure optimal implementation of the Agreement; in particular the Parties may organise seminars, colloquia or other meetings of experts, conduct evaluations, produce publications or disseminate related information.

COUNCIL DECISION
of 19 December 2006
amending Decision 90/424/EEC on expenditure in the veterinary field

(2006/965/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Whereas:

(1) The Community co-finances activities of the Member States on animal disease and zoonoses eradication, control and monitoring on the basis of annual programmes approved in accordance with the requirements and procedure laid down in Article 24 of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽³⁾.

(2) A review of the procedures for Community co-financing of animal disease and zoonoses eradication, control and monitoring programmes, taking into account in particular the experience gained from the work carried out by the Task Force for monitoring disease eradication in the Member States established in accordance with action 29 of the White Paper on Food Safety, has shown that a multi-annual approach for these programmes and a new list of diseases and zoonoses would lead to better results. A multi-annual approach for the programmes of eradication, control and monitoring of animal diseases and zoonoses would ensure a more efficient and effective achievement of the objectives of those programmes and would provide for better and more transparent management and increased auditability, thus making more effective the use of Community funds. Therefore, it is appropriate to amend the provisions governing those programmes so as to include the possibility to finance multi-annual programmes.

(3) That review also showed that a list with a limited number of animal diseases and zoonoses eligible for co-financing would increase the efficiency and effectiveness of the eradication, control and monitoring programmes. The list of diseases and zoonoses which reflects Community priorities and whose eradication benefits from the Community financial contribution should be established taking into account the potential impact of such diseases and zoonoses on public health and on international and intra-Community trade of animals or product from animal origin. The specific provisions for the control of zoonoses should therefore be deleted. There should be a possibility to amend the list by comitology procedure to take into account emerging animal diseases or new epidemiological and scientific evidence.

(4) In order to simplify the procedure for the approval of the eradication, control and monitoring programmes submitted by the Member States to the Commission, provision should be made for a single decision approving the programmes qualifying for a Community financial contribution to replace the two decisions currently required, one listing the programmes qualifying for financial contribution and the second on the approval of the programmes.

(5) In order to allow the Commission to monitor the implementation of the programmes, Member States should report regularly to the Commission on the activities carried out, on the results achieved and the expenditure incurred.

(6) Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽⁴⁾ lays down the technical and information requirements for the eradication, control and monitoring programmes for which Community financing is sought. Those technical requirements and information should be updated and adjusted in a regular and timely fashion in order to match technical and scientific progress and feedback from experience in the implementation of the programmes. It is therefore appropriate to enable the Commission to adopt, and update as necessary, those technical criteria. Council Decision 90/638/EEC should be repealed accordingly.

⁽¹⁾ Opinion delivered on 12 December 2006 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 26 October 2006 (not yet published in the Official Journal).

⁽³⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Decision 2006/782/EC (OJ L 328, 24.11.2006, p. 57).

⁽⁴⁾ OJ L 347, 12.12.1990, p. 27. Decision as amended by Directive 92/65/EEC (OJ L 268, 14.9.1992, p. 54).

(7) Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the Traces system ⁽¹⁾ establishes the integration of the pre-existing computerised systems (Animo and Shift) into the new system. It is therefore appropriate to take into account the technical developments achieved in the computerisation of the veterinary procedures and to provide for the resources needed for the hosting, management and the maintenance of the integrated computerised veterinary systems taking into account the existence of national databases, where appropriate.

(8) Information gathering activities are necessary to allow better development and implementation of legislation in the fields of animal health and food safety. Moreover, there is a pressing need to disseminate as widely as possible information regarding animal health and food safety legislation throughout the Community. It is therefore desirable to extend the scope of Decision 90/424/EEC so as to include the financing of information policy in the field of animal protection to animal health and food safety in products of animal origin.

(9) Council Decision 2006/53/EC amending Decision 90/424/EEC established that Community financial contribution shall be granted for eradication measures carried out by the Member States to combat avian influenza. It is desirable that this contribution covers also the costs incurred by the Member States for compensation to owners for their losses due to the destruction of eggs.

(10) Furthermore, Decision 90/424/EEC provides that technical and scientific assistance shall be granted to Member States for the development of Community veterinary legislation and training. Having regard to the past experience, it is desirable to extend the possibility for this assistance to international organisations such as the World Organisation for Animal Health (OIE) and the Food and Agriculture Organisation (FAO).

(11) For the sake of clarity, it is also appropriate to modify Decision 90/424/EEC in order to enable a Member State to inform the Commission of being directly threatened by the occurrence of the animal diseases in a third country or another Member State and to extend the animal diseases referred to in Article 6 of that Decision to those provided for in the Annex.

(12) Decision 90/424/EEC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/424/EEC is amended as follows:

(1) In Article 1, the third indent is replaced by the following:

‘— programmes for the eradication, control and monitoring of animal diseases and zoonoses’.

(2) In Article 3a, paragraph 3, the first indent is replaced by the following:

‘— 50 % of the costs incurred by the Member State in compensating livestock owners for the killing of poultry or other captive birds and the value of the eggs destroyed.’.

(3) In Article 6, paragraph 1 is replaced by the following:

‘1. Where a Member State is directly threatened by the occurrence or the development, in the territory of a third country or Member State, of one of the diseases referred to in Article 3(1), 3a(1), 4(1) and (2), 11(1) or in the Annex, it shall inform the Commission and the other Member States of the measures which it intends to adopt for its protection.’.

(4) The title of Chapter 3 of Title I is replaced by following: ‘Information policy for animal health, animal welfare and food safety’.

(5) Article 16 is replaced by the following:

Article 16

The Community shall make a financial contribution to the establishment of an information policy in the field of animal health, animal welfare and food safety in products of animal origin, including:

⁽¹⁾ OJ L 94, 31.3.2004, p. 63. Decision as amended by Decision 2005/123/EC (OJ L 39, 11.2.2005, p. 53).

- (a) the installation and development of information tools, including an appropriate database for:
- (i) gathering and storing all information relating to Community legislation concerning animal health, animal welfare and food safety in products of animal origin;
- (ii) disseminating the information referred to in point (i) to the competent authorities, producers and consumers, taking into account interfaces with national databases where appropriate;
- (b) the performance of studies necessary for the preparation and development of legislation in the field of animal welfare.’
- (6) Article 19 is replaced by the following:
- ‘The Community may undertake, or assist the Member States or international organisations in undertaking, the technical and scientific measures necessary for the development of Community veterinary legislation and for the development of veterinary education or training.’
- (7) The title of Title II is replaced by the following:
- ‘Programmes for the eradication, control and monitoring of animal diseases and zoonoses’.
- (8) Article 24 is replaced by the following:
- ‘Article 24
1. A Community financial measure shall be introduced to reimburse the expenditure incurred by the Member States for the financing of national programmes for the eradication, control and monitoring of the animal diseases and zoonoses listed in the Annex (programmes).
- The list in the Annex may be amended in accordance with the procedure referred to in Article 41, in particular with regard to emerging animal diseases which pose a risk for animal health and, indirectly, to public health, or in the light of new epidemiological or scientific evidence.
2. Each year, by 30 April at the latest, Member States shall submit to the Commission the annual or multi-annual programmes starting in the following year for which they wish to receive a financial contribution from the Community.
- Programmes submitted after 30 April shall not be eligible for financing the following year.
- The programmes submitted by the Member States shall contain at least the following:
- (a) a description of the epidemiological situation of the disease before the date of the beginning of the programme;
- (b) a description and demarcation of the geographical and administrative area in which the programme is to be applied;
- (c) the likely duration of the programme, the measures to be applied and the objective to be attained by the completion date of the programme;
- (d) an analysis of the estimated costs and the anticipated benefits of the programme.
- The detailed criteria including those involving more than one Member State, shall be adopted in accordance with the procedure laid down in Article 41.
- In each multi-annual programme submitted by the Member State, the information required in accordance with the criteria referred to in this paragraph shall be provided for each year of duration of the programme.
3. The Commission may invite a Member State to submit a multi-annual programme or to extend the duration of a submitted annual programme as appropriate where multi-annual programming is deemed necessary in order to ensure a more efficient and effective eradication, control and monitoring of a particular disease, in particular with regard to potential threats to animal health and, indirectly, to public health.
- The Commission may coordinate the regional programmes involving more than one Member State in cooperation with the Member States concerned.
4. The Commission shall assess the programmes submitted by the Member States from both the veterinary and the financial angle.
- The Member States shall communicate to the Commission relevant additional information the latter requires for its assessment of the programme.
- The period for gathering all the information regarding the programmes shall end on 15 September each year.

5. Each year by 30 November at the latest, the following shall be approved in accordance with the procedure referred to in Article 42:

- (a) the programmes, where appropriate amended to take account of the assessment provided for in paragraph 4;
- (b) the level of the financial contribution from the Community;
- (c) the upper limit of the financial contribution from the Community;
- (d) any conditions to which the financial contribution from the Community may be subject.

Programmes shall be approved for no longer than six years.

6. Amendments of the programmes shall be approved in accordance with the procedure referred to in Article 42.

7. For each approved programme the Member States shall submit the following reports to the Commission:

- (a) intermediate technical and financial reports;
- (b) by 30 April each year at the latest, an annual detailed technical report including the assessment of the results achieved and a detailed account of expenditure incurred for the previous year.

8. Payment applications relating to the expenditure incurred by a Member State in respect of a given programme for the previous year shall be submitted to the Commission by 30 April at the latest.

In case of late payment applications, the Community financial contribution shall be reduced by 25 % on 1 June, 50 % on 1 August, 75 % on 1 September and 100 % on 1 October of that year.

By 30 October each year at the latest, the Commission shall decide on the Community payment taking account of the technical and financial reports submitted by the Member State in accordance with paragraph 7.

9. Commission experts may carry out on-the-spot checks in cooperation with the competent authority, in so far as it is necessary to ensure uniform application of this Decision in accordance with Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (*).

In carrying out such checks, Commission experts may be assisted by a group of experts set up in accordance with the procedure referred to in Article 41.

10. Detailed rules for the application of this Article shall be adopted in accordance with the procedure referred to in Article 41.

11. Member States may allocate funds within the operational programmes drawn up in accordance with Article 17 of Regulation (EC) No 1198/2006 (**) for the eradication of the diseases in aquaculture animals referred to in the Annex.

The funds shall be allocated in accordance with the procedures laid down in this Article, with the following adjustments:

- (a) the rate of aid shall be in accordance with the rate laid down in Regulation (EC) No 1198/2006;
- (b) paragraph 8 of this Article shall not apply.

The eradication shall be carried out in accordance with Article 38(1) of Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (***), or under an eradication programme.

(*) OJ L 165, 30.4.2004, p. 1; corrected version in OJ L 191, 28.5.2004, p. 1.

(**) Council Regulation (EC) No 1198/2006 of 27 July 2006 on a European Fisheries Fund (OJ L 223, 15.8.2006, p. 1).

(***) OJ L 328, 24.11.2006, p. 14.

(9) Article 26 is replaced by the following:

'Article 26

The Community budget commitments for the co-financing of the programmes shall be effected annually. The commitments of the expenditure for the multi-annual programmes shall be adopted in accordance with Article 76(3) of Council Regulation (EC, Euratom) 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Union (*). For multi-annual programmes, the first budget commitment shall be made after their approval. Each subsequent commitment shall be made by the Commission on the basis of the decision to grant a contribution referred to in Article 24(5).

(*) OJ L 248, 16.9.2002, p. 1.

(10) Articles 29, 29a, 32 and 33 are deleted.

Article 2

(11) In Article 37a(1) is replaced by the following:

Decision 90/638/EEC is repealed from the date of taking effect of the Decision laying down the criteria referred to in the fourth subparagraph of Article 24(2) of Decision 90/424/EEC and the detailed rules referred to in Article 24(10) of that Decision.

‘1. Community financial contribution may be granted for the computerisation of the veterinary procedures relating to:

- (a) intra-Community trade in and imports of live animals and products of animal origin;
- (b) hosting, management and maintenance of integrated computerised veterinary systems, including interfaces with national databases, where appropriate.’

Article 3

For programmes approved before the taking effect of this Decision, the relevant provisions of Decision 90/424/EEC before it was amended by this decision shall continue to apply. Notwithstanding Article 24(1), programmes for Enzootic Bovine Leucosis and Aujeszky's disease may be funded until 31 December 2010.

(12) Article 43a is replaced by the following:

‘Article 43a

Every four years, the Commission shall submit to the European Parliament and to the Council a report on the animal health situation and cost-effectiveness of the implementation of programmes in the various Member States, including details of the criteria adopted.’.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 19 December 2006.

(13) The Annex is replaced by the text in the Annex to this Decision.

For the Council
The President
J. KORKEAOJA

ANNEX

Animal diseases and zoonoses

- Bovine tuberculosis
 - Bovine brucellosis
 - Ovine and caprine brucellosis (*B. melitensis*)
 - Bluetongue in endemic or high risk areas
 - African swine fever
 - Swine vesicular disease
 - Classical swine fever
 - Infectious haematopoietic necrosis
 - Infectious salmon anaemia
 - Anthrax
 - Contagious bovine pleuropneumonia
 - Avian influenza
 - Rabies
 - Echinococcosis
 - Transmissible spongiform encephalopathies (TSE)
 - Campylobacteriosis
 - Listeriosis
 - Salmonellosis (zoonotic salmonella)
 - Trichinellosis
 - Verotoxigenic *E. coli*
 - Spring viraemia of carp (SVC)
 - Viral haemorrhagic septicaemia (VHS)
 - Koi herpes virus infection (KHV)
 - Infection with *Bonamia ostreae*
 - Infection with *Marteilia refringens*
 - White spot disease in crustaceans.
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COMMISSION

COMMISSION DECISION

of 18 December 2006

concerning the non-inclusion of alachlor in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance

(notified under document number C(2006) 6567)

(Text with EEA relevance)

(2006/966/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the fourth subparagraph of Article 8(2) thereof,

Whereas:

- (1) Article 8(2) of Directive 91/414/EEC provided for the Commission to carry out a programme of work for the examination of the active substances used in plant protection products which were already on the market on 25 July 1993. Detailed rules for the carrying out of this programme were established in Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the program of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽²⁾.
- (2) Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member States for the implementation of Commission Regulation (EEC) No 3600/92 ⁽³⁾, designated the active substances which should be assessed in the framework of Regulation (EEC) No 3600/92, designated a Member State to act as rapporteur in respect of the assessment of each substance and identified the producers of each active substance who submitted a notification in due time.
- (3) Alachlor is one of the 89 active substances designated in Regulation (EC) No 933/94.
- (4) In accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92, Spain, being the designated rapporteur Member State, submitted on 20 July 1999 to the Commission the report of its assessment of the information submitted by the notifiers in accordance with Article 6(1) of that Regulation.
- (5) On receipt of the report of the rapporteur Member State, the Commission undertook consultations with experts of the Member States as well as with the main notifiers as provided for in Article 7(3) of Regulation (EEC) No 3600/92. It appeared that further data were required. Commission Decision 2001/810/EC ⁽⁴⁾ laid down a deadline for data submission by the notifier, which expired 25 May 2002. The same decision set a further deadline of 31 December 2002 for specified long term studies.
- (6) The Commission organised a tripartite meeting with the main data submitters and the rapporteur Member State for this active substance on 19 December 2003.
- (7) The assessment report prepared by Spain has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. This review was finalised on 4 April 2006 in the format of the Commission review report for alachlor.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1, Directive as last amended by Commission Directive 2006/75/EC (OJ L 248, 12.9.2006, p. 3).

⁽²⁾ OJ L 366, 15.12.1992, p. 10, Regulation as last amended by Regulation (EC) N° 2266/2000 (OJ L 259, 13.10.2000, p. 27.)

⁽³⁾ OJ L 107, 28.4.1994, p. 8, Regulation as last amended by Regulation (EC) N° 2230/95 (OJ L 225, 22.9.1995, p. 1.).

⁽⁴⁾ OJ L 305, 22.11.2001, p. 32.

- (8) The review of alachlor revealed a number of open questions which were addressed by the Scientific Panel on Plant health, Plant protection products and their Residues. The Scientific Panel was asked to comment on two questions. The first question was whether the occurrence of nasal turbinate tumours observed in the rat carcinogenicity study was relevant to humans and, if so, whether a genotoxic mechanism is involved. The second question was whether the information presented for the metabolites 65, 85, 54, 25, 76 and 51, which exceed the level of 0,1 µg/l, was sufficient to demonstrate that they are not relevant. In its opinion ⁽¹⁾ on the first question, the Scientific Panel concluded that the strength of the evidence suggests that a mode of action other than genotoxicity is involved in the occurrence of nasal turbinate tumours observed in the rat carcinogenicity studies. While the mode of action could be relevant to humans, it is extremely unlikely that concentrations of the active metabolite would be achieved to initiate the chain of events terminating in cancer. On the second question, the Scientific Panel concluded that metabolites 65, 54 and 25 have been adequately tested for toxicity, but the toxicity database is inadequate in the case of the soil metabolites 85, 76 and 51. The genotoxicity database is also inadequate for soil metabolites 85, 76 and 51. For metabolite 25 the Scientific Panel was unable to conclude that this metabolite was safe from the point of view of genotoxicity. It is concluded that while the information presented for metabolites 65 and 54 is sufficient to demonstrate that they are not relevant, a similar conclusion cannot be reached for metabolites 85, 76, 51 and 25.
- (9) During the evaluation of this active substance, other areas of concern have been identified. It was found that the expected concentration in groundwater of some of the above metabolites exceed the maximum acceptable limit of 0,1 µg/l. In addition, it could not be precluded that alachlor has a carcinogenic potential. In this context, alachlor has been classified as a carcinogen of category 3 by Commission Directive 2004/73/EC ⁽²⁾ of 29 April 2004 adapting to technical progress for the 29th time Council Directive 67/548/EEC ⁽³⁾ on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances. In this case, it was considered appropriate to increase the safety factors used in the setting of an acceptable operator exposure level (AOEL). The exposure resulting from the handling of the substance and its application at the rates, i.e. the intended doses per hectare, proposed by the notifier, would exceed this level and, in other words, lead to an unacceptable risk for the operators.
- (10) Consequently, as these concerns remain unresolved, assessments made on the basis of the information submitted have not demonstrated that it may be expected that, under the proposed conditions of use, plant protection products containing alachlor satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC
- (11) Alachlor should therefore not be included in Annex I to Directive 91/414/EEC.
- (12) Measures should be taken to ensure that existing authorisations for plant protection products containing alachlor are withdrawn within a prescribed period and are not renewed and that no new authorisations for such products are granted.
- (13) Any period of grace for disposal, storage, placing on the market and use of existing stocks of plant protection products containing alachlor allowed by Member States, should be limited to a period no longer than 12 months to allow existing stocks to be used in no more than one further growing season.
- (14) This Decision does not prejudice any action the Commission may undertake at a later stage for this active substance within the framework of Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances ⁽⁴⁾, as last amended by Regulation (EC) No 850/2004 ⁽⁵⁾.
- (15) This decision does not prejudice the submission of an application for alachlor according to the provisions of Article 6 (2) of Directive 91/414/EEC in view of a possible inclusion in its Annex I.
- (16) 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

Alachlor shall not be included as active substance in Annex I to Directive 91/414/EEC.

Article 2

Member States shall ensure that:

- (a) Authorisations for plant protection products containing alachlor are withdrawn by 18 June 2007;

⁽¹⁾ Opinion of the Scientific Panel on Plant health, Plant protection products and their Residues on a request from the Commission related to the evaluation of alachlor in the context of Council Directive 91/414/EEC (Question No EFSA-Q-2004-48) adopted on 28 October 2004.

⁽²⁾ OJ L 152, 30.4.2004, p. 1.

⁽³⁾ OJ 196, 16.8.1967, p. 1.

⁽⁴⁾ OJ L 33, 8.2.1979, p. 36.

⁽⁵⁾ OJ L 158, 30.4.2004, p. 7.

- (b) from 19 December 2006 no authorisations for plant protection products containing alachlor are granted or renewed under the derogation provided for in Article 8(2) of Directive 91/414/EEC.

Article 4

This Decision is addressed to the Member States.

Article 3

Done at Brussels, 18 December 2006.

Any period of grace granted by Member States in accordance with the provisions of Article 4(6) of Directive 91/414/EEC, shall be as short as possible and shall expire not later than 18 June 2008.

For the Commission

Markos KYPRIANOU

Member of the Commission
