

Official Journal

of the European Union

L 61

Volume 50

28 February 2007

English edition

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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 202/2007**of 27 February 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 February 2007.

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

Done at Brussels, 27 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 27 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	101,1
	MA	62,7
	TN	136,3
	TR	158,4
	ZZ	114,6
0707 00 05	MA	96,4
	MK	57,6
	TR	173,1
	ZZ	109,0
0709 90 70	MA	56,7
	TR	87,6
	ZZ	72,2
0709 90 80	IL	141,5
	ZZ	141,5
0805 10 20	CU	36,3
	EG	45,7
	IL	57,4
	MA	44,8
	TN	47,5
	TR	66,4
	ZZ	49,7
0805 20 10	IL	109,3
	MA	90,3
	ZZ	99,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	112,1
	IL	72,4
	MA	121,7
	PK	59,9
	TR	55,5
	ZZ	84,3
0805 50 10	EG	63,4
	IL	61,2
	TR	34,1
	ZZ	52,9
0808 10 80	AR	96,4
	CA	101,7
	CL	119,5
	CN	86,1
	US	106,6
	ZZ	102,1
0808 20 50	AR	78,8
	CL	76,9
	CN	66,5
	US	90,8
	ZA	85,8
	ZZ	79,8

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

COMMISSION REGULATION (EC) No 203/2007**of 27 February 2007****amending Regulations (EC) No 958/2006 and (EC) No 38/2007 in order to abolish refunds for exports to certain destinations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 40(1)(g) thereof,

Whereas:

(1) Article 1 of Commission Regulation (EC) No 958/2006 of 28 June 2006 on a standing invitation to tender to determine refunds on exports of white sugar for the 2006/07 marketing year ⁽²⁾ opens a standing invitation to tender to determine export refunds on white sugar covered by CN code 1701 99 10 for all destinations excluding Albania, Bulgaria, Croatia, Bosnia and Herzegovina, Serbia and Montenegro ⁽³⁾, the former Yugoslav Republic of Macedonia and Romania.

(2) In accordance with Article 1 of Commission Regulation (EC) No 38/2007 of 17 January 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden ⁽⁴⁾, the intervention agencies concerned are to offer for sale by standing invitation to tender for export to all destinations excluding Albania, Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia, Kosovo and Montenegro a total quantity of 852 681 tonnes of sugar accepted into intervention and available for export.

(3) In line with Articles 32 and 33 of Council Regulation (EC) No 318/2006, export refunds may be set to cover the competitive gap between Community and third country's exports. Community exports to certain close

destinations and to third countries granting Community products a preferential import treatment are currently in a particular favourable competitive position. Therefore, refunds for exports to those destinations should be abolished.

(4) Regulations (EC) No 958/2006 and (EC) No 38/2007 should therefore be amended accordingly.

(5) In view of the dates for the submission of tenders under Regulations (EC) No 958/2006 and (EC) No 38/2007, this Regulation should enter into force immediately. However, so as to preserve the rights of tenderers who have already lodged offers, it should only apply to tenders lodged after the date of entry in to force.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 958/2006, paragraph 1 is replaced by the following:

'1. A standing invitation to tender shall be opened in order to determine export refunds on white sugar covered by CN code 1701 99 10 for all destinations excluding Andorra, Gibraltar, Ceuta, Melilla, the Holy See (Vatican City State), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands, the areas of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, Albania, Croatia, Bosnia and Herzegovina, Serbia^(*), Montenegro and the former Yugoslav Republic of Macedonia. During the period of validity of this standing invitation, partial invitations to tender shall be issued.

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

⁽²⁾ OJ L 175, 29.6.2006, p. 49.

⁽³⁾ Including Kosovo, under the aegis of the United Nations, in accordance with Security Council Resolution 1244 of 10 June 1999.

⁽⁴⁾ OJ L 11, 18.1.2007, p. 4.

^(*) Including Kosovo, under the auspices of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.'

Article 2

Article 1 of Regulation (EC) No 38/2007 is replaced by the following:

‘Article 1

The intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden shall offer for sale by standing invitation to tender for export to all destinations excluding Andorra, Gibraltar, Ceuta, Melilla, the Holy See (Vatican City State), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands, the areas of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, Albania, Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia (*) and

Montenegro a total quantity of 852 681 tonnes of sugar accepted into intervention and available for export. The maximum quantities involved per Member State are set out in Annex I.

(*) Including Kosovo, under the auspices of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.’

Article 3

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

It shall only apply to tenders lodged after that date.

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

Done at Brussels, 27 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 204/2007**of 27 February 2007****amending Regulation (EC) No 1483/2006 as regards the quantities covered by the standing invitation to tender for the resale on the Community market of cereals held by the intervention agencies of the Member States**

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 1483/2006 ⁽²⁾ opened standing invitations to tender for the resale on the Community market of cereals held by the intervention agencies of the Member States.
- (2) In view of the situation on the Community markets for rye and barley and of the changes in demand for cereals in various regions in recent weeks, new quantities of cereals held in intervention should be made available in some Member States. The intervention agencies in the Member States concerned should therefore be authorised

to increase the quantities put out to tender by 96 150 tonnes of rye in Germany and by 342 tonnes of barley in Lithuania.

- (3) Regulation (EC) No 1483/2006 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

Annex I to Regulation (EC) No 1483/2006 is hereby replaced by the Annex hereto.

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, 27 February 2007.

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 276, 7.10.2006, p. 58. Regulation as last amended by Regulation (EC) No 132/2007 (OJ L 42, 14.2.2007, p. 8).

ANNEX

‘ANNEX I

LIST OF INVITATIONS TO TENDER

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Belgique/België	51 859	6 340	—	—	Bureau d'intervention et de restitution belge/Belgisch Interventie- en Restitutiebureau Rue de Trèves, 82/Trierstraat 82 B-1040 Bruxelles/Brussel Téléphone/Tel.: (32-2) 287 24 78 Télécopieur/Fax: (32-2) 287 25 24 e-mail: webmaster@birb.be website: www.birb.be
България	—	—	—	—	State Fund Agriculture 136, Tzar Boris III Blvd. 1618, Sofia, Bulgaria Тел.: (+359 2) 81 87 202 Факс: (+359 2) 81 87 267 Електронна поща: dfz@dfz.bg Интернет страница: www.mzgar.government.bg
Česká republika	0	0	0	—	Státní zemědělský intervenční fond Odbor rostlinných komodit Ve Smečkách 33 CZ-110 00 Praha 1 Téléphone: (420) 222 87 16 67/222 87 14 03 Télécopieur: (420) 296 80 64 04 e-mail: dagmar.hejrovska@szif.cz website: www.szif.cz
Danmark	174 021	28 830	—	—	Direktoratet for FødevarerErhverv Nyropsgade 30 DK-1780 København V Tlf.: (45) 33 95 88 07 Fax: (45) 33 95 80 34 E-mail: mij@dffe.dk and pah@dffe.dk Website: www.dffe.dk
Deutschland	1 948 269	767 343	—	432 715	Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29 D-53179 Bonn Téléphone: (49-228) 68 45-3704 télécopieur 1: (49-228) 68 45-3985 télécopieur 2: (49-228) 68 45-3276 e-mail: pflanzlErzeugnisse@ble.de website: www.ble.de
Eesti	0	0	—	—	Põllumajanduse Registrite ja Informatsiooni Amet Narva mnt 3, 51009 Tartu Téléphone: (+372) 737 1200 Télécopieur: (+372) 737 1201 e-mail: pria@pria.ee website:www.pria.ee
Eire/Ireland	—	0	—	—	Intervention Operations, OFI, Subsidies and Storage Division, Department of Agriculture and Food Johnstown Castle Estate, County Wexford Téléphone: 353 53 91 63400 Télécopieur: 353 53 91 42843 website: www.agriculture.gov.ie

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Elláda	—	—	—	—	Payment and Control Agency for Guidance and Guarantee Community Aids (OPEKEPE) Acharnon 241 GR-104 46 Athens Téléphone: (30-210) 21 24 787 (30-210) 21 24 754 Télécopieur: (30-210) 21 24 791 e-mail: ax17u073@minagric.gr website: www.opekepe.gr
España	—	—	—	—	S. Gral. Intervención de Mercados (FEGA) C/ Almagro, 33 — E-28010 Madrid — España Tel. (34-91) 347 47 65 Fax (34-91) 347 48 38 E-mail: sgintervencion@fega.mapa.es Internet: www.fega.es
France	28 724	318 778	—	—	Office national interprofessionnel des grandes cultures (ONIGC) 21, avenue Bosquet F-75326 Paris Cedex 07 Téléphone: (33) 144 18 22 29 et 23 37 Télécopieur: (33) 144 18 20 08 — 144 18 20 80 e-mail: f.abeasis@onigc.fr website: www.onigc.fr
Italia	—	—	—	—	Agenzia per le erogazioni in agricoltura — AGEA Via Torino, 45 I-00184 Roma Téléphone: (39) 06 49 49 97 55 Télécopieur: (39) 06 49 49 97 61 e-mail: d.spampinato@agea.gov.it website: www.enterisi.it
Kypros/Kibris	—	—	—	—	
Latvija	27 020	0	—	—	Lauku atbalsta dienests Republikas laukums 2 Rīga, LV-1981 Téléphone: (371) 702 78 93 Télécopieur: (371) 702 78 92 e-mail: lad@lad.gov.lv website: www.lad.gov.lv
Lietuva	0	35 492	—	—	The Lithuanian Agricultural and Food Products Market Regulation Agency L. Stuokos-Gucevičiaus Str. 9-12 Vilnius, Lithuania Téléphone: (370-5) 268 50 49 Télécopieur: (370-5) 268 50 61 e-mail: info@litfood.lt website: www.litfood.lt
Luxembourg	—	—	—	—	Office des licences 21, rue Philippe II Boîte postale 113 L-2011 Luxembourg Téléphone: (352) 478 23 70 Télécopieur: (352) 46 61 38 Télex: 2 537 AGRIM LU

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Magyarország	450 000	19 011	1 400 000	—	Mezőgazdasági és Vidékfejlesztési Hivatal Soroksári út. 22–24. H-1095 Budapest Telefon: (36-1) 219 45 76 Fax: (36-1) 219 89 05 E-mail: ertekesites@mvh.gov.hu Internetcím: www.mvh.gov.hu
Malta	—	—	—	—	
Nederland	—	—	—	—	Dienst Regelingen Roermond Postbus 965 6040 AZ Roermond Nederland Tel. (31-475) 35 54 86 Fax (31-475) 31 89 39 E-mail: p.a.c.m.van.de.lindeloo@minlnv.nl Website: www9.minlnv.nl
Österreich	0	22 461	0	—	AMA (Agrarmarkt Austria) Dresdnerstraße 70 A-1200 Wien Téléphone: (43-1) 331 51-258 (43-1) 331 51-328 Télécopieur: (43-1) 331 51-4624 (43-1) 331 51-4469 e-mail: referat10@ama.gv.at website: www.ama.at/intervention
Polska	44 440	41 927	0	—	Agencja Rynku Rolnego Biuro Produktów Roślinnych Nowy Świat 6/12 00-400 Warszawa Polska Tel.: (48-22) 661 78 10 Faks: (48-22) 661 78 26 E-mail: cereals-intervention@arr.gov.pl Strona internetowa: www.arr.gov.pl
Portugal	—	—	—	—	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) R. Castilho, n.º 45-51 P-1269-163 Lisboa Téléphone: (+351) 21 751 85 00 (+351) 21 384 60 00 Télécopieur: (+351) 21 384 61 70 e-mail: inga@inga.min-agricultura.pt edalberto.santana@inga.min-agricultura.pt website: www.inga.min-agricultura.pt
România	—	—	—	—	Agenția de Plăți și Intervenție pentru Agricultură B-dul Carol I, nr. 17, sector 2 București 030161 România Tel.: + 40 21 3054802 + 40 21 3054842 Fax: + 40 21 3054803 website: www.apia.org.ro
Slovenija	—	—	—	—	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja Dunajska 160 SI-1000 Ljubljana Téléphone: (386-1) 580 76 52 Télécopieur: (386-1) 478 92 00 e-mail: aktrp@gov.si website: www.arsktrp.gov.si

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Slovensko	0	0	227 699	—	Pôdohospodárska platobná agentúra Oddelenie obilnín a škrobu Dobrovičova 12 815 26 Bratislava Slovenská republika Téléphone: (421-2) 58 24 32 71 Télécopieur: (421-2) 53 41 26 65 e-mail: jvargova@apa.sk website: www.apa.sk
Suomi/Finland	30 000	95 332	—	—	Maa- ja metsätalousministeriö (MMM) Interventioyksikkö – Intervention Unit Malminkatu 16, Helsinki PL 30 FI-00023 Valtioneuvosto Téléphone: (358-9) 16001 Télécopieur: (358-9) 1605 2772 (358-9) 1605 2778 e-mail: intervention.unit@mmm.fi website: www.mmm.fi
Sverige	172 272	58 004	—	—	Statens jordbruksverk S-551 82 Jönköping Tfn (46) 36 15 50 00 Fax (46) 36 19 05 46 E-postadress: jordbruksverket@sjv.se Webbsida: www.sjv.se
United Kingdom	—	24 825	—	—	Rural Payments Agency Lancaster House Hampshire Court Newcastle upon Tyne NE4 7YH Téléphone: (44) 191 226 5882 Télécopieur: (44) 191 226 5824 e-mail: cerealsintervention@rpa.gsi.gov.uk website: www.rpa.gov.uk

“—” means no intervention stock of this cereal in this Member State.’

COMMISSION REGULATION (EC) No 205/2007**of 27 February 2007****amending Regulation (EC) No 990/2006 as regards the quantities covered by standing invitations to tender for the export of rye 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 990/2006 ⁽²⁾ opened standing invitations to tender for the export of cereals held by the intervention agencies of the Member States.

(2) Recently, the resale of rye on the internal market has sharply increased. This is due in particular to the more favourable conditions for resale on the internal market under Commission Regulation (EC) No 1483/2006 of 6 October 2006 opening standing invitations to tender for the resale on the Community market of cereals held by the intervention agencies of the Member States ⁽³⁾.

(3) In view of this situation and in order to make the quantities of rye currently covered by the standing invitation to tender under Regulation (EC) No 990/2006 available for resale on the internal market, the quantity covered by those invitations to tender should be reduced by 96 150 tonnes for Germany.

(4) Regulation (EC) No 990/2006 should therefore be amended accordingly.

(5) 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

Annex I to Regulation (EC) No 990/2006 is hereby replaced by the text in the Annex to this Regulation.

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, 27 February 2007.

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 179, 1.7.2006, p. 3. Regulation as last amended by Regulation (EC) No 131/2007 (OJ L 42, 14.2.2007, p. 3).

⁽³⁾ OJ L 276, 7.10.2006, p. 58. Regulation as last amended by Regulation (EC) No 132/2007 (OJ L 42, 14.2.2007, p. 8).

ANNEX

'ANNEX I

LIST OF INVITATIONS TO TENDER

Member State	Quantities made available for sale on external markets (tonnes)			Intervention Agency Name, address and contact details
	Common wheat	Barley	Rye	
Belgique/België	0	0	—	Bureau d'intervention et de restitution belge/Belgisch Interventie- en Restitutiebureau Rue de Trèves, 82/Trierstraat 82 B-1040 Bruxelles/Brussel Téléphone/Tel.: (32-2) 287 24 78 Télécopieur/Fax: (32-2) 287 25 24 e-mail: webmaster@birb.be website: www.birb.be
България	—	—	—	State Fund Agriculture 136, Tzar Boris III Blvd. 1618, Sofia, Bulgaria Тел.: (+359 2) 81 87 202 Факс: (+359 2) 81 87 267 Електронна поща: dfz@dfz.bg Интернет страница: www.mzgar.government.bg
Česká republika	64 895	191 294	—	Státní zemědělský intervenční fond Odbor rostlinných komodit Ve Smečkách 33 CZ-110 00 Praha 1 Téléphone: (420) 222 87 16 67/222 87 14 03 Télécopieur: (420) 296 80 64 04 e-mail: dagmar.hejrovska@szif.cz website: www.szif.cz
Danmark	0	0	—	Direktoratet for FødevareErhverv Nyropsgade 30 DK-1780 København V Tlf.: (45) 33 95 88 07 Fax: (45) 33 95 80 34 E-mail: mij@dfre.dk and pah@dfre.dk Website: www.dfre.dk
Deutschland	0	0	203 850	Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29 D-53179 Bonn Téléphone: (49-228) 68 45-3704 télécopieur 1: (49-228) 68 45-3985 télécopieur 2: (49-228) 68 45-3276 e-mail: pflanzlErzeugnisse@ble.de website: www.ble.de
Eesti	0	30 000	—	Põllumajanduse Registrite ja Informatsiooni Amet Narva mnt 3, 51009 Tartu Téléphone: (+372) 737 1200 Télécopieur: (+372) 737 1201 e-mail: pria@pria.ee website: www.pria.ee
Éire/Ireland	—	0	—	Intervention Operations, OFI, Subsidies and Storage Division, Department of Agriculture and Food Johnstown Castle Estate, County Wexford Téléphone: 353 53 91 63400 Télécopieur: 353 53 91 42843 website: www.agriculture.gov.ie

Member State	Quantities made available for sale on external markets (tonnes)			Intervention Agency Name, address and contact details
	Common wheat	Barley	Rye	
Elláda	—	—	—	Payment and Control Agency for Guidance and Guarantee Community Aids (OPEKEPE) Acharmon 241 GR-104 46 Athens Téléphone: (30-210) 21 24 787 (30-210) 21 24 754 Télécopieur: (30-210) 21 24 791 e-mail: ax17u073@minagric.gr website: www.opekepe.gr
España	—	—	—	S. Gral. Intervención de Mercados (FEGA) C/ Almagro, 33 — E-28010 Madrid — España Tel. (34-91) 347 47 65 Fax (34-91) 347 48 38 E-mail: sgintervencion@fega.mapa.es Internet: www.fega.es
France	0	0	—	Office national interprofessionnel des grandes cultures (ONIGC) 21, avenue Bosquet F-75326 Paris Cedex 07 Téléphone: (33) 144 18 22 29 et 23 37 Télécopieur: (33) 144 18 20 08 — 144 18 20 80 e-mail: fabeasis@onigc.fr website: www.onigc.fr
Italia	—	—	—	Agenzia per le erogazioni in agricoltura — AGEA Via Torino, 45 I-00184 Roma Téléphone: (39) 06 49 49 97 55 Télécopieur: (39) 06 49 49 97 61 e-mail: d.spampinato@agea.gov.it website: www.enterisi.it
Kypros/Kibris	—	—	—	
Latvija	0	0	—	Lauku atbalsta dienests Republikas laukums 2 Rīga, LV-1981 Téléphone: (371) 702 78 93 Télécopieur: (371) 702 78 92 e-mail: lad@lad.gov.lv website: www.lad.gov.lv
Lietuva	0	49 658	—	The Lithuanian Agricultural and Food Products Market Regulation Agency L. Stuokos-Gucevičiaus Str. 9-12 Vilnius, Lithuania Téléphone: (370-5) 268 50 49 Télécopieur: (370-5) 268 50 61 e-mail: info@litfood.lt website: www.litfood.lt
Luxembourg	—	—	—	Office des licences 21, rue Philippe II Boîte postale 113 L-2011 Luxembourg Téléphone: (352) 478 23 70 Télécopieur: (352) 46 61 38 Télex: 2 537 AGRIM LU

Member State	Quantities made available for sale on external markets (tonnes)			Intervention Agency Name, address and contact details
	Common wheat	Barley	Rye	
Magyarország	1 100 054	78 986	—	Mezőgazdasági és Vidékfejlesztési Hivatal Soroksári út. 22-24. H-1095 Budapest Telefon: (36-1) 219 45 76 Fax: (36-1) 219 89 05 E-mail: ertekeletes@mvh.gov.hu Internetcím: www.mvh.gov.hu
Malta	—	—	—	
Nederland	—	—	—	Dienst Regelingen Roermond Postbus 965 6040 AZ Roermond Nederland Tel. (31-475) 35 54 86 Fax (31-475) 31 89 39 E-mail: p.a.c.m.van.de.lindeloof@minlnv.nl Website: www9.minlnv.nl
Österreich	0	0	—	AMA (Agrarmarkt Austria) Dresdnerstraße 70 A-1200 Wien Téléphone: (43-1) 331 51-258 (43-1) 331 51-328 Télécopieur: (43-1) 331 51-4624 (43-1) 331 51-4469 e-mail: referat10@ama.gv.at website: www.ama.at/intervention
Polska	400 000	99 644	—	Agencja Rynku Rolnego Biuro Produktów Roślinnych Nowy Świat 6/12 00-400 Warszawa Polska Tel.: (48-22) 661 78 10 Faks: (48-22) 661 78 26 E-mail: cereals-intervention@arr.gov.pl Strona internetowa: www.arr.gov.pl
Portugal	—	—	—	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) R. Castilho, n.º 45-51 P-1269-163 Lisboa Téléphone: (+351) 21 751 85 00 (+351) 21 384 60 00 Télécopieur: (+351) 21 384 61 70 e-mail: inga@inga.min-agricultura.pt edalberto.santana@inga.min-agricultura.pt website: www.inga.min-agricultura.pt
România	—	—	—	Agenția de Plăți și Intervenție pentru Agricultură B-dul Carol I, nr. 17, sector 2 București 030161 România Tel.: + 40 21 3054802 + 40 21 3054842 Fax: + 40 21 3054803 website: www.apia.org.ro
Slovenija	—	—	—	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja Dunajska 160 SI-1000 Ljubljana Téléphone: (386-1) 580 76 52 Télécopieur: (386-1) 478 92 00 e-mail: aktrp@gov.si website: www.arsktrp.gov.si

Member State	Quantities made available for sale on external markets (tonnes)			Intervention Agency Name, address and contact details
	Common wheat	Barley	Rye	
Slovensko	66 396	20 636	—	Pôdohospodárska platobná agentúra Oddelenie obilnín a škrobu Dobrovičova 12 815 26 Bratislava Slovenská republika Téléphone: (421-2) 58 24 32 71 Télécopieur: (421-2) 53 41 26 65 e-mail: jvargova@apa.sk website: www.apa.sk
Suomi/Finland	0	200 000	—	Maa- ja metsätalousministeriö (MMM) Interventioyksikkö – Intervention Unit Malminkatu 16, Helsinki PL 30 FI-00023 Valtioneuvosto Téléphone: (358-9) 16001 Télécopieur: (358-9) 1605 2772 (358-9) 1605 2778 e-mail: intervention.unit@mmm.fi website: www.mmm.fi
Sverige	0	0	—	Statens jordbruksverk S-551 82 Jönköping Tfn (46) 36 15 50 00 Fax (46) 36 19 05 46 E-postadress: jordbruksverket@sjv.se Webbsida: www.sjv.se
United Kingdom	—	0	—	Rural Payments Agency Lancaster House Hampshire Court Newcastle upon Tyne NE4 7YH Téléphone: (44) 191 226 5882 Télécopieur: (44) 191 226 5824 e-mail: cerealsintervention@rpa.gsi.gov.uk website: www.rpa.gov.uk

“—”: no intervention stock of this cereal in this Member State.’

COMMISSION REGULATION (EC) No 206/2007**of 27 February 2007****amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98 ⁽¹⁾, and in particular Article 5 thereof,

Whereas,

(3) For statistical purposes, the licences issued under Regulation (EC) No 2247/2003 should specify per CN code or group of CN codes the quantities concerned.

(4) Regulation (EC) No 2247/2003 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2247/2003 is amended as follows:

1. In Article 4(2), the following subparagraph is added:

‘Notwithstanding Article 5(1) of Regulation (EC) No 1445/95, applications may cover, for the same quota order number, one or several of the products covered by the CN codes or groups of CN codes listed in Annex I to this Regulation. In case applications cover several CN codes, the respective quantity applied for per CN code or group of CN codes shall be specified. In all cases, all the CN codes shall be indicated in section 16 and their description in section 15 of licence applications and licences.’

2. In Article 5(2), the following subparagraph is added:

‘Each licence issued shall specify per CN code or group of CN codes the quantity concerned.’

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

(1) Commission Regulation (EC) No 2247/2003 ⁽²⁾ opens, on a multi-annual basis for periods from 1 January to 31 December, a quota for the import of certain products in the beef and veal sector originating from the ACP States. The products eligible for import under this quota are listed in Annex I to that Regulation.

(2) Article 6(1) of Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽³⁾ provides that applicants for import licences shall not lodge more than one import licence application for the same quota order number in respect of an import tariff quota period or subperiod. Moreover, Article 5(1) of Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽⁴⁾ provides that, without prejudice to more specific provisions, licence applications should be made for products of a single CN subheading or one of the groups of CN subheadings listed in Annex I of that Regulation. In view of the range of products that can be imported under Regulation (EC) No 2247/2003, applicants should be entitled to sub-divide their single application for the same quota order number by CN code or group of CN codes.

⁽¹⁾ OJ L 348, 21.12.2002, p. 5.

⁽²⁾ OJ L 333, 20.12.2003, p. 37. Regulation as last amended by Regulation (EC) No 1965/2006 (OJ L 408, 30.12.2006, p. 26), as corrected by OJ L 47, 16.2.2007, p. 21.

⁽³⁾ OJ L 238, 1.9.2006, p. 13.

⁽⁴⁾ OJ L 143, 27.6.1995, p. 35. Regulation as last amended by Regulation (EC) No 1965/2006.

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

Done at Brussels, 27 February 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 207/2007**of 27 February 2007****determining the aid referred to in Council Regulation (EC) No 1255/1999 for the private storage of butter and cream and derogating from Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

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 10 thereof,

Article 1

1. The aid referred to in Article 6(3) of Regulation (EC) No 1255/1999 shall be calculated per tonne of butter or butter equivalent for contracts concluded in 2007 on the basis of the following elements:

Whereas:

- (1) Article 34(2) of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾ stipulates that the amount of aid for private storage referred to in Article 6(3) of Regulation (EC) No 1255/1999 is to be fixed each year.

— EUR 15,88 for fixed storage costs,

— EUR 0,30 for the costs of cold storage for each day of contractual storage,

- (2) The third subparagraph of Article 6(3) of Regulation (EC) No 1255/1999 specifies that the aid shall be fixed in the light of storage costs and the likely trend in prices for fresh butter and butter from stocks.

— an amount per day of contractual storage, calculated on the basis of 90 % of the intervention price for butter in force on the day the contractual storage begins and on the basis of an annual interest rate of 3,75 %;

- (3) Regarding storage costs, notably the costs for entry and exit of the products concerned, the daily costs for cold storage and the financial costs of storage should be taken into account.

2. The intervention agency shall register the date of receipt of the applications to conclude a contract as referred to in Article 30(1) of Regulation (EC) No 2771/1999 as well as the corresponding quantities and dates of manufacture and the place at which the butter is stored.

- (4) Article 29(1) of Regulation (EC) No 2771/1999 stipulates that the entry into storage must take place between 15 March and 15 August. The current situation on the butter market justifies bringing the entry date for butter and cream storage operations in 2007 forward to 1 March. Consequently a derogation from that Article should be introduced.

3. The Member States shall inform the Commission no later than 12 noon (Brussels time) on each Tuesday of the quantities covered during the preceding week by such applications.

Article 2

By way of derogation from Article 29(1) of Regulation (EC) No 2771/1999, entry into storage in 2007 may take place from 1 March.

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) 1919/2006 (OJ L 380, 28.12.2006, p. 1).

Article 3

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

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

Done at Brussels, 27 February 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 208/2007**of 27 February 2007****adapting Regulation (EEC) No 3149/92 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community, by reason of the accession of Bulgaria and Romania to the European Union**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession of Bulgaria and Romania,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 56 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3149/92 ⁽¹⁾ contains certain entries in all the languages of the Community as constituted at 31 December 2006. Entries in Bulgarian and Romanian should be added.
- (2) Regulation (EEC) No 3149/92 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3149/92 is replaced by the text given in the Annex hereto.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

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

Done at Brussels, 27 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 313, 30.10.1992, p. 50. Regulation as last amended by Regulation (EC) No 133/2006 (OJ L 23, 27.1.2006, p. 11).

ANNEX

‘ANNEX

Entries referred to in the third subparagraph of Article 7(5)

- In Bulgarian:* Превоз на интервенционни продукти — прилагане на член 7, параграф 5 от Регламент (ЕИО) № 3149/92.
- In Spanish:* Transferencia de productos de intervención — aplicación del artículo 7, apartado 5, del Reglamento (CEE) nº 3149/92.
- In Czech:* Přeprava intervenčních produktů – Použití čl. 7 odst. 5 nařízení (EHS) č. 3149/92.
- In Danish:* Overførsel af interventionsprodukter — Anvendelse af artikel 7, stk. 5, i forordning (EØF) nr. 3149/92.
- In German:* Transfer von Interventionserzeugnissen — Anwendung von Artikel 7 Absatz 5 der Verordnung (EWG) Nr. 3149/92.
- In Estonian:* Sekkumistoodete üleandmine – määruse (EMÜ) nr 3149/92 artikli 7 lõike 5 rakendamine.
- In Greek:* Μεταφορά προϊόντων παρέμβασης — Εφαρμογή του άρθρου 7 παράγραφος 5 του κανονισμού (ΕΟΚ) αριθ. 3149/92.
- In English:* Transfer of intervention products — Application of Article 7(5) of Regulation (EEC) No 3149/92.
- In French:* Transfert de produits d'intervention — Application de l'article 7, paragraphe 5, du règlement (CEE) nº 3149/92.
- In Italian:* Trasferimento di prodotti d'intervento — Applicazione dell'articolo 7, paragrafo 5, del regolamento (CEE) n. 3149/92.
- In Latvian:* Intervences produktu transportēšana – Piemērojot Regulas (EEK) Nr. 3149/92 7. panta 5. punktu.
- In Lithuanian:* Intervencinių produktų vežimas – taikant Reglamento (EEB) Nr. 3149/92 7 straipsnio 5 dalį.
- In Hungarian:* Intervenció termékek átszállítása – A 3149/92/EGK rendelet 7. cikke (5) bekezdésének alkalmazása.
- In Maltese:* Trasferiment ta' prodotti ta' l-intervent – Applikazzjoni ta' l-Artikolu 7 (5) tar-Regolament (KEE) Nru 3149/92.
- In Dutch:* Overdracht van interventieproducten — Toepassing van artikel 7, lid 5, van Verordening (EEG) nr. 3149/92.
- In Polish:* Przekazanie produktów objętych interwencją – stosuje się art. 7 ust. 5 rozporządzenia (EWG) nr 3149/92.
- In Portuguese:* Transferência de produtos de intervenção — aplicação do n.º 5 do artigo 7.º do Regulamento (CEE) n.º 3149/92.
- In Romanian:* Transfer de produse de intervenție — Aplicare a articolului 7 alineatul (5) din Regulamentul (CEE) nr. 3149/92.
- In Slovak:* Premiestnenie intervenčných výrobkov – uplatnenie článku 7 odseku 5 nariadenia (EHS) č. 3149/92.
- In Slovene:* Prenos intervencijskih proizvodov – Uporaba člena 7(5) Uredbe (EGS) št. 3149/92.
- In Finnish:* Interventiotuotteiden siirtäminen – Asetuksen (ETY) N:o 3149/92 7 artiklan 5 kohdan soveltaminen.
- In Swedish:* Överföring av interventionsprodukter – Tillämpning av artikel 7.5 i förordning (EEG) nr 3149/92.'
-

COMMISSION REGULATION (EC) No 209/2007**of 27 February 2007****amending Regulation (EEC) No 3149/92 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Following the enlargement of the Community on 1 January 1995 and 1 May 2004, Commission Regulation (EEC) No 3149/92 ⁽²⁾ was not adapted to include entries in the languages of the new Member States joining the Community on those dates. Entries in the languages concerned should be added.
- (2) In order to ensure consistency with Commission Regulation (EC) No 208/2007 ⁽³⁾, which adapts Regulation (EEC) No 3149/92 following the accession of Bulgaria and Romania to the European Union, this Regulation should apply from 1 January 2007.
- (3) Regulation (EEC) No 3149/92 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

Regulation (EEC) No 3149/92 is hereby amended as follows:

1. The third subparagraph of Article 7(5) is replaced by the following:

‘Dispatch declarations issued by the supplier intervention agency shall include one of the entries given in the Annex.’

2. The text given in the Annex hereto is added as an Annex.

Article 2

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

It shall apply from 1 January 2007.

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

Done at Brussels, 27 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 352, 15.12.1987, p. 1. Regulation as amended by Regulation (EC) No 2535/95 (OJ L 260, 31.10.1995, p. 3).

⁽²⁾ OJ L 313, 30.10.1992, p. 50. Regulation as last amended by Regulation (EC) No 133/2006 (OJ L 23, 27.1.2006, p. 11).

⁽³⁾ See page 19 of this Official Journal.

ANNEX

‘ANNEX

Entries referred to in the third subparagraph of Article 7(5)

- In Bulgarian:* Превоз на интервенционни продукти — прилагане на член 7, параграф 5 от Регламент (ЕИО) № 3149/92.
- In Spanish:* Transferencia de productos de intervención — aplicación del artículo 7, apartado 5, del Reglamento (CEE) nº 3149/92.
- In Czech:* Přeprava intervenčních produktů – Použití čl. 7 odst. 5 nařízení (EHS) č. 3149/92.
- In Danish:* Overførsel af interventionsprodukter — Anvendelse af artikel 7, stk. 5, i forordning (EØF) nr. 3149/92.
- In German:* Transfer von Interventionserzeugnissen — Anwendung von Artikel 7 Absatz 5 der Verordnung (EWG) Nr. 3149/92.
- In Estonian:* Sekkumistoodete üleandmine – määruse (EMÜ) nr 3149/92 artikli 7 lõike 5 rakendamine.
- In Greek:* Μεταφορά προϊόντων παρέμβασης — Εφαρμογή του άρθρου 7 παράγραφος 5 του κανονισμού (ΕΟΚ) αριθ. 3149/92.
- In English:* Transfer of intervention products — Application of Article 7(5) of Regulation (EEC) No 3149/92.
- In French:* Transfert de produits d'intervention — Application de l'article 7, paragraphe 5, du règlement (CEE) nº 3149/92.
- In Italian:* Trasferimento di prodotti d'intervento — Applicazione dell'articolo 7, paragrafo 5, del regolamento (CEE) n. 3149/92.
- In Latvian:* Intervences produktu transportēšana – Piemērojot Regulas (EEK) Nr. 3149/92 7. panta 5. punktu.
- In Lithuanian:* Intervencinių produktų vežimas – taikant Reglamento (EEB) Nr. 3149/92 7 straipsnio 5 dalį.
- In Hungarian:* Intervenció termékek átszállítása – A 3149/92/EGK rendelet 7. cikke (5) bekezdésének alkalmazása.
- In Maltese:* Trasferiment ta' prodotti ta' l-intervent – Applikazzjoni ta' l-Artikolu 7 (5) tar-Regolament (KEE) Nru 3149/92.
- In Dutch:* Overdracht van interventieproducten — Toepassing van artikel 7, lid 5, van Verordening (EEG) nr. 3149/92.
- In Polish:* Przekazanie produktów objętych interwencją – stosuje się art. 7 ust. 5 rozporządzenia (EWG) nr 3149/92.
- In Portuguese:* Transferência de produtos de intervenção — aplicação do n.º 5 do artigo 7.º do Regulamento (CEE) n.º 3149/92.
- In Romanian:* Transfer de produse de intervenție — Aplicare a articolului 7 alineatul (5) din Regulamentul (CEE) nr. 3149/92.
- In Slovak:* Premiestnenie intervenčných výrobkov – uplatnenie článku 7 odseku 5 nariadenia (EHS) č. 3149/92.
- In Slovene:* Prenos intervencijskih proizvodov – Uporaba člena 7(5) Uredbe (EGS) št. 3149/92.
- In Finnish:* Interventiotuotteiden siirtäminen – Asetuksen (ETY) N:o 3149/92 7 artiklan 5 kohdan soveltaminen.
- In Swedish:* Överföring av interventionsprodukter – Tillämpning av artikel 7.5 i förordning (EEG) nr 3149/92.'
-

COMMISSION REGULATION (EC) No 210/2007**of 27 February 2007****derogating from Regulation (EC) No 1282/2006 as regards the term of validity of export licences with advance fixing of the refund in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(14) thereof,

Whereas:

- (1) Article 8 of Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds for milk and milk products ⁽²⁾ lays down the terms of validity of export licences.
- (2) The reduction of the intervention price for butter as from 1 July 2007 is likely to affect the difference between that price and the world market price.
- (3) As a precautionary measure, with a view to protect the Community budget from unnecessary expenditures and

to avoid a speculative application of the export refund regime in the dairy sector, for products containing milk fat, the validity of export licences with advance fixing of the refund should be limited until 30 June 2007.

- (4) 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

By way of derogation from Article 8 of Regulation (EC) No 1282/2006, export licences with advance fixing of the refund in respect of the products referred to in points (b) to (d) of that Article for which the applications are submitted as from 1 March shall be valid until 30 June 2007.

Article 2

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

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

Done at Brussels, 27 February 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 234, 29.8.2006, p. 4. Regulation as amended by Regulation (EC) No 1919/2006 (OJ L 380, 28.12.2006, p. 1).

COMMISSION REGULATION (EC) No 211/2007**of 27 February 2007****amending Regulation (EC) No 809/2004 implementing Directive 2003/71/EC of the European Parliament and of the Council as regards financial information in prospectuses where the issuer has a complex financial history or has made a significant financial commitment****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC ⁽¹⁾, and in particular Article 5(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 809/2004 of 29 April 2004 implementing Directive 2003/71/EC of the European Parliament and of the Council as regards information contained in prospectuses as well as the format, incorporation by reference and publication of such prospectuses and dissemination of advertisements ⁽²⁾ sets out in detail the information which must be included in a prospectus, for different kinds of securities, in order to comply with Article 5(1) of that Directive. Those detailed information requirements cover, among other things, the financial information concerning the issuer which must be included in a prospectus in order to enable investors to understand the financial position of the issuer.

(2) However, there are cases where the financial position of the issuer is so closely linked with that of other entities that financial information concerning those entities is indispensable for the purposes of giving full effect to Article 5(1) of Directive 2003/71/EC, that is to say, for complying with the obligation to include in the prospectus all the information necessary to enable the investor to make an informed assessment of the issuer's financial position and prospects. Such cases may arise where the issuer has a complex financial history and those where the issuer has made a significant financial commitment.

(3) In order to ensure, therefore, that Article 5(1) of Directive 2003/71/EC is not deprived of useful effect in those cases and to introduce a greater measure of legal certainty in this regard, it should be made clear that the information requirements laid down in Annex I to Regulation (EC) No 809/2004 are to be construed in that context as relating also to financial information concerning entities other than the issuer, where the omission of that information could prevent an investor from making an informed assessment of the issuer's financial position.

(4) In view of the fact that, under Article 3 of Regulation (EC) No 809/2004, the competent authorities may not request the inclusion of information for which no express provision is made in the Annexes, it is necessary to clarify the responsibilities of the competent authorities in this context.

(5) Where an issuer has a complex financial history, the entire business undertaking of the issuer may not be covered by historical financial information relating to the issuer, but will be covered instead by financial information drawn up by another entity. This is likely to be the case where the issuer has made a significant acquisition not yet reflected in its own financial statements; where the issuer is a newly incorporated holding company; where the issuer is composed of companies that were under common control or ownership but which never formed a legal group; or where the issuer has been formed as a separate legal entity following the division of an existing business). In such cases, all or part of the business undertaking of the issuer will have been carried on by another entity during the period for which the issuer is required to provide historical financial information.

(6) However, it is not currently possible to provide a comprehensive list of cases that should be treated as issuers with a complex financial history. It is likely that new and innovative forms of transaction might be developed that would fall outside the cases specified in any such list. It is therefore appropriate to provide a broad definition of the circumstances in which an issuer should be treated as having a complex financial history.

⁽¹⁾ OJ L 345, 31.12.2003, p. 64.

⁽²⁾ OJ L 149, 30.4.2004, p. 1, as corrected by OJ L 215, 16.6.2004, p. 3. Regulation as amended by Regulation (EC) No 1787/2006 (OJ L 337, 5.12.2006, p. 17).

- (7) An issuer should be treated as having made a significant financial commitment where it has entered into a binding agreement to acquire or dispose of a significant entity or business, which is not yet completed at the date of the approval of the prospectus. It is appropriate that such cases should be subject to the same information requirements as apply where the issuer has already completed an acquisition or disposal, provided that the agreed transaction, on completion, would give rise to a significant gross change in the assets and liabilities and earnings of the issuer.
- (8) Since cases where the issuer has a complex financial history or has made a significant financial commitment are atypical, and indeed may be unique, it is not possible to specify the information needed to fulfil the standard specified by Directive 2003/71/EC for every conceivable case. Accordingly, the supplementary information to be required should be whatever is necessary, in each particular case, to ensure that the prospectus satisfies the obligation laid down in Article 5(1) of Directive 2003/71/EC. It is therefore appropriate that the competent authority of the issuer should determine on a case by case basis the information required (if any). The fact that a competent authority may request such additional information should not require the competent authority to apply a higher standard of scrutiny to that information, or to the prospectus in general, than that which may be derived from Article 13 of Directive 2003/71/EC.
- (9) Given the complexity of circumstances of each specific case, it would be neither practicable nor efficient to specify detailed rules to be applied by competent authorities uniformly to all cases. It is necessary to provide for a flexible approach so as to ensure, on the one hand, that disclosure requirements are effective and proportionate and, on the other hand, that the investor is adequately protected through the provision of sufficient and appropriate information.
- (10) Supplementary financial information should not be requested in cases where the financial information provided in the audited consolidated financial statements of the issuer itself, in any pro forma information, or in any financial information prepared using merger accounting (where permitted by the applicable accounting standards) is likely to be sufficient to enable investors to make an informed assessment of the assets and liabilities, financial position, profit and losses, and prospects of the issuer and of any guarantor, and of the rights attaching to such securities.
- (11) It is appropriate, given the fact that the need for further information can arise only where the prospectus concerns shares or other securities giving rights to shares, that, when determining whether such a need has arisen in the individual case, the competent authorities should base their examination on the requirements laid down in item 20.1 of Annex I to Regulation (EC) No 809/2004 as regards the content of financial information and the applicable accounting and auditing principles. A competent authority should not impose requirements that go beyond those laid down in item 20.1 of Annex I, or make them more onerous. However, it should be possible to adjust their application of those requirements in the light of characteristics of the individual case relating to the precise nature of the securities, the economic substance of the transactions by which the issuer has acquired its business undertaking, the specific nature of that undertaking, and the range of information that is already included in the prospectus.
- (12) When making that determination, competent authorities should have regard to the principle of proportionality. In cases where there are alternative ways of satisfying the obligation laid down in Article 5(1) of Directive 2003/71/EC through the disclosure of different kinds of supplementary financial information, or the presentation of that information in different formats, the competent authority should not require the issuer to satisfy that obligation in a way that is more costly or onerous than an adequate alternative.
- (13) Furthermore, competent authorities should have regard to whether an issuer has access to financial information relating to another entity: it would not be proportionate to require the inclusion of such information where the issuer cannot obtain that information with reasonable effort. This consideration is likely to be relevant, in particular, in the context of a hostile takeover. Similarly, it may not be proportionate to require the inclusion of financial information which does not exist at the time when the prospectus is drawn up, or to require the auditing or restatement of supplementary financial information if the costs to the issuer of complying with that requirement outweigh any potential benefit to the investor.
- (14) Regulation (EC) No 809/2004 should therefore be amended accordingly.
- (15) The Committee of European Securities Regulators (CESR) has been consulted for technical advice,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 809/2004 is amended as follows:

1. In the second paragraph of Article 3, the second sentence is replaced by the following:

‘Subject to Article 4a(1), a competent authority shall not request that a prospectus contain information items which are not included in Annexes I to XVII.’

2. The following Article 4a is inserted:

‘Article 4a

Share registration document schedule in cases of complex financial history or significant financial commitment

1. Where the issuer of a security covered by Article 4(2) has a complex financial history, or has made a significant financial commitment, and in consequence the inclusion in the registration document of certain items of financial information relating to an entity other than the issuer is necessary in order to satisfy the obligation laid down in Article 5(1) of Directive 2003/71/EC, those items of financial information shall be deemed to relate to the issuer. The competent authority of the home Member State shall in such cases request that the issuer, the offeror or the person asking for admission to trading include those items of information in the registration document.

Those items of financial information may include pro forma information prepared in accordance with Annex II. In this context, where the issuer has made a significant financial commitment any such pro forma information shall illustrate the anticipated effects of the transaction that the issuer has agreed to undertake, and references in Annex II to “the transaction” shall be read accordingly.

2. The competent authority shall base any request pursuant to paragraph 1 on the requirements set out in

item 20.1 of Annex I as regards the content of financial information and the applicable accounting and auditing principles, subject to any modification which is appropriate in view of any of the following factors:

- (a) the nature of the securities;
- (b) the nature and range of information already included in the prospectus, and the existence of financial information relating to an entity other than the issuer in a form that might be included in a prospectus without modification;
- (c) the facts of the case, including the economic substance of the transactions by which the issuer has acquired or disposed of its business undertaking or any part of it, and the specific nature of that undertaking;
- (d) the ability of the issuer to obtain financial information relating to another entity with reasonable effort.

Where, in the individual case, the obligation laid down in Article 5(1) of Directive 2003/71/EC may be satisfied in more than one way, preference shall be given to the way that is the least costly or onerous.

3. Paragraph 1 is without prejudice to the responsibility under national law of any other person, including the persons referred to in Article 6(1) of Directive 2003/71/EC, for the information contained in the prospectus. In particular, those persons shall be responsible for the inclusion in the registration document of any items of information requested by the competent authority pursuant to paragraph 1.

4. For the purposes of paragraph 1, an issuer shall be treated as having a complex financial history if all of the following conditions apply:

- (a) its entire business undertaking at the time that the prospectus is drawn up is not accurately represented in the historical financial information which it is required to provide under item 20.1 of Annex I;

(b) that inaccuracy will affect the ability of an investor to make an informed assessment as mentioned in Article 5(1) of Directive 2003/71/EC; and

(c) information relating to its business undertaking that is necessary for an investor to make such an assessment is included in financial information relating to another entity.

5. For the purposes of paragraph 1, an issuer shall be treated as having made a significant financial commitment if it has entered into a binding agreement to undertake a transaction which, on completion, is likely to give rise to a significant gross change.

In this context, the fact that an agreement makes completion of the transaction subject to conditions, including approval by a regulatory authority, shall not prevent that agreement from being treated as binding if it is reasonably certain that those conditions will be fulfilled.

In particular, an agreement shall be treated as binding where it makes the completion of the transaction conditional on the outcome of the offer of the securities that are the subject matter of the prospectus or, in the case of a proposed takeover, if the offer of securities that are the subject matter of the prospectus has the objective of funding that takeover.

6. For the purposes of paragraph 5 of this Article, and of item 20.2 of Annex I, a significant gross change means a

variation of more than 25 %, relative to one or more indicators of the size of the issuer's business, in the situation of an issuer.'

3. In the first paragraph of item 20.1 of Annex I, and items 20.1 and 20.1 *bis* of Annex X, the following sentence is inserted in each case after the first sentence:

'If the issuer has changed its accounting reference date during the period for which historical financial information is required, the audited historical information shall cover at least 36 months, or the entire period for which the issuer has been in operation, whichever is the shorter.'

4. In the first paragraph of item 13.1 of Annex IV, items 8.2 and 8.2 *bis* of Annex VII, item 11.1 of Annex IX, and item 11.1 of Annex XI, the following sentence is inserted in each case after the first sentence:

'If the issuer has changed its accounting reference date during the period for which historical financial information is required, the audited historical information shall cover at least 24 months, or the entire period for which the issuer has been in operation, whichever is the shorter.'

Article 2

Entry into force

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

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

Done at Brussels, 27 February 2007.

For the Commission

Charlie McCREEVY

Member of the Commission

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 22 February 2007

concerning the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area

(2007/138/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 thereof, 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) Article 19 of the Agreement on the European Economic Area (EEA) foresees that the Contracting Parties undertake to continue their efforts with a view to achieving progressive liberalisation of agricultural trade between them.
- (2) The European Community and the Republic of Iceland held bilateral trade negotiations in agriculture in 2005, on the basis of Article 19 of the Agreement on the European Economic Area, which were concluded satisfactorily on 14 December 2006.
- (3) 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 the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area, 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, 22 February 2007.

For the Council

The President

F. MÜNTEFERING

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area*A. Letter from the European Community*

Brussels,

Sir,

I have the honour to refer to the trade negotiations between the European Community and the Republic of Iceland on agricultural products, held from 6 March 2005 to 14 December 2006, undertaken on the basis of Article 19 of the Agreement on the European Economic Area.

With the aim of fostering a harmonious development of trade between the Parties, the European Community and the Republic of Iceland have agreed to additional bilateral trade preferences concerning agricultural products, with due consideration to the respective agricultural policies and circumstances, including the evolution of the bilateral trade and trade with other partners.

I hereby confirm that the results of the negotiations were as follows:

1. From 1 March 2007, the European Community and the Republic of Iceland will reciprocally consolidate at bilateral level the existing zero duty lines, be it applied duties or existing concessions, and, if not already at zero level, to reciprocally eliminate duties on bilateral imports, for all products originating in the parties, which are listed in Annex I.
2. From 1 March 2007, the European Community will provide tariff quotas on imports into the Community of products originating in Iceland, which are listed in Annex II.
3. From 1 March 2007, the Republic of Iceland will provide tariff quotas on imports into Iceland of products originating in the Community, which are listed in Annex III.
4. From 1 March 2007 the Republic of Iceland will grant the European Community the preferential tariffs listed in Annex IV.

These bilateral concessions replace and consolidate all existing bilateral concessions in agricultural products that are currently in force, in application of Article 19 of the Agreement on the European Economic Area ⁽¹⁾.

5. The Republic of Iceland agrees to end its unilateral and temporary *erga omnes* reductions in applied tariffs on agricultural products put in place in 2002 and prolonged so far on a yearly basis.
6. The provisions of Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland ⁽²⁾ concerning the definition of the concept of 'originating products' and methods of cooperation shall apply *mutatis mutandis* to the products mentioned in Annexes I, II, III and IV.
7. The Parties will take steps to ensure that the benefits, which they grant each other, will not be jeopardised by other restrictive import measures.

⁽¹⁾ Council Decision 81/359/EEC of 28 April 1981 (OJ L 137, 23.5.1981, p. 1).

Council Decision 93/239/EEC of 15 March 1993 (OJ L 109, 1.5.1993, p. 1).

Council Decision 93/736/EC of 13 December 1993 (OJ L 346, 31.12.1993, p. 16).

Council Decision 95/582/EC of 20 December 1995 (OJ L 327, 30.12.1995, p. 17).

⁽²⁾ Decision No 2/2005 of the EC-Iceland Joint Committee of 22 December 2005 (OJ L 131, 18.5.2006, p. 1).

8. The Parties agree to take the necessary steps in order to ensure that tariff quotas will be managed in such a way that imports may take place regularly and that the quantities agreed for import can effectively be imported.
9. The Parties agree to strive for promoting trade of eco-friendly products and products with a geographical indication. The Parties agree to engage in further bilateral discussion with a view to better understanding respective legislation and registration procedures, in order to identify ways to enhance the protection of geographical indications in the territories of both Parties.
10. The Parties agree to exchange at regular intervals information on traded products, tariff quota management, price quotations and any useful information concerning the respective domestic markets and the implementation of the results of these negotiations.
11. Consultations will be held at the request of either party on any question relating to the implementation of the results of these negotiations. In case of difficulty in the implementation of the results of these negotiations, these consultations will be held as promptly as possible, with a view to the adoption of appropriate corrective measures.
12. The first consultations relating to the results of these negotiations will be held before those implementing arrangements are put in place, with a view to facilitating the smooth implementation of these negotiations.
13. The results of these negotiations will be implemented as from 1 March 2007 ⁽¹⁾. Where necessary, tariff quotas will be opened on a pro-rata basis.
14. The Parties agree to resume bilateral negotiations in the framework of Article 19 of the Agreement on the European Economic Area in two years' time, with particular consideration to the outcome of the WTO negotiation process in agriculture.

I have the honour to confirm that the European Community is in agreement with the contents of this letter.

I should be obliged if you would confirm that the Government of the Republic of Iceland is in agreement with the above.

Please accept, Sir, the assurance of my highest consideration.

⁽¹⁾ The opening of the EC tariff quotas will be made as from 1 July, on the basis of nine months quantities for 2007.

Съставено в Брюксел на двадесет и втори февруари две хиляди и седма година
Hecho en Bruselas, el veintidós de febrero del dos mil siete.
V Bruselu dne dvacátého druhého února dva tisíce sedm.
Udfærdiget i Bruxelles den toogtyvende februar to tusind og syv.
Geschehen zu Brüssel am zweiundzwanzigsten Februar zweitausendsieben.
Kahe tuhande kuuenda aasta veebruarikuu kaheteistkümnendal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι δύο Φεβρουαρίου δύο χιλιάδες επτά.
Done at Brussels, on the twenty-second day of February in the Year two thousand and seven.
Fait à Bruxelles, le vingt-deux février deux mille sept.
Fatto a Bruxelles, addì ventidue febbraio duemilasette.
Briselē, divtūkstoš septītā gada divdesmit otrajā februārī.
Priimta du tūkstančiai septintų metų vasario dvidešimt antrą dieną Briuselyje.
Kelt Brüsszelben, a kettőezer hetedik év február huszonkettedik napján.
Magħmul fi Brussel, fit-tnejn u għoxrin jum ta' Frart tas-sena elfejn u sebgha
Gedaan te Brussel, de tweeëntwintigste februari tweeduizend zeven.
Sporządzono w Brukseli, dnia dwudziestego drugiego lutego roku dwa tysiące siódmego.
Feito em Bruxelas, em vinte e dois de Fevereiro de dois mil e sete.
Întocmit la Bruxelles, douăzeci și doi februarie două mii șapte.
V Bruseli dňa dvadsiateho druhého februára dvetisícšedem.
V Bruslju, dvaindvajsetega februarja leta dva tisoč sedem.
Tehty Brysselissä kahdentenakymmenentenätoisena päivänä helmikuuta vuonna kaksituhattaseitsemän.
Som skedde i Bryssel den tjugoandra februari tjugohundrasju.

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

ANNEX I

Bilateral trade in products of the following chapters or parts of chapters is freed:

ex Chapter 1, Live animals:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
0101	Live horses, asses, mules and hinnies	0101	Live horses, asses, mules and hinnies

ex Chapter 2, Meat and edible meat offal:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
ex 0208.9008	carcasses and half-carcasses of reindeer meat, frozen	ex 0208 90 60	carcasses and half-carcasses of reindeer meat, frozen

ex Chapter 4, Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
0409	Natural honey	0409 00 00	Natural honey
0410	Edible products of animal origin, not elsewhere specified or included	0410 00 00	Edible products of animal origin, not elsewhere specified or included

Chapter 5 ⁽¹⁾, Products of animal origin, not elsewhere specified or included

ex Chapter 6, Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage:

Icelandic Code	Icelandic description of products	CN Code	CN Description of products
0601	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading 1212	0601	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading 1212
ex 0602	Other live plants (including their roots), cuttings and slips; mushroom spawn:	ex 0602	Other live plants (including their roots), cuttings and slips; mushroom spawn:
	- Other than other potted indoor plants not exceeding 1 m in height (tariff heading 0602.9095)	ex 0602 90 91 ex 0602 90 99	Other indoor plants, other than cacti and thickleaves, potted plants of the genus <i>Bromelia</i> , the plants <i>Erica gracilis</i> and <i>calluna</i> , orchids and other potted plants not exceeding 1 m in height
ex 0603	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared:	ex 0603	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared:
0603.1001	-- Imported from 1 December to 30 April	ex 0603 10 20	Carnations, fresh, other than imported from 1 May to 30 November

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
0603.1003	– Of the genera <i>Protea</i> , <i>Banksia</i> , <i>Leucadendron</i> and <i>Brunia</i>	0603 10 30	Orchids
		ex 0603 10 80	Fresh flowers of the genera <i>Protea</i> , <i>Banksia</i> , <i>Leucadendron</i> , <i>Brunia</i> and <i>Forsythia</i>
0603.1004	– Cut branches with berries or fruit on, not edible, of the genera: <i>Ligustrum</i> , <i>Callicarpa</i> , <i>Gossypium</i> , <i>Hypericum</i> , <i>Ilex</i> or <i>Symphoricarpos</i>		
0603.1005	– Flowers of Orchids		
0603.1006	– Forsythia		
0603.9000	– Other	0603 90 00	Other
0604	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	0604	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared

ex Chapter 7, Edible vegetables and certain roots and tubers:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
0702	Tomatoes, fresh or chilled	0702 00 00	Tomatoes, fresh or chilled
ex 0703	Onions, shallots, garlic and other alliaceous vegetables, fresh or chilled	ex 0703	Onions, shallots, garlic and other alliaceous vegetables, fresh or chilled
ex 0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled:	ex 0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled:
0704.2000	– Brussels sprouts	0704 20 00	Brussels sprouts
0704.9005	-- Curly kale (<i>brassica oleracea acepjala</i>)	ex 0704 90 90	Other, excluding Chinese cabbage
0704.9009	-- Other		
0705	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.), fresh or chilled:	0705	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.), fresh or chilled
ex 0706	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled:	ex 0706	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled:
0706.9009	– Other	0706 90	Other
0707	Cucumbers and gherkins, fresh or chilled:	0707	Cucumbers and gherkins, fresh or chilled
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled	0708	Leguminous vegetables, shelled or unshelled, fresh or chilled

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
ex 0709	Other vegetables, fresh or chilled	ex 0709	Other vegetables, fresh or chilled:
0709.10	– Globe artichokes, fresh or chilled	0709 10 00	Globe artichokes
0709.20	– Asparagus, fresh or chilled	0709 20 00	Asparagus
0709.30	– Aubergines (eggplants)	0709 30 00	Aubergines (eggplants)
0709.52	-- Truffles, fresh or chilled	0709 52 00	Truffles
0709.60	– Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>	0709 60	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>
0709.70	– Spinach, N-Z spinach and orache spinach (garden spinach), fresh or chilled	0709 70 00	Spinach, New Zealand spinach and orache spinach (garden spinach)
0709.9001	-- Sweet corn	0709 90 60	Sweet corn
0709.9002	-- Courgettes	0709 90 70	Courgettes
0709.9003	-- Olives		Olives:
		0709 90 31	— For uses other than the production of oil
		0709 90 39	— Other
0709.9004	-- Parsley (perçille)	0709 90 90	Other
0709.9009	-- Other		
ex 0710 ⁽¹⁾	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:	ex 0710 ⁽¹⁾	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:
	Other than potatoes	0710 21 00	Peas (<i>Pisum sativum</i>)
		0710 22 00	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)
		0710 29 00	Other
		0710 30 00	Spinach, New Zealand spinach and orache spinach (garden spinach)
		0710 40 00	Sweetcorn
		0710 80	Other vegetables
		0710 90 00	Mixtures of vegetables
0711 ⁽¹⁾	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	0711 ⁽¹⁾	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared	0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared
0713	Dried leguminous vegetables, shelled, whether or not skinned or split	0713	Dried leguminous vegetables, shelled, whether or not skinned or split
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith	0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith

Chapter 8, Edible fruit and nuts; peel of citrus fruit or melons

Chapter 9 ⁽¹⁾, Coffee, tea, maté and spices

Chapter 10 ⁽²⁾, Cereals

Chapter 11 ⁽²⁾, Products of the milling industry; malt; starches; inulin; wheat gluten

Chapter 12 ⁽²⁾, Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder

Chapter 13 ⁽¹⁾, Lac; gums, resins and other vegetable saps and extracts

Chapter 14 ⁽¹⁾, Vegetable plaiting materials; vegetable products not elsewhere specified or included

Chapter 15 ⁽¹⁾ ⁽³⁾, Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes

ex Chapter 18 ⁽¹⁾, Cocoa and cocoa preparations:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
1801	Cocoa beans, whole or broken, raw or roasted	1801	Cocoa beans, whole or broken, raw or roasted
1802	Cocoa shells, husks, skins and other cocoa waste	1802	Cocoa shells, husks, skins and other cocoa waste

ex Chapter 20, Preparations of vegetables, fruit, nuts or other parts of plants:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
ex 2001 ⁽¹⁾	Vegetable, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:	ex 2001 ⁽¹⁾	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
2001.1000	– Cucumbers and gherkins	2001 10 00	Cucumbers and gherkins
	– Other	2001 90	Other
2001.9005	-- Onion	2001 90 93	Onions
2001.9009	-- Other	2001 90 99	Other, excluding potatoes and products thereof

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid	2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid
2004 ⁽¹⁾	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen:	2004 ⁽¹⁾	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:
2004.9002	-- Globe artichokes	ex 2004 90 98	Globe artichokes
2004.9003	-- Green or black olives	ex 2004 90 30	Green or black olives
2004.9004	-- Green peas and beans	2004 90 50	Peas (<i>Pisum sativum</i>) and immature beans of the species <i>Phaseolus</i> spp., in pod
2004.9005	-- Preparations with a basis of flours of leguminous plants	ex 2004 90 98	Preparations with a basis of flours of leguminous plants
2004.9009	-- Other	ex 2004 90 98	Other, excluding products containing meat in a proportion of 3 % up to and including 20 % by weight
2005 ⁽¹⁾	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen:	2005 ⁽¹⁾	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:
2005.1000	- Homogenised vegetables	2005 10 00	Homogenised vegetables
2005.4000	- Peas (<i>Pisum sativum</i>)	2005 40 00	Peas (<i>Pisum sativum</i>)
	- Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.):		Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.):
2005.5100	- Beans, shelled	2005 51 00	Beans, shelled
2005.5900	-- Other	2005 59 00	Other
2005.6000	- Asparagus	2005 60 00	Asparagus
2005.7000	- Olives	2005 70	Olives
	- Other vegetables and mixtures of vegetables:	2005 90	Other vegetables and mixtures of vegetables:
2005.9009	- Other	ex 2005 90 80	Other, excluding products containing meat in a proportion of 3 % up to and including 20 % by weight
2008 ⁽¹⁾	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	2008 ⁽¹⁾	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter

ex Chapter 22, Beverages, spirits and vinegar:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009	2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009

ex Chapter 23, residues and waste from the food industries; prepared animal fodder:

Icelandic Code	Icelandic Description of products	CN Code	CN Description of products
ex 2309	Preparations of a kind used in animal feeding:	ex 2309	Preparations of a kind used in animal feeding:
ex 2309.1000	- Dog or cat food, put up for retail sale, containing no starch or containing not more than 30 % by weight of starch and containing no milk products or containing less than 10 % by weight of such products	2309 10 11 2309 10 31	Dog or cat food, put up for retail sale, containing no starch or containing not more than 30 % by weight of starch and containing no milk products or containing less than 10 % by weight of such products

Chapter 24 ⁽¹⁾, Tobacco and manufactured tobacco substitutes

⁽¹⁾ Other than products covered by Protocol 3 to the Agreement on the European Economic Area.

⁽²⁾ Other than for animal feeding.

⁽³⁾ Other than fish product.

ANNEX II

Tariff quotas granted by the European Community

The European Community will open the following annual tariff quota for the following products originating in Iceland (*)

CN custom tariff heading	Description of products	Annual quantity	Rate of duty
ex 0204	meat of sheep, fresh, chilled or frozen	1 850 tons (net weight)	0
ex 0210	sheepmeat, smoked		0
ex 0405	natural butter	350 tons (net weight)	0
ex 0403 (**)	'Skyr'	380 tons (net weight)	0
ex 1601	sausages	100 tons (net weight)	0

(*) the quotas shall apply annually unless otherwise specified.

(**) custom code subject to modification, pending confirmation of classification of the product

ANNEX III

Tariff quotas granted by Iceland

Iceland will open the following annual tariff quotas for the following products originating in the European Community (*)

Icelandic custom tariff heading	Description of products	Annual quantity	Rate of duty
0201 and 0202	meat of bovine animals, fresh, chilled or frozen	100 tons (net weight)	0
0203	meat of swine, fresh, chilled or frozen	200 tons (net weight)	0
0207	meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen	200 tons (net weight)	0
0208.9003	ptarmigans, frozen	20 tons (net weight)	0
ex 0210	meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat offal; with protected designation of origin or protection geographical indication (**)	50 tons (net weight)	0
ex 0406	cheese with protected designation of origin or protection geographical indication (**)	20 tons (net drained weight)	0
0406	cheese	80 tons (net drained weight)	0
0701.9001	potatoes, fresh or chilled, with a minimal length of 65 mm	100 tons (net weight)	0
ex 1601	sausages	50 tons (net weight)	0
1602	other prepared or preserved meat, meat offal or blood	50 tons (net weight)	0

(*) the quotas shall apply annually unless otherwise specified.

(**) registered under Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006, p. 12).

ANNEX IV

Tariff concessions granted by Iceland

Iceland will grant the following preferential tariffs for products originating in the European Community:

			%	ISK/kg
0201		Meat of bovine animals, fresh or chilled:		
	0201.1000	— Carcasses and half-carcasses	18	214
		— Other cuts with bone in:		
	0201.2001	— Loins and cuts thereof	18	422
	0201.2002	— Round and cuts thereof	18	300
	0201.2003	— Shoulders and cuts thereof	18	189
	0201.2009	— Other	18	189
		— Boneless:		
	0201.3001	— Minced	18	306
	0201.3002	— Tenderloin	18	877
	0201.3003	— Top loin	18	652
	0201.3004	— Round	18	608
	0201.3009	— Other	18	359
0202		Meat of bovine animals, frozen:		
	0202.1000	— Carcasses and half-carcasses	18	214
		— Other cuts with bone in:		
	0202.1001	— Loins and cuts thereof	18	422
	0202.1002	— Round and cuts thereof	18	300
	0202.1003	— Shoulders and cuts thereof	18	189
	0202.1009	— Other	18	189
		— Boneless:		
	0202.3001	— Minced	18	306
	0202.3002	— Tenderloin	18	877
	0202.3003	— Top loin	18	652
	0202.3004	— Round	18	608
	0202.3009	— Other	18	359
0203		Meat of swine, fresh, chilled or frozen:		
		— Fresh or chilled:		
	0203.1100	— Carcasses and half-carcasses	18	217
		— Hams, shoulders and cuts thereof, with bone in:		
	0203.1201	— Round and cuts thereof	18	302
	0203.1209	— Shoulders and cuts thereof	18	278
		— Other:		
		— With bone:		
	0203.1901	— Loins and cuts thereof	18	465
	0203.1902	— Other	18	217
		— Boneless:		
	0203.1903	— Minced	18	274
	0203.1904	— Tenderloin	18	717
	0203.1905	— Top loin	18	664
	0203.1906	— Round	18	613
	0203.1909	— Other:	18	274
		— Frozen:		

				%	ISK/kg
	0203.2100	—	Carcasses and half-carcasses	18	217
		—	Hams, shoulders and cuts thereof, with bone in:		
	0203.2201	—	Round and cuts thereof	18	302
	0203.2209	—	Shoulders and cuts thereof	18	278
		—	Other:		
		—	With bone:		
	0203.2901	—	Loins and cuts thereof	18	465
	0203.2902	—	Other	18	217
		—	Boneless:		
	0203.2903	—	Minced	18	274
	0203.2904	—	Tenderloin	18	717
	0203.2905	—	Top loin	18	664
	0203.2906	—	Round	18	613
	0203.2909	—	Other	18	274
0204			Meat of sheep or goats, fresh, chilled or frozen:		
	0204.1000	—	Carcasses and half-carcasses of lamb, fresh or chilled	18	164
		—	Other meat of sheep, fresh or chilled:		
	0204.2100	—	Carcasses and half-carcasses	18	164
		—	Other cuts with bone in:		
	0204.2201	—	Loins and cuts thereof	18	229
	0204.2202	—	Round and cuts thereof	18	229
	0204.2203	—	Shoulders and cuts thereof	18	145
	0204.2209	—	Other	18	145
		—	Boneless:		
	0204.2301	—	Minced	18	234
	0204.2302	—	Tenderloin	18	568
	0204.2303	—	Top loin	18	530
	0204.2304	—	Round	18	530
	0204.2309	—	Other	18	234
	0204.3000	—	Carcasses and half-carcasses of lamb, frozen	18	164
		—	Other meat of sheep, frozen:		
	0204.4100	—	Carcasses and half-carcasses	18	164
		—	Other cuts with bone in:	0	0
	0204.4201	—	Loins and cuts thereof	18	229
	0204.4202	—	Round and cuts thereof	18	229
	0204.4203	—	Shoulders and cuts thereof	18	145
	0204.4209	—	Other	18	145
		—	Boneless:		
	0204.4301	—	Minced	18	234
	0204.4302	—	Tenderloin	18	568
	0204.4303	—	Top loin	18	530
	0204.4304	—	Round	18	530
	0204.4309	—	Other	18	234
	0204.5000	—	Meat of goats	18	229
0205	0205.0000		Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	18	154

			%	ISK/kg
0206		Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen:		
	0206.1000	— Of bovine animals, fresh or chilled	18	253
		— Of bovine animals, frozen:		
	0206.2100	— Tongues	18	253
	0206.2200	— Livers	18	146
	0206.2900	— Other	18	210
	0206.3000	— Of swine, fresh or chilled	18	121
		— Of swine, frozen:		
	0206.4100	— Livers	18	121
	0206.4900	— Other	18	121
		— Other, fresh or chilled:		
	0206.8001	— Sheep heads	18	130
	0206.8009	— Other	18	130
		— Other, frozen:		
	0206.9001	— Sheep heads	18	130
	0206.9009	— Other	18	130
0207		Meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen:		
		— Of fowls of the species <i>Gallus domesticus</i> :		
	0207.1100	— Not cut in pieces, fresh or chilled	18	362
	0207.1200	— Not cut in pieces, frozen	18	263
		— Cuts and offal, fresh or chilled:		
	0207.1301	— Boneless	18	299
	0207.1302	— Liver	18	299
	0207.1309	— Other	18	299
		— Cuts and offal, frozen:		
	0207.1401	— Boneless	18	540
	0207.1402	— Liver	12	299
	0207.1409	— Other	18	263
		— Of turkeys:		
	0207.2400	— Not cut in pieces, fresh or chilled	18	362
	0207.2500	— Not cut in pieces, frozen	18	362
		— Cuts and offal, fresh or chilled:		
	0207.2601	— Boneless	18	299
	0207.2602	— Liver	18	299
	0207.2609	— Other	18	299
		— Cuts and offal, frozen:		
	0207.2701	— Boneless	18	600
	0207.2702	— Liver	12	299
	0207.2709	— Other	18	362
		— Of ducks, geese or guinea fowls:		
	0207.3200	— Not cut in pieces, fresh or chilled	18	362
	0207.3300	— Not cut in pieces, frozen	18	362
	0207.3400	— Fatty livers, fresh or chilled	18	154
		— Other, fresh or chilled:		
	0207.3501	— Boneless	18	299
	0207.3502	— Liver	18	299

				%	ISK/kg
	0207.3509	—	Other	18	299
		—	Other, frozen:		
	0207.3601	—	Boneless	18	600
	0207.3602	—	Liver	12	299
	0207.3609	—	Other	18	362
0208			Other meat and edible meat offal, fresh, chilled or frozen:		
	0208.1000	—	Of rabbits or hares	18	236
		—	Other:		
	0208.9001	—	Pigeons	18	218
	0208.9002	—	Pheasants	18	218
	0208.9003	—	Ptarmigans, frozen	18	268
	0208.9004	—	Deer	18	218
	0208.9007	—	Boneless reindeer meat, frozen	18	608
	0208.9008	—	Reindeer meat with bone, frozen ⁽¹⁾	18	608
	0208.9009	—	Frogs' legs	18	236
	0208.9019	—	Other	18	218
0209	0209.0000		Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked	18	60
0210			Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:		
		—	Meat of swine:		
	0210.1100	—	Hams, shoulders and cuts thereof, with bone in	18	302
	0210.1200	—	Bellies (streaky) and cuts thereof	18	217
		—	Other:		
		—	Smoked:		
	0210.1901	—	Boneless	30	447
	0210.1902	—	Other	18	717
	0210.1909	—	Other	18	465
		—	Meat of bovine animals:		
	0210.2001	—	Boneless	18	877
	0210.2009	—	Other	18	422
		—	Other:		
	0210.9910	—	Poultry liver, dried or smoked	18	299
		—	Sheep meat, salted:		
	0210.9921	—	Boneless	18	568
	0210.9929	—	Other	18	270
		—	Sheep meat, smoked (hangikjöt):		
	0210.9931	—	Boneless	18	568
	0210.9939	—	Other	18	270
	0210.9990	—	Other	30	363

⁽¹⁾ Tariff concession for products not already covered by the duty free concession granted in Annex I for ex 0208.9008 'carcasses and half-carcasses of reindeer meat, frozen'.

B. Letter from the Republic of Iceland

Reykjavik,

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

I have the honour to refer to the trade negotiations between the European Community and the Republic of Iceland on agricultural products, held from 6 March 2005 to 14 December 2006, undertaken on the basis of Article 19 of the Agreement on the European Economic Area.

With the aim of fostering a harmonious development of trade between the Parties, the European Community and the Republic of Iceland have agreed to additional bilateral trade preferences concerning agricultural products, with due consideration to the respective agricultural policies and circumstances, including the evolution of the bilateral trade and trade with other partners.

I hereby confirm that the results of the negotiations were as follows:

1. From 1 March 2007, the European Community and the Republic of Iceland will reciprocally consolidate at bilateral level the existing zero duty lines, be it applied duties or existing concessions, and, if not already at zero level, to reciprocally eliminate duties on bilateral imports, for all products originating in the parties, which are listed in Annex I.
2. From 1 March 2007, the European Community will provide tariff quotas on imports into the Community of products originating in Iceland, which are listed in Annex II.
3. From 1 March 2007, the Republic of Iceland will provide tariff quotas on imports into Iceland of products originating in the Community, which are listed in Annex III.
4. From 1 March 2007 the Republic of Iceland will grant the European Community the preferential tariff listed in Annex IV.

These bilateral concessions replace and consolidate all existing bilateral concessions in agricultural products that are currently in force, in application of Article 19 of the Agreement on the European Economic Area ⁽¹⁾.

5. The Republic of Iceland agrees to end its unilateral and temporary *erga omnes* reductions in applied tariffs on agricultural products put in place in 2002 and prolonged so far on a yearly basis.
6. The provisions of Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland ⁽²⁾ concerning the definition of the concept of "originating products" and methods of cooperation shall apply *mutatis mutandis* to the products mentioned in Annexes I, II, III and IV.
7. The Parties will take steps to ensure that the benefits, which they grant each other, will not be jeopardised by other restrictive import measures.
8. The Parties agree to take the necessary steps in order to ensure that tariff quotas will be managed in such a way that imports may take place regularly and that the quantities agreed for import can effectively be imported.

⁽¹⁾ Council Decision 81/359/EEC of 28 April 1981 (OJ L 137, 23.5.1981, p. 1).

Council Decision 93/239/EEC of 15 March 1993 (OJ L 109, 1.5.1993, p. 1).

Council Decision 93/736/EC of 13 December 1993 (OJ L 346, 31.12.1993, p. 16).

Council Decision 95/582/EC of 20 December 1995 (OJ L 327, 30.12.1995, p. 17).

⁽²⁾ Decision No 2/2005 of the EC-Iceland Joint Committee of 22 December 2005 (OJ L 131, 18.5.2006, p. 1).

9. The Parties agree to strive for promoting trade of eco-friendly products and products with a geographical indication. The Parties agree to engage in further bilateral discussion with a view to better understanding respective legislation and registration procedures, in order to identify ways to enhance the protection of geographical indications in the territories of both Parties.
10. The Parties agree to exchange at regular intervals information on traded products, tariff quota management, price quotations and any useful information concerning the respective domestic markets and the implementation of the results of these negotiations.
11. Consultations will be held at the request of either party on any question relating to the implementation of the results of these negotiations. In case of difficulty in the implementation of the results of these negotiations, these consultations will be held as promptly as possible, with a view to the adoption of appropriate corrective measures.
12. The first consultations relating to the results of these negotiations will be held before those implementing arrangements are put in place, with a view to facilitating the smooth implementation of these negotiations.
13. The results of these negotiations will be implemented as from 1 March 2007 ⁽¹⁾. Where necessary, tariff quotas will be opened on a pro-rata basis.
14. The Parties agree to resume bilateral negotiations in the framework of Article 19 of the Agreement on the European Economic Area in two years' time, with particular consideration to the outcome of the WTO negotiation process in agriculture.

I have the honour to confirm that the European Community is in agreement with the contents of this letter.

I should be obliged if you would confirm that the Government of the Republic of Iceland is in agreement with the above.'

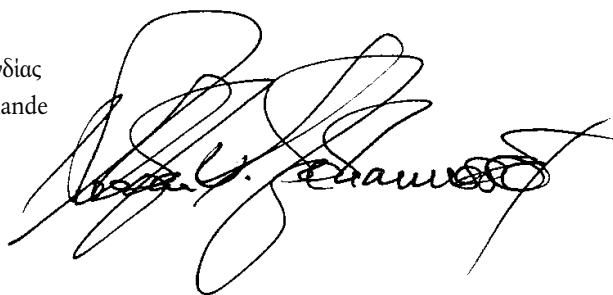
I have the honour to confirm that the Government of the Republic of Iceland is in agreement with the content of your letter.

Please accept, Sir, the assurance of my highest consideration,

⁽¹⁾ The opening of the EC tariff quotas will be made as from 1 July, on the basis of nine months quantities for 2007.

Done at Brussels, on the twenty-second day of February in the Year two thousand and seven.
 Съставено в Брюксел на двадесет и втори февруари две хиляди и седма година
 Hecho en Bruselas, el veintidós de febrero del dos mil siete.
 V Bruselu dne dvacátého druhého února dva tisíce sedm.
 Udfærdiget i Bruxelles den toogtyvende februar to tusind og syv.
 Geschehen zu Brüssel am zweiundzwanzigsten Februar zweitausendsieben.
 Kahe tuhande kuuenda aasta veebruarikuu kaheteistkümnendal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις είκοσι δύο Φεβρουαρίου δύο χιλιάδες επτά.
 Fait à Bruxelles, le vingt-deux février deux mille sept.
 Fatto a Bruxelles, addì ventidue febbraio duemilasette.
 Briselē, divtūkstoš septītā gada divdesmit otrajā februārī.
 Priimta du tūkstančiai septintų metų vasario dvidešimt antrą dieną Briuselyje.
 Kelt Brüsszelben, a kettőezer hetedik év február huszonkettedik napján.
 Magħmul fi Brussel, fit-tnejn u għoxrin jum ta' Frar tas-sena elfejn u sebgha
 Gedaan te Brussel, de tweeëntwintigste februari tweeduizend zeven.
 Sporządzono w Brukseli, dnia dwudziestego drugiego lutego roku dwa tysiące siódmego.
 Feito em Bruxelas, em vinte e dois de Fevereiro de dois mil e sete.
 Întocmit la Bruxelles, douăzeci și doi februarie două mii șapte.
 V Bruseli dňa dvadsiateho druhého februára dvetisíc sedem.
 V Bruslju, dvaindvajsetega februarja leta dva tisoč sedem.
 Tehty Brysselissä kahdentenakymmenentenätoisena päivänä helmikuuta vuonna kaksituhattaseitsemän.
 Som skedde i Bryssel den tjugoandra februari tjugohundrasju.

For the Government of the Republic of Iceland
 За правителството на Република Исландия
 Por el Gobierno de la República de Islandia
 Za vládu Islandské republiky
 For regeringen for Republikken Island
 Für die Regierung der Republik Island
 Islandi Vabariigi Valitsuse nimel
 Για την Κυβέρνηση της Δημοκρατίας της Ισλανδίας
 Pour le gouvernement de la République d'Islande
 Per il governo della Repubblica d'Islanda
 Islandes Republikas valdības vārdā
 Islandijos Respublikos Vyriausybės vardu
 az Izlandi Köztársaság Kormánya részéről
 Għall-Gvern tar-Repubblika ta' l-Islanda
 Voor de Regering van de Republiek IJsland
 W imieniu Rządu Republiki Islandii
 Pelo Governo da República da Islândia
 Pentru Guvernul Republicii Islanda
 Za vládu Islandskej republiky
 Za Vlado Republike Islandije
 Islannin rasavallan hallituksen puolesta
 På Republiken Islands regerings vägnar



COMMISSION

COMMISSION DECISION

of 26 February 2007

authorising a temporary exemption from Articles 4(3) and 5(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council on substances that deplete the ozone layer, as regards the use and placing on the market of HCFC-225cb for the manufacture of fluoropolymers

(notified under document number C(2007) 556)

(Only the English text is authentic)

(2007/139/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer⁽¹⁾, and in particular Article 5(7) thereof,

Whereas:

- (1) Under Regulation (EC) No 2037/2000 the use and the placing on the market of hydrochlorofluorocarbons (HCFCs) is prohibited.
- (2) A competent authority of the United Kingdom requested on 14 February 2006, an exemption, until 31 December 2010, under Article 5(7) of regulation No 2037/2000 on behalf of AGC Chemicals Europe, Ltd.
- (3) AGC Chemicals Europe, Ltd (ASAHI) is a supplier of the fluorinated resin Ethylene-tetrafluoroethylene (ETFE), which is used as insulating material for electrical wiring and as a raw material in the production of films ASAHI's committed and extensive research to identify a non-ozone depleting alternative to HCFC-225cb has shown good progress. Methanol is suggested as an alternative but the process requires further research and development before it can replace the use of HCFC-225cb. The current process recycles the HCFC-225cb and the HCFC-225cb left over is being recovered. Leakages in the atmosphere are strictly minimised.
- (4) The Commission has thoroughly examined the technical and economic aspects of the manufacture of fluoropolymers for the purposes described by ASAHI and established that no technical and economically feasible alternative substance or technology is at present

available and that the temporary use of HCFC-225cb remains essential for this particular application. Therefore, a temporary exemption to use and to place on the market of HCFC-225cb should be authorised.

- (5) In its request for an exemption, ASAHI suggested an alternative and committed itself to implement that alternative before the expiry of the exemption. Provision should therefore be made for the competent authority to submit a report on the results in applying the relevant alternative. The obligation of the United Kingdom to monitor that implementation and an automatic termination of the exemption in case of a full implementation of that alternative should be foreseen.
- (6) Article 16 of Regulation (EC) No 2037/2000 requires recovery of the ozone depleting substances. Under this Article, HCFC-225cb which would be left over in the process at the end of its use, shall be recovered from the installation consistent with Article 16. It should not be placed on the EC market and therefore returned to its producer at that time as foreseen by ASAHI.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 18 of Regulation (EC) No 2037/2000,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Articles 4(3) and 5(1) of Regulation (EC) No 2037/2000, the United Kingdom is authorised to allow, until 31 December 2010, the use and placing on the market by AGC Chemicals Europe, Ltd. (ASAHI), of HCFC-225cb as a chain transfer agent and co-solvent in the manufacture of Ethylene-tetrafluoroethylene resin.

⁽¹⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

The quantity of HCFC-225cb authorised shall not exceed 2.1 ODP-tonnes.

Article 2

No later than 30 June 2008, the United Kingdom shall report to the Commission as regards the availability and readiness for use of the alternative substance proposed by ASAH. In the light of this report, the Commission will consider shortening the period referred to in Article 1 for the use and placing on the market of HCFC-225cb.

If that alternative substance is used as a substitute for HCFC-225cb before 31 December 2010, the exemption authorised in Article 1 shall cease to apply with effect from the date on which that alternative substance is so used.

Article 3

The United Kingdom shall ensure that, on expiry of the exemption, ASAH recovers all HCFC-225cb left over in the process.

Article 4

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 February 2007.

For the Commission

Stavros DIMAS

Member of the Commission

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2007/140/CFSP

of 27 February 2007

concerning restrictive measures against Iran

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

the export of such items should therefore be subject to authorisation by the competent authorities of the Member States.

- (1) On 23 December 2006, the United Nations Security Council adopted Resolution 1737 (2006) (UNSCR 1737 (2006)), urging Iran to suspend without further delay some proliferation sensitive nuclear activities and introducing certain restrictive measures against Iran.
- (2) On 22 January 2007, the Council of the European Union welcomed the measures contained in UNSCR 1737 (2006) and called on all countries to implement them in full and without delay.
- (3) UNSCR 1737 (2006) prohibits the direct or indirect supply, sale or transfer to Iran of items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems. These items, materials, equipment, goods and technology are contained in the Nuclear Suppliers Group and Missile Technology Control Regime lists.
- (4) UNSCR 1737 (2006) also prohibits the provision of technical assistance or training, financial assistance, investment, brokering or other services in relation to items subject to the export prohibition. The Council considers it appropriate to extend this prohibition to all items contained in the Nuclear Suppliers Group and the Missile Technology Control Regime lists and considers that these prohibitions should also cover financing.
- (5) UNSCR 1737 (2006) provides that the export of certain further items should also be prohibited if it is determined that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, or to activities about which the IAEA has expressed concerns;
- (6) UNSCR 1737 (2006) also prohibits the procurement from Iran of the items covered by the above mentioned export prohibition.
- (7) UNSCR 1737 (2006) calls upon Member States to exercise vigilance regarding the entry into, or transit through, their territories of persons engaged in, directly associated with, or providing support for, Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, as designated in the Annex to UNSCR 1737 (2006) and of additional persons designated by the Security Council or the Committee established pursuant to paragraph 18 of UNSCR 1737 (2006) ('the Committee').
- (8) In line with the Council conclusions of 22 January 2007 and with the objectives of UNSCR 1737 (2006), restrictions on admission should be applied in respect of the persons designated by the Security Council or the Committee, as well as of additional persons, using the same criteria as those applied by the Security Council or the Committee to identify the persons concerned.
- (9) UNSCR 1737 (2006) furthermore imposes a freezing of funds, other financial assets and economic resources, belonging to, owned, held or controlled, directly or indirectly, by the persons or entities designated by the Security Council or by the Committee as being engaged in, directly associated with, or providing support for, Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means; it also imposes an obligation that no funds, financial assets or economic resources be made available to, or for the benefit of, such persons or entities.

- (10) In line with the Council conclusions of 22 January 2007 and in order to fulfil the objectives of UNSCR 1737 (2006), the freezing referred to in recital 9 should also be applicable to additional persons and entities, as determined by the Council using the same criteria as those applied by the Security Council or the Committee to identify the persons or entities concerned.
- (11) UNSCR 1737 (2006) calls upon all States to exercise vigilance and prevent specialised teaching or training of Iranian nationals of disciplines which would contribute to Iran's nuclear proliferation sensitive activities and development of nuclear weapon delivery systems.
- (12) Action by the Community is needed in order to implement certain measures,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. The direct or indirect supply, sale or transfer of the following items, materials, equipment, goods and technology, including software, to, or for the use in, or benefit of, Iran, by nationals of Member States or through the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories:

- (a) items, materials, equipment, goods and technology contained in the Nuclear Suppliers Group and Missile Technology Control Regime lists;
- (b) any additional items, materials, equipment, goods and technology, determined by the Security Council or the Committee, which could contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

2. It shall also be prohibited to:

- (a) provide technical assistance or training, investment, or brokering services related to items, materials, equipment, goods and technology set out in paragraph 1 and to the provision, manufacture, maintenance and use of these items, materials, equipment, goods and technology, directly or indirectly to any person, entity or body in, or for use in Iran;
- (b) provide financing or financial assistance related to items and technologies referred to in paragraph 1, including in particular grants, loans and export credit insurance, for

any sale, supply, transfer or export of these items and technologies, or for the provision of related technical training, services or assistance, directly or indirectly to any person, entity or body in, or for use in, Iran;

- (c) participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibition referred to in points (a) and (b).

3. The procurement by nationals of Member States, or using their flagged vessels or aircraft, of the items, materials, equipment, goods and technology referred to in paragraph 1 from Iran shall be prohibited, whether or not originating in the territory of Iran.

Article 2

1. The direct or indirect supply, sale or transfer to, or for the use in, or benefit of, Iran, by nationals of Member States or through the territories of Member States, or using their flag vessels or aircraft, of items, materials, equipment, goods and technology, including software, not covered by Article 1, that could contribute to enrichment-related, reprocessing or heavy water-related activities, to the development of nuclear weapon delivery systems or to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding, shall be subject to authorisation on a case-by-case basis by the competent authorities of the exporting Member State. The European Community shall take the necessary measures in order to determine the relevant items to be covered by this provision.

2. The provision of:

- (a) technical assistance or training, investment, or brokering services related to items, materials, equipment, goods and technology set out in paragraph 1 and to the provision, manufacture, maintenance and use of these items, directly or indirectly, to any person, entity or body in, or for use in, Iran;
- (b) financing or financial assistance related to items and technologies referred to in paragraph 1, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of these items, or for the provision of related technical training, services or assistance, directly or indirectly to any person, entity or body in, or for use in, Iran;

shall also be subject to an authorisation of the competent authority of the exporting Member State.

3. The competent authorities of the Member States shall not grant any authorisation for any supply, sale or transfer of the items, materials, equipment, goods and technology referred to in paragraph 1 if they determine that the sale, supply, transfer or export concerned or the provision of the service concerned would contribute to the activities referred to in paragraph 1.

Article 3

The measures imposed by Article 1(1) and (2) shall not apply where the Committee determines in advance and on a case-by-case basis that such supply, sale, transfer or provision of such items or assistance would clearly not contribute to the development of Iran's technologies in support of its proliferation sensitive nuclear activities and of development of nuclear weapon delivery systems, including where such items or assistance are for food, agricultural, medical or other humanitarian purposes, provided that:

- (a) contracts for delivery of such items or assistance include appropriate end-user guarantees; and
- (b) Iran has committed not to use such items in proliferation sensitive nuclear activities or for development of nuclear weapon delivery systems.

Article 4

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:

- (a) persons listed in the Annex to UNSCR 1737 (2006) as well as of additional persons designated by the Security Council or by the Committee in accordance with paragraph 10 of UNSCR 1737 (2006). These persons are listed in Annex I;
- (b) other persons not covered by Annex I that are engaged in, directly associated with, or providing support for, Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology, as listed in Annex II.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to cases where a Member State is bound by an obligation of international law, namely:

- (i) as a host country of an international intergovernmental organisation;
- (ii) as a host country to an international conference convened by, or under the auspices of, the United Nations;
- (iii) under a multilateral agreement conferring privileges and immunities;
- (iv) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

4. Paragraph 3 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).

5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraph 3 or 4.

6. Member States may grant exemptions from the measures imposed in paragraph 1 where they determine that travel is justified on the grounds of:

- (i) urgent humanitarian need, including religious obligations,
- (ii) the necessity to meet the objectives of UNSCR 1737 (2006), including where Article XV of the IAEA Statute is engaged,
- (iii) attending intergovernmental meetings, including those promoted by the European Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in Iran.

7. A Member State wishing to grant exemptions referred to in paragraph 6 shall notify the Council thereof in writing. The exemption shall be deemed to be granted unless one or more of the Council Members raises an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.

8. In cases where, pursuant to paragraphs 3, 4 and 6, a Member State authorises the entry into, or transit through, its territory of persons listed in Annex I or II, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

9. Member States shall notify the Committee of the entry into, or transit through, their territories of the persons set out in Annex I, if an exemption has been granted.

Article 5

1. All funds and economic resources which belong to, are owned, held or controlled, directly or indirectly, by:

(a) persons and entities designated in the Annex to UNSCR 1737 (2006) as well as those of additional persons and entities designated by the Security Council or by the Committee in accordance with Paragraph 12 of UNSCR 1737 (2006), such persons or entities being listed in Annex I,

(b) persons and entities not covered by Annex I that are engaged in, directly associated with, or providing support for, Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, including through illicit means, as listed in Annex II,

shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of persons and entities referred to in paragraph 1.

3. Exemptions may be made for funds and economic resources which are:

(a) necessary to satisfy basic needs, including payment for food-stuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

(b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;

(c) intended exclusively for payment of fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds and economic resources,

after notification by the Member State concerned to the Committee of the intention to authorise, where appropriate, access to such funds and economic resources and in the absence of a negative decision by the Committee within five working days of such notification.

4. Exemptions may also be made for funds and economic resources which are:

(a) necessary for extraordinary expenses, after notification by the Member State concerned to, and approval by, the Committee,

(b) the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered before the date of UNSCR 1737 (2006), and is not for the benefit of a person or entity referred to in paragraph 1, after notification by the Member State concerned to the Committee.

5. Paragraph 2 shall not apply to the addition to frozen accounts of:

(a) interest or other earnings on those accounts; or

(b) payments to frozen accounts due under contracts, agreements or obligations that were concluded or arose before 23 December 2006,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

6. Paragraph 1 shall not prevent a designated person or entity from making payment due under a contract entered into before the listing of such a person or entity, provided that the relevant Member State has determined that:

(a) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in Article 1;

(b) the payment is not directly or indirectly received by a person or entity referred to in paragraph 1;

and after notification by the relevant Member State to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds or economic resources for this purpose, 10 working days prior to such authorisation.

Article 6

Member States shall, in accordance with their national legislation, take the necessary measures to prevent specialised teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems.

Article 7

1. The Council shall implement modifications to Annex I on the basis of the determinations made by the Security Council or by the Committee.

2. The Council, acting by unanimity upon proposals of Member States or the Commission, shall establish the list in Annex II and adopt modifications thereto.

Article 8

1. This Common Position shall be reviewed, amended or repealed as appropriate, notably in the light of relevant decisions by the UNSC.

2. The measures referred to in Articles 4 (1)(b) and 5(1)(b) shall be reviewed in regular intervals and at least every 12 months. They shall cease to apply in respect of the persons and entities concerned if the Council determines, in accordance with the procedure referred in Article 7(2), that the conditions for their application are no longer met.

Article 9

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

Article 10

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

Done at Brussels, 27 February 2007.

For the Council
The President
P. STEINBRÜCK

ANNEX I

List of persons referred to in Article 4(1)(a) and of persons and entities referred to in Article 5(1)(a)

A. Natural Persons

1. Mohammad Qannadi, AEOI Vice-President for Research & Development
2. Behman Asgarpour, Operational Manager (Arak)
3. Dawood Agha-Jani, Head of the PFEP (Natanz)
4. Ehsan Monajemi, Construction Project Manager, Natanz
5. Jafar Mohammadi, Technical Adviser to the AEOI (in charge of managing the production of valves for centrifuges)
6. Ali Hajinia Leilabadi, Director General of Mesbah Energy Company
7. Lt Gen. Mohammad Mehdi Nejad Nouri, Rector of Malek Ashtar University of Defence Technology (chemistry dept, affiliated to MODALF, has conducted experiments on beryllium)
8. Gen. Hosein Salimi, Commander of the Air Force, IRGC (Pasdaran)
9. Ahmad Vahid Dastjerdi, Head of the AIO
10. Reza-Gholi Esmaeli, Head of Trade & International Affairs Dept, AIO
11. Bahmanyar Morteza Bahmanyar, Head of Finance & Budget Dept, AIO
12. Maj. Gen. Yahya Rahim Safavi, Commander, IRGC (Pasdaran)

B. Entities

1. Atomic Energy Organisation of Iran
 2. Mesbah Energy Company (provider for A40 research reactor — Arak)
 3. Kala-Electric (aka Kalaye Electric) (provider for PFEP — Natanz)
 4. Pars Trash Company (involved in centrifuge programme, identified in IAEA reports)
 5. Farayand Technique (involved in centrifuge programme, identified in IAEA reports)
 6. Defence Industries Organisation (overarching MODAFL-controlled entity, some of whose subordinates have been involved in the centrifuge programme making components, and in the missile programme)
 7. 7th of Tir (subordinate of DIO, widely recognized as being directly involved in the nuclear programme)
 8. Shahid Hemmat Industrial Group (SHIG) (subordinate entity of AIO)
 9. Shahid Bagheri Industrial Group (SBIG) (subordinate entity of AIO)
 10. Fajr Industrial Group (formerly Instrumentation Factory Plant, subordinate entity of AIO)
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ANNEX II

List of persons referred to in Article 4(1)(b) and of persons and entities referred to in Article 5(1)(b)

CORRIGENDA

Corrigendum to Commission Directive 2006/60/CE of 7 July 2006 amending Annexes to Council Directive 90/642/EEC as regards the maximum residue levels of trifloxystrobin, thiabendazole, abamectin, benomyl, carbendazim, thiophanate-methyl, myclobutanyl, glyphosate, trimethylsulfonium, fenpropimorph and clomequat

(Official Journal of the European Union L 206 of 27 July 2006)

In the contents and in the title on page 1:

for: 'Commission Directive 2006/60/CE ...',

read: 'Commission Directive 2006/60/EC ...'.

Corrigendum to Commission Directive 2006/63/CE of 14 July 2006 amending Annexes II and VII to Council Directive 98/57/EC on the control of *Ralstonia solanacearum* (Smith) Yabuchi *et al.*

(Official Journal of the European Union L 206 of 27 July 2006)

In the contents and in the title on page 36:

for: 'Commission Directive 2006/63/CE ...',

read: 'Commission Directive 2006/63/EC ...'.

Corrigendum to Commission Directive 2006/64/CE of 18 July 2006 amending Council Directive 91/414/EEC to include clopyralid, cyprodinil, fosetyl and trinexapac as active substances

(Official Journal of the European Union L 206 of 27 July 2006)

In the contents and in the title on page 107:

for: 'Commission Directive 2006/64/CE ...',

read: 'Commission Directive 2006/64/EC ...'.
