

Official Journal

of the European Union

L 64

English edition

Legislation

Volume 50

2 March 2007

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I

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

REGULATIONS

COUNCIL REGULATION (EC) No 219/2007

of 27 February 2007

on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 171 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the European Economic and Social Committee,

Whereas:

(1) In order to create the single European sky, on 10 March 2004 the European Parliament and the Council adopted Regulation (EC) No 549/2004 laying down the framework for the creation of the single European sky (the framework Regulation)⁽¹⁾, Regulation (EC) No 550/2004 on the provision of air navigation services in the single European sky (the service provision Regulation)⁽²⁾, Regulation (EC) No 551/2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation)⁽³⁾, and Regulation (EC) No 552/2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation)⁽⁴⁾.

(2) The project to modernise air traffic management in Europe, (the SESAR project), is the technological element of the single European sky. It aims by 2020 to give the Community a high-performance air traffic

control infrastructure which will enable the safe and environmentally friendly development of air transport, benefiting fully from the technological advances of programmes such as Galileo.

(3) Following the Community's accession to Eurocontrol, the Commission and Eurocontrol have signed a cooperation framework agreement for the implementation of the single European sky and for research and development activities in the field of air traffic control.

(4) In accordance with the guidelines adopted by the Competitiveness Council of 7 June 2005 concerning the preparation of the future European space programme, the European Union will be responsible for ensuring the availability and continuity of operational services supporting its policies, and it will contribute to the development, deployment and operation of a European space infrastructure by concentrating on space-based applications to contribute to the achievement of its policies.

(5) The SESAR project aims to integrate and coordinate research and development activities which were previously undertaken in a dispersed and uncoordinated manner in the Community, including the most remote and outlying regions thereof, referred to in Article 299(2) of the Treaty.

(6) By avoiding the duplication of research and development activities, the SESAR project will not lead to an increase in the overall volume of air users' contributions to research and development efforts.

(7) The SESAR project is composed of three phases: a definition phase, a development phase and a deployment phase.

⁽¹⁾ OJ L 96, 31.3.2004, p. 1.

⁽²⁾ OJ L 96, 31.3.2004, p. 10.

⁽³⁾ OJ L 96, 31.3.2004, p. 20.

⁽⁴⁾ OJ L 96, 31.3.2004, p. 26.

- (8) The definition phase of the SESAR project aims to define the different technological steps to be taken, the priorities in the modernisation programmes and the operational implementation plans. It is co-financed by the Community and by the European Organisation for the Safety of Air Navigation (Eurocontrol).
- (9) The definition phase started in October 2005 and is carried out under the responsibility of Eurocontrol by a consortium of undertakings chosen after a public invitation to tender. It will finish in 2008 and will result in the European Air Traffic Management Master Plan. This plan will define the work programme for the implementation of the target concepts, including the different deployment strategies.
- (10) The definition phase will be followed by the development phase (2008-2013) which will develop new equipments, systems or standards, which will ensure a convergence towards a fully interoperable Air Traffic Management system in Europe.
- (11) The development phase will change into the deployment phase (2014-2020), which will be a large scale production and implementation of the new air traffic management infrastructure. The infrastructure should be composed of fully harmonised and interoperable components which guarantee high performance air transport activities in Europe.
- (12) Taking into account the number of actors who will need to be involved in this process and the financial resources and technical expertise needed, it is vital for the rationalisation of activities to set up a legal entity capable of ensuring the management of the funds assigned to the SESAR project during its development phase.
- (13) It is therefore necessary to set up a Joint Undertaking under Article 171 of the Treaty in order to enable considerable progress to be made in the development of technologies relating to air traffic control systems during the development phase and prepare the deployment phase.
- (14) The main task of the Joint Undertaking is to manage the research, development and validation activities of the Sesar project by combining public and private sector funding provided by its members and using external technical resources and in particular by using Eurocontrol's experience and expertise.
- (15) The activities undertaken by the Joint Undertaking under the SESAR programme are mainly research and development activities. Therefore, Community funding should be paid in particular from its research and development framework programmes. Additional funding can be paid from the Trans-European Network programme in accordance to Article 4(g) of Decision 1692/96/EC of the European Parliament and the Council of 23 July 1996 on Community guidelines for the development of the Trans-European transport network⁽¹⁾, which envisages the possibility of financing research and development activities.
- (16) The Community funding for the Joint Undertaking should, at this stage of the project, be limited to the development phase within the period covered by the current financial framework 2007-2013. However, this does not prejudice the possibility for the Council to review the scope, governance, funding and duration of the Joint Undertaking on the basis of the progress made in the development phase.
- (17) Substantial participation from industry is an essential element for the SESAR project. It is therefore fundamental that the public budget for the development phase of the SESAR project be supplemented by contributions from industry.
- (18) The Joint Undertaking should be set up before the end of the definition phase so that it can follow the work of the definition phase and prepare the development phase in order to ensure the rapid implementation of the European Air Traffic Management Master Plan.
- (19) The Council should decide on the endorsement of the European Air Traffic Management Master Plan, including its transfer to the Joint Undertaking, to modernise air traffic management in Europe, and should in this context also review the financing of the SESAR project and in particular the pledges of contributions from industry to the Joint Undertaking.
- (20) In order to facilitate communication with the founding members, the seat of the Joint Undertaking should be located in Brussels.
- ⁽¹⁾ OJ L 228, 9.9.1996, p. 1. Decision as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

- (21) The Joint Undertaking is a non-profit entity which shall devote all its resources to the management of a public research programme of European interest. Its two founding members are international organisations acting on behalf of their respective Member States. This entity should therefore be granted, as far as possible, the most extensive exemption from taxation from the hosting State.
- (22) The Commission should be assisted by the Single Sky Committee established by Article 5 of Regulation (EC) No 549/2004. The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (23) The Commission should inform the European Parliament and the Council on a regular basis of the progress of the Joint Undertaking. This information should be done through periodic evaluations performed by the Commission and on the basis of the annual activity reports of the Joint Undertaking.
- (24) The rules for the organisation and operation of the Joint Undertaking should be laid down by drawing up the statutes of the Joint Undertaking as set out in the Annex.
- (25) As route charges are entirely borne by airspace users, the latter contribute financially to the research and development efforts in the air traffic management sector. They should therefore be given appropriate representation within the Joint Undertaking.
- (26) Public financing for the definition and development phases of the SESAR project is substantial and investments in a new generation of air traffic management should, to a large extent, be made by Member States, including bodies designated by Member States. Member States (of the European Union and/or of Eurocontrol) should therefore be granted access free of charge, for non-commercial purposes, to the knowledge resulting from the project and be allowed to use this knowledge for their own purposes, including for calls for public tender,
2. The Joint Undertaking shall cease to exist eight years after an endorsement by the Council of the European Air Traffic Management Master Plan (the ATM Master Plan) resulting from the definition phase of the SESAR project. The Council shall decide on such endorsement acting on a proposal from the Commission.
3. The ATM Master Plan shall be communicated to the European Parliament.
4. The scope, governance, funding and duration of the Joint Undertaking shall, where appropriate, be reviewed by the Council on the basis of a proposal from the Commission according to the development of the project and of the ATM Master Plan, taking into account the evaluation referred to in Article 7.
5. The aim of the Joint Undertaking shall be to ensure the modernisation of the European air traffic management system by coordinating and concentrating all relevant research and development efforts in the Community. It shall be responsible for the execution of the ATM Master Plan and in particular for carrying out the following tasks:
- organising and coordinating the activities of the development phase of the SESAR project, in accordance with the ATM Master Plan, resulting from the definition phase of the project managed by Eurocontrol, by combining and managing under a single structure public and private sector funding,
 - ensuring the necessary funding for the activities of the development phase of the SESAR project in accordance with the ATM Master Plan,
 - ensuring the involvement of the stakeholders of the air traffic management sector in Europe, in particular: air navigation service providers, airspace users, professional staff associations, airports, and manufacturing industry; as well as the relevant scientific institutions or the relevant scientific community,
 - organising the technical work of research and development, validation and study, to be carried out under its authority while avoiding fragmentation of such activities,
 - ensuring the supervision of activities related to the development of common products duly identified in the ATM Master Plan and if necessary, to organise specific invitations to tender.
6. The Joint Undertaking shall be operational at the latest when the ATM Master Plan has been transferred to the Joint Undertaking.
- HAS ADOPTED THIS REGULATION:

Article 1

Establishment of a Joint Undertaking

1. In order to manage the activities of the development phase of the project to modernise air traffic management in Europe and to enhance safety, (the SESAR project), a Joint Undertaking is hereby established, known as 'SESAR Joint Undertaking' (the Joint Undertaking).

⁽¹⁾ OJ L 184, 17.7.1999, p. 23. Decision as last amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

7. The seat of the Joint Undertaking shall be located in Brussels.

Article 2

Legal status

1. The Joint Undertaking shall have legal personality. In every Member State, it shall enjoy the most extensive legal capacity accorded to legal persons under that State's law. It may, in particular, acquire or dispose of movable and immovable property and may be a party to legal proceedings.

2. Member States shall take all possible measures to afford the Joint Undertaking the most extensive exemption from taxation as possible as regards to VAT and other taxes and excise duties.

Article 3

Statutes of the Joint Undertaking

The Statutes of the Joint Undertaking, as set out in the Annex hereto constitute an integral part of this Regulation and are hereby adopted.

Article 4

Sources of financing

1. The financing of the Joint Undertaking shall come from contributions from its members, including private undertakings, in accordance with Articles 1 and 12 of the Statutes.

2. The Community's contribution shall be paid from the budget of the research and technological development framework programme. It may in addition be paid from the budget of the Trans-European Networks framework programme.

3. All Community financial contributions to the Joint Undertaking shall cease upon expiry of the 2007-2013 financial perspectives unless otherwise decided by the Council on the basis of a Commission proposal.

Article 5

Committee

1. The Single Sky Committee, established by Article 5 of Regulation (EC) No 549/2004, (the Committee), shall be informed on a regular basis about the work of the Joint Undertaking. To this end, the Commission shall put the Sesar project as an item on the agenda of the Committee's meetings.

2. The Commission shall adopt the Community position in the Administrative Board.

3. However, the position of the Community in the Administrative Board as regards decisions concerning the appointment of the Executive Director, strategic financial issues or decisions taken under Article 23 of the Statutes shall be adopted in accordance with the procedure referred to in Article 6(2) of this Regulation.

4. The position of the Community in the Administrative Board as regards decisions concerning the accession of new members, the modification of the Statutes and significant modifications of the ATM Master Plan shall be adopted in accordance with the procedure referred to in Article 6(3).

Article 6

Committee procedure

1. The Commission shall be assisted by the Committee referred to in Article 5.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period referred to in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at one month.

4. The Commission may consult the Committee on any other matter concerning the application of this Regulation.

5. The Committee shall adopt its Rules of Procedure.

Article 7

Evaluation

Every three years from the start of the activities of the Joint Undertaking and at least one year before expiry of the term of the Joint Undertaking, the Commission shall carry out evaluations on the implementation of this Regulation, the results obtained by the Joint Undertaking and its working methods, as well as on the general financial situation of the Joint Undertaking. The Commission shall present the results of these evaluations to the European Parliament and to the Council.

Article 8

Entry into force

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 Council
The President
P. STEINBRÜCK

ANNEX

STATUTES OF THE JOINT UNDERTAKING

*Article 1***Members**

1. The following shall be founding members of the Joint Undertaking:

— the European Community, represented by the European Commission (the Commission),

— the European Organisation for the Safety of Air Navigation (Euro-control), represented by its Agency.

2. The following may become members of the Joint Undertaking:

— the European Investment Bank,

— any other public or private undertaking or body including those from third countries that have concluded at least one agreement with the European Community in the field of air transport.

3. Any request for accession shall be addressed to the Executive Director, who shall transmit it to the Administrative Board. The Administrative Board shall decide whether to authorise negotiations. If authorisation is given, the Executive Director shall negotiate the conditions of accession and submit them to the Administrative Board. These conditions shall include, in particular, provisions relating to the financial contributions and representation within the Administrative Board. The draft agreement shall be presented to the Administrative Board for approval under Article 5(1)(d).

4. In deciding whether to authorise negotiations on accession with a public or private undertaking or body the Administrative Board shall, in particular, take account of the following criteria:

— documented knowledge and experience with air traffic management and/or with the manufacture of equipment and/or services for use in air traffic management,

— the contribution that the undertaking or body can be expected to make to the execution of the ATM Master Plan,

— the financial soundness of the undertaking or body,

— potential conflicts of interest.

5. Membership of the Joint Undertaking may not be transferred to a third party without the prior and unanimous agreement of the Administrative Board.

*Article 2***Organs of the Joint Undertaking**

The organs of the Joint Undertaking shall be the Administrative Board and the Executive Director.

*Article 3***Composition and chairmanship of the Administrative Board**

1. The Administrative Board shall be composed of:

(a) a representative from each of the members of the Joint Undertaking;

(b) a representative of the military;

(c) a representative of civil users of airspace, designated by their representative organisation at European level;

(d) an air navigation service providers' representative, designated by their representative organisation at European level;

(e) an equipment manufacturers' representative, designated by their representative organisation at European level;

(f) an airports' representative, designated by their representative organisation at European level;

(g) a representative from the bodies representing staff in the air traffic management sector, designated by their representative organisation at European level;

(h) a representative of the relevant scientific institutions or the relevant scientific community, designated by their representative organisation at European level.

2. The Administrative Board shall be chaired by the representative of the Community.

*Article 4***Voting in the Administrative Board**

1. The representatives referred to in points (a) and (c) of Article 3(1) shall have the right to vote.

2. The members of the Joint Undertaking shall have a number of votes in proportion to their contribution to the funds of the Joint Undertaking. However, notwithstanding the first sentence of this paragraph, the Community and Eurocontrol shall each have not less than 25 % of the total number of votes and the airspace users' representative referred to in point (c) of Article 3(1) shall have at least 10 % of the total number of votes.

3. Decisions of the Administrative Board shall be adopted by a simple majority of the votes cast unless otherwise provided for in these Statutes.

4. If the votes are evenly divided, the Community shall have the casting vote.

5. Any decision relating to the accession of new members (within the meaning of Article 1(2)), the appointment of the Executive Director, proposed amendments to these Statutes, proposals to the Commission on the duration of the Joint Undertaking, the dissolution of the Joint Undertaking or decisions taken under Article 23 shall require the positive vote of the Community's representative on the Administrative Board.

6. Decisions relating to the adoption of the ATM Master Plan and its modifications shall require the positive votes of the founding members. Notwithstanding paragraph 1, such decisions shall not be taken where the representatives referred to in points (c), (d), (f), and (g) of Article 3(1) are unanimously opposed.

Article 5

Responsibilities of the Administrative Board

1. In particular, the Administrative Board shall be responsible for:

- (a) adopting the ATM Master Plan endorsed by the Council as referred to in Article 1(2) of this Regulation and approving any proposal to modify it;
- (b) giving guidelines and taking the decisions necessary for the implementation of the development phase of the Sesar project and exercising overall control over its implementation;
- (c) approving the Joint Undertaking's work programme and annual work programmes referred to in Article 16(1) as well as the annual budget, including the staff establishment plan;
- (d) authorising negotiations and deciding on the accession of new members and on the relating agreements as referred to in Article 1(3);
- (e) supervising the execution of the agreements between members and the Joint Undertaking;
- (f) appointing and dismissing the Executive Director and approving the organisation chart;
- (g) deciding on the amounts and procedures for the payment of members' financial contributions and the assessment of contributions in kind;
- (h) adopting the financial regulations of the Joint Undertaking;
- (i) approving the annual accounts and balance-sheet;
- (j) adopting the annual report on the progress of the development phase of the Sesar project and its financial situation referred to in Article 16(2);

(k) deciding on proposals to the Commission on the extension and the dissolution of the Joint Undertaking;

(l) establishing procedures for granting rights of access to tangible and intangible assets which are the property of the Joint Undertaking and the transfer of such assets;

(m) laying down the rules and procedures for awarding the contracts necessary to implement the ATM Master Plan, including specific procedures for conflicts of interest;

(n) deciding on proposals to the Commission to amend the Statutes in accordance with Article 24;

(o) exercising such other powers and performing such other functions, including the establishment of subsidiary bodies, as may be necessary for the purposes of the development phase of the Sesar project;

(p) adopting the arrangements for implementing Article 8.

2. The Administrative Board shall adopt its rules of procedure which shall ensure that its proceedings run in a smooth and efficient manner, particularly in the event of a significant expansion in membership. These rules shall also include the following provisions:

- (a) the Administrative Board shall meet at least four times a year. Extraordinary meetings shall be convened either at the request of one-third of the members of the Administrative Board representing at least 30 % of the voting rights, at the request of the Community or of the Executive Director;
- (b) the meetings shall normally take place at the seat of the Joint Undertaking;
- (c) unless otherwise decided in particular cases, the Executive Director shall participate in the meetings;
- (d) specific procedures for identifying and avoiding conflicts of interest.

Article 6

Avoidance of conflicts of interest

1. Members of the Joint Undertaking or of the Administrative Board and Joint Undertaking staff are not allowed to participate in the preparation, evaluation or the awarding procedures of calls for public tender, if they own or have partnership agreements with bodies who are potential candidates for calls for public tender or represent such bodies.

2. Members of the Joint Undertaking and participants in the Administrative Board must disclose any direct or indirect personal or corporate interest in the outcome of the deliberations of the Administrative Board in relation to any matter on the agenda. This requirement also applies to the staff in relation to the tasks which are assigned to them.

3. Based on the disclosure mentioned in paragraph 2 the Administrative Board may decide to exclude members, participants or staff from decisions or tasks where a conflict of interest is likely to occur. They will not have access to information relating to the fields deemed subject to potential conflicts of interest.

Article 7

Executive Director

1. The Executive Director shall be responsible for the day-to-day management of the Joint Undertaking and is its legal representative.

2. The Executive Director shall be appointed by the Administrative Board on a proposal from the European Commission which shall include at least three candidates.

3. The Executive Director shall perform his duties with complete independence within the powers assigned to him.

4. The Executive Director shall direct the execution of the Sesar project within the guidelines established by the Administrative Board to which he shall be responsible. He shall provide the Administrative Board with all information necessary for the performance of its functions.

5. The Executive Director shall in particular:

- (a) employ, manage and supervise the staff of the Joint Undertaking, including the staff referred to in Article 8(4);
- (b) organise, manage and supervise the activities of the Joint Undertaking;
- (c) submit to the Administrative Board his proposals concerning the organisation chart;
- (d) draw up and regularly update the global and the annual work programme of the Joint Undertaking, including an estimate on programme costs, and submit them to the Administrative Board;
- (e) draw up, in accordance with the Financial Regulations, the draft annual budget, including the staff establishment plan, and submit them to the Administrative Board;
- (f) ensure that the obligations of the Joint Undertaking, with regard to the contracts and agreements it concludes are met;
- (g) ensure that the activities of the Joint Undertaking are carried out with complete independence and without any conflicts of interest;
- (h) draw up the annual report on the progress of the Sesar project and its financial situation, and such other reports as may be requested by the Administrative Board, and submit them to the latter;

(i) submit the annual accounts and balance-sheet to the Administrative Board;

(j) submit to the Administrative Board any proposal involving changes in the design of the Sesar project.

Article 8

Staff of the Joint Undertaking

1. The staff complement shall be determined in the establishment plan that will be set out in the annual budget.

2. The members of the staff of the Joint Undertaking shall have a fixed-term contract based on the conditions of employment of servants of the European Communities.

3. All staff expenditure shall be borne by the Joint Undertaking.

4. Any member of the Joint Undertaking may propose to the Executive Director to second members of its staff to the Joint Undertaking in accordance with the conditions provided for in the relevant agreement.

Staff seconded to the Joint Undertaking shall be included in the staff establishment plan and must act with complete independence under the supervision of the Executive Director.

Article 9

Agreements

1. In order to carry out the tasks defined in Article 1(5) of this Regulation, the Joint Undertaking may conclude specific agreements with its members.

2. Eurocontrol's role and contribution shall be defined in an agreement with the Joint Undertaking. This agreement shall:

- (a) establish the detailed arrangements for the transfer and the use of the results of the definition phase to the Joint Undertaking;
- (b) describe Eurocontrol's tasks and responsibilities in the implementation of the ATM Master Plan under the authority of the Joint Undertaking, such as:
 - (i) organising research, development and validation activities in accordance with the work programme of the Joint Undertaking;
 - (ii) coordinating the common developments for the future system under the responsibility of Eurocontrol;
 - (iii) proposing, after consultation with the stakeholders referred to in Article 1(5) of this Regulation, possible amendments to the ATM Master Plan;
 - (iv) updating convergence indicators (European convergence and implementation plan, local convergence and implementation plan);
 - (v) liaising with the International Civil Aviation Organisation.

3. All agreements with members shall include appropriate provisions which shall prevent any possible conflict of interest for members in performing the tasks under the said agreements.

4. Representatives of members of the Joint Undertaking shall not participate in deliberations of the Joint Undertaking pertaining to negotiations on the conclusion of their own agreements referred to in paragraph 1 and shall be denied access to the documentation on these deliberations.

Article 10

External contracts

1. Notwithstanding the provisions of Article 9, the Joint Undertaking may conclude service and supply contracts with undertakings or a consortium of undertakings, in particular to carry out the tasks provided for in Article 1(5) of this Regulation.

2. The Joint Undertaking shall ensure that the contracts referred to in paragraph 1 provide for the right of the Commission to carry out, on behalf of the Joint Undertaking, controls in order to ensure that the financial interests of the Community are protected.

3. The contracts referred to in paragraph 1 shall include all appropriate provisions relating to the intellectual property rights referred to in Article 18 and appropriate penalty clauses. In order to avoid any conflict of interests, members involved in defining work that is subject to an invitation to tender, including their staff seconded under Article 8(4), cannot take part in carrying out this work.

Article 11

Working groups

1. In order to carry out the tasks provided for in Article 1(5) of this Regulation, the Joint Undertaking can set up a limited number of working groups to carry out activities which are not already being carried out elsewhere. These groups shall rely on the expertise of professionals and shall work in a transparent manner.

2. The experts who take part in the working groups shall not belong to the staff of the Joint Undertaking.

3. The working groups shall be chaired by a representative of the Joint Undertaking.

Article 12

Financial provisions

1. The revenue of the Joint Undertaking shall come from the sources identified in Article 4 of this Regulation.

2. In order to start up the work of the Joint Undertaking, the founding members shall pay a minimum initial contribution of EUR 10 million within a period of one year from the establishment of the Joint Undertaking.

3. The members referred to in the second indent of Article 1(2) shall undertake to pay a minimum initial contribution of EUR 10 million within a period of one year from when their accession to the Joint Undertaking is accepted. This amount shall be reduced to EUR five million for members that subscribe to the Joint Undertaking within 12 months of its constitution.

In the case of undertakings, subscribing individually or collectively, which may be regarded as small or medium-sized enterprises within the meaning of the Commission recommendation of 6 May 2003 concerning the definition of small and medium-sized enterprises⁽¹⁾, this amount shall be reduced to EUR 250 000 regardless of when they become members. New members may be offered the option of paying the initial contribution in several instalments, over a period to be agreed and established in their agreements as referred to in Article 1(3).

4. The Administrative Board shall decide on the amounts which must be released by each member in proportion to the contributions which it has agreed to pay and shall establish the deadline by which the members must pay their contributions.

5. Contributions in kind are possible except as regards the contributions referred to in paragraph 2. They shall be subject to an evaluation of their value and their utility for carrying out the tasks of the Joint Undertaking and shall be specified in the agreement referred to in Article 1(3).

6. Any member of the Joint Undertaking that fails to meet its commitments concerning the contributions in kind or does not release the amount due within the prescribed time-limit shall be, for six months following the expiry of this time-limit, disqualified from voting in the Administrative Board until such time as its obligations have been met. Upon expiry of this period of six months, if the obligations have still not been met, its membership shall be revoked.

Article 13

Revenue

1. All the revenue of the Joint Undertaking shall be applied to promoting the tasks defined in Article 1(5) of this Regulation. Subject to Article 25, no payment by way of division of any excess revenue over expenditure shall be made to the members of the Joint Undertaking.

2. Notwithstanding the regulatory provisions applicable to the Community's contribution, any interest yielded by the contributions paid by its members shall be considered to be revenue of the Joint Undertaking.

Article 14

Financial regulations

1. The financial regulations of the Joint Undertaking shall be adopted by the Administrative Board.

2. The purpose of the financial regulations is to ensure the economic and sound financial management of the Joint Undertaking.

⁽¹⁾ OJ L 124, 20.5.2003, p. 36.

3. The financial regulations should respect the broad principles laid down in Commission Regulation (EC, Euratom) No 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁾, and shall in particular include the main rules on:

- (a) the presentation and structure of the Sesar project cost estimates and the annual budget;
- (b) the implementation of the annual budget and internal financial control;
- (c) the method of payment of contributions by the members of the Joint Undertaking;
- (d) the keeping and presentation of accounts and inventory records as well as the drawing up and presentation of the annual balance-sheet;
- (e) the procedure regarding calls for tender, based on non-discrimination between the countries of the members of the Joint Undertaking and the Community character of the project, the award and the terms and conditions of contracts and orders on behalf of the Joint Undertaking.

4. The detailed implementing rules enabling the Commission to ensure compliance with its obligations pursuant to Article 274 of the Treaty establishing the European Community shall be set out in an agreement between the Joint Undertaking and the Commission.

Article 15

Implementation and control of the budget

1. The financial year shall correspond to the calendar year.
2. Before 31 March of each year, the Executive Director shall transmit to the members the cost estimates of the Sesar project as approved by the Administrative Board.

The project cost estimates shall include a forecast of annual expenditure for the following two years. Within this forecast, the estimates of revenue and expenditure for the first of those two financial years (preliminary draft budget) shall be drawn up in such detail as is necessary for the internal budgetary procedure of each member regarding its financial contributions to the Joint Undertaking. The Executive Director shall supply the members with all supplementary information needed for this purpose.

3. The members shall forthwith communicate to the Executive Director their comments on the project cost estimates, and in particular on the estimates of revenue and expenditure for the following year.

4. Based on the approved project cost estimates, and taking into account the comments received from members, the Executive Director shall prepare the draft budget for the following year and submit it to the Administrative Board for adoption before 30 September.

⁽¹⁾ OJ L 357, 31.12.2002, p. 72.

5. Within two months of the end of each financial year, the Executive Director shall submit the annual accounts and balance-sheets for the preceding year to the Court of Auditors of the European Communities. The audit executed by the Court of Auditors shall be based on records and performed on the spot.

6. The Executive Director shall present the annual accounts and balance-sheet, together with the report of the Court of Auditors, to the Administrative Board for approval by a majority of 75 % of the votes cast. The Executive Director is entitled and, if requested by the Administrative Board, obliged to comment on the report.

7. The Court of Auditors shall send its report to the members of the Joint Undertaking.

Article 16

Work programme and reports

1. The Joint Undertaking shall draw up its work programme on the basis of sound management and accountability principles setting out clear deliverables and milestones. It shall consist of:

- (a) a global work programme, divided into periods of thirty-six months;
- (b) annual work programmes established each year which describe the activities, timetable and costs of the Joint Undertaking over this period.

2. The annual report shall show the progress of the Sesar project, in particular with regard to the timetable, costs and performance of this project.

Article 17

Protection of the financial interests of the Community

1. The Commission shall have the right to ensure that the financial interests of the Community are protected by carrying out effective controls. Should the Commission discover any irregularities, it shall reserve the right to reduce or suspend any subsequent payment to the Joint Undertaking.

2. The reduced or suspended amount pursuant to paragraph 1 shall be equivalent to the amount of the irregularities actually discovered by the Commission.

Article 18

Property rights

The Joint Undertaking shall own all the tangible and intangible assets created by the Joint Undertaking or transferred to it for the development phase of the Sesar project in accordance with agreements referred to in Articles 1(3) and 9, concluded by the Joint Undertaking. The Joint Undertaking may grant access rights to the knowledge resulting from the project, in particular to its members as well as Member States of the European Union and/or Eurocontrol for their own and non commercial purposes.

*Article 19***Transparency and treatment of documents**

The Administrative Board shall adopt rules on the treatment of documents in order to reconcile the requirements of security, commercial secrecy, and public access. These rules shall take into account, where appropriate, the principles and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽¹⁾.

*Article 20***Anti-fraud measures**

1. For the purposes of combating fraud, corruption and other illegal acts, Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) ⁽²⁾ shall apply.

2. The Joint Undertaking shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti Fraud Office (OLAF) ⁽³⁾ and shall forthwith issue the appropriate provisions applicable to all employees of the Joint Undertaking.

3. The Court of Auditors and OLAF may, if necessary, carry out on-the-spot checks among the recipients of the Joint Undertaking's funding and the agents responsible for allocating it.

*Article 21***Liability**

1. The Joint Undertaking shall be solely responsible for meeting its obligations.

2. The contractual liability of the Joint Undertaking shall be governed by the relevant contractual provisions and the law applicable to the contract in question.

3. Any payment by the Joint Undertaking for covering the liability referred to in paragraph 2 and the costs and expenses incurred in connection therewith shall be considered expenditure of the Joint Undertaking.

4. The Executive Director shall propose to the Administrative Board to take out any necessary insurance, and the Joint Undertaking shall take out such insurance as the Administrative Board may request.

*Article 22***Confidentiality**

The Joint Undertaking shall ensure the protection of sensitive information, the non-authorised disclosure of which could damage the interests of the contracting parties. It shall apply the principles and minimum standards of security defined and implemented by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations ⁽⁴⁾.

*Article 23***Transfer of tangible and intangible assets by the Joint Undertaking**

Upon expiry of the period referred to in Article 1 of this Regulation, the transfer by the Joint Undertaking of all or part of the tangible and intangible assets that it owns to another body shall be agreed by the Administrative Board.

*Article 24***Amending the Statutes**

1. Any member of the Joint Undertaking may submit proposals for the amendment of these Statutes to the Administrative Board.

2. If the Administrative Board agrees to such proposals by a majority of 75 % of the votes and in accordance with Article 4(5) of these Statutes, the Commission shall make a proposal in accordance with Article 5(4) of this Regulation.

*Article 25***Dissolution of the Joint Undertaking**

For the purpose of conducting the proceedings involved in winding up the Joint Undertaking, the Administrative Board shall appoint one or more liquidators, who shall comply with the decisions of the Administrative Board.

*Article 26***Applicable law**

The law of the State where the seat of the Joint Undertaking is located shall apply in any matter not covered by these Statutes.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

⁽²⁾ OJ L 136, 31.5.1999, p. 1.

⁽³⁾ OJ L 136, 31.5.1999, p. 15.

⁽⁴⁾ OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2005/952/EC (OJ L 346, 29.12.2005, p. 18).

COMMISSION REGULATION (EC) No 220/2007**of 1 March 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 2 March 2007.

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

Done at Brussels, 1 March 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 1 March 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	152,4
	MA	54,5
	TN	148,3
	TR	155,2
	ZZ	127,6
0707 00 05	MA	96,4
	MK	57,6
	TR	154,5
	ZZ	102,8
0709 90 70	MA	56,2
	TR	111,8
	ZZ	84,0
0709 90 80	IL	141,5
	ZZ	141,5
0805 10 20	CU	36,3
	EG	49,6
	IL	57,1
	MA	43,8
	TN	48,1
	TR	66,2
	ZZ	50,2
0805 50 10	EG	63,4
	IL	61,7
	TR	47,1
	ZZ	57,4
0808 10 80	AR	92,3
	CA	82,5
	CL	109,6
	CN	94,9
	US	114,4
	ZZ	98,7
0808 20 50	AR	82,6
	CL	72,2
	US	90,8
	ZA	89,4
	ZZ	83,8

⁽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 221/2007
of 1 March 2007
fixing the export refunds on milk and milk products

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(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 3(2) of Commission Regulation (EC) No 1282/2006 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 2 March 2007.

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

Done at Brussels, 1 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

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

ANNEX

Export refunds on milk and milk products applicable from 2 March 2007

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	16,64	0402 29 19 9900	L20	EUR/100 kg	—
0401 30 31 9400	L20	EUR/100 kg	25,99	0402 29 99 9100	L20	EUR/100 kg	—
0401 30 31 9700	L20	EUR/100 kg	28,67	0402 29 99 9500	L20	EUR/100 kg	—
0401 30 39 9100	L20	EUR/100 kg	16,64	0402 91 11 9370	L20	EUR/100 kg	—
0401 30 39 9400	L20	EUR/100 kg	25,99	0402 91 19 9370	L20	EUR/100 kg	—
0401 30 39 9700	L20	EUR/100 kg	28,67	0402 91 31 9300	L20	EUR/100 kg	—
0401 30 91 9100	L20	EUR/100 kg	32,68	0402 91 39 9300	L20	EUR/100 kg	—
0401 30 99 9100	L20	EUR/100 kg	32,68	0402 91 99 9000	L20	EUR/100 kg	20,09
0401 30 99 9500	L20	EUR/100 kg	48,03	0402 99 11 9350	L20	EUR/100 kg	—
0402 10 11 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 19 9350	L20	EUR/100 kg	—
0402 10 19 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 31 9300	L20	EUR/100 kg	12,02
0402 10 99 9000	L20	EUR/100 kg	—	0403 90 11 9000	L20	EUR/100 kg	—
0402 21 11 9200	L20	EUR/100 kg	—	0403 90 13 9200	L20	EUR/100 kg	—
0402 21 11 9300	L20	EUR/100 kg	—	0403 90 13 9300	L20	EUR/100 kg	—
0402 21 11 9500	L20	EUR/100 kg	—	0403 90 13 9500	L20	EUR/100 kg	—
0402 21 11 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 13 9900	L20	EUR/100 kg	—
0402 21 17 9000	L20	EUR/100 kg	—	0403 90 33 9400	L20	EUR/100 kg	—
0402 21 19 9300	L20	EUR/100 kg	—	0403 90 59 9310	L20	EUR/100 kg	16,64
0402 21 19 9500	L20	EUR/100 kg	—	0403 90 59 9340	L20	EUR/100 kg	24,35
0402 21 19 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 59 9370	L20	EUR/100 kg	24,35
0402 21 91 9100	L20	EUR/100 kg	—	0404 90 21 9120	L20	EUR/100 kg	—
0402 21 91 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 21 9160	L20	EUR/100 kg	—
0402 21 91 9350	L20	EUR/100 kg	—	0404 90 23 9120	L20	EUR/100 kg	—
0402 21 99 9100	L20	EUR/100 kg	—	0404 90 23 9130	L20	EUR/100 kg	—
0402 21 99 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 23 9140	L20	EUR/100 kg	—
0402 21 99 9300	L20	EUR/100 kg	—	0404 90 23 9150	L20	EUR/100 kg	—
0402 21 99 9400	L20	EUR/100 kg	—	0404 90 81 9100	L20	EUR/100 kg	—
0402 21 99 9500	L20	EUR/100 kg	—	0404 90 83 9110	L20	EUR/100 kg	—
0402 21 99 9600	L20	EUR/100 kg	—	0404 90 83 9130	L20	EUR/100 kg	—
0402 21 99 9700	L20	EUR/100 kg	—	0404 90 83 9150	L20	EUR/100 kg	—
0402 29 15 9200	L20	EUR/100 kg	—	0404 90 83 9170	L20	EUR/100 kg	—
0402 29 15 9300	L20	EUR/100 kg	—	0405 10 11 9500	L20	EUR/100 kg	88,00
0402 29 15 9500	L20	EUR/100 kg	—	0405 10 11 9700	L20	EUR/100 kg	89,00
0402 29 19 9300	L20	EUR/100 kg	—				
0402 29 19 9500	L20	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	88,00	0406 30 39 9500	L04	EUR/100 kg	2,42
0405 10 19 9700	L20	EUR/100 kg	89,00		L40	EUR/100 kg	5,67
0405 10 30 9100	L20	EUR/100 kg	88,00	0406 30 39 9700	L04	EUR/100 kg	3,51
0405 10 30 9300	L20	EUR/100 kg	89,00		L40	EUR/100 kg	8,25
0405 10 30 9700	L20	EUR/100 kg	89,00	0406 30 39 9930	L04	EUR/100 kg	3,51
0405 10 50 9500	L20	EUR/100 kg	86,64		L40	EUR/100 kg	8,25
0405 10 50 9700	L20	EUR/100 kg	89,00	0406 30 39 9950	L04	EUR/100 kg	3,98
0405 10 90 9000	L20	EUR/100 kg	92,28		L40	EUR/100 kg	9,33
0405 20 90 9500	L20	EUR/100 kg	81,41	0406 40 50 9000	L04	EUR/100 kg	21,31
0405 20 90 9700	L20	EUR/100 kg	84,66		L40	EUR/100 kg	26,63
0405 90 10 9000	L20	EUR/100 kg	111,06	0406 40 90 9000	L04	EUR/100 kg	21,89
0405 90 90 9000	L20	EUR/100 kg	88,82		L40	EUR/100 kg	27,36
0406 10 20 9640	L04	EUR/100 kg	18,12	0406 90 13 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	22,66		L40	EUR/100 kg	34,72
0406 10 20 9650	L04	EUR/100 kg	15,11	0406 90 15 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	18,88		L40	EUR/100 kg	35,89
0406 10 20 9830	L04	EUR/100 kg	5,61	0406 90 17 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	7,00		L40	EUR/100 kg	35,89
0406 10 20 9850	L04	EUR/100 kg	6,79	0406 90 21 9900	L04	EUR/100 kg	24,38
	L40	EUR/100 kg	8,49		L40	EUR/100 kg	34,80
0406 20 90 9913	L04	EUR/100 kg	13,46	0406 90 23 9900	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	16,81		L40	EUR/100 kg	31,42
0406 20 90 9915	L04	EUR/100 kg	18,26	0406 90 25 9900	L04	EUR/100 kg	21,43
	L40	EUR/100 kg	22,83		L40	EUR/100 kg	30,67
0406 20 90 9917	L04	EUR/100 kg	19,41	0406 90 27 9900	L04	EUR/100 kg	19,41
	L40	EUR/100 kg	24,26		L40	EUR/100 kg	27,78
0406 20 90 9919	L04	EUR/100 kg	21,68	0406 90 32 9119	L04	EUR/100 kg	17,94
	L40	EUR/100 kg	27,11		L40	EUR/100 kg	25,72
0406 30 31 9730	L04	EUR/100 kg	2,42	0406 90 35 9190	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9930	L04	EUR/100 kg	2,42	0406 90 35 9990	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9950	L04	EUR/100 kg	3,51	0406 90 37 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	8,25		L40	EUR/100 kg	34,72
				0406 90 61 9000	L04	EUR/100 kg	27,62
					L40	EUR/100 kg	39,97

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	27,21	0406 90 86 9200	L04	EUR/100 kg	22,02
	L40	EUR/100 kg	39,24		L40	EUR/100 kg	32,63
0406 90 63 9900	L04	EUR/100 kg	26,15	0406 90 86 9400	L04	EUR/100 kg	23,58
	L40	EUR/100 kg	37,90		L40	EUR/100 kg	34,49
0406 90 69 9910	L04	EUR/100 kg	26,54	0406 90 86 9900	L04	EUR/100 kg	24,82
	L40	EUR/100 kg	38,46		L40	EUR/100 kg	35,74
0406 90 73 9900	L04	EUR/100 kg	22,33	0406 90 87 9300	L04	EUR/100 kg	20,50
	L40	EUR/100 kg	31,99		L40	EUR/100 kg	30,29
0406 90 75 9900	L04	EUR/100 kg	22,78	0406 90 87 9400	L04	EUR/100 kg	20,93
	L40	EUR/100 kg	32,74		L40	EUR/100 kg	30,59
0406 90 76 9300	L04	EUR/100 kg	20,22	0406 90 87 9951	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	28,94		L40	EUR/100 kg	31,83
0406 90 76 9400	L04	EUR/100 kg	22,64	0406 90 87 9971	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	31,83
0406 90 76 9500	L04	EUR/100 kg	20,97	0406 90 87 9973	L04	EUR/100 kg	21,83
	L40	EUR/100 kg	29,76		L40	EUR/100 kg	31,26
0406 90 78 9100	L04	EUR/100 kg	22,18	0406 90 87 9974	L04	EUR/100 kg	23,39
	L40	EUR/100 kg	32,40		L40	EUR/100 kg	33,33
0406 90 78 9300	L04	EUR/100 kg	21,97	0406 90 87 9975	L04	EUR/100 kg	23,19
	L40	EUR/100 kg	31,38		L40	EUR/100 kg	32,78
0406 90 79 9900	L04	EUR/100 kg	18,14	0406 90 87 9979	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	26,08		L40	EUR/100 kg	31,42
0406 90 81 9900	L04	EUR/100 kg	22,64	0406 90 88 9300	L04	EUR/100 kg	18,10
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	26,66
0406 90 85 9930	L04	EUR/100 kg	24,82	0406 90 88 9500	L04	EUR/100 kg	18,66
	L40	EUR/100 kg	35,74		L40	EUR/100 kg	26,67
0406 90 85 9970	L04	EUR/100 kg	22,78				
	L40	EUR/100 kg	32,74				

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2006/2007 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Chapter III, Section 3 of Regulation (EC) No 1282/2006, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 28,00 EUR/100 kg

The destinations are defined as follows:

L20: All destinations except Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L04, Andorra, Gibraltar, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

COMMISSION REGULATION (EC) No 222/2007**of 1 March 2007****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

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 the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 27 February 2007.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 27 February 2007, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 2 March 2007.

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

Done at Brussels, 1 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9700	95,00
Butteroil	ex 0405 90 10 9000	116,35

COMMISSION REGULATION (EC) No 223/2007**of 1 March 2007****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

(4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to

those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter ⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

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

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Commission Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation as amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

Article 2

This Regulation shall enter into force on 2 March 2007.

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

Done at Brussels, 1 March 2007.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 2 March 2007 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	21,22	22,35
	(b) on exportation of other goods	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	66,94	70,50
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	86,47	91,08
	(c) on exportation of other goods	84,50	89,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faerøe Islands and the United States of America and to the goods listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

COMMISSION REGULATION (EC) No 224/2007**of 1 March 2007****amending Regulation (EC) No 1216/2003 as regards the economic activities covered by the labour cost index****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 450/2003 of the European Parliament and of the Council of 27 February 2003 concerning the labour cost index ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

(1) A range of statistics, of which labour cost indices form an essential part, is relevant for monitoring wage developments and inflationary pressures emanating from the labour market.

(2) The scope of the labour cost index should be extended to cover the economic activities defined by NACE Rev. 1 sections L, M, N and O. This extension means that non-market services, which account for the major share of these sections and which may have different dynamics from market services, will also be covered.

(3) The feasibility studies carried out in accordance with Article 10 of Regulation (EC) No 450/2003 show that extending the scope of the labour cost index to include the economic activities defined by NACE Rev. 1 sections L, M, N and O is feasible and that the amount of work and the costs which the extension of the labour cost index will require is in proportion to the importance of the results and benefits.

(4) The feasibility studies also show that a flexible implementation schedule will reduce implementation costs for those Member States which do not yet collect the basic data or produce the indices covered by this extension.

(5) Seasonal adjustment methods produce statistically reliable results only if the time series is sufficiently long. Seasonally adjusted series should therefore be produced and transmitted for the first time when four years of data are available.

(6) The index reference year is the year in which the average of the index is set at 100. The first index reference year is defined in Commission Regulation (EC) No 1216/2003 of 7 July 2003 implementing Regulation (EC) No 450/2003 of the European Parliament and of the Council concerning the labour costs index ⁽²⁾ as the year 2000. Indices for NACE Rev. 1 sections L, M, N and O may not be available for the year 2000 and an alternative index reference should be defined.

(7) Regulation (EC) No 1216/2003 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1216/2003 is amended as follows:

1. Article 4 is replaced by the following:

*'Article 4***Coverage of NACE Rev. 1 sections L, M, N, and O**

1. As regards Member States other than those referred to in paragraph 2, labour cost index data for NACE Rev. 1 sections L, M, N and O shall be produced and transmitted for the first quarter of 2007 and thereafter for each quarter.

2. As regards the following Member States, the data shall be produced and transmitted for the first quarter of 2009 and thereafter for each quarter: Belgium, Denmark, Greece, Spain, France, Ireland, Italy, Cyprus, Luxembourg, Malta, Austria, Poland and Sweden.

3. By way of exception to paragraphs 1 and 2, seasonally and working-day adjusted series as referred to in Article 1(2)(c) shall be produced and transmitted as soon as series covering four years of data are available';

⁽¹⁾ OJ L 69, 13.3.2003, p. 1.

⁽²⁾ OJ L 169, 8.7.2003, p. 37.

2. Annex III is deleted; shall be set at a level close to the annual average of NACE sections C to K.'
3. Item 6 in Annex IV is replaced by the following:

Article 2

'6. The first index reference year shall be the year 2000, when the annual labour cost index equals 100. If indices for NACE sections L, M, N and O are not available for the year 2000, the first available indices

This Regulation shall enter into force on the twentieth 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, 1 March 2007.

For the Commission
Joaquín ALMUNIA
Member of the Commission

COMMISSION REGULATION (EC) No 225/2007**of 1 March 2007****as regards the support for restructuring and conversion provided for in Council Regulation (EC) No 1493/1999 for the 2006/2007 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 80(b) thereof,

Whereas:

- (1) Article 13(3) of Regulation (EC) No 1493/1999 provides for that in regions classified as Objective 1 in accordance with Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽²⁾, the Community contribution to the costs of restructuring and conversion is limited to 75 % of those costs.
- (2) Regulation (EC) No 1260/1999 was repealed by Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 ⁽³⁾. In accordance with Article 3(1) of Regulation (EC) No 1260/1999, regions covered by Objective 1 were the regions corresponding to level II of the Nomenclature of Territorial Statistical Units (NUTS II) whose per capita GDP, measured in purchasing power parities has been less than 75 % of the Community average. In accordance with Article 5(1) of Regulation (EC) No 1083/2006, such regions are eligible for funding under the Convergence objective. Some regions which have been covered by Objective 1 are not covered by the Convergence objective.
- (3) This causes specific practical problems in case of the application of restructuring and conversion plans, prepared and approved for the wine year 2006/2007, in regions that were classified as Objective 1 regions under Regulation (EC) No 1260/1999 and that are no longer eligible for funding from the Structural Funds under the Convergence objective pursuant to Regulation (EC) No 1083/2006. It is difficult to differentiate, within one single financial year, between payments that are eligible for different rates of Community contribution. Therefore, it is appropriate to provide for a prolongation, for the wine year 2006/2007, of the application of Article 13(3) of Regulation (EC) No 1493/1999 to Objective 1 regions.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Article 13(3) of Regulation (EC) No 1493/1999 shall apply for the 2006/2007 wine year to regions which are classified as Objective 1 regions in accordance with Regulation (EC) No 1260/1999.

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, 1 March 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 161, 26.6.1999, p. 1. Regulation as last amended by Regulation (EC) No 173/2005 (OJ L 29, 2.2.2005, p. 3).

⁽³⁾ OJ L 210, 31.7.2006, p. 25. Regulation as amended by Regulation (EC) No 1989/2006 (OJ L 411, 30.12.2006, p. 6) and as corrected by OJ L 27, 2.2.2007, p. 5.

COMMISSION REGULATION (EC) No 226/2007

of 1 March 2007

concerning the authorisation of *Saccharomyces cerevisiae* CNCM I-1077 (Levucell SC20 and Levucell SC10 ME) as a feed additive

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.

(2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex. That application was accompanied by the particulars and documents required under Article 7(3) of that Regulation.

(3) The application concerns a new use of the preparation of *Saccharomyces cerevisiae* CNCM I-1077 (Levucell SC20, Levucell SC10 ME), as a feed additive for dairy goats and dairy sheep, to be classified in the additive category 'Zootechnical additives'.

(4) The use of *Saccharomyces cerevisiae* CNCM I-1077 was authorised without a time limit for dairy cows and cattle for fattening by Commission Regulation (EC) No 1200/2005⁽²⁾.

(5) New data were submitted in support of an application for authorisation for dairy goats and dairy sheep. The European Food Safety Authority (the Authority) concluded in its opinion of 15 June 2006 that *Saccharomyces cerevisiae* CNCM I-1077 (Levucell SC20, Levucell SC10 ME) does not have an adverse effect on animal health, human health or the environment. It further concluded that *Saccharomyces cerevisiae* CNCM I-1077 (Levucell SC20, Levucell SC10 ME) does not present any other risk which would, in accordance with Article 5(2) of Regulation (EC) No 1831/2003, exclude authorisation. According to that opinion, the use of the preparation does not have an adverse effect on these additional animal categories. The Authority does not consider that there is a need for specific requirements of post market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

(6) The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

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

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

⁽²⁾ OJ L 195, 27.7.2005, p. 6. Regulation as amended by Regulation (EC) No 1445/2006 (OJ L 271, 30.9.2006, p. 22).

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

Done at Brussels, 1 March 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive (trade name)	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingsstuff with a moisture content of 12 %				
Category of zootechnical additives. Functional group: gut flora stabilisers										
4b1711	LALLEMAND SAS	Saccharomyces cerevisiae CNCM I-1077 (Levucell SC20, Levucell SC10 ME)	Additive composition: Solid form: Preparation of <i>Saccharomyces cerevisiae</i> CNCM I-1077 of viable dried cells with a guaranteed minimal concentration of 2 × 10 ¹⁰ CFU/g Coated form: Preparation of <i>Saccharomyces cerevisiae</i> CNCM I-1077 of viable dried cells with a guaranteed minimal concentration of 1 × 10 ¹⁰ CFU/g Characterisation of the active substance: <i>Saccharomyces cerevisiae</i> CNCM I-1077: 80 % of viable dried cells and 14 % of not viable cells Analytical method ⁽¹⁾ Pour plate method and molecular identification (PCR)	Dairy goats	—	5 × 10 ⁸	3 × 10 ⁹	1. In the directions for use of the additive and premixtures, indicate the storage temperature, storage life, and stability to pelleting. 2. In complementary feedingsstuffs, do not exceed 50 °C with Levucell SC20 and 80 °C with Levucell SC10ME. 3. Coated form, only for inclusion through a pelleted feed. 4. Recommended dose for dairy goats and dairy sheep: 4 × 10 ⁹ CFU/head/day. 5. If the product is handled or mixed in a confined atmosphere, it is recommended to use safety glasses and masks for mixing if the mixers are not equipped with exhaust systems.	22 March 2017	
				Dairy sheep		1,2 × 10 ⁹	1,2 × 10 ⁹			

Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/html/crfaa/

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/html/crlfaa/

COMMISSION REGULATION (EC) No 227/2007**of 1 March 2007****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 936/2006**

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 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2006 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (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

No action shall be taken on the tenders notified from 23 February to 1 March 2007 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 936/2006.

Article 2

This Regulation shall enter into force on 2 March 2007.

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

Done at Brussels, 1 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 172, 24.6.2006, p. 6.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 27 February 2007

appointing the members and alternate members of the Advisory Committee on Safety and Health at Work

(2007/144/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 202 thereof,

Having regard to Council Decision 2003/C 218/01 of 22 July 2003 on the setting up of an Advisory Committee on Safety and Health at Work ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the list of candidates submitted to the Council by the Governments of the Member States,

Whereas the members and alternate members of the Advisory Committee on Safety and Health at Work should be appointed for a period of three years,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed members and alternate members of the Advisory Committee on Safety and Health at Work for the period from 1 March 2007 to 28 February 2010:

I. GOVERNMENT REPRESENTATIVES

Country	Members	Alternates
Belgium	Mr Christian DENEVE	Mr Willy IMBRECHTS Mr Jean-Marie LAMOTTE
Bulgaria	Ms Vaska SEMERDJIEVA	Mr Petar HADJISTOIKOV Mr Atanas KOLCHAKOV
Czech Republic	Ms Daniela KUBÍČKOVÁ	Ms Martina KAJÁNKOVÁ Ms Anežka SIXTOVÁ
Denmark	Ms Charlotte SKJOLDAGER	Ms Tove LOFT Ms Annemarie KNUDSEN

⁽¹⁾ OJ C 218, 13.9.2003, p. 1.

Country	Members	Alternates
Germany	Mr Ulrich BECKER	Mr Ulrich RIESE Mr Kai SCHÄFER
Estonia	Mr Ivar RAIK	Ms Egle KÄÄRATS Ms Siiri OTSMANN
Ireland	Mr Michael HENRY	Ms Mary DORGAN Mr Daniel KELLY
Greece	Mr Ioannis KRAPSITIS	Mr Trifonas GINALAS Mr Konstantinos PETINIS
Spain	Mr Mario GRAU-RIOS	Ms Pilar CASLA-BENITO Ms Yolanda PALACIO-FERRERO
France	Ms Mireille JARRY	Mr Robert PICCOLI Mr Yvan DENION
Italy	—	—
Cyprus	Mr Leandros NICOLAIDES	Mr Marios KOURTELLIS Mr Anastasios YIANNAKI
Latvia	Mr Renārs LŪSIS	Ms Inta LAGANOVSKA-DĪRIŅA Ms Jolanta KANČA
Lithuania	Mr Romas KANCEVIČIUS	Ms Laura PUPLAUSKAITE Mr Jonas NAUJALIS
Luxembourg	Mr Paul WEBER	Mr Robert HUBERTY Mr Carlo STEFFES
Hungary	—	—
Malta	Mr Mark GAUCI	Mr David SALIBA Mr Vince ATTARD
Netherlands	Mr R. FERINGA	Mr M.G. DEN HELD Mr H.C.J. GOUDSMIT
Austria	Ms Eva-Elisabeth SZYMANSKI	Mr Robert MURR Ms Gertrud BREINDL
Poland	Ms Danuta KORADECKA	Mr Daniel PODGÓRSKI Mr Dariusz PLEBAN
Portugal	Mr Eduardo Rafael LEANDRO	Ms Maria João MANZANO
Romania	Ms Livia COJOCARU	Ms Daniela MARINESCU Mr Dan Ion OPREA
Slovenia	Ms Tatjana PETRIČEK	Ms Mojca GRUNTAR ČINČ Mr Jože HAUKO
Slovakia	Ms Elena PALIKOVÁ	Mr Vladimír NÁROŽNÝ Mr Miloš JANOUŠEK
Finland	Mr Mikko HURMALAINEN	Ms Anna-Liisa SUNDQUIST Mr Matti LAMBERG
Sweden	Mr Bertil REMAEUS	Ms Anna-Lena HULTGÅRD SANCINI Ms Barbro KÖHLER KRANTZ
United Kingdom	Mr Malcolm DARVILL	Ms Elizabeth HODKINSON Mr Jason BATT

II. TRADE UNION REPRESENTATIVES

Country	Members	Alternates
Belgium	Mr François PHILIPS	Mr Herman FONCK Mr Stéphane LEPOUTRE
Bulgaria	Mr Ivan KOKALOV	Ms Svetlana KAROVA Mr Alexander ZAGOROV
Czech Republic	Mr Jaroslav ZAVADIL	Mr Miroslav KOSINA Mr Vlastimil ALTNER
Denmark	Ms Lone JACOBSEN	Mr Jan KAHR FREDERIKSEN Ms Dorete DANDANELL
Germany	Ms Marina SCHRÖDER	Mr Max ANGERMAIER Mr Herbert KELLER
Estonia	Mr Argo SOON	Mr Peeter ROSS Mr Ülo KRISTJUHAN
Ireland	Mr Sylvester CRONIN	Mr Fergus WHELAN Ms Louise O'DONNELL
Greece	Mr Ioannis ADMAKIS	Mr Ioannis KONSTANTINIDIS Mr Michalis RAMBIDIS
Spain	Mr Jesús GARCÍA JIMÉNEZ	Mr Tomás LÓPEZ ARIAS Mr Javier TORRES
France	Mr Gilles SEITZ	Mr Pierre-Jean COULON Mr Henri FOREST
Italy	—	—
Cyprus	Ms Maria THEOCHARIDOU	Mr Nicos ANDREOU Mr Stelios CHRISTODOULOU
Latvia	Mr Ziedonis ANTAPSONS	Mr Mārtiņš PUŽULS Ms Ija RUDŽĪTE
Lithuania	Mr Rimantas KUMPIS	Mr Vitalis JARMONTOVIČIUS Mr Gediminas MOZŪRA
Luxembourg	Mr Claude FORGET	Mr Marcel GOEREND Mr Marcel MERSCH
Hungary	—	—
Malta	Mr Saviour SAMMUT	Mr Jesmond BONELLO Mr Anthony CASARU
Netherlands	Mr W. VAN VEELEN	Mr A.W. WOLTMEIJER Mr P.F. VAN KRUINING
Austria	Ms Renate CZESKLEBA	Ms Bernardette KENDLBACHER Ms Julia LISCHKA
Poland	Ms Iwona PAWLACZYK	Ms Anita NOWAKOWSKA Mr Andrzej SZSZEPIANIŁAK
Portugal	Mr Armando da COSTA FARIA	Mr Luís Filipe NASCIMENTO LOPES Mr Joaquim Filipe COELHAS DIONÍSIO
Romania	—	—
Slovenia	Ms Lučka BÖHM	Ms Spomenka GERŽELJ Ms Betka ŠIMC
Slovakia	Mr Peter RAMPÁŠEK Mr Alexander TAŽÍK	Mr Bohuslav BENDÍK Mr Jaroslav BOBELA

Country	Members	Alternates
Finland	Ms Raili PERIMÄKI	Mr Erkki AUVINEN Ms Paula ILVESKIVI
Sweden	Mr Sven BERGSTRÖM	Ms Kerstin HILDINGSSON Mr Börje SJÖHOLM
United Kingdom	Mr Hugh ROBERTSON	Ms Liz SNAPE

III. EMPLOYERS' REPRESENTATIVES

Country	Members	Alternates
Belgium	Mr Kris DE MEESTER	Mr René DILLEN Mr André PELEGRIN
Bulgaria	Mr Georgi STOEV	Mr Vasil TODOROV Ms Denitza ILIEVA
Czech Republic	Mr Karel PETRŽELKA	Mr Miroslav BURIŠIN Ms Lidmila KLEINOVÁ
Denmark	Mr Thomas PHILBERT NIELSEN	Ms Anne Marie RØGE Mr Sven-Peter NYGAARD
Germany	Mr Thomas HOLTSMANN	Mr Herbert BENDER Mr Claus Peter WEBER
Estonia	Ms Sirje POTISEPP	Mr Ilmar LINK Ms Heddi LUTTERUS
Ireland	Mr Kevin ENRIGHT	Mr Tony BRISCOE
Greece	—	—
Spain	Mr Pere TEIXIDÓ CAMPAS	Ms Pilar IGLESIAS VALCARCE Mr Francisco PÉREZ GARCÍA
France	Ms Nathalie BUET	Mr Franck GAMBELLI Mr Patrick LEVY
Italy	—	—
Cyprus	Mr Lefteris KARYDIS	Ms Christina VASILA Ms Lena PANAGIOTOU
Latvia	Mr Edgars KORČAGINS	Mr Aleksandrs GRIGORJEVS Ms Kristine DOLGIHA
Lithuania	Mr Vaidotas LEVICKIS	Mr Giedrius MAŽŪNAITIS Mr Edmundas JANKEVIČIUS
Luxembourg	Mr Robert KANZ	Mr Pierre BLAISE Mr Fernand ENGELS
Hungary	—	—
Malta	Mr John SCICLUNA	Mr Joe DELIA Ms Charlene MINTOFF
Netherlands	Mr J.J.H. KONING	Mr W.M.J.M. VAN MIERLO Mr G.O.H. MEIJER
Austria	Ms Christa SCHWENG	Mr Heinrich BRAUNER Ms Pia-Maria ROSNER-SCHEIBENGRAB
Poland	Mr Jacek MĘCINA	Mr Michał KAMIŃSKI Mr Zbigniew ŻUREK

Country	Members	Alternates
Portugal	Mr José Henrique da COSTA TAVARES	Mr Marcelino PENA COSTA Mr Luís Miguel CORREIA MIRA
Romania	—	—
Slovenia	Mr Igor ANTAUER	Ms Nina GLOBOČNIK Ms Slavi PIRŠ
Slovakia	Mr Jozef ORIHEL	Mr Juraj UHEREK Mr Boris MICHÁLIK
Finland	Mr Jyrki HOLLMÉN	Mr Rauno TOIVONEN Ms Katja LEPPÄNEN
Sweden	Mr Eric JANNERFELDT	Mr Bodil MELLBLOM Mr Ned CARTER
United Kingdom	Ms Janet Lynne ASHERSON	Mr Keith SEXTON Mr Gerry DUFFY

Article 2

The Council shall appoint the members not yet nominated at a later date.

Article 3

This Decision shall be published for information in the *Official Journal of the European Union*.

Done at Brussels, 27 February 2007.

For the Council
The President
P. STEINBRÜCK

COUNCIL DECISION

of 27 February 2007

amending Decision 1999/70/EC concerning the external auditors of the national central banks as regards the external auditors of the Oesterreichische Nationalbank

(2007/145/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, annexed to the Treaty establishing the European Community, and in particular to Article 27(1) thereof,

Having regard to Recommendation ECB/2006/29 of the European Central Bank of 21 December 2006 to the Council of the European Union on the external auditors of the Oesterreichische Nationalbank ⁽¹⁾,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Eurosystem are to be audited by independent external auditors recommended by the Governing Council of the ECB and approved by the Council of the European Union.
- (2) Pursuant to Article 37(1) of the Federal Act on the Oesterreichische Nationalbank, the General Meeting of the Oesterreichische Nationalbank (OeNB) must elect two auditors and two alternate auditors each year. The alternate auditors will be mandated only in the event that the auditors are not able to perform the audit.
- (3) On 14 March 2006 the Council of the European Union, having regard to Recommendation ECB/2006/1 of 1 February 2006 to the Council of the European Union on the external auditors of the Oesterreichische Nationalbank ⁽²⁾, approved KPMG Alpen-Treuhand GmbH and TPA Horwath Wirtschaftsprüfung GmbH as joint external auditors, and Moore Stephens Austria Wirtschaftsprüfungsgesellschaft mbH and BDO Auxilia Treuhand GmbH as joint alternate auditors for the financial year 2006 ⁽³⁾.
- (4) On 8 September 2006 the OeNB informed the ECB that at the OeNB's General Meeting in May 2006, KPMG Alpen-Treuhand GmbH did not obtain the majority of votes necessary to be selected and, that as a consequence thereof, the second ranked auditor, TPA Horwath Wirtschaftsprüfung GmbH, was appointed first auditor. The first ranked alternate auditor, Moore Stephens

Austria Wirtschaftsprüfungsgesellschaft mbH, was appointed second auditor and the second ranked alternate auditor, BDO Auxilia Treuhand GmbH, was appointed as the sole alternate auditor. To appoint the necessary second alternate auditor, the OeNB conducted a restricted procurement procedure, selected Ernst & Young Wirtschaftsprüfungs GmbH and invited the ECB to recommend it to the Council of the European Union for approval.

- (5) The approval of the Council of the European Union is necessary to appoint Moore Stephens Austria Wirtschaftsprüfungsgesellschaft mbH as the second external auditor and Ernst & Young Wirtschaftsprüfungs GmbH as the second alternate external auditor of the OeNB.
- (6) The Governing Council of the ECB recommended that the mandate of the external auditors should be renewed on a yearly basis, not exceeding a total term of five years.
- (7) It is appropriate to follow the recommendation of the Governing Council of the ECB and to amend Council Decision 1999/70/EC ⁽⁴⁾ accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1(9) of Decision 1999/70/EC shall be replaced by the following:

'9. TPA Horwath Wirtschaftsprüfung GmbH and Moore Stephens Austria Wirtschaftsprüfungsgesellschaft mbH are hereby approved jointly as the external auditors of the OeNB for the financial year 2006.

BDO Auxilia Treuhand GmbH and Ernst & Young Wirtschaftsprüfungs GmbH are hereby approved jointly as the alternate external auditors of the OeNB for the financial year 2006.

This mandate may be renewed on a yearly basis, not exceeding a total term of five years, ending with the financial year 2010 at the latest'.

⁽¹⁾ OJ C 5, 10.1.2007, p. 1.

⁽²⁾ OJ C 34, 10.2.2006, p. 30.

⁽³⁾ OJ L 79, 16.3.2006, p. 25.

⁽⁴⁾ OJ L 22, 29.1.1999, p. 69. Decision as last amended by Decision 2007/97/EC (OJ L 42, 14.2.2007, p. 24).

Article 2

This Decision shall be notified to the European Central Bank.

Article 3

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

Done at Brussels, 27 February 2007.

For the Council
The President
P. STEINBRÜCK

COMMISSION

COMMISSION DECISION

of 28 February 2007

amending Decision 2005/393/EC as regards the conditions for the exemption from the exit ban for intra-Community trade and as regards the demarcation of the restricted zones in Bulgaria, France, Germany, and Italy

(notified under document number C(2007) 597)

(Text with EEA relevance)

(2007/146/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue ⁽¹⁾, and in particular Article 8(3) and Articles 11 and 12 thereof,

Whereas:

(1) Directive 2000/75/EC lays down control rules and measures to combat bluetongue in the Community, including the establishment of protection and surveillance zones and a ban on animals leaving those zones.

(2) Commission Decision 2005/393/EC of 23 May 2005 on protection and surveillance zones in relation to bluetongue and conditions applying to movements from or through these zones ⁽²⁾ provides for the demarcation of the global geographic areas where protection and surveillance zones (the restricted zones) are to be established by the Member States in relation to bluetongue.

(3) Intra-Community trade in ova and embryos complying with the conditions set out in Annex II.C.1 to Decision 2005/393/EC should not require the prior movement approval of the Member State of destination, as no post-collection testing for bluetongue is required, according to the risk assessment carried out by the International Embryo Transfer Society (IETS) and in line with the recommendations of the Office International des Epizooties (OIE) as regards that disease.

(4) Intra-Community trade in ova and embryos complying with the conditions set out in Annex II.C.2 to Decision 2005/393/EC should not require the prior movement approval of the Member State of destination, as post-collection testing verifies beyond doubt the absence of the disease in the donor animal.

(5) On 20 December 2006 France requested the Commission to adapt the demarcation of the restricted zone in France due to the cessation of the vector's activity in the affected area.

(6) By Decision 2006/762/EC ⁽³⁾, the Commission adopted certain protective measures against bluetongue in Bulgaria to avoid the spread of the disease from the affected area of the administrative district of Burgas in relation to the import into the Community of susceptible animals.

(7) Consequently, Bulgaria being a Member State since 1 January 2007, the affected area should now be included in Annex I to Decision 2005/393/EC.

(8) On 9 January 2007 Germany informed the Commission of new outbreaks of bluetongue in Hessen and Lower Saxony. In view of those findings, it is appropriate to amend the demarcation of the restricted zone in Germany.

(9) On 10 January 2007, Italy presented a report to the Standing Committee for the Food Chain and Animal Health which concludes that the surveillance system in place in Italy has proved that no seroconversion has occurred in the Region of Marche, since April 2005.

⁽¹⁾ OJ L 327, 22.12.2000, p. 74. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ OJ L 130, 24.5.2005, p. 22. Decision as last amended by Decision 2007/101/EC (OJ L 43, 15.2.2007, p. 40).

⁽³⁾ OJ L 311, 10.11.2006, p. 56.

- (10) Consequently, that region should be considered free of bluetongue and, on the basis of the substantiated request submitted by Italy, deleted from the Italian regions listed under Zone B in Annex I to Decision 2005/393/EC.
- (11) Decision 2005/393/EC should therefore be amended accordingly.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- (b) except in the case of frozen semen and of ova and embryos, the Member State of destination gives its approval prior to the movement.'
2. Annex I is amended in accordance with the Annex to this Decision.
- Article 2*
- This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Done at Brussels, 28 February 2007.

Article 1

Decision 2005/393/EC is amended as follows:

1. In Article 5(1), point (b) is replaced by the following:

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Annex I to Decision 2005/393/EC is amended as follows:

- (1) The following *Zone H* is added:

'Zone H

B u l g a r i a

- Administrative district of Burgas.'

- (2) The list of restricted zones in *Zone F (serotype 8)* which relates to France is replaced by the following:

' F r a n c e

- Département de l'Aube: arrondissement de Bar-sur-Aube et cantons de Arcis-sur-Aube, de Chapelle-Saint-Luc, de Mery-sur-Seine, de Piney, de Ramerupt, de Troyes (1^{er}, 2^{ème}, 3^{ème}, 4^{ème}, 5^{ème} et 7^{ème} cantons),
- Département des Ardennes,
- Département de l'Aisne,
- Département de la Marne,
- Département de la Haute-Marne: arrondissement de Saint-Dizier et cantons de Andelot-Blancheville, de Bourmont, de Chaumont-Nord, de Chaumont-Sud, de Clefmont, de Juzennecourt, de Saint-Blin, de Vignory,
- Département de la Meurthe-et-Moselle,
- Département de la Meuse,
- Département de la Moselle,
- Département du Nord,
- Département de l'Oise: arrondissements de Clermont, de Compiègne et cantons de Beauvais-Nord-Est, de Beauvais-Nord-Ouest, de Beauvais-Sud-Ouest, de Betz, de Crépy-en-Valois, de Crèvecœur-le-Grand, de Formerie, de Grandvilliers, de Marseille-en-Beauvaisis, de Nanteuil-le-Haudouin, de Nivillers, de Pont Sainte Maxence,
- Département du Pas-de-Calais,
- Département du Bas-Rhin: arrondissements de Haguenau, de Molsheim, de Saverne, de Strasbourg-campagne, de Strasbourg-ville, de Wissembourg et canton de Obernai,
- Département de Seine-Maritime: cantons de Aumale, de Blangy-sur-Bresle, de Eu,
- Département de Seine-et-Marne: cantons de Ferté-sous-Jouarre, de Lizy-sur-Ourcq, de Rebais,
- Département de la Somme,
- Département des Vosges: cantons de Bulgnéville, de Charmes, de Châtenois, de Coussey, de Mirecourt, de Neufchâteau, de Raon-l'étape, de Senones, de Vittel.'

- (3) The list of restricted zones in *Zone F (serotype 8)* which relates to Germany is replaced by the following:

' G e r m a n y

Baden-Württemberg

Stadtkreis Baden-Baden

Im Landkreis Enzkreis: Birkenfeld, Eisingen, Illingen, Ispringen, Kämpfelbach, Keltern, Kieselbronn, Knittlingen, Königsbach-Stein, Maulbronn, Mühlacker, Neuenbürg, Neulingen, Ölbronn-Dürrn, Ötisheim, Remchingen, Sternenfels, Straubenhardt

Stadtkreis Heidelberg

Stadtkreis Heilbronn

Im Landkreis Heilbronn: Bad Friedrichshall, Bad Rappenau, Bad Wimpfen, Brackenheim, Cleebronn, Eberstadt, Eppingen, Erlenbach, Gemmingen, Göggingen, Gundelsheim, Hardthausen am Kocher, Ittlingen, Jagsthausen, Kirchart, Langenbrettach, Leingarten, Möckmühl, Massenbachhausen, Neckarsulm, Neudena, Neuenstadt am Kocher, Nordheim, Oedheim, Offenau, Pfaffenhofen, Roigheim, Schwaigern, Siegelsbach, Untereisesheim, Widdern, Zaberfeld

Im Hohenlohekreis: Dörzbach, Forchtenberg, Ingelfingen, Krautheim, Öhringen, Schöntal, Weißbach, Zweiflingen

Landkreis Karlsruhe

Stadtkreis Karlsruhe

Im Landkreis Ludwigsburg: Sachsenheim

Stadtkreis Mannheim

Im Main-Tauber-Kreis: Ahorn, Assamstadt, Bad Mergentheim, Boxberg, Freudenberg, Großrinderfeld, Grünsfeld, Igersheim, Königheim, Kilsheim, Lauda-Königshofen, Tauberbischofsheim, Weikersheim, Werbach, Wertheim, Wittighausen

Neckar-Odenwald-Kreis

Im Ortenaukreis: Achern, Appenweiler, Kappelrodeck, Kehl, Lauf, Neuried, Oberkirch, Offenburg, Renchen, Rheinau, Sasbach, Sasbachwalden, Schutterwald, Willstätt

Stadtkreis Pforzheim

Landkreis Rastatt

Rhein-Neckar-Kreis

Bayern

Landkreis und Stadt Aschaffenburg

Landkreis Bad Kissingen

Im Landkreis Kitzingen: Albertshofen, Biebelried, Bruchbrunn, Dettelbach, Kitzingen, Mainstockheim, Marktsteft, Nordheim am Main, Schwarzbach am Main, Sommerach, Sulzfeld am Main, Volkach

Landkreis Main-Spessart

Landkreis Miltenberg

Landkreis Rhön-Grabfeld

Im Landkreis Schweinfurt: Bergheinfeld, Dittelbrunn, Euerbach, Frankenwinheim, Geldersheim, Gochsheim, Grafenheinfeld, Grettstadt, Kolitzheim, Niederwerrn, Poppenhausen, Röthlein, Schonungen, Schwanfeld, Schwebheim, Sennfeld, Stadtlauringen, Sulzheim, Üchtelhausen, Waigolshausen, Wasserlosen, Werneck, Wipfeld

Stadt Schweinfurt

Landkreis Würzburg ohne die Gemeinden Aub und Bieberehren

Stadt Würzburg

Brandenburg

Im Landkreis Prignitz: Besandten, Eldenburg, Wootz

Freie Hansestadt Bremen

Gesamtes Landesgebiet

Freie und Hansestadt Hamburg

Gesamtes Landesgebiet

Hessen

Gesamtes Landesgebiet

Mecklenburg-Vorpommern

Im Landkreis Ludwigslust: Belsch, Bengerstorf, Besitz, Stadt Boizenburg, Brahlstorf, Dersenow, Stadt Dömitz, Gresse, Greven, Gallin, Grebs-Niendorf, Karenz, Leussow, Stadt Lübtheen, Malk Göhren, Malliß, Neu Gülze, Neu Kaliß, Nostorf, Pritzier, Redefin, Schwanheide, Teldau, Tessin/Bzbg., Vellahn, Vielank, Warlitz

Niedersachsen

Gesamtes Landesgebiet

Nordrhein-Westfalen

Gesamtes Landesgebiet

Rheinland-Pfalz

Gesamtes Landesgebiet

Saarland

Gesamtes Landesgebiet

Sachsen-Anhalt

Landkreis Altmarkkreis Salzwedel

Landkreis Aschersleben-Staßfurt

Im Landkreis Bernburg: Güsten

Landkreis Bördekreis

Landkreis Halberstadt

Im Landkreis Jerichower Land: Hohenwarte, Lostau

Landeshauptstadt Magdeburg

Im Kreis Mansfelder Land: Abberode, Ahlsdorf, Alterode, Annarode, Arnstedt, Benndorf, Biesenrode, Bräunrode, Braunschwende, Friesdorf, Gorenzen, Greifenhagen, Großörner, Harkerode, Hergisdorf, Hermerode, Hettstedt, Klostermansfeld, Mansfeld, Möllendorf, Molmerswende, Piskaborn, Quenstedt, Ritterode, Ritzgerode, Siebigerode, Stangerode, Sylta, Ulzigerode, Vatterode, Walbeck, Welbsleben, Wiederstedt, Wippra

Landkreis Ohre-Kreis

Landkreis Quedlinburg

Im Landkreis Sangerhausen: Bennungen, Berga, Beyernaumburg, Blankenheim, Breitenbach, Breitenstein, Breitionen, Brücken (Helme), Dietersdorf, Drebsdorf, Edersleben, Emseloh, Gonna, Grillenberg, Großleinungen, Hackpfüffel, Hainrode, Hayn (Harz), Horla, Kelbra (Kyffhäuser), Kleinleinungen, Lengefeld, Martinsrieth, Morungen, Niederröblingen (Helme), Nienstedt, Oßersöblingen, Obersdorf, Pölsfeld, Questenberg, Riestedt, Riethnordhausen, Roßla, Rotha, Rottleberode, Sangerhausen, Schwenda, Stolberg (Harz), Tilleda (Kyffhäuser), Ufrungen, Wallhausen, Wettelrode, Wickerode, Wolfsberg

Im Landkreis Schönebeck: Atzendorf, Biere, Eickendorf, Förderstedt, Löbnitz(Bode), Schönebeck(Elbe), Welsleben

Im Landkreis Stendal: Aulosen, Badingen, Ballerstedt, Berkau, Bismark (Altmark), Boock, Bretsch, Büste, Dobberkau, Flessau, Gagel, Garlipp, Gladigau, Gollensdorf, Grassau, Groß Garz, Heiligenfelde, Hohenwulsch, Holzhausen, Insel, Käthen, Kläden, Könnigde, Kossebau, Kremkau, Krevese, Lückstedt, Lüderitz, Meßdorf, Möringen, Nahrstedt, Pollitz, Querstedt, Rochau, Rossau, Schäplitz, Schernebeck, Schinne, Schorstedt, Staats, Steinfeld, Tangerhütte, Uchtdorf, Uchtspringe, Vinzelberg, Volgfelde, Wanzer, Windberge, Wittenmoor

Landkreis Wernigerode

Schleswig-Holstein

Im Kreis Herzogtum Lauenburg: Alt Mölln, Aumühle, Bälau, Basedow, Basthorst, Besenthal, Börnsen, Borstorf, Breitenfelde, Bröthen, Brunstorf, Buchhorst, Büchen, Dahmker, Dalldorf, Dassendorf, Elmenhorst, Escheburg, Fitzen, Fuhlenhagen, Geesthacht, Götting, Grabau, Grambek, Groß Pampau, Grove, Gudow, Gülsow, Güster, Hamfelde, Hamwarde, Havekost, Hohenhorn, Hornbek, Juliusburg, Kankelau, Kasseburg, Klein Pampau, Koberg, Köthel, Kollow, Kröppelshagen-Fahrendorf, Krüzen, Krukow, Kuddewörde, Langenlehsten, Lanze, Lauenburg/Elbe, Lehmrade, Linau, Lüttau, Möhnsen, Mölln, Mühlenrade, Müssen, Niendorf/Stecknitz, Poggensee, Roseburg, Forstgutsbezirk Sachsenwald, Sahms, Schnakenbek, Schönberg, Schretstaken, Schulendorf, Schwarzenbek, Siebeneichen, Sirksfelde, Talkau, Tramm, Walksfelde, Wangelau, Wentorf bei Hamburg, Wentorf (Amt Sandesneben), Wiershop, Witzeze, Wohltorf, Woltersdorf, Worth

Im Kreis Pinneberg: Appen, Barmstedt, Bevern, Bilsen, Bönningstedt, Bokholt-Hanredder, Borstel-Hohenraden, Bullenkuhlen, Ellerbek, Ellerhoop, Elmshorn, Groß Nordende, Halstenbek, Haselau, Haseldorf, Hasloh, Heede, Heidgraben, Heist, Hemdingen, Hetlingen, Holm, Klein Nordende, Klein Offenseth-Sparrieshoop, Kölln-Reisiek, Kummerfeld, Seester, Moorrege, Neuendeich, Pinneberg, Prisdorf, Quickborn, Raa-Besenbek, Rellingen, Schenefeld, Seester, Seestermühe, Seeth-Ekholt, Tangstedt, Tornesch, Uetersen, Wedel

Im Kreis Segeberg: Alveslohe, Ellerau, Henstedt-Ulzburg, Norderstedt

Im Kreis Steinburg: Altenmoor, Borsfleth, Engelbrechtsche Wildnis, Glückstadt, Herzhorn, Horst (Holstein), Kiebitzreihe, Kollmar, Neuendorf b. Elmshorn, Sommerland

Im Kreis Stormarn: Ahrensburg, Ammersbek, Bargteheide, Barsbüttel, Braak, Brunsbek, Delingsdorf, Glinde, Grande, Groenwohld, Grossensee, Grosshansdorf, Hamfelde, Hammoor, Hohenfelde, Hoisdorf, Jersbek, Koethel, Luetjensee, Oststeinbek, Rausdorf, Reinbek, Siek, Stapelfeld, Steinburg, Tangstedt, Todendorf, Trittau, Witzhave

Thüringen

Landkreis Eichsfeld

Stadt Eisenach

Stadt Erfurt

Landkreis Gotha

Im Landkreis Hildburghausen: Eichenberg, Grub, Haina, Henfstädt, Marisfeld, Mendhausen, Oberstadt, Schmeheim, Themar, Westenfeld

Im Ilmkreis: Angelroda, Arnstadt, Elgersburg, Frankenhain, Gehlberg, Geraberg, Geschwenda, Gossel, Graefenroda, Ichtershausen, Liebenstein, Plaue, Wachsenburggemeinde

Im Kyffhäuserkreis: Abtsbessingen, Artern/Unstrut, Bad Frankenhausen/Kyffhäuser, Badra, Bellstedt, Bendeleben, Borxleben, Bretleben, Clingen, Ebeleben, Esperstedt, Etzleben, Freienbessingen, Göllingen, Gorsleben, Greußen, Großenehrich, Günserode, Hachelbich, Helbedündorf, Heldrungen, Holzsußra, Ichstedt, Niederbösa, Oberbösa, Oldisleben, Ringleben, Rockstedt, Rottleben, Schernberg, Seega, Sondershausen, Steinhaleben, Thüringenhausen, Topfstedt, Trebra, Voigtstedt, Wasserthaleben, Westgreußen, Wolferschwenda

Landkreis Nordhausen

Im Landkreis Schmalkalden-Meiningen: Altersbach, Aschenhausen, Bauerbach, Behrungen, Belrieth, Benshausen, Berkach, Bermbach, Bibra, Bix, Breitung/Werra, Brotterode, Christes, Dillstädt, Einhausen, Ellingshausen, Erbenhausen, Fambach, Floh-Seligenthal, Frankenheim/Rhön, Friedelshausen, Henneberg, Herpf, Heßles, Hümpfershausen, Jüchsen, Kaltensundheim, Kaltenwestheim, Kleinschmalkalden, Kühndorf, Leutersdorf, Mehmels, Meiningen, Melpers, Metzels, Neubrunn, Nordheim, Oberhof, Oberkatz, Obermaßfeld-Grimmenthal, Oberschönau, Oberweid, Oepfershausen, Queienfeld, Rentwertshausen, Rhönblick, Rippershausen, Ritschenhausen, Rohr, Rosa, Roßdorf, Rotterode, Schmalkalden, Schwallungen, Schwarza, Schwickershausen, Springstille, Steinbach-Hallenberg, Stepfershausen, Sülzfeld, Trusetal, Unterkatz, Untermaßfeld, Unterschönau, Unterweid, Utendorf, Vachdorf, Viernau, Wahns, Wallbach, Walldorf, Wasungen, Wernshausen, Wölfershausen, Wolfmannshausen, Zella-Mehlis

Im Landkreis Sömmerda: Alperstedt, Andisleben, Bilzingsleben, Büchel, Elxleben, Frömmstedt, Gangloffsömmern, Gebese, Griefstedt, Großrudstedt, Güstedt, Haßleben, Henschleben, Herrnschwende, Kannawurf, Kindelbrück, Nöda, Riethgen, Riethnordhausen, Ringleben, Schloßvippach, Schwerstedt, Sömmerda, Straußfurt, Udestedt, Walschleben, Weißensee, Wernshausen, Witterda, Wundersleben

Stadt Suhl

Unstrut-Hainich-Kreis

Wartburgkreis'

- (4) The list of restricted zones in Zone B (serotype 2) is replaced by the following:

'Zone B (serotype 2)

Italy

Abruzzo: L'Aquila with the exception of all municipalities belonging to the local health unit of Avezzano-Sulmona

Lazio: Rieti, Roma, Viterbo

Toscana: Grosseto

Umbria: Terni and Perugia'

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/147/CFSP

of 27 February 2007

repealing Joint Action 2006/319/CFSP on the European Union military operation in support of the United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC) during the election process

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) On 27 April 2006, the Council adopted Joint Action 2006/319/CFSP ⁽¹⁾ on the European Union military operation in support of the United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC) during the election process (Operation EUFOR RD Congo).
- (2) The military operation was launched on 12 June 2006 by Council Decision 2006/412/CFSP ⁽²⁾ and ended on 30 November 2006 as set out in Article 15(2) of Joint Action 2006/319/CFSP. Subsequently all forces have been redeployed from the area of operations.
- (3) Council Decision 2004/197/CFSP of 23 February 2004 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications ⁽³⁾ (Athena) determines the procedures for the audit and presentation of the accounts of an operation.

- (4) In accordance with Article 15(3) thereof, Joint Action 2006/319/CFSP should be repealed,

HAS ADOPTED JOINT ACTION:

Article 1

Joint Action 2006/319/CFSP is hereby repealed. This shall not affect the procedures foreseen in Decision 2004/197/CFSP regarding the audit and presentation of the accounts of the operation.

Article 2

This Joint Action shall enter into force on the date of its adoption.

Article 3

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 February 2007.

For the Council
The President
P. STEINBRÜCK

⁽¹⁾ OJ L 116, 29.4.2006, p. 98.

⁽²⁾ OJ L 163, 15.6.2006, p. 16.

⁽³⁾ OJ L 63, 28.2.2004, p. 68. Decision as last amended by Decision 2007/91/CFSP (OJ L 41, 13.2.2007, p. 11).