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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COUNCIL REGULATION (EC) No 508/2007

of 7 May 2007

opening tariff quotas for imports into Bulgaria and Romania of raw cane sugar for supply to refineries in the marketing years 2006/2007, 2007/2008 and 2008/2009

THE COUNCIL OF THE EUROPEAN UNION,

- (2) The full-time refiners in Bulgaria and Romania rely to a large extent on imports of raw cane sugar from traditional suppliers in certain third countries.

Having regard to the Treaty establishing the European Community, and in particular Article 37(2) thereof,

Having regard to the proposal from the Commission,

- (3) In order to avoid disruption of the supply of raw cane sugar for full-time refiners in Bulgaria and Romania, it is considered necessary to open tariff quotas for imports of such sugar into those Member States from third countries for a period covering those marketing years for which traditional supply needs have been distributed among Member States.

Having regard to the opinion of the European Parliament,

Whereas:

- (1) Article 29(1) of Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾ fixes the traditional supply need for sugar for refining for the Community. This provision has been amended by Council Regulation (EC) No 2011/2006 of 19 December 2006 adapting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector and Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community, by reason of the accession of Bulgaria and Romania to the European Union ⁽²⁾, in order to provide for the distribution during the marketing years 2006/2007, 2007/2008 and 2008/2009 of a traditional supply need of 198 748 tonnes for Bulgaria and 329 636 tonnes for Romania.

- (4) Import licences issued under the tariff quotas opened by this Regulation should be reserved for approved full-time refiners in Bulgaria and Romania.

- (5) The amount of the import duty applicable to imports under the tariff quotas opened by this Regulation should be fixed at a level which ensures fair competition in the Community sugar market, but which is not prohibitive for imports into Bulgaria and Romania. Taking into account that imports under these tariff quotas could be carried out from any third country it is therefore appropriate to fix the level of import duty at EUR 98 per tonne, which is the same level as fixed for CXL concessions sugar under Article 24 of Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽³⁾.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 384, 29.12.2006, p. 1.

⁽³⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 371/2007 (OJ L 92, 3.4.2007, p. 6).

- (6) The monitoring and management of the tariff quotas opened by this Regulation may require at a later stage the adjustment of the criteria laid down for the content of import licence applications and import licences. In order to ensure that the necessary adjustments can be made in order to take account of changing market conditions, the Commission should be empowered to amend Article 3(3) of this Regulation,
- (7) 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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Opening of tariff quotas for the import of raw cane sugar for refining

1. For the marketing year 2006/2007, tariff quotas for a total of 396 288 tonnes in white sugar equivalent for the import from any third country of raw cane sugar for refining falling within CN code 1701 11 10 shall be opened at a duty of EUR 98 per tonne.

The quantity to be imported shall be distributed as follows:

— Bulgaria: 149 061 tonnes,

— Romania: 247 227 tonnes.

2. For each of the marketing years 2007/2008 and 2008/2009, tariff quotas for a total of 528 384 tonnes in white sugar equivalent for the import from any third country of raw cane sugar for refining falling within CN code 1701 11 10 shall be opened at a duty of EUR 98 per tonne.

The quantities to be imported shall for each marketing year be distributed as follows:

— Bulgaria: 198 748 tonnes,

— Romania: 329 636 tonnes.

3. The duty of EUR 98 per tonne provided for in paragraphs 1 and 2 shall apply to standard quality raw sugar as defined in Annex I, point III, to Regulation (EC) No 318/2006.

Where the polarimetric reading of the imported raw sugar departs from 96 degrees, the duty of EUR 98 per tonne shall be increased or reduced, as appropriate, by 0,14 % per tenth of a degree difference established.

4. Quantities imported under the tariff quotas provided for in paragraphs 1 and 2 shall bear the order numbers shown in Annex I.

Article 2

Application of Regulation (EC) No 950/2006

The rules on import licences and traditional supply needs laid down in Regulation (EC) No 950/2006 shall apply to the imports of sugar under the tariff quotas opened by this Regulation, save as otherwise provided for in Article 3 of this Regulation.

Article 3

Import licences

1. Import licence applications for the quantities referred to in Article 1 shall be submitted to the competent authorities of Bulgaria and Romania as appropriate.

2. Import licence applications may be submitted only by full-time refiners which are established on the territory of Bulgaria and Romania and which are approved in accordance with Article 17 of Regulation (EC) No 318/2006.

3. Import licence applications and licences shall contain the following entries:

(a) in boxes 17 and 18: the quantities of raw sugar, in white sugar equivalent, which may not exceed the quantities for Bulgaria and Romania respectively indicated in Article 1(1) and (2);

(b) in box 20: the marketing year to which they relate and at least one of the entries listed in part A of Annex II;

(c) in box 24 (in the case of licences): at least one of the entries listed in part B of Annex II.

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

4. Import licences issued under this Regulation shall be valid only for imports into the Member State in which they are issued.

They shall be valid until the end of the marketing year for which they are issued.

5. In accordance with the procedure referred to in Article 4(2), the Commission may, if necessary, amend the provisions of paragraph 3 of this Article.

Article 4

Management Committee for Sugar

1. The Commission shall be assisted by the Management Committee for Sugar.

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

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

Article 5

Entry into force

This Regulation shall enter into force on the seventh 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, 7 May 2007.

For the Council

The President

H. SEEHOFER

ANNEX I

Order numbers

Import quota for imports into	Order number
Bulgaria	09.4365
Romania	09.4366

ANNEX II

A. Entries referred to in Article 3(3)(b):

- *in Bulgarian:* Преференциална сурова захар, предназначена за рафиниране, внесена съгласно член 1 от Регламент (ЕО) № 508/2007. Пореден номер на квотата (да бъде вписан съгласно Приложение I)
- *in Spanish:* Azúcar en bruto preferencial para refinar, importado de acuerdo con el artículo 1, del Reglamento (CE) nº 508/2007. Número de orden (insértese con arreglo al anexo I)
- *in Czech:* Preferenční surový cukr určený k rafinaci, dovezený podle čl. 1 nařízení (ES) č. 508/2007. Pořadové číslo (vloží se pořadové číslo podle přílohy I)
- *in Danish:* Præferenceråsukker til raffinering, importeret i overensstemmelse med artikel 1 i forordning (EF) nr. 508/2007. Løbenummer (løbenummer indsættes ifølge bilag I)
- *in German:* Präferenzroh Zucker zur Raffination, eingeführt gemäß Artikel 1 der Verordnung (EG) Nr. 508/2007. Laufende Nummer (Nummer gemäß Anhang I einzusetzen)
- *in Estonian:* Sooduskorra alusel määruse (EÜ) nr 508/2007 artikli 1 kohaselt imporditav rafineerimiseks ettenähtud toorsuhkur. Seerianumber ... (märgitakse vastavalt I lisale)
- *in Greek:* Προτιμησιακή ακατέργαστη ζάχαρη για ραφινάρισμα που εισάγεται σύμφωνα με το άρθρο 1 του κανονισμού (ΕΚ) αριθ. 508/2007. Αύξων αριθμός (αύξων αριθμός που παρεμβάλλεται σύμφωνα με το παράρτημα I)
- *in English:* Preferential raw sugar for refining, imported in accordance with Article 1 of Regulation (EC) No 508/2007. Order No (insert order number as referred to in Annex I)
- *in French:* Sucre brut préférentiel destiné au raffinage, importé conformément à l'article 1^{er} du règlement (CE) nº 508/2007. Numéro d'ordre (numéro d'ordre à insérer conformément à l'annexe I)
- *in Italian:* Zucchero greggio preferenziale destinato alla raffinazione, importato conformemente all'articolo 1 del regolamento (CE) n. 508/2007. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Rafinēšanai paredzēts preferences jēlcukurs, kas ievests saskaņā ar Regulas (EK) Nr. 508/2007 1. pantu. Kārtas Nr. (kārtas numuru ieraksta saskaņā ar I pielikumu)
- *in Lithuanian:* Rafinuoti skirtas žaliavinis cukrus, lengvatinėmis sąlygomis įvežtas pagal Reglamento (EB) Nr. 508/2007 1 straipsnį. Eilės numeris (eilės numeris įrašomas pagal I priedą)
- *in Hungarian:* Finomításra szánt preferenciális nyerscukor az 508/2007/EK rendelet 1. cikkével összhangban importálva. Tételszám (az I. mellékletnek megfelelő tételszámot kell beilleszteni)
- *in Maltese:* Zokkor preferenzjali mhux mahdum għar-raffinar, importat skond l-Artikolu 1 tar-Regolament (KE) Nru 508/2007. Nru. tas-Serje (dahħal in-numru tas-serje kif imsemmi fl-Anness I)
- *in Dutch:* Preferentiële ruwe suiker voor raffinage, ingevoerd overeenkomstig artikel 1 van Verordening (EG) nr. 508/2007. Volgnummer (het volgnummer invullen in overeenstemming met bijlage I)
- *in Polish:* Preferencyjny cukier surowy do rafinacji, przywieziony zgodnie z art. 1 rozporządzenia (WE) nr 508/2007. Nr porządkowy (zgodnie z załącznikiem I)
- *in Portuguese:* Açúcar bruto preferencial para refinação, importado em conformidade com o artigo 1.º do Regulamento (CE) nº 508/2007. Número de ordem (número de ordem a inserir de acordo com o anexo I)

- *in Romanian:* Zahăr brut preferențial destinat rafinării, importat în conformitate cu articolul 1 din Regulamentul (CE) nr. 508/2007. Nr. de serie (numărul de serie se va introduce conform anexei I)
- *in Slovak:* Preferenčný surový cukor určený na rafináciu dovezený v súlade s článkom 1 nariadenia (ES) č. 508/2007. Poradové číslo (poradové číslo treba vložiť v súlade s prílohou I)
- *in Slovenian:* Preferenčni surovi sladkor za prečiščevanje, uvožen v skladu s členom 1 Uredbe (ES) št. 508/2007. Zaporedna št. (zaporedna številka se vnese v skladu s Prilogo I)
- *in Finnish:* Etuuskohteluun oikeutettu, puhdistettavaksi tarkoitettu raakasokeri, tuotu asetuksen (EY) N:o 508/2007 1 artiklan mukaisesti. Järjestysnumero (lisätään liitteessä I esitetty järjestysnumero)
- *in Swedish:* Förmånsråsocker för raffinering importerat i enlighet med artikel 1 i förordning (EG) nr 508/2007. Löpnummer (löpnummer skall anges enligt bilaga I)

B. Entries referred to in Article 3(3)(c):

- *in Bulgarian:* Внос при мито от 98 EUR за тон сурова захар със стандартно качество съгласно член 1 от Регламент (ЕО) № 508/2007. Пореден номер на квотата (да бъде вписан съгласно Приложение I)
- *in Spanish:* Importación sujeta a un derecho de 98 EUR por tonelada de azúcar en bruto de la calidad tipo en aplicación del artículo 1 del Reglamento (CE) nº 508/2007. Número de orden (insértese con arreglo al anexo I)
- *in Czech:* Dovezeno s celní sazbou ve výši 98 EUR za tunu surového cukru standardní jakosti podle čl. 1 nařízení (ES) č. 508/2007. Pořadové číslo (vloží se pořadové číslo podle přílohy I)
- *in Danish:* Import til en told på 98 EUR pr. ton råsukker af standardkvalitet i overensstemmelse med artikel 1 i forordning (EF) nr. 508/2007. Løbenummer (løbenummer indsættes ifølge bilag I)
- *in German:* Einfuhr zum Zollsatz von 98 EUR je Tonne Rohzucker der Standardqualität gemäß Artikel 1 der Verordnung (EG) Nr. 508/2007. Laufende Nummer (Nummer gemäß Anhang I einzusetzen)
- *in Estonian:* Vastavalt määruse (EÜ) nr 508/2007 artikli 1 tollimaksumääraga 98 eurot tonni kohta imporditud standardkvaliteediga toorsuhkur. Seerianumber ... (märgitakse vastavalt I lisale)
- *in Greek:* Δασμός 98 ευρώ ανά τόνο ακατέργαστης ζάχαρης ποιητικού τύπου σύμφωνα με το άρθρο 1 του κανονισμού (ΕΚ) αριθ. 508/2007. Αύξων αριθμός (αύξων αριθμός που παρεμβάλλεται σύμφωνα με το παράρτημα I)
- *in English:* Import at a duty of EUR 98 per tonne of standard-quality raw sugar in accordance with Article 1 of Regulation (EC) No 508/2007. Order No (insert order number as referred to in Annex I)
- *in French:* Importation à droit de 98 EUR par tonne de sucre brut de la qualité type en application de l'article 1^{er} du règlement (CE) n° 508/2007. Numéro d'ordre (numéro d'ordre à insérer conformément à l'annexe I)
- *in Italian:* Importazione a un dazio di 98 EUR/t di zucchero greggio della qualità tipo conformemente all'articolo 1 del regolamento (CE) n. 508/2007. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Regulas (EK) Nr. 508/2007 1. panta definētā standarta kvalitātes jēlcukura ieviešana, piemērojot nodokļa likmi EUR 98 par tonnu. Kārtas Nr. (kārtas numuru ieraksta saskaņā ar I pielikumu)
- *in Lithuanian:* Standartinės kokybės žaliavinio cukraus importas pagal Reglamento (EB) Nr. 508/2007 1 straipsnį taikant 98 EUR už toną importo muitą. Eilės numeris (eilės numeris įrašomas pagal I priedą)
- *in Hungarian:* Standard minőségű nyerscukor 98 euro/tonna vámátételen történő importja az 508/2007/EK rendelet 1. cikkével összhangban. Tételszám (az I. mellékletnek megfelelő tételszámot kell beilleszteni)
- *in Maltese:* Importazzjoni ta' zokkor mhux mahdum ta' kwalità standard bid-dazju ta' EUR 98 għal kull tunnellata skond l-Artikolu 1 tar-Regolament (KE) Nru 508/2007. Nru ta' l-ordni (in-numru ta' l-ordni jiddahhal skond l-Anness I)
- *in Dutch:* Invoer tegen een recht van 98 euro per ton ruwe suiker van de standaardkwaliteit overeenkomstig artikel 1 van Verordening (EG) nr. 508/2007. Volgnummer (het volgnummer invullen in overeenstemming met bijlage I)
- *in Polish:* Przywóz po stawce celnej 98 EUR za tonę cukru surowego o standardowej jakości zgodnie z art. 1 rozporządzenia (WE) nr 508/2007. Nr porządkowy (zgodnie z załącznikiem I)

- *in Portuguese:* Importação com direito de 98 EUR por tonelada de açúcar bruto da qualidade-tipo, em aplicação do artigo 1.º do Regulamento (CE) n.º 508/2007. Número de ordem (número de ordem a inserir de acordo com o anexo I)
 - *in Romanian:* Importat la o taxă de 98 EUR per tona de zahăr brut de calitate standard în conformitate cu articolul 1 din Regulamentul (CE) nr. 508/2007. Nr. de serie (numărul de serie se va introduce conform anexei I)
 - *in Slovak:* Dovož s clom 98 EUR na tonu surového cukru štandardnej kvality v súlade s článkom 1 nariadenia (ES) č. 508/2007. Poradové číslo (poradové číslo treba vložiť v súlade s prílohou I)
 - *in Slovenian:* Uvoz po dajatvi 98 EUR na tono surovega sladkorja standardne kakovosti v skladu s členom 1 Uredbe (ES) št. 508/2007. Zaporedna št. (zaporedna številka se vnese v skladu s Prilogo I)
 - *in Finnish:* Vakiolaatuisen raakasokerin tuonti, johon sovelletaan 98 euroa tonnilta olevaa tullia asetuksen (EY) N:o 508/2007 1 artiklan mukaisesti. Järjestysnumero (lisätään liitteessä I esitetty järjestysnumero)
 - *in Swedish:* Import till en tullsats av 98 euro per ton råsocker av standardkvalitet med tillämpning av artikel 1 i förordning (EG) nr 508/2007. Löpnummer (ange löpnummer enligt bilaga I)
-

COUNCIL REGULATION (EC) No 509/2007**of 7 May 2007****establishing a multi-annual plan for the sustainable exploitation of the stock of sole in the Western Channel**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

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

Whereas:

(1) Recent scientific advice from the International Council for the Exploration of the Sea (ICES) has indicated that the sole stock in ICES Division VIIe has been subjected to levels of fishing mortality which have eroded the quantities of mature fish in the sea to the point at which the stocks may not be able to replenish themselves by reproduction and that the stocks are therefore threatened with collapse.

(2) Measures need to be taken to establish a multi-annual plan for fisheries management of the sole stock in the Western Channel.

(3) The objective of the plan is to ensure exploitation of the Western Channel sole stock that provides sustainable economic, environmental and social conditions.

(4) Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽²⁾ requires, *inter alia*, that to achieve this objective, the Community shall apply the precautionary approach in taking measures to protect and conserve the stock, to provide for its sustainable exploitation and to minimise the impact of fishing on marine ecosystems. It shall aim at a progressive implementation of an ecosystem-based approach to fisheries management, and shall contribute to efficient fishing activities within an economically viable and competitive fisheries industry, providing a fair standard and taking the interests of consumers into account.

(5) In order to achieve this objective the Western Channel sole stock must be brought within safe biological limits

by reducing fishing mortality rates and must be managed in such a way that the full reproductive capacity of the stock is maintained and a high long-term yield is provided for.

(6) The Scientific, Technical and Economic Committee for Fisheries has advised that a fishing mortality rate of 0,27 is consistent with taking a high long-term yield and achieving a low risk of depleting the productive potential of the stock.

(7) Such control of the fishing mortality rates can be achieved by establishing an appropriate method for the establishment of the level of Total Allowable Catches (TACs), and a system whereby fishing efforts on these stocks are restricted to levels at which the TACs are unlikely to be exceeded.

(8) Control measures in addition to those laid down in Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾, need to be included in order to ensure compliance with the measures laid down in this Regulation.

(9) During the first stage in the years 2007, 2008 and 2009, the multi-annual plan shall be deemed to be a recovery plan and subsequently a management plan within the meaning of Articles 5 and 6 of Regulation (EC) No 2371/2002,

HAS ADOPTED THIS REGULATION:

CHAPTER I**SUBJECT-MATTER AND OBJECTIVES***Article 1***Subject-matter**

1. This Regulation establishes a multi-annual plan for the sustainable exploitation of the stock of sole which inhabits the Western Channel (hereinafter referred to as Western Channel sole).

⁽¹⁾ OJ C 33 E, 9.2.2006, p. 495.

⁽²⁾ OJ L 358, 31.12.2002, p. 59.

⁽³⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11).

2. For the purpose of this Regulation 'Western Channel' means the area of the sea delineated by the International Council for the Exploration of the Sea as Division VIIe.

Article 2

Objective

1. The multi-annual plan shall ensure the sustainable exploitation of the Western Channel sole stock.

2. This objective shall be attained by achieving and maintaining fishing mortality at a rate of 0,27 on appropriate age-groups.

CHAPTER II

TOTAL ALLOWABLE CATCHES

Article 3

Procedure for setting the Total Allowable Catches

1. For the years 2007, 2008 and 2009 the Council shall decide each year by qualified majority on the basis of a proposal from the Commission on Total Allowable Catches (TACs) for Western Channel sole at that level of catches which, according to a scientific evaluation carried out by the Scientific, Technical and Economic Committee for Fisheries (STECF), is the higher of:

(a) that TAC whose application will result in a 20 % reduction in the fishing mortality rate in 2007 compared to the average fishing mortality rate in the years 2003, 2004 and 2005 as most recently estimated by STECF;

(b) that TAC whose application will result in the fishing mortality rate specified in Article 2(2).

2. For the years 2010, 2011 and 2012 the Council shall decide each year by qualified majority on the basis of a proposal from the Commission on TACs for Western Channel sole at that level of catches which, according to a scientific evaluation carried out by STECF, is the higher of:

(a) that TAC whose application will result in a 15 % reduction in the fishing mortality rate in 2010 compared to the average fishing mortality in the years 2007, 2008 and 2009 as most recently estimated by STECF;

(b) that TAC whose application will result in the fishing mortality rate specified in Article 2(2).

3. For 2013 and subsequent years, the Council shall decide annually by qualified majority on the basis of a proposal from the Commission on TACs for Western Channel sole at that level of catches which, according to a scientific evaluation carried out by STECF, will result in the fishing mortality rate specified in Article 2(2).

4. Notwithstanding paragraph 3, if STECF advises that the fishing mortality rate specified in Article 2(2) has not been achieved by 31 December 2012, paragraph 2 shall apply, *mutatis mutandis*, for 2013, 2014 and 2015 and paragraph 3 shall apply *mutatis mutandis* from 2016.

Article 4

Constraints on variation in TACs

Starting with the first year of application of this Regulation, the following rules shall apply:

(a) where application of Article 3 would result in a TAC which exceeds the TAC of the preceding year by more than 15 %, the Council shall adopt a TAC which shall not be more than 15 % greater than the TAC of that year;

(b) where application of Article 3 would result in a TAC which is more than 15 % less than the TAC of the preceding year, the Council shall adopt a TAC which is not more than 15 % less than the TAC of that year.

CHAPTER III

FISHING EFFORT LIMITATION

Article 5

Effort limitation

1. The TACs referred to in Chapter II shall be complemented by a system of fishing effort limitation based on the geographical area and groupings of fishing gear, and the associated conditions for the use of these fishing opportunities specified in Annex IIc to Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽¹⁾.

⁽¹⁾ OJ L 15, 20.1.2007, p. 1. Regulation as amended by Commission Regulation (EC) No 444/2007 (OJ L 106, 24.4.2007, p. 22).

2. The Council shall decide by a qualified majority, on the basis of a proposal from the Commission, on the maximum number of days at sea available for vessels present in the Western Channel and deploying beam trawls of mesh size equal to or greater than 80 mm and for vessels in the Western Channel deploying static nets with mesh size equal to or less than 220 mm.

3. The maximum number of days at sea referred to in paragraph 2 shall be adjusted in the same proportion as the adjustment in fishing mortality provided for in Article 3.

4. Notwithstanding paragraph 3, the fishing effort level to be established in each of the years 2008 and 2009 shall be maintained at the level established for 2007.

CHAPTER IV

MONITORING, INSPECTION AND SURVEILLANCE

Article 6

Margin of tolerance

By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish⁽¹⁾, the permitted margin of tolerance, in estimation of quantities, in kilograms live weight of Western Channel sole retained on board of vessels shall be 8 % of the logbook figure. If no conversion factors are laid down in Community legislation, the conversion factor adopted by the Member State whose flag the vessel is flying shall apply.

Article 7

Prior notification

The master of a Community fishing vessel that has been present in the Western Channel or his representative who wishes to tranship any quantity of sole retained on board or to land any quantity of sole in a port or landing location of a third country shall provide the competent authorities of the flag Member State at least 24 hours prior to transhipping or to landing in a third country, with the following information:

- (a) the name of the port or landing location;
- (b) the estimated time of arrival at that port or landing location;
- (c) the quantities in kilograms live weight of all species of which more than 50 kg is retained on board.

⁽¹⁾ OJ L 276, 10.10.1983, p. 1. Regulation as last amended by Regulation (EC) No 1804/2005 (OJ L 290, 4.11.2005, p. 10).

Article 8

Separate stowage of common sole

1. It shall be prohibited to retain on board a Community fishing vessel in any individual container any quantity of common sole mixed with any other species of marine organisms.

2. The masters of Community fishing vessels shall give inspectors of Member States such assistance as will enable the quantities declared in the logbook and the catches of common sole retained on board to be cross-checked.

Article 9

Transport of common sole

1. The competent authorities of a Member State may require that any quantity of common sole exceeding 300 kg caught in the Western Channel and first landed in that Member State is weighed in the presence of controllers before being transported elsewhere from the port of first landing.

2. By way of derogation from Article 13 of Regulation (EEC) No 2847/93, quantities bigger than 300 kg of common sole which are transported to a place other than that of landing or import shall be accompanied by a copy of one of the declarations provided for in Article 8(1) of Regulation (EEC) No 2847/93 pertaining to the quantities of the sole transported. The exemption provided for in Article 13(4)(b) of Regulation (EEC) No 2847/93 shall not apply.

Article 10

Specific monitoring programme

By way of derogation from Article 34c(1) of Regulation (EEC) No 2847/93, the specific monitoring programme for the sole stocks concerned may last for more than two years.

CHAPTER V

FINAL PROVISIONS

Article 11

Evaluation of management measures

The Commission shall seek scientific advice from STECF on the rate of progress towards the targets of the management plan in the third year of application of this Regulation and each third successive year of application of this Regulation.

The Commission shall, if appropriate, propose relevant measures, and the Council shall decide by qualified majority on alternative measures to achieve the objective specified in Article 2. In particular, the Council may amend the fishing mortality rate specified in Article 2(2) by qualified majority on the basis of a Commission proposal and after consulting the European Parliament.

Article 12

Special circumstances

In the event that STECF advises that the spawning stock size of Western Channel sole is suffering reduced reproductive capacity, the Council shall decide by qualified majority on the basis of a proposal from the Commission on a TAC that is lower than that provided for in Articles 3 and 4, and effort control measures other than those provided for in Article 5.

Article 13

European Fisheries Fund

In accordance with Article 3(1), the multi-annual plan shall be deemed to be a recovery plan within the meaning of Article 5 of Regulation (EC) No 2371/2002 in the years 2007, 2008 and 2009, and for the purposes of Article 21(a)(i) of Regulation (EC) No 1198/2006 ⁽¹⁾. Subsequently, the multi-annual plan shall be deemed to be a management plan within the meaning of Article 6 of Regulation (EC) No 2371/2002, and for the purposes of Article 21(a)(iv) of Regulation (EC) No 1198/2006.

Article 14

Entry into force

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 May 2007.

For the Council

The President

H. SEEHOFER

⁽¹⁾ OJ L 223, 15.8.2006, p. 1.

COMMISSION REGULATION (EC) No 510/2007**of 10 May 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 11 May 2007.

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

Done at Brussels, 10 May 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 10 May 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	MA	39,5
	TN	110,8
	TR	147,6
	ZZ	99,3
0707 00 05	JO	171,8
	MK	35,1
	TR	130,5
	ZZ	112,5
0709 90 70	TR	109,1
	ZZ	109,1
0805 10 20	EG	45,4
	IL	37,6
	MA	42,8
	ZZ	41,9
0805 50 10	AR	37,5
	ZZ	37,5
0808 10 80	AR	81,9
	BR	76,4
	CL	83,6
	CN	101,8
	NZ	122,0
	US	127,8
	UY	88,5
	ZA	85,2
	ZZ	95,9

⁽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 511/2007**of 10 May 2007****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular of the Article 36,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2006/2007 marketing year are fixed by Commission Regulation (EC) No 1002/2006 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 463/2007 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽³⁾ OJ L 179, 1.7.2006, p. 36.

⁽⁴⁾ OJ L 110, 27.4.2007, p. 11.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 11 May 2007

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	18,87	6,87
1701 11 90 ⁽¹⁾	18,87	12,74
1701 12 10 ⁽¹⁾	18,87	6,68
1701 12 90 ⁽¹⁾	18,87	12,22
1701 91 00 ⁽²⁾	24,06	13,56
1701 99 10 ⁽²⁾	24,06	8,68
1701 99 90 ⁽²⁾	24,06	8,68
1702 90 99 ⁽³⁾	0,24	0,40

⁽¹⁾ Fixed for the standard quality defined in Annex I.III to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.II to Regulation (EC) No 318/2006.⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 512/2007**of 10 May 2007****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

(1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) 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 sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

(3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 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) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

ANNEX

**Export refunds on white and raw sugar exported without further processing applicable from
11 May 2007 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	27,67 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	27,67 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009
1701 99 10 9100	S00	EUR/100 kg	30,09
1701 99 10 9910	S00	EUR/100 kg	30,09
1701 99 10 9950	S00	EUR/100 kg	30,09
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,3009

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) No 318/2006.

COMMISSION REGULATION (EC) No 513/2007**of 10 May 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 958/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 958/2006 of 28 June 2006 on a standing invitation to tender to determine refunds on exports of white sugar for the 2006/2007 marketing year ⁽²⁾ requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 958/2006 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 10 May 2007, it is appropriate to fix a maximum export refund for that partial invitation to tender.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 10 May 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 35,085 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 175, 29.6.2006, p. 49. Regulation as amended by Regulation (EC) No 203/2007 (OJ L 61, 28.2.2007, p. 3).

COMMISSION REGULATION (EC) No 514/2007**of 10 May 2007****granting no 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 not to grant any refund for the tendering period ending on 8 May 2007.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 8 May 2007 no export refund shall be granted for the products and destinations referred to in Article 1(1) of that Regulation.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 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 Commission 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 276/2007 (OJ L 76, 16.3.2007, p. 16).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

COMMISSION REGULATION (EC) No 515/2007**of 10 May 2007****fixing the export refunds on products processed from cereals and rice**

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,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 14 of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 14 of Regulation (EC) No 1785/2003 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽³⁾ on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

⁽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 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 1549/2004 (OJ L 280, 31.8.2004, p. 13).

⁽³⁾ OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX

to Commission Regulation of 10 May 2007 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	9,41	1104 23 10 9300	C10	EUR/t	7,73
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	8,06	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	8,06	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C10	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C10	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C10	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	1,68
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C10	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	12,10	1107 10 91 9000	C10	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	9,41	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	8,06	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	8,06	1108 12 00 9200	C10	EUR/t	10,75
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	10,75
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	10,75
1103 20 60 9000	C10	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	10,75
1103 20 20 9000	C10	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	10,53
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	8,06
1104 19 50 9110	C10	EUR/t	10,75	1702 30 91 9000	C10	EUR/t	10,53
1104 19 50 9130	C10	EUR/t	8,74	1702 30 99 9000	C10	EUR/t	8,06
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	8,06
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	10,53
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	8,06
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	11,04
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	7,66
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C14	EUR/t	8,06
1104 23 10 9100	C10	EUR/t	10,08				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are as follows:

C10: All destinations

C14: All destinations except for Switzerland and Liechtenstein.

COMMISSION REGULATION (EC) No 516/2007
of 10 May 2007
concerning the permanent authorisation of an additive in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, and in particular Articles 3, 9d(1) thereof,

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 ⁽²⁾, and in particular Article 25 thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition.
- (2) Article 25 of Regulation (EC) No 1831/2003 lays down transitional measures for applications for the authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of Regulation (EC) No 1831/2003.
- (3) The application for the authorisation of the additive listed in the Annex to this Regulation was submitted before the date of application of Regulation (EC) No 1831/2003.
- (4) Initial comments on those applications, as provided for in Article 4(4) of Directive 70/524/EEC, were forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Those applications are therefore to continue to be treated in accordance with Article 4 of Directive 70/524/EEC.

(5) The use of the enzyme preparation of endo-1,4-beta-xylanase EC 3.2.1.8, produced by *Bacillus subtilis* (LMG S-15136) was provisionally authorised for the first time for pigs for fattening by Commission Regulation (EC) No 261/2003 ⁽³⁾ and turkeys for fattening by Commission Regulation (EC) No 2188/2002 ⁽⁴⁾. New data were submitted in support of an application for authorisation without a time limit of that enzyme preparation. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that enzyme preparation, as specified in Annex to this Regulation, should be authorised without a time limit.

(6) The assessment of this application shows that certain procedures should be required to protect workers from exposure to the additives set out in the Annex. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽⁵⁾.

(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 belonging to the group 'Enzymes', as specified in the Annex, is authorised without a time limit as an additive in animal nutrition under the conditions laid down in that Annex.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 1800/2004 (OJ L 317, 16.10.2004, p. 37).

⁽²⁾ 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).

⁽³⁾ OJ L 37, 13.3.2003, p. 12.

⁽⁴⁾ OJ L 333, 10.12.2002, p. 5.

⁽⁵⁾ OJ L 183, 29.6.1989, p. 1. Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

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

Done at Brussels, 10 May 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingsstuff			
Enzymes								
E 1606	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Bacillus subtilis</i> (LMG S-15136) having a minimum activity of: Solid and liquid: endo-1,4-beta-xylanase: 100 IU ⁽¹⁾ /g or ml	Pigs for fattening	—	10 IU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedingsstuff: 10 IU 3. For use in compound feed rich in arabinoxylan, e.g. minimum 40 % wheat.	Without a time limit
			Turkeys for fattening	—	10 IU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedingsstuff: 10 IU 3. For use in compound feed rich in arabinoxylan, e.g. minimum 40 % wheat.	Without a time limit

⁽¹⁾ 1 IU is the amount of enzyme which liberates 1 micromole of reducing sugars (expressed in equivalent xylose) from birchwood xylan per minute at pH 4.5 and 30 °C.

⁽¹⁾ 1 IU is the amount of enzyme which liberates 1 micromole of reducing sugars (expressed in equivalent xylose) from birchwood xylan per minute at pH 4,5 and 30 °C.

COMMISSION REGULATION (EC) No 517/2007**of 10 May 2007****fixing the rates of the refunds applicable to certain cereal and rice 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 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the 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 ⁽³⁾, 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 III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (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) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-

term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals 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 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 May 2007.

⁽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 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽³⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1584/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 10 May 2007.

For the Commission

Heinz ZOUREK

Director-General Enterprise and Industry

ANNEX

Rates of the refunds applicable from 11 May 2007 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

CN code	Description of products ⁽¹⁾	(EUR/100 kg) Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,672	0,672
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	0,672	0,672
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,504	0,504
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	0,504	0,504
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– other (including unprocessed)	0,672	0,672
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	0,672	0,672
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	0,672	0,672

(*) The rates set out in this Annex are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein.

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients set out in Annex V to Commission Regulation (EC) No 1043/2005 is applicable.

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund relates only to the glucose syrup.

COMMISSION REGULATION (EC) No 518/2007
of 10 May 2007
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001, laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector⁽¹⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 9 May 2007, the quantity still available for the period until 30 June 2007, for destination zones (1) Africa, (3)

Eastern Europe and (4) Western Europe, referred to in Article 9(5) of Regulation (EC) No 883/2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 2 to 8 May 2007 should be applied and the submission of applications and the issue of licences suspended for this zone until 1 July 2007,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 2 to 8 May 2007 under Regulation (EC) No 883/2001 shall be issued in concurrence with 20,42 % of the quantities requested for zone (1) Africa, in concurrence with 35,14 % of the quantities requested for zone (3) Eastern Europe and in concurrence with 30,30 % of the quantities requested for zone (4) Western Europe.

2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 9 May 2007 and the submission of export licence applications from 11 May 2007 for destination zone (1) Africa, (3) Eastern Europe and (4) Western Europe shall be suspended until 1 July 2007.

Article 2

This Regulation shall enter into force on 11 May 2007.

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

Done at Brussels, 10 May 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 2079/2005 (OJ L 333, 20.12.2005, p. 6).

⁽²⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2165/2005 (OJ L 345, 28.12.2005, p. 1).

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 18 September 2006

on the signing and provisional application of the Agreement between the European Community and the Republic of Paraguay on certain aspects of air services

(2007/323/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 5 June 2003 the Council decided to authorise the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) The Commission has negotiated, on behalf of the Community, an Agreement with the Republic of Paraguay on certain aspects of air services in accordance with the mechanisms and directives in the Annex to that Decision.
- (3) Subject to its conclusion at a later date, the Agreement negotiated by the Commission should be signed and provisionally applied,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Agreement between the European Community and the Republic of Paraguay on certain aspects

of air services is hereby approved on behalf of the Community, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Article 3

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

The President of the Council is hereby authorised to make the notification provided for in Article 9(2) of the Agreement.

Done at Brussels, 18 September 2006.

For the Council

The President

J. KORKEAOJA

AGREEMENT**between the European Community and the Republic of Paraguay on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

THE REPUBLIC OF PARAGUAY,

of the other part,

(hereinafter referred to as the Parties),

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and the Republic of Paraguay containing provisions contrary to European Community law,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that certain provisions of the bilateral air service agreements between Member States of the European Community and the Republic of Paraguay, which are contrary to European Community law, must be brought into conformity with it in order to establish a sound legal basis for air services between the European Community and the Republic of Paraguay and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and the Republic of Paraguay, to affect the balance between Community air carriers and air carriers of the Republic of Paraguay, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community, 'LACAC Member States' shall mean Member States of the Latin American Civil Aviation Commission.

2. References in each of the agreements listed in Annex I to nationals of the Member State that is a party to the agreement concerned shall be understood as referring to nationals of the Member States of the European Community.

3. References in each of the agreements listed in Annex I to air carriers or airlines of the Member State that is a party to the agreement concerned shall be understood as referring to air carriers or airlines designated by that Member State.

*Article 2***Designation, authorisation and revocation**

1. The provisions in paragraphs 2 and 3 shall supersede the corresponding provisions in the articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by the Republic of Paraguay, and in relation to the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

The provisions in paragraphs 4 and 5 shall supersede the corresponding provisions in the articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Republic of Paraguay, its authorisations and permissions granted by the Member State, and in relation to the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. On receipt of a designation by a Member State, the Republic of Paraguay shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

- (i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law; and
- (ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operators Certificate and the relevant aeronautical authority is clearly identified in the designation; and
- (iii) the air carrier is owned, directly or through majority ownership, and it is effectively controlled by Member States and/or nationals of Member States, or by other States listed in Annex III and/or nationals of such other States.

3. The Republic of Paraguay may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

- (i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence in accordance with European Community law; or
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operators Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or
- (iii) the air carrier is not owned and effectively controlled directly or through majority ownership by Member States and/or nationals of Member States, or by other States listed in Annex III and/or nationals of such other States; or
- (iv) the air carrier is already authorised to operate under a bilateral agreement between the Republic of Paraguay and another Member State and the Republic of Paraguay demonstrates that, by exercising traffic rights under this Agreement on a route that includes a point in that other Member State, it would be circumventing restrictions on traffic rights imposed by that other agreement; or
- (v) the air carrier holds an Air Operators Certificate issued by a Member State and there is no bilateral air services

agreement between the Republic of Paraguay and that Member State, and traffic rights to that Member State have been denied to the air carrier designated by the Republic of Paraguay.

In exercising its right under this paragraph, the Republic of Paraguay shall not discriminate between Community air carriers on the grounds of nationality.

4. On receipt of a designation by the Republic of Paraguay, a Member State shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

- (i) the air carrier is established in the Republic of Paraguay; and
- (ii) the Republic of Paraguay has and maintains effective regulatory control of the air carrier and is responsible for issuing its Air Operators Certificate; and
- (iii) the air carrier is owned and effectively controlled directly or through majority ownership by LACAC Member States and/or nationals of LACAC Member States.

5. A Member State may refuse, revoke, suspend or limit the authorisation or permissions of an air carrier designated by the Republic of Paraguay where:

- (i) the air carrier is not established in the Republic of Paraguay; or
- (ii) effective regulatory control of the air carrier is not exercised or not maintained by the Republic of Paraguay or the Republic of Paraguay is not responsible for issuing its Air Operators Certificate; or
- (iii) the air carrier is not owned and effectively controlled directly or through majority ownership by LACAC Member States and/or nationals of LACAC Member States; or
- (iv) the air carrier is already authorised to operate under a bilateral agreement between the Member State and another LACAC Member State and the Member State demonstrates that, by exercising traffic rights under this Agreement on a route that includes a point in that other LACAC Member State, it would be circumventing restrictions on the traffic rights imposed by that other agreement.

*Article 3***Safety**

1. The provisions in paragraph 2 shall complement the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of the Republic of Paraguay under the safety provisions of the agreement between the Member State that has designated the air carrier and the Republic of Paraguay shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

*Article 4***Taxation of aviation fuel**

1. The provisions in paragraph 2 and 3 shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex II(d) shall prevent Member States from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of the Republic of Paraguay that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

3. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex II(d) shall prevent the Republic of Paraguay from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of a Member State that operates between a point in the territory of the Republic of Paraguay and another point in the territory of the Republic of Paraguay or in the territory of another LACAC Member State.

*Article 5***Tariffs for carriage**

1. The provisions in paragraph 2 and 3 shall complement the Articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by the Republic of Paraguay under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law. European Community law shall be applied on a non-discriminatory basis.

3. The tariffs to be charged by the air carrier(s) designated by a Member State under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage between the Republic of Paraguay and another LACAC Member State shall be subject to Paraguayan law concerning price leadership. Paraguayan law shall be applied on a non-discriminatory basis.

*Article 6***Compatibility with competition rules**

1. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex I shall:

(i) favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition;

(ii) reinforce the effects of any such agreement, decision or concerted practice; or

(iii) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. The provisions contained in the agreements listed in Annex I that are incompatible with paragraph 1 shall not be applied.

*Article 7***Annexes to this Agreement**

The Annexes to this Agreement shall form an integral part thereof.

*Article 8***Revision or amendment**

The Parties may, at any time, revise or amend this Agreement by mutual consent.

*Article 9***Entry into force and provisional application**

1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to apply this Agreement provisionally from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. Agreements and other arrangements between Member States and the Republic of Paraguay which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such agreements and arrangements upon their entry into force or provisional application.

Article 10

Termination

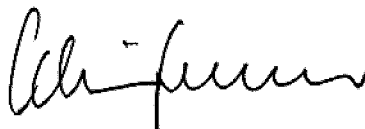
1. Should one of the agreements listed in Annex I be terminated, all provisions of this Agreement relating to the agreement concerned listed in that Annex shall terminate at the same time.

2. Should all agreements listed in Annex I be terminated, this Agreement shall terminate at the same time.

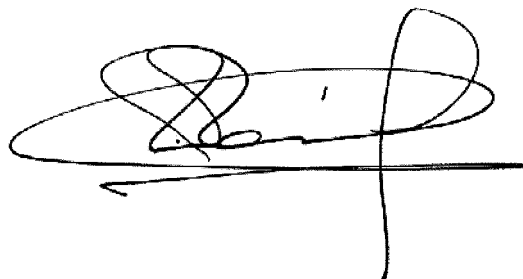
IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Brussels in duplicate, on the twenty-second day of February in the year two thousand and seven, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages. In case of divergence the Spanish text shall prevail over the other language texts.

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



За Република Парагвай
Por la República del Paraguay
Za Paraguayskou republiku
For Republikken Paraguay
Für die Republik Paraguay
Paraguay Vabariigi nimel
Για τη Δημοκρατία της Παραγουάης
For the Republic of Paraguay
Pour la République du Paraguay
Per la Repubblica del Paraguay
Paragvajas Republikas vārdā
Paragvajaus Respublikos vardu
A Paraguayi Köztársaság részéről
Għar-Repubblika tal-Paragwaj
Voor de Republiek Paraguay
W imieniu Republiki Paragwaju
Pela República do Paraguai
Pentru Republica Paraguay
Za Paragvajskú republiku
Za Republiko Paragvaj
Paraguayn tasavallan puolesta
För Republiken Paraguay



ANNEX I

List of Agreements referred to in Article 1 of this Agreement

- (a) Air service agreements between the Republic of Paraguay and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally
- Air Transport Agreement between the Republic of Paraguay and the Federal Republic of Germany, signed in Bonn on 26 November 1974, hereinafter referred to as 'Paraguay–Germany Agreement' in Annex II,
 - Agreement between the Republic of Paraguay and the Kingdom of Belgium on scheduled air transport, signed in Asuncion on 1 September 1972, as modified by the Agreed Record signed in Brussels on 3 September 1982, hereinafter referred to as 'Paraguay–Belgium Agreement' in Annex II,
 - Agreement between the Government of the Republic of Paraguay and the Government of Spain on air transport, signed in Madrid on 12 May 1976, as supplemented by the Agreed Record signed in Asuncion on 2 November 1978, by the Agreed Record signed in Asuncion on 1 September 1985, and by the Agreed Record signed in Madrid on 6 October 1992, hereinafter referred to as 'Paraguay–Spain Agreement' in Annex II,
 - Agreement between the Republic of Paraguay and the Kingdom of the Netherlands concerning scheduled air transport, signed in The Hague on 7 February 1974, hereinafter referred to as 'Paraguay–Netherlands' Agreement in Annex II;
- (b) Air service agreements and other arrangements initialled or signed between the Republic of Paraguay and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally
- Draft Agreement between the Government of the Republic of Paraguay and the Government of the Italian Republic on air services between their respective territories, initialled in Rome on 18 July 1985 as Annex to the Agreed Record of Consultations, hereinafter referred to as 'Draft Paraguay–Italy Agreement' in Annex II,
 - Draft Agreement between the Government of the Republic of Paraguay and the Government of the United Kingdom of Great Britain and Northern Ireland concerning air services, initialled in Asuncion on 28 August 1998 as Annex B to the Agreed Protocol between the aeronautical authorities of the Republic of Paraguay and the United Kingdom, hereinafter referred to as 'Draft Paraguay–United Kingdom Agreement' in Annex II.
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ANNEX II

List of Articles in the agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

- (a) Designation:
- Article 3 of the Paraguay-Germany Agreement,
 - Article 3 of the Paraguay-Belgium Agreement,
 - Article 3 of the Paraguay-Spain Agreement,
 - Article 4 of the Draft Paraguay-Italy Agreement,
 - Article 3 of the Paraguay-Netherlands Agreement,
 - Article 4 of the Draft Paraguay-United Kingdom Agreement;
- (b) Refusal, revocation, suspension or limitation of authorisations or permissions:
- Article 4 of the Paraguay-Germany Agreement,
 - Article 4 of the Paraguay-Belgium Agreement,
 - Article 4 of the Paraguay-Spain Agreement,
 - Article 5 of the Draft Paraguay-Italy Agreement,
 - Article 4 of the Paraguay-Netherlands Agreement,
 - Article 5 of the Draft Paraguay-United Kingdom Agreement;
- (c) Regulatory control:
- Article 10 of the Draft Paraguay-Italy Agreement,
 - Article 14 of the Draft Paraguay-United Kingdom Agreement;
- (d) Taxation of aviation fuel:
- Article 6 of the Paraguay-Germany Agreement,
 - Article 5 of the Paraguay-Belgium Agreement,
 - Article 5 of the Paraguay-Spain Agreement,
 - Article 6 of the Draft Paraguay-Italy Agreement,
 - Article 5 of the Paraguay-Netherlands Agreement,
 - Article 8 of the Draft Paraguay-United Kingdom Agreement;
- (e) Tariffs for carriage within the European Community:
- Article 9 of the Paraguay-Germany Agreement,
 - Article 9 of the Paraguay-Belgium Agreement,
 - Article 6 of the Paraguay-Spain Agreement,
 - Article 8 of the Draft Paraguay-Italy Agreement,
 - Article 9 of the Paraguay-Netherlands Agreement,
 - Article 7 of the Draft Paraguay-United Kingdom Agreement.
-

*ANNEX III***List of other States referred to in Article 2 of this Agreement**

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
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COUNCIL DECISION

of 7 May 2007

on the practical and procedural arrangements with a view to the nomination by the Council of the two members of the selection panel and the monitoring and advisory panel for the 'European Capital of Culture' Community action

(2007/324/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 1622/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Community action for the European Capital of Culture event for the years 2007 to 2019 ⁽¹⁾, and in particular Articles 6 and 10 thereof,

Whereas:

- (1) Articles 6 and 10 of Decision No 1622/2006/EC provide that a selection panel and a monitoring and advisory panel are to be established and that these panels are to include seven members nominated by the European institutions, two of whom are to be nominated by the Council.
- (2) It is appropriate for the Council to decide on the practical and procedural arrangements for the nomination of the two members of these two panels by the Council.
- (3) These arrangements should be fair, non-discriminatory and transparent,

HAS DECIDED AS FOLLOWS:

Article 1

The Council shall decide on the nomination of two members of the selection panel and the monitoring and advisory panel in accordance with the practical and procedural arrangements laid down in Article 2.

Article 2

1. A draw shall be organised among all Member States. The participation of Member States in the draw shall be voluntary. However, to minimise the risk of a conflict of interest, Member

States hosting a European Capital of Culture that is to be selected or monitored during the term of office of the members of the panel shall be excluded from the draw. A list of Member States concerned, based on the order of entitlement to nominate a European Capital of Culture in accordance with the Annex to Decision No 1622/2006/EC, is set out in the Annex to this Decision. Additionally, to ensure the widest possible geographical distribution of Member States recommending experts, Member States that recommended experts for the previous period shall be excluded from the draw.

2. The first two Member States to be drawn shall be selected. Each of these two Member States shall recommend the nomination of one independent expert with substantial experience and expertise in the cultural sector, in the cultural development of cities or in the organisation of a European Capital of Culture.

3. On the basis of the recommendations of the two selected Member States and following due scrutiny of the recommended candidates, the Council shall nominate the two experts who are to form part of the selection panel and the monitoring and advisory panel for a period of three years.

4. In case of the death or resignation of a panel expert, the Member State that recommended the expert in question shall recommend the nomination of a replacement for the remainder of the term of office. The procedure referred to in paragraph 3 shall apply.

Article 3

This Decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 7 May 2007.

For the Council

The President

H. SEEHOFER

⁽¹⁾ OJ L 304, 3.11.2006, p. 1.

ANNEX

Foreseeable meetings of the selection panel and the monitoring and advisory panel

	Selection panel meetings ⁽¹⁾	Monitoring and advisory panel meetings ⁽²⁾
PANEL 2007-2009	Finland (2011) Estonia (2011) ⁽³⁾ France (2013) Slovakia (2013) Portugal (2012) Slovenia (2012) Sweden (2014) Latvia (2014) Belgium (2015) Czech Republic (2015)	Germany (2010) Hungary (2010) Finland (2011) Estonia (2011) Portugal (2012) Slovenia (2012)
PANEL 2010-2012	Belgium (2015) Czech Republic (2015) Spain (2016) Poland (2016) Denmark (2017) Cyprus (2017) Netherlands (2018) Malta (2018)	Finland (2011) Estonia (2011) Portugal (2012) Slovenia (2012) France (2013) Slovakia (2013) Sweden (2014) Latvia (2014) Belgium (2015) Czech Republic (2015)
PANEL 2013-2015	Italy (2019) Bulgaria (2019) ⁽⁴⁾	Sweden (2014) Latvia (2014) Belgium (2015) Czech Republic (2015) Spain (2016) Poland (2016) Denmark (2017) Cyprus (2017) Netherlands (2018) Malta (2018)

⁽¹⁾ Two selection meetings per country: pre-selection no later than five years before the event, final selection nine months later.

⁽²⁾ Two monitoring meetings per country: no later than two years before the event, no later than eight months before the event.

⁽³⁾ The Council experts for the selection of the European Capitals of Culture for 2011 were appointed by the Council on 13 November 2006 in accordance with Decision No 1419/1999/EC.

⁽⁴⁾ Order of entitlement after 2019 not known.

COMMISSION

COMMISSION DECISION

of 27 April 2007

on the clearance of the accounts of the paying agencies of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia concerning expenditure in the field of rural development measures financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 2006 financial year

(notified under document number C(2007) 1893)

(Only the Czech, English, Estonian, Greek, Hungarian, Latvian, Lithuanian, Polish, Slovak and Slovenian texts are authentic)

(2007/325/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 7(3) thereof,

After consulting the Fund Committee,

Whereas:

(1) On the basis of the annual accounts submitted by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia concerning expenditure in the field of rural development measures, accompanied by the information required, the accounts of the paying agencies referred to in Article 4(1) of Regulation (EC) No 1258/1999 are to be cleared. The clearance covers the integrality, accuracy and veracity of the accounts transmitted in the light of the reports established by the certification bodies.

(2) The time limits granted to the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia for the submission to the Commission of the documents referred to in Article 6(1)(b) of Regulation (EC) 1258/1999 and in Article 4(1) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of accounts of the EAGGF Guarantee Section ⁽²⁾, have expired.

(3) The Commission has checked the information submitted and communicated to the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia before 31 March 2007 the results of its verifications, along with the necessary amendments.

(4) For the rural development expenditure covered by Article 7(2) of Commission Regulation (EC) No 27/2004 of 5 January 2004 laying down transitional detailed rules for the application of Council Regulation (EC) No 1257/1999 as regards the financing by the EAGGF Guarantee Section of rural development measures in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia ⁽³⁾ the outcome of the clearance decision is to be deducted from or added to subsequent payments made by the Commission.

(5) In the light of the verifications made, the annual accounts and the accompanying documents permit the Commission to take, for certain paying agencies, a decision on the integrality, accuracy and veracity of the accounts submitted. The details of these amounts were described in the Summary Report that was presented to the Fund Committee at the same time as this Decision.

(6) In the light of the verifications made, the information submitted by certain paying agencies requires additional inquiries and their accounts cannot be therefore cleared in this Decision.

(7) For the rural development expenditure covered by Regulation (EC) No 27/2004, the amounts recoverable or payable under the clearance of accounts decision are to be deducted from or added to subsequent payments.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 158, 8.7.1995, p. 6. Regulation as last amended by Regulation (EC) No 465/2005 (OJ L 77, 23.3.2005, p. 6).

⁽³⁾ OJ L 5, 9.1.2004, p. 36.

- (8) In accordance with the second subparagraph of Article 7(3) of Regulation (EC) No 1258/1999 and Article 7(1) of Regulation (EC) No 1663/95, this Decision, does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Article 2, the amounts which are recoverable from, or payable to, each Member State pursuant to this Decision in the field of rural development measures applicable in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia are set out in Annex I and Annex II.

Article 2

For the 2006 financial year, the accounts of the Member States' paying agencies in the field of rural development measures

applicable in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, set out in Annex III, are disjoined from this Decision and shall be the subject of a future clearance Decision.

Article 3

This Decision is addressed to the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

Done at Brussels, 27 April 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
Financial year 2006 — Rural Development Expenditure in New Member States
Amount to be recovered from or paid to the Member State

MS	Expenditure for the Paying Agencies for which the accounts are			Total a + b	Reductions	Total	Interim Payments reimbursed to the Member State for the financial year	Amount to be recovered from (-) or paid to (+) the Member State			
	cleared	disjoined									
	a	b	c = a + b	d	e = c + d	f	g = e - f				
CY	24 796 690,13	0,00	24 796 690,13	0,00	24 796 690,13	24 797 284,89	- 594,76				
CZ	176 491 761,34	0,00	176 491 761,34	- 10 444,11	176 481 317,23	176 353 014,70	128 302,53				
EE	42 423 603,39	0,00	42 423 603,39	- 15 231,72	42 408 371,67	42 408 371,67	0,00				
HU	296 033 597,90	0,00	296 033 597,90	- 9 339,13	296 024 258,77	296 024 258,77	0,00				
LT	0,00	140 016 475,42	140 016 475,42	0,00	140 016 475,42	140 016 475,42	0,00				
LV	95 213 650,83	0,00	95 213 650,83	0,00	95 213 650,83	95 213 651,75	- 0,92				
MT	7 944 230,12	0,00	7 944 230,12	- 4 618,97	7 939 611,15	7 939 611,15	0,00				
PL	1 149 569 960,50	0,00	1 149 569 960,50	- 13 069,51	1 149 556 890,99	1 149 556 398,09	492,90				
SI	118 941 385,27	0,00	118 941 385,27	0,00	118 941 385,27	118 942 873,75	- 1 488,48				
SK	0,00	117 783 440,91	117 783 440,91	0,00	117 783 440,91	117 783 440,91	0,00				

MS	Advances paid but still to be cleared for the programme implementation (Article 32 of Council Regulation (EC) No 1260/1999)
CZ	EUR 86 848 000,00
CY	EUR 11 968 000,00
EE	EUR 24 080 000,00
HU	EUR 96 368 000,00
LT	EUR 78 320 000,00
LV	EUR 52 496 000,00
MT	EUR 4 304 000,00
PL	EUR 458 624 000,00
SI	EUR 45 056 000,00
SK	EUR 63 536 000,00

ANNEX II

CLEARED EXPENDITURE BY RURAL DEVELOPMENT MEASURE FOR EXERCISE 2006

Differences between annual accounts and declarations of expenditure

Cyprus

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Support of investments for management of animal waste	9 443 852,29	0,00	9 443 852,29
2	Encouragement of the improvement and the development	1 239 312,75	0,00	1 239 312,75
3	Encouragement of the set up of producer groups	0,00	0,00	0,00
4	Promotion of vocational training of farmers	0,00	0,00	0,00
5	Technical and advisory service to the farmers	0,00	0,00	0,00
6	Early retirement	486 308,23	0,00	486 308,23
7	Support for setting up of young farmers	1 275 250,49	0,00	1 275 250,49
8	Meeting EU standards	1 360 168,93	0,00	1 360 168,93
9	Adoption of agri-environmental measures	4 130 349,24	0,00	4 130 349,24
10	Agri-environmental actions for the protection of natural value	556 903,68	0,00	556 903,68
11	Afforestation	13 952,08	0,00	13 952,08
12	Improving of infrastructure for livestock development	192 901,09	0,00	192 901,09
13	Less Favourite Areas	4 881 517,45	0,00	4 881 517,45
14	Support for quality schemes	0,00	0,00	0,00
15	Support of small scale, traditional processing	209 556,17	0,00	209 556,17
16	Protection of agricultural and traditional landscapes	696 713,67	0,00	696 713,67
17	Protection of forest fires and other natural disasters	200 764,44	0,00	200 764,44
18	Afforestation of non-agricultural land	55 636,33	0,00	55 636,33
19	Improvement of harvesting process	53 503,29	0,00	53 503,29
20	Technical support of the implementation, monitoring	0,00	0,00	0,00
21	Technical support of collective initiatives at local level	0,00	0,00	0,00
	Total	24 796 690,13	0,00	24 796 690,13

Czech Republic

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Early retirement	545 103,99	0,00	545 103,99
2	Less Favourite Areas	76 534 949,79	- 10 115,18	76 524 834,61
3	Agri-environment	88 959 922,46	- 178,10	88 959 744,36
4	Forestry	2 707 601,06	- 150,83	2 707 450,23
5	Producer groups	1 687 004,62	0,00	1 687 004,62
6	Technical assistance	0,00	0,00	0,00
7	Sapard	0,00	0,00	0,00
700	Investments in agricultural holdings, Regulation (EC) No 1268/1999	351 123,76	0,00	351 123,76
701	Processing and marketing Regulation (EC) No 1268/1999	1 641 034,72	0,00	1 641 034,72
702	Flood damage 1	0,00	0,00	0,00
703	Improving structures for quality	847 428,46	0,00	847 428,46
704	Land improvement and reparation	683 889,73	0,00	683 889,73
705	Renovation and development of villages	634 488,40	0,00	634 488,40
706	Flood damage 2	110 168,00	0,00	110 168,00
707	Development of rural infrastructure	464 428,01	0,00	464 428,01
708	Development and diversification of activities	1 024 762,25	0,00	1 024 762,25
709	Agricultural production methods to protect	241 255,09	0,00	241 255,09
710	Improvement of vocational training	47 031,42	0,00	47 031,42
711	Technical assistance Sapard	11 569,58	0,00	11 569,58
	Total	176 491 761,34	- 10 444,11	176 481 317,23

Estonia

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Less favourite areas	6 350 920,66	- 1 226,94	6 349 693,72
2	Agri-environment	18 368 083,98	- 9 000,91	18 359 083,07
3	Afforestation of agricultural land	1 102 043,43	- 51,36	1 101 992,07
4	Semi-subsistence farms undergoing restructuring	2 273 812,97	- 612,11	2 273 200,86
5	Meeting standards	5 826 010,68	- 2 488,11	5 823 522,57
6	Complements in direct payments	7 422 630,38	0,00	7 422 630,38
7	Technical assistance	1 080 101,29	- 1 852,29	1 078 249,00
8	Sapard	0,00	0,00	0,00
9	Support to areas with environmental restrictions	0,00	0,00	0,00
	Total	42 423 603,39	- 15 231,72	42 408 371,67

Hungary

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Agri-environment	227 833 992,16	0,00	227 833 992,16
2	Meeting standards	1 595 755,18	- 0,03	1 595 755,15
3	Afforestation	22 153 089,37	0,00	22 153 089,37
4	Support for semi-subsistence farms	502 022,58	- 135,83	501 886,75
5	Producer groups	7 202 971,57	0,01	7 202 971,58
6	Early retirement	0,00	0,00	0,00
7	Less favourite areas	6 402 140,63	- 799,99	6 401 340,64
8	Technical assistance	15 153 476,83	0,00	15 153 476,83
9	Projects approved under Regulation (EC) No 1268/1999	14 999 999,74	- 8 403,29	14 991 596,45
10	Complementary national direct payments	190 149,84	0,00	190 149,84
	Total	296 033 597,90	- 9 339,13	296 024 258,77

Latvia

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Early retirement	114 610,00	0,00	114 610,00
2	Producer groups	778 930,76	0,00	778 930,76
3	Support for semi-subsistence farms	13 140 756,56	0,00	13 140 756,56
4	Meeting standards	16 269 647,82	0,00	16 269 647,82
5	Agri-environment	11 920 958,74	0,00	11 920 958,74
6	Less favourite areas	41 850 749,84	0,00	41 850 749,84
7	Technical assistance	991 731,69	0,00	991 731,69
8	Obligations transferred from previous programming period	0,00	0,00	0,00
9	Allocations of resources for single area payments	10 146 265,42	0,00	10 146 265,42
	Total	95 213 650,83	0,00	95 213 650,83

Malta

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Less favourite areas	1 593 569,29	681,16	1 594 250,45
2	Agri-environment	385 505,60	- 4 335,34	381 170,26
3	Meeting standards	307 772,98	0,00	307 772,98
4	Producer groups	0,00		0,00
5	Technical assistance	0,00		0,00
6	State Aid complement	3 760 000,00	0,00	3 760 000,00
7	Ad hoc measure	1 897 382,26	- 964,80	1 896 417,46
	Total	7 944 230,12	- 4 618,97	7 939 611,15

Poland

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Early retirement	140 747 510,60	0,00	140 747 510,60
2	Support for semi-subsistence farms	105 651 252,73	– 9 615,14	105 641 637,59
3	Producer groups	1 039 815,80	0,00	1 039 815,80
4	Less favourite areas	261 975 568,73	– 238,56	261 975 330,17
5	Agri-environment undertakings and animal welfare	54 365 171,48	– 421,86	54 364 749,62
6	Afforestation	27 182 933,10	– 457,96	27 182 475,14
7	Meeting EU standards	279 345 058,83	– 188,51	279 344 870,32
8	Technical assistance	474 369,94	– 954,75	473 415,19
9	Complements to direct payments	189 369 013,75	– 1 191,12	189 367 822,63
10	Projects approved under Regulation (EC) No 1268/1999	89 419 265,54	– 1,61	89 419 263,93
	Total	1 149 569 960,50	– 13 069,51	1 149 556 890,99

Slovenia

No	Measure	Expenditure 2006 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared 2006 Annex I column 'e'
1	Less favourite areas	32 537 794,40	0,00	32 537 794,40
2	Agri-environment	36 334 012,75	0,00	36 334 012,75
3	Early retirement	1 695 055,58	0,00	1 695 055,58
4	Meeting standards	36 789 386,23	0,00	36 789 386,23
5	Technical assistance	257 731,75	0,00	257 731,75
6	SAPARD programme	1 235 224,98	0,00	1 235 224,98
7	Complements to direct payments	10 092 179,58	0,00	10 092 179,58
	Total	118 941 385,27	0,00	118 941 385,27

ANNEX III**CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS****Financial year 2006 — Rural Development Expenditure****List of the Paying Agencies for which the accounts are disjoined and are subject of a later clearance decision**

Member State	Paying Agency
Lithuania	NMA
Slovakia	APA

COMMISSION DECISION

of 27 April 2007

on the clearance of the accounts of the paying agencies in Hungary and Malta concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 2005 financial year

*(notified under document number C(2007) 1894)***(Only the English and Hungarian texts are authentic)**

(2007/326/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 7(3) thereof,

The accounts of the Hungarian paying agency 'ARDA' and the Maltese paying agency 'MRAE' concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, in respect of the 2005 financial year are hereby cleared.

After consulting the Fund Committee,

Whereas:

The amounts which are recoverable from, or payable to, each of the Member States concerned pursuant to this Decision are set out in Annex I.

(1) Commission Decisions 2006/322/EC ⁽²⁾ cleared, for the 2005 financial year, the accounts of all the paying agencies except for the German paying agency 'Bayern-Umwelt', the Italian paying agency 'AGEA', the Luxembourg paying agency 'Ministère de l'Agriculture', the Hungarian paying Agency 'ARDA', the Portuguese paying agency 'IFADAP' and the Maltese paying agency 'MRAE'.

The amounts which are recoverable from, or payable to, each Member State pursuant to this Decision in the field of rural development measures applicable in Hungary and Malta are set out in Annex II and Annex III.

Article 2

(2) Following the transmission of new information by Hungary and Malta, and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the Hungarian paying agency 'ARDA' and the Maltese paying agency 'MRAE'.

This Decision is addressed to the Republic of Hungary and the Republic of Malta.

(3) In accordance with the second subparagraph of Article 7(3) of Regulation (EC) No 1258/1999, this Decision does not prejudice decisions adopted subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

Done at Brussels, 27 April 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 118, 3.5.2006, p. 20.

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

Financial year 2005

Amount to be recovered from or paid to the Member State

MS	2005 — Expenditure for the Paying Agencies for which the accounts are			Total a + b	Reductions and suspensions for the whole financial year	Total including reductions and suspensions	Advances paid to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State (*)
	cleared	disjoined	= total of the expenditure in the monthly declarations					
	a	b	c = a + b	d	e = c + d	f	g = e – f	
HU	127 456 066 798,00	0,00	127 456 066 798,00	– 10 699 420,33	127 445 367 377,67	127 427 318 113,67	18 049 264,00	
	372 669,93	0,00	372 669,93	0,00	372 669,93	372 670,01	– 0,08	

(*) Applicable exchange rate: Article 7(2) of the Regulation (EC) No 883/2006.

(1) For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is the total of the annual declaration for the expenditure cleared (column 'a').

(2) The reductions and suspensions are those taken into account in the advance system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2005.

MS	05070106 (ex-1a)	05070108 (ex-1b)	Total (= g)
	h	i	j = h + i
HU	18 049 264,00	0,00	18 049 264,00
MT	– 0,08	0,00	– 0,08

(3) Nomenclature 2007: 05070106, 05070108

ANNEX II

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
Financial year 2005 — Rural Development Expenditure in New Member States
Amount to be recovered from or paid to the Member State

MS		Expenditure for the Paying Agencies for which the accounts are			Total a + b	Reductions	Total	Interim Payments reimbursed to the Member State for the financial year	Amount to be recovered from (-) or paid to (+) the Member State (*)
		cleared	disjoined						
			= expenditure declared in the annual declaration	= total of Interim Payments reimbursed to the Member State for the financial year					
		a	b	c = a + b	d	e = c + d	f	g = e - f	
HU	EUR	37 272 434,19	0,00	37 272 434,19	0,00	37 272 434,19	0,00	37 272 434,19	
MT	EUR	6 464 227,06	0,00	6 464 227,06	0,00	6 464 227,06	6 295 789,00	168 438,06	

(*) HU: The amount has already been paid on 13.12.2005 as a part of the first interim payment (GFO.1514).
MT: The amount has already been paid on 25.11.2005 as third interim payment (GFO.1471) and on 23.10.2006 as a part of a fourth interim payment (GFO.1890).

(*) HU: The amount has already been paid on 13.12.2005 as a part of the first interim payment (GFO.1514).

MT: The amount has already been paid on 25.11.2005 as third interim payment (GFO.1471) and on 23.10.2006 as a part of a fourth interim payment (GFO.1890).

MS	Advances paid but still to be cleared for the programme implementation (Article 32 of Council Regulation (EC) No 1260/1999)	
HU	EUR	96 368 000,00
MT	EUR	4 304 000,00

ANNEX III

CLEARED EXPENDITURE BY RD MEASURE FOR EXERCISE 2005
Differences between annual accounts and declarations of expenditure

HUNGARY

No	Measure	Expenditure 2005 Annex II column 'a'	Reductions Annex II column 'd'	Amount cleared 2005 Annex II column 'e'
1	Agri-environment	0,00	0,00	0,00
2	Meeting standards	0,00	0,00	0,00
3	Afforestation	4 343 744,56	0,00	4 343 744,56
4	Support for semi-substance farms	564 667,97	0,00	564 667,97
5	Producer groups	354 984,16	0,00	354 984,16
6	Early retirement	0,00	0,00	0,00
7	Less Favourite Areas	0,00	0,00	0,00
8	Technical assistance	846 976,51	0,00	846 976,51
9	Project approved under Regulation (EC) No 1268/1999	0,00	0,00	0,00
10	Complementary national direct payments	31 162 060,99	0,00	31 162 060,99
	Total	37 272 434,19	0,00	37 272 434,19

MALTA

No	Measure	Expenditure 2005 Annex II column 'a'	Reductions Annex II column 'd'	Amount cleared 2005 Annex II column 'e'
1	Less Favourite Areas	1 778 458,24	0,00	1 778 458,24
2	Agri-environment	523 444,29	0,00	523 444,29
3	Meeting standards	153 708,96	0,00	153 708,96
4	Producer groups	0,00	0,00	0,00
5	Technical assistance	4 795,27	0,00	4 795,27
6	State Aid complement	1 620 000,00	0,00	1 620 000,00
7	Ad hoc measure	2 383 820,30	0,00	2 383 820,30
	Total	6 464 227,06	0,00	6 464 227,06

COMMISSION DECISION

of 27 April 2007

on the clearance of the accounts of the paying agencies of Member States concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 2006 financial year

(notified under document number C(2007) 1901)

(2007/327/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of expenditure incurred by the Member States between 16 October 2005 and 15 October 2006.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 32 thereof,

After consulting the Fund Committee,

Whereas:

- (1) On the basis of the annual accounts submitted by the Member States, accompanied by the information required, the accounts of the paying agencies referred to in Article 4(1) of Regulation (EC) No 1258/1999 are to be cleared. The clearance covers the integrality, accuracy and veracity of the accounts transmitted in the light of the reports established by the certification bodies.
- (2) Pursuant to Article 7(1) of Commission Regulation (EC) No 296/96 of 16 February 1996 on data to be transmitted by the Member States and the monthly booking of expenditure financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽³⁾, account is taken for the 2006 financial year

- (3) The time limits granted to the Member States for the submission to the Commission of the documents referred to in Article 6(1)(b) of Regulation (EC) 1258/1999 and in Article 4(1) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of accounts of the EAGGF Guarantee Section ⁽⁴⁾, have expired.
- (4) The Commission has checked the information submitted and communicated to the Member States before the 31 March 2007 the results of its verifications, along with the necessary amendments.
- (5) In accordance with the first subparagraph of Article 7(1) of Regulation (EC) No 1663/95, the accounts clearance decision referred to in Article 7(3) of Regulation (EC) No 1258/1999 determines, without prejudice to decisions taken subsequently in accordance with Article 7(4) of the Regulation, the amount of expenditure effected in each Member State during the financial year in question recognised as being chargeable to the EAGGF Guarantee Section, on the basis of the accounts referred to in Article 6(1)(b) of Regulation (EC) No 1258/1999 and the reductions and suspensions of advances for the financial year concerned, including the reductions referred to in the second subparagraph of Article 4(3) of Regulation (EC) No 296/96. Pursuant to Article 154 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁵⁾, the outcome of the clearance decision, that is to say any discrepancy which may occur between the total expenditure booked to the accounts for a financial year pursuant to Article 151(1) and Article 152 of that Regulation and the total expenditure taken into consideration by the Commission in the clearance decision, is to be booked, under a single article, as additional expenditure or a reduction in expenditure.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 378/2007 (OJ L 95, 5.4.2007, p. 1).

⁽³⁾ OJ L 39, 17.2.1996, p. 5. Regulation as last amended by Regulation (EC) No 1607/2005 (OJ L 256, 1.10.2005, p. 12).

⁽⁴⁾ OJ L 158, 8.7.1995, p. 6. Regulation as last amended by Regulation (EC) No 465/2005 (OJ L 77, 23.3.2005, p. 6).

⁽⁵⁾ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

- (6) In the light of the verifications made, the annual accounts and the accompanying documents permit the Commission to take, for certain paying agencies, a decision on the integrality, accuracy and veracity of the accounts submitted. The details of these amounts were described in the Summary Report that was presented to the Fund Committee at the same time as this Decision.
- (7) In the light of the verifications made, the information submitted by certain paying agencies requires additional inquiries and their accounts cannot be therefore cleared in this Decision.
- (8) Article 4(2) of Regulation (EC) No 296/96, lays down that advances against booking are to be reduced for expenditure effected by the Member States after the deadlines laid down therein, in accordance with Article 14 of Council Regulation (EC) No 2040/2000 of 26 September 2000 on budgetary discipline⁽¹⁾. However, under Article 4(3) of Regulation (EC) No 296/96, any overrun of deadlines during August, September and October is to be taken into account in the accounts clearance decision except where noted before the last decision of the financial year relating to advances. Some of the expenditure declared by certain Member States during the above mentioned period was effected after the deadlines and for some measures the Commission did not accept any extenuating circumstances. This Decision should therefore fix the relevant reductions. In accordance with Article 7(4) of Regulation (EC) No 1258/1999, a decision will be taken at a later date, fixing definitively the expenditure for which Community financing will not be granted regarding those reductions and any other expenditure which may be found to have been effected after the fixed deadlines.
- (9) The Commission, in accordance with Article 14 of Regulation (EC) No 2040/2000 and Article 4(2) of Regulation (EC) No 296/96, has already reduced or suspended a number of monthly advances on entry into the accounts of expenditure for the 2006 financial year. In the light of the above, to avoid any premature or merely a temporary reimbursement of the amounts in question, they should not be recognised in this Decision, without prejudice to further examination under Article 7(4) of Regulation (EC) No 1258/1999.
- (10) The second subparagraph of Article 7(1) of Regulation (EC) No 1663/95 lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph, shall be determined by deducting advances paid during the financial year in question, i.e. 2006, from expenditure recognised for that year in accordance with the first subparagraph. Such amounts are to be deducted from, or added to, advances against expenditure from the second month following that in which the accounts clearance decision is taken.
- (11) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the Community budget if the recovery of those irregularities has not taken place within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD⁽²⁾. Annex III to the said Regulation provides the model tables 1 and 2 that have to be provided in 2007 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than four, respectively, eight years. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.
- (12) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005 Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision is taken within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the Community budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the Community budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.

⁽¹⁾ OJ L 244, 29.9.2000, p. 27.

⁽²⁾ OJ L 171, 23.6.2006, p. 90.

- (13) In accordance with the second subparagraph of Article 7(3) of Regulation (EC) No 1258/1999 and Article 7(1) of Regulation (EC) No 1663/95, this Decision, does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

Article 1

Without prejudice to Article 2, the accounts of the paying agencies of the Member States concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, in respect of the 2006 financial year are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in Annex I.

Article 2

For the 2006 financial year, the accounts of the Member States' paying agencies in respect of expenditure financed by the EAGGF, Guarantee Section, set out in Annex II, are disjoined from this Decision and shall be the subject of a future clearance Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 April 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

Financial year 2006

Amount to be recovered from or paid to the Member State

MS	2006 — Expenditure for the Paying Agencies for which the accounts are			Total a + b	Reductions and suspensions for the whole financial year	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Advances paid to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State (*)
	cleared	disjoined							
		= expenditure declared in the annual declaration	= total of the expenditure in the monthly declarations						
	a	b		c = a + b	d	e	f = c + d + e	g	h = f – g
AT	1 272 218 690,48	0,00		1 272 218 690,48	– 720 696,92	– 934 054,01	1 270 563 939,56	1 271 497 993,56	– 934 054,01
BE	943 472 441,56	0,00		943 472 441,56	– 98 742,45	– 6 414 268,02	936 959 431,09	943 682 307,83	– 6 722 876,74
CY	13 627 679,88	0,00		13 627 679,88	– 94 034,40	0,00	13 533 645,48	13 627 667,74	– 94 022,26
CZ	9 180 125 085,10	0,00		9 180 125 085,10	– 988 549,22	0,00	9 179 136 535,88	9 179 215 406,94	– 78 871,06
DE	6 012 234 211,79	531 119 845,88		6 543 354 057,67	– 15 751,26	– 22 008 515,16	6 521 329 791,25	6 543 392 477,21	– 22 062 685,96
DK	8 677 766 491,83	0,00		8 677 766 491,83	– 8 739 275,54	– 914 374,77	8 668 112 841,53	8 669 027 216,29	– 914 374,76
EE	515 003 672,26	0,00		515 003 672,26	0,00	0,00	515 003 672,26	515 003 672,26	0,00
EL	3 083 191 733,23	0,00		3 083 191 733,23	– 13 300 023,18	– 9 633 330,59	3 060 258 379,47	3 070 588 054,20	– 10 329 674,73
ES	6 656 127 478,21	0,00		6 656 127 478,21	– 3 456 465,10	– 31 933 778,17	6 620 737 234,95	6 654 482 221,80	– 33 744 986,86
FI	824 384 717,40	0,00		824 384 717,40	– 7 324 545,62	– 36 369,64	817 023 802,14	817 062 742,40	– 38 940,26
FR	10 052 531 541,28	0,00		10 052 531 541,28	– 1 022 072,06	– 14 538 679,01	10 036 970 790,22	10 044 585 121,49	– 7 614 331,27
HU	156 223 736 012,00	0,00		156 223 736 012,00	– 328 047 257,76	0,00	155 895 688 754,24	155 582 374 744,24	313 314 010,00
IE	1 723 895 609,19	0,00		1 723 895 609,19	– 742 710,48	– 3 565 118,69	1 719 587 780,02	1 723 233 630,73	– 3 645 850,71
IT	2 037 869 034,52	3 431 558 788,09		5 469 427 822,61	– 8 480 189,12	– 24 749 262,64	5 436 198 370,85	5 460 957 034,26	– 24 758 663,41
LT	580 165 313,52	0,00		580 165 313,52	0,00	0,00	580 165 313,52	580 207 561,22	– 42 247,70
LU	46 948 099,71	0,00		46 948 099,71	– 1 121 758,30	– 2 642,83	45 823 698,59	44 715 528,83	1 108 169,76
LV	28 790 647,32	0,00		28 790 647,32	0,00	0,00	28 790 647,32	28 790 647,32	0,00
MT	594 647,99	0,00		594 647,99	– 14,88	0,00	594 633,11	597 022,13	– 2 389,02
NL	1 216 585 474,61	0,00		1 216 585 474,61	– 4 520 243,99	– 6 314 761,59	1 205 750 469,03	1 209 644 112,63	– 3 893 643,60
PL	3 875 928 681,11	0,00		3 875 928 681,11	0,00	0,00	3 875 928 681,11	3 874 808 252,95	1 120 428,16
PT	879 836 307,88	68 449 778,75		948 286 086,63	– 79 408,17	– 1 060 501,87	947 146 176,59	946 441 751,51	704 425,08
SE	8 573 330 655,24	0,00		8 573 330 655,24	– 4 593 248,44	– 1 145 188,47	8 567 592 218,34	8 568 737 406,80	– 1 145 188,47
SI	9 618 462 851,76	0,00		9 618 462 851,76	0,00	0,00	9 618 462 851,76	9 618 464 857,04	– 2 005,28

MS	2006 — Expenditure for the Paying Agencies for which the accounts are			Total a + b	Reductions and suspensions for the whole financial year	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Advances paid to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State (*)			
	cleared	disjoined										
										= expenditure declared in the annual declaration	= total of the expenditure in the monthly declarations	
SK	SKK	0,00	5 605 953 347,87	0,00	0,00	0,00	5 605 953 347,87	5 605 953 347,87	0,00			
UK	GBP	2 945 567 925,93	0,00	2 945 567 925,93	– 6 937 613,08	– 7 019 902,22	2 931 610 410,63	2 941 158 497,68	– 9 548 087,05			

(*) Applicable exchange rate: Article 7(2) of the Regulation (EC) No 883/2006.

1) For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (col.a) or, the total of the monthly declarations for the expenditure disjoined (col.b).

2) The reductions and suspensions are those taken into account in the advance system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2006.

MS	6702 Article 32 (= e)	05070106 (ex-1a)	05070108 (ex-1b)	Total (= h)
	i	j	k	l = i + j + k
AT	– 934 054,01	0,00	0,00	– 934 054,01
BE	– 6 414 268,02	0,00	– 308 608,72	– 6 722 876,74
CY	0,00	– 94 022,26	0,00	– 94 022,26
CZ	0,00	– 78 871,06	0,00	– 78 871,06
DE	– 22 008 515,16	– 54 170,80	0,00	– 22 062 685,96
DK	– 914 374,77	0,00	0,00	– 914 374,76
EE	0,00	0,00	0,00	0,00
EL	– 9 633 330,59	– 696 344,15	0,00	– 10 329 674,73
ES	– 31 933 778,17	– 1 266 832,26	– 544 376,43	– 33 744 986,86
FI	– 36 369,64	– 403,15	– 2 167,47	– 38 940,26
FR	– 14 538 679,01	6 924 347,73	0,00	– 7 614 331,27
HU	0,00	313 314 010,00	0,00	313 314 010,00
IE	– 3 565 118,69	– 80 964,07	232,05	– 3 645 850,71
IT	– 24 749 262,64	0,00	– 9 400,77	– 24 758 663,41
LT	0,00	– 42 247,70	0,00	– 42 247,70
LU	– 2 642,83	– 14 516,49	1 125 329,07	1 108 169,76
LV	0,00	0,00	0,00	0,00
MT	0,00	– 2 389,02	0,00	– 2 389,02
NL	– 6 314 761,59	46 993,52	2 374 124,47	– 3 893 643,60
PL	0,00	1 120 428,16	0,00	1 120 428,16
PT	– 1 060 501,87	1 237 784,12	527 142,83	704 425,08
SE	– 1 145 188,47	0,00	0,00	– 1 145 188,47
SI	0,00	– 2 005,28	0,00	– 2 005,28
SK	0,00	0,00	0,00	0,00
UK	– 7 019 902,22	– 2 568 654,93	40 470,12	– 9 548 087,05

3) Nomenclature 2007: 05070106, 05070108

ANNEX II

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

Financial year 2006

List of the Paying Agencies for which the accounts are disjoined and are subject of a later clearance decision

Member State	Paying Agency
Germany	Baden-Württemberg Bayern Umwelt
Italy	AGEA ARBEA
Portugal	IFADAP
Slovakia	APA

COMMISSION DECISION**of 30 April 2007****providing for the temporary marketing of certain seed potatoes not satisfying the requirements of Council Directive 2002/56/EC***(notified under document number C(2007) 1852)***(Text with EEA relevance)****(2007/328/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes ⁽¹⁾, and in particular Article 22(1) thereof,

Whereas:

- (1) In Sweden the quantity of available seed potatoes of the category 'certified seed potatoes' suitable to the national environmental conditions which satisfy the requirements of Directive 2002/56/EC regarding the number of plants showing symptoms of severe virus infection in the direct progeny is insufficient and is therefore not adequate to meet the needs of that Member State.
- (2) It is not possible to meet the demand for seed potatoes with seed potatoes from other Member States or from third countries which satisfy all the requirements laid down in Directive 2002/56/EC.
- (3) Accordingly, Sweden should be authorised to permit the marketing of seed potatoes subject to less stringent requirements for a period expiring on 30 June 2007.
- (4) In addition, other Member States, which are in a position to supply Sweden with seed potatoes irrespective of whether the seed potatoes were harvested in a Member State or in a third country, should be authorised to permit the marketing of such seed potatoes.
- (5) It is appropriate that Sweden acts as a coordinator in order to ensure that the total amount of seed potatoes authorised pursuant to this Decision does not exceed the maximum quantity covered by this Decision.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

Article 1

The marketing in the Community of seed potatoes of the category 'certified seed potatoes' which do not satisfy the requirements laid down in Directive 2002/56/EC in respect of the number of plants showing symptoms of severe virus infection in the direct progeny shall be permitted, for a period expiring on 30 June 2007, in accordance with the terms set out in the Annex to this Decision and subject to the following conditions:

- (a) the number of plants showing symptoms of severe virus infection in the direct progeny of seed potatoes of the category 'certified seed potatoes' does not exceed the percentage set out in the Annex,
- (b) the official label states the percentage of plants showing symptoms of severe virus infection in the direct progeny of seed potatoes of the category 'certified seed potatoes' ascertained in the official examination pursuant to Article 2(c)(iv) of Directive 2002/56/EC,
- (c) seed potatoes have been placed on the market in accordance with Article 2 of this Decision.

Article 2

Any seed potato supplier wishing to place on the market the seed potatoes referred to in Article 1 shall apply for authorisation to the Member State in which he is established or importing.

The Member State concerned shall authorise the supplier to place that seed potato on the market, unless:

- (a) there is sufficient evidence to doubt whether the supplier is able to place on the market the amount of seed potatoes for which he has applied for authorisation; or
- (b) the total quantity authorised to be marketed pursuant to the derogation concerned would exceed the maximum quantity specified in the Annex to this Decision.

⁽¹⁾ OJ L 193, 20.7.2002, p. 60. Directive as last amended by Commission Decision 2005/908/EC (OJ L 329, 16.12.2005, p. 37).

Article 3

The Member States shall assist each other administratively in the application of this Decision.

Sweden shall act as coordinating Member State in order to ensure that the total amount authorised does not exceed the maximum quantity specified in the Annex to this Decision.

Any Member State receiving an application under Article 2 shall immediately notify the coordinating Member State of the amount covered by the application. The coordinating Member State shall immediately inform the notifying Member State as to whether authorisation would result in the maximum quantity being exceeded.

Article 4

Member States shall immediately notify the Commission and the other Member States of the quantities in respect of which they have granted marketing authorisation pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 30 April 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

Species	Type of variety	Maximum quantity (tonnes)	Number of plants showing symptoms of severe virus infection in the direct progeny (%)
Potato	(very early and early varieties) Early Puritan	100	20
	(starch varieties) Seresta	400	

COMMISSION DECISION

of 2 May 2007

laying down transitional measures derogating from Council Directive 2002/53/EC as regards the marketing of seed of *Helianthus annuus* of varieties which have not been assessed as resistant to *Orobanche* spp., by reason of the accession of Bulgaria

(notified under document number C(2007) 1822)

(Text with EEA relevance)

(2007/329/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Whereas:

- (1) Pursuant to Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species ⁽¹⁾ seed of varieties of agricultural plant species accepted in accordance with that Directive or in accordance with principles corresponding to those of that Directive is not to be subject to any marketing restrictions. Such varieties are published in a common catalogue of varieties of agricultural plant species, hereinafter 'common catalogue', which is compiled on the basis of the national catalogues of the Member States.
- (2) The resistance to *Orobanche* spp. of varieties of *Helianthus annuus* represents an important factor for the cultivation of this species in Bulgaria and varieties which are not resistant should be considered unsuitable. Yet, it is not known whether the varieties accepted by other Member States for inclusion in their national catalogues are resistant to *Orobanche* spp.
- (3) Bulgaria should therefore be authorised, until 31 December 2009, to prohibit the marketing in its territory of seed of varieties of listed in the common catalogue which have not been assessed as resistant to *Orobanche* spp. This period will enable Bulgaria to assess, through tests and the gathering of information, whether the varieties of *Helianthus annuus* listed in the common catalogue are resistant to *Orobanche* spp., and if necessary to take appropriate measures under Directive 2002/53/EC.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. By way of derogation from Article 16(1) of Directive 2002/53/EC, Bulgaria may, until 31 December 2009, prohibit the marketing in its territory of seed of varieties of *Helianthus annuus* listed in the common catalogue of varieties of agricultural plant species which have not been assessed, in the framework of the admission of the variety to the national catalogue, as resistant to *Orobanche* spp.

2. Member States shall notify the list of varieties which have been thus assessed as resistant to *Orobanche* spp. to the other Member States and the Commission within 20 days after the notification of this Decision, at the latest. They shall regularly update that list.

The common catalogue of varieties of agricultural plant species shall indicate varieties of *Helianthus annuus* which have been thus assessed as resistant to *Orobanche* spp.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 193, 20.7.2002, p. 1. Directive as last amended by Regulation (EC) No 1829/2003 of the European Parliament and of the Council (OJ L 268, 18.10.2003, p. 1).