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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1726/2006
of 23 November 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

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 23 November 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	67,2
	096	65,2
	204	29,0
	999	53,8
0707 00 05	052	138,0
	999	138,0
0709 90 70	052	166,8
	204	111,0
	999	138,9
0805 20 10	204	64,8
	999	64,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,6
	400	77,8
	999	72,7
0805 50 10	052	52,9
	388	46,4
	528	34,4
	999	44,6
0808 10 80	388	107,1
	400	97,5
	404	97,0
	720	96,7
	800	152,5
	999	110,2
0808 20 50	052	87,8
	720	51,2
	999	69,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1727/2006**of 23 November 2006****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 negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For those two countries export refunds should therefore be abolished.

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

HAS ADOPTED THIS REGULATION:

Article 1

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 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

ANNEX

**Export refunds on white and raw sugar exported without further processing applicable from
24 November 2006 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	18,23 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	18,23 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	18,23 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	18,23 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1982
1701 99 10 9100	S00	EUR/100 kg	19,82
1701 99 10 9910	S00	EUR/100 kg	19,82
1701 99 10 9950	S00	EUR/100 kg	19,82
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,1982

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Bulgaria, Romania, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia.

^(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 1728/2006**of 23 November 2006****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 23 November 2006, 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 23 November 2006, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 29,824 EUR/100 kg.

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

⁽²⁾ OJ L 175, 29.6.2006, p. 49.

COMMISSION REGULATION (EC) No 1729/2006

of 23 November 2006

amending Annexes I and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin, as regards firocoxib and triclabendazole

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

include triclabendazole in that Annex for all ruminants for muscle, fat, liver and kidney, excluding animals producing milk for human consumption amending the maximum residue limits values.

Having regard to the Treaty establishing the European Community,

(4) Regulation (EEC) No 2377/90 should therefore be amended accordingly.

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽¹⁾, and in particular Article 2 and the third paragraph of Article 4 thereof,

(5) An adequate period should be allowed before the applicability of this Regulation in order to enable Member States to make any necessary adjustment in the light of this Regulation to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products⁽²⁾.

Having regard to the opinions of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

(1) All pharmacologically active substances used in the Community in veterinary medicinal products intended for food-producing animals should be evaluated in accordance with Regulation (EEC) No 2377/90.

HAS ADOPTED THIS REGULATION:

(2) Following examination of an application for the establishment of maximum residue limits for firocoxib in *Equidae* and in order to allow for the completion of minor scientific validation of studies, it is considered appropriate to include firocoxib in Annex III to Regulation (EEC) No 2377/90 for *Equidae* species.

Article 1

Annexes I and III to Regulation (EEC) No 2377/90 are amended in accordance with the Annex to this Regulation.

(3) The substance triclabendazole is included in Annex I to Regulation (EEC) No 2377/90 for bovine and ovine for muscle, kidney and liver, excluding animals producing milk for human consumption. Following examination of an application for the modification of those maximum residue limits, it is considered appropriate to

Article 2

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

It shall apply from 21 January 2007.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 1451/2006 (OJ L 271, 30.9.2006, p. 37).

⁽²⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

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

Done at Brussels, 23 November 2006.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

A. The following substance is inserted in Annex I to Regulation (EEC) No 2377/90:

- 2. Antiparasitic agents
- 2.1. Agents acting against endoparasites
- 2.1.3. Benzimidazoles and pro-benzimidazoles

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
Triclabendazole	Sum of extractable residues that may be oxidised to ketotriclabendazole	All ruminants ⁽¹⁾	225 µg/kg 100 µg/kg 250 µg/kg 150 µg/kg	Muscle Fat Liver Kidney
⁽¹⁾ Not for use in animals producing milk for human consumption.				

B. The following substance is inserted in Annex III to Regulation (EEC) No 2377/90:

- 5. Anti-inflammatory agents
- 5.1. Non-steroidal anti-inflammatory agents
- 5.1.4. Sulfonated phenyl lactones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
Firocoxib ⁽¹⁾	Firocoxib	<i>Equidae</i>	10 µg/kg 15 µg/kg 60 µg/kg 10 µg/kg	Muscle Fat Liver Kidney
⁽¹⁾ Provisional MRLs expire on 1 July 2007.				

COMMISSION REGULATION (EC) No 1730/2006
of 23 November 2006
concerning the authorisation of benzoic acid (VevoVital) as a feed additive
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

(3) The application concerns authorisation of the preparation benzoic acid (VevoVital) as a feed additive for weaned piglets, to be classified in the additive category 'zootechnical additives'.

(4) The European Food Safety Authority (the Authority) concluded in its opinion of 9 December 2005 that

benzoic acid (VevoVital) does not have an adverse effect on animal health, human health or the environment ⁽²⁾. It further concluded that benzoic acid (VevoVital) does not present any other risk which would, in accordance with Article 5(2) of Regulation (EC) No 1831/2003, exclude authorisation. According to that opinion, the use of that preparation improves the performance parameters, such as weight gain or feed gain ratio, in piglets. The opinion of the Authority recommends appropriate measures for user safety. It does not consider that there is a need for specific requirements of post-market monitoring. This opinion also verifies the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003. The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

⁽²⁾ Opinion of the Scientific Panel on Additives and Products or Substances used in Animal Feed on the safety and efficacy of the product VevoVital® as a feed additive for weaned piglets in accordance with Regulation (EC) No 1831/2003. Adopted on 30 November 2005. *The EFSA Journal* (2005) 290, pp. 1 to 13.

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

Done at Brussels, 23 November 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION REGULATION (EC) No 1731/2006**of 23 November 2006****on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 33(12) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2388/84 of 14 August 1984 on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products ⁽²⁾ lays down the conditions under which preserved meat falling within CN codes 1602 50 31 and 1602 50 39 which is exported to third countries may be eligible for a special refund.
- (2) In particular, those preserved products must be manufactured under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽³⁾.
- (3) The rules and conditions for applying the advance payment of the refund on products processed under the arrangements provided for in Article 4 of Regulation (EEC) No 565/80 are laid down in Chapter 3 of Title II of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁴⁾.
- (4) The measures laid down by Regulation (EEC) No 565/80, the corresponding implementing measures laid down by Chapter 3 of Title II of Regulation (EC) No 800/1999 and Regulation (EEC) No 2388/84 have been repealed by Commission Regulation (EC) No 1713/2006.
- (5) It is also laid down that, in order to benefit from an export refund, the abovementioned preserved products must be produced from beef and veal of Community

origin and contain a minimum percentage of beef and veal, excluding offal and fat.

- (6) To guarantee that the preserved products eligible for export refunds are produced solely from beef and veal, and that the meat is of Community origin, such production must be kept under the control of the customs authority in accordance with Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽⁵⁾ and the payment of the refund must remain linked to compliance with those conditions.
- (7) To increase the transparency and effectiveness of those controls, particularly in the case of a post-clearance check, provision should be made for operators to keep up-to-date records of information allowing monitoring of the use of beef and veal in the production of preserved products according to the production batches of preserved products.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

Without prejudice to Regulation (EC) No 800/1999, the payment of an export refund on preserved products falling within CN codes 1602 50 31 9125, 1602 50 31 9325, 1602 50 39 9125 and 1602 50 39 9325 (hereinafter 'the preserved products') shall be subject to compliance with the conditions laid down by this Regulation.

*Article 2***General conditions**

1. The preserved products may benefit from an export refund only if they are manufactured under supervision by the customs authorities and under customs control within the meaning of Article 4(13) and (14) of Regulation (EEC) No 2913/92.

2. Production and export must be carried out during the period of validity of the export licence with advance fixing of the refund.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 221, 18.8.1984, p. 28. Regulation as repealed by Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

⁽³⁾ OJ L 62, 7.3.1980, p. 5. Regulation as repealed by Regulation (EC) No 1713/2006.

⁽⁴⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 1713/2006.

⁽⁵⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 (OJ L 117, 4.5.2005, p. 13).

Article 3

Specific conditions relating to production

1. Operators shall submit to the customs authority a declaration stating their intention to place meat under customs control with a view to manufacturing preserved products and exporting them with a refund.

This declaration shall indicate in particular the quantities involved, the identification details and the types of meat to be used as raw materials, and the places of storage.

The meat shall be presented in boxes and labelled in a manner which ensures it is clearly identifiable and can be easily associated with the accompanying declaration.

2. Once the declaration referred to in paragraph 1 has been accepted, the meat and the processing operation shall be placed under customs control. This control shall be based on documentary and physical checks, which may be performed on the meat when it enters the procedure, or during storage or production and on the corresponding documents, particularly those referred to in paragraphs 7 and 8.

Article 3 of Council Regulation (EEC) No 386/90⁽¹⁾ and Articles 2(2), 3, 4, 5, 6, 8(1), 8(2) and the first subparagraph of Article 11 of Commission Regulation (EC) No 2090/2002⁽²⁾ and Annex I thereto shall apply *mutatis mutandis*.

3. Pending production, the meat referred to in paragraph 1 shall be kept permanently separate from all other beef and veal.

4. Operators shall keep a separate record of entries of beef and veal intended for the production of preserved products.

5. Operators shall inform the customs authorities of the places and dates of production of the preserved products and shall also notify the quantity, identification details and type of beef and veal to be used to this end.

6. During the production of the preserved products only the beef and veal referred to in paragraph 1 may be present in the production area.

7. For each batch of preserved products produced, operators shall keep an up-to-date record indicating:

(a) the nature, identification details and quantities of meat used as a raw material, and

(b) the number, identification details, quantity and type of preserved products produced from that meat.

The information referred to in point (b) shall be entered on each of the declarations referred to in Article 3(1) under customs control.

For the purposes of this paragraph, 'batch of preserved products' shall mean all preserved products produced at the same time and under practically identical circumstances.

8. Detailed recipes covering the various production processes and products for which refunds are applied for under this Regulation shall be kept at the place of production. These documents, and those referred to in paragraph 7, shall be kept by operators for at least three calendar years following the year of production. The customs authorities shall have access to these documents as required for control purposes.

9. The preserved products produced shall remain under customs control until they leave the customs territory of the Community or reach one of the destinations provided for in Article 36 of Regulation (EC) No 800/1999.

Article 4

Characteristics of preserved products

The preserved products shall:

— be produced from beef and veal of Community origin,

— contain not less than 80 % beef and veal, excluding offal and fat, and

— be put in tins of a unit weight of not more than 2 500 grams net.

In addition, the name of the Member State in which the product was manufactured shall be stamped in relief, uncoded, on each of the tins, clearly visible, in an official language of that Member State.

Article 5

Additional control measures

The Member States shall lay down more detailed measures for controlling production of the preserved products and inform the Commission thereof. In particular, they shall take all necessary steps to exclude any possibility of substitution of the raw materials used or of the products in question.

⁽¹⁾ OJ L 42, 16.2.1990, p. 6. Regulation as last amended by Regulation (EC) No 163/94 (OJ L 24, 29.1.1994, p. 2).

⁽²⁾ OJ L 322, 27.11.2002, p. 4. Regulation as last amended by Regulation (EC) No 1454/2004 (OJ L 269, 17.8.2004, p. 9).

*Article 6***Export formalities**

1. Once the customs formalities for the export of the preserved products have been completed, the customs authority shall indicate the number of the declaration(s) referred to in Article 3(1) on the export declaration(s) referred to in Article 5 of Regulation (EC) No 800/1999 together with the quantities and identification details of the preserved products exported corresponding to each declaration.

2. Once the customs formalities for export have been completed, the declaration(s) referred to in Article 3(1), with the additional information added in accordance with the

second subparagraph of Article 3(7), and the copy of the export declaration(s) shall be sent through administrative channels to the body responsible for paying the export refunds.

*Article 7***Entry into force**

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

It shall apply from 1 January 2007.

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

Done at Brussels, 23 November 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 1732/2006**of 23 November 2006****fixing the export refunds on syrups and certain other sugar products 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)(c), (d) and (g) 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 Commission Regulation

(EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾.

- (5) The negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For those two countries export refunds should therefore be abolished.

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

HAS ADOPTED THIS REGULATION:

Article 1

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 subject to the conditions provided for in paragraph 2 of this Article.

2. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

ANNEX

Export refunds on syrups and certain other sugar products exported without further processing applicable from 24 November 2006 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	19,82
1702 60 10 9000	S00	EUR/100 kg dry matter	19,82
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1982
1702 90 30 9000	S00	EUR/100 kg dry matter	19,82
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1982
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1982
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,1982 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	19,82
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,1982

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Bulgaria, Romania, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia.

^(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⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 1733/2006**of 23 November 2006****fixing the rates of refunds applicable to certain products from the sugar sector 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 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (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, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006.
- (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) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) 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.
- (7) 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

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

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

ANNEX

Rates of refunds applicable from 24 November 2006 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	19,82	19,82

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and 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 with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 1734/2006
of 23 November 2006
on the issuing of export licences for winesector 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 22 November 2006, the quantity still available for the period until 15 January 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 16 to 21 November 2006 should be applied and the submission of applications and the issue of licences suspended for this zone until 16 January 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 16 to 21 November 2006 under Regulation (EC) No 883/2001 shall be issued in concurrence with 54,04 % of the quantities requested for zone (1) Africa, in concurrence with 45,52 % of the quantities requested for zone (3) eastern Europe and in concurrence with 65,68 % of the quantities requested for zone (4) western Europe.

2. The issue of export licences for winesector products referred to in paragraph 1 for which applications are submitted from 22 November 2006 and the submission of export licence applications from 24 November 2006 for destination zone (1) Africa, (3) Eastern Europe and (4) western Europe shall be suspended until 16 January 2007.

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

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).

COMMISSION REGULATION (EC) No 1735/2006**of 23 November 2006****concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 935/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Community,

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

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,

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

Whereas:

HAS ADOPTED THIS REGULATION:

(1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 935/2006 ⁽²⁾.*Article 1*

No action shall be taken on the tenders notified from 17 to 23 November 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 935/2006.

(2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 172, 24.6.2006, p. 3.

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

COMMISSION REGULATION (EC) No 1736/2006**of 23 November 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 936/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

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

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

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 November 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 936/2006.

Article 2

This Regulation shall enter into force on 24 November 2006.

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

Done at Brussels, 23 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 172, 24.6.2006, p. 6.

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

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 1/2006

of 29 September 2006

of the Committee established under the Agreement on Mutual Recognition between the European Community and the Swiss Confederation on amending Chapter 11 of Annex 1

(2006/798/EC)

THE COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on Mutual Recognition in relation to Conformity Assessment (the Agreement) signed on 21 June 1999, and in particular Article 10(5) thereof,

Whereas the European Community has introduced a new Directive 2004/22/EC of the European Parliament and of the Council ⁽¹⁾ relating to measuring instruments and Switzerland has amended its legislative, regulatory and administrative provisions in such a way that those provisions are deemed equivalent under Article 1(2) of the Agreement to the above mentioned European Community legislation;

Whereas chapter 11, Measuring instruments, of Annex 1 should be amended to reflect this development;

Whereas according to Article 10(5), the Committee may, on proposal from one of the Parties, modify Annex 1 to this Agreement,

HAS DECIDED AS FOLLOWS:

1. Chapter 11, Measuring instruments of Annex 1 to the Agreement is amended in accordance with the provisions set out in Attachment A annexed to this Decision.
2. This Decision, done in duplicate, shall be signed by representatives of the Committee who are authorised to act on behalf of the Parties. This Decision shall be effective from the date of the later of these signatures.

Signed in Bern, 29 September 2006.

Signed in Brussels, 27 September 2006.

On behalf of the Swiss Confederation

Heinz HERTIG

On behalf of the European Community

Andra KOKE

⁽¹⁾ OJ L 135, 30.4.2004, p. 1.

ANNEX

In Annex 1, Product Sectors, Chapter 11, Measuring instruments, the text should be deleted and replaced by the following:

SECTION I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1 paragraph 1**European Community*

Council Directive of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain (71/347/EEC) (OJ L 239, 25.10.1971, p. 1), as subsequently amended

Council Directive of 12 October 1971 on the approximation of the laws of the Member States relating to the calibration of the tanks of vessels (71/349/EEC) (OJ L 239, 25.10.1971, p. 15), as subsequently amended

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (76/765/EEC) (OJ L 262, 27.9.1976, p. 143), as subsequently amended

Council Directive of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles (86/217/EEC) (OJ L 152, 6.6.1986, p. 48), as subsequently amended

Council Directive of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (75/106/EEC) (OJ L 42, 15.2.1975, p. 1), as subsequently amended

Council Directive of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers (75/107/EEC) (OJ L 42, 15.2.1975, p. 14), as subsequently amended

Council Directive of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products (76/211/EEC) (OJ L 46, 21.2.1976, p. 1), as subsequently amended

Council Directive of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products (80/232/EEC) (OJ L 51, 25.2.1980, p. 1), as subsequently amended

Switzerland

Ordinance of 8 June 1998 concerning the measurement and declaration of quantities of goods in trade (RS 941.281), as subsequently amended

Ordinance of 12 June 1998 on technical provisions concerning the declaration of quantities on industrial pre-packages (RS 941.281.1), as subsequently amended

*Provisions covered by Article 1 paragraph 2**European Community*

Council Directive of 31 March 2004 on measuring instruments (2004/22/EC) (OJ L 135, 30.4.2004) as subsequently amended

Directive 1999/103/EC of the European Parliament and of the Council of 24 January 2000 amending Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement (OJ L 34, 9.2.2000, p. 17)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (71/316/EEC), as last amended by Council Directive 88/665/EEC of 21 December 1988 (OJ L 382, 31.12.1988, p. 42)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to 5 to 50 kilo medium accuracy rectangular bar weights and 1 to 10 kilo medium accuracy cylindrical weights (71/317/EEC) (OJ L 202, 6.9.1971, p. 14)

Council Directive of 4 March 1974 on the approximation of the laws of the Member States relating to weights from 1 mg to 50 kg of above medium-accuracy (74/148/EEC) (OJ L 84, 28.3.1974, p. 3)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables (76/766/EEC) (OJ L 262, 27.9.1976, p. 149)

Switzerland

Federal Law of 9 June 1977 on metrology (RO 1977 2394), as last amended 18 June 1993 (RO 1993 3149)

Ordinance of 23 November 1994 on units of measurement (RO 1994 3109)

Ordinance of 15 February 2006 concerning measuring instruments (RO 2006 1453)

Ordinance of the Federal Ministry of Justice and Police of 16 April 2004 on non-automatic weighing instruments (RO 2004 2093)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring instruments for length (RO 2006)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on vessels for public use (RO 2006 1525)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring systems for liquids other than water (RO 2006 1533)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on automatic weighing instruments (RO 2006 1545)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring instruments for thermal energy (RO 2006 1569)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring instruments for gas quantities (RO 2006 1591)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring instruments for exhaust gases of combustion engines (RO 2006 1599)

Ordinance of the Federal Ministry of Justice and Police of 19 March 2006 on measuring instruments for the electrical energy and power (RO 2006 1613)

Ordinance of 15 August 1986 on weights (RO 1986 2022), as last amended 21 November 1995 (RO 1995 5646)

SECTION II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

SECTION III

Designating authorities

Provisions covered by Article 1 paragraph 1

European Community:

- Belgium: Ministère des affaires économiques/Ministerie van Economische Zaken
- Denmark: National Agency for Enterprise and Housing
- Germany:
- Greece: Ministry of Development, General Secretariat of Consumer
- Spain: Ministerio de Fomento
- France: Measuring Instruments:
Ministère de l'économie, des finances et de l'industrie — Direction de l'action régionale et de la petite et moyenne industrie — Sous-direction de la métrologie
Pre-packages:
Ministère de l'économie, des finances et de l'industrie — Direction générale de la consommation, de la concurrence et de la répression des fraudes
- Ireland:
- Italy:
- Luxembourg:
- Netherlands: Minister van Economische Zaken
- Austria: Bundesministerium für Wirtschaft und Arbeit
- Portugal:
- Finland: Kauppa- ja teollisuusministeriö/Handels- och industriministeriet
- Sweden: Under the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll
For Directive 75/33/CEE and Directive 79/830/CEE: Boverket
For Directive 77/95/CEE: Vägverket
- United Kingdom: Department of Trade and Industry
- Switzerland:* Swiss Federal Office of Metrology (METAS)

Provisions covered by Article 1 paragraph 2

European Community:

— Belgium:	Ministère des affaires économiques/Ministerie van Economische Zaken
— Denmark:	National Agency for Enterprise and Housing
— Germany:	
— Greece:	Ministry of Development, General Secretariat of Consumer
— Spain:	Ministerio de Fomento
— France:	
— Ireland:	
— Italy:	
— Luxembourg:	
— Netherlands:	Minister van Economische Zaken
— Austria:	Bundesministerium für Wirtschaft und Arbeit
— Portugal:	
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet
— Sweden:	Under the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll For Directive 75/33/CEE and Directive 79/830/CEE: Boverket For Directive 77/95/CEE: Vägverket
— United Kingdom:	Department of Trade and Industry
Switzerland:	Swiss Federal Office of Metrology (METAS)

SECTION IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex V to Directive 90/384/EEC and in Article 12 to Directive 2004/22/EC, as regards the products covered by those Directives.

SECTION V

Supplementary provisions

1. Information exchange

The conformity assessment bodies listed in section II shall periodically provide the Member States and the competent Swiss authorities with the information provided for in point 1.5 of Annex II to Directive 90/384/EEC.

The conformity assessment bodies listed in section II may request the information provided for in point 1.6 of Annex II to Directive 90/384/EEC.

2. *Pre-packages*

Switzerland shall recognise checks carried out in accordance with the provisions of Community legislation listed in section I by a Community body listed in section II in the case of Community pre-packages placed on the market in Switzerland.

As regards statistical checking of the quantities declared on pre-packages, the European Community shall recognise the Swiss method laid down in Articles 24 to 40 of the Ordinance on technical provisions concerning the declaration of quantities on industrial pre-packages (RS 941.281.1) as equivalent to the Community method laid down in Annex II of Directives 75/106/EEC and 76/211/EEC, as amended by Directive 78/891/EEC. Swiss producers whose pre-packages conform to Community legislation and have been checked according to the Swiss method shall affix the "e" mark on their products exported to the EC.

3. *Marking*

3.1. For the purposes of this Agreement, the provisions of Directive 71/316/EEC shall be read with the following adaptations:

- (a) To the first indent of point 3.1 of Annex I and to the first indent of point 3.1.1.1 (a) of Annex II, the following shall be added to the text in brackets: "CH for Switzerland".
- (b) The drawings to which Annex II point 3.2.1 refers, shall be supplemented by the letters necessary for the sign "CH".

3.2. By the way of derogation from Article 1 of this Agreement, the rules on marking for measuring instruments placed on the Swiss market are as follows:

The marking that must be affixed is the CE marking and supplementary metrology marking or the national sign of the EC Member State concerned as provided in the first indent of point 3.1 of Annex I and the first indent of point 3.1.1.1 of Annex II to Directive 71/316/EEC.

4. *Measuring instruments covered by Directive 2004/22/EC*

4.1. Information exchange, market surveillance and administrative cooperation

In accordance with Article 18 of Directive 2004/22/EC, the competent authorities of the Member States and Switzerland shall assist each other in the fulfilment of their obligations to carry out market surveillance.

In particular, the competent authorities shall exchange:

- information concerning the extent to which instruments they examine comply with the provisions of Directive 2004/22/EC, and the results of such examinations,
- EC-type examination and design examination certificates and their annexes issued by notified bodies as well as additions, amendments and withdrawals relating to certificates already issued,
- quality system approvals issued by notified bodies, as well as information on quality systems refused or withdrawn,
- evaluation reports established by notified bodies, when demanded by other authorities.

The Member States and Switzerland shall ensure that all necessary information relating to the certificates and quality system approvals is made available to bodies they have notified.

Each Party shall inform the other Party which competent authorities it has designated for such an exchange of information.

4.2. Technical documentation and declaration of conformity

It shall be sufficient for manufacturers, their authorised representatives or the person responsible for placing products on the market to hold the technical documentation and declarations of conformity required by the national authorities for inspection purposes at their disposal in the territory of one of the Parties for a period of at least 10 years after the last date of manufacture of the product.

The Parties hereby undertake to forward all relevant documents at the request of the authorities of the other Party.

COMMISSION DECISION**of 3 November 2006****establishing revised ecological criteria and the related assessment and verification requirements for the award of the Community eco-label to soil improvers***(notified under document number C(2006) 5369)***(Text with EEA relevance)****(2006/799/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme⁽¹⁾, and in particular the second subparagraph of Article 6(1) thereof,

After consulting the European Union Eco-Labeling Board,

Whereas:

- (1) Pursuant to Regulation (EC) No 1980/2000, a timely review has been carried out of the ecological criteria, as well as of the related assessment and verification requirements, established by Commission Decision 2001/688/EC⁽²⁾ for the award of the Community eco-label to soil improvers and growing media.
- (2) In the light of that review, it is appropriate to divide the product group into two separate product groups.
- (3) Decision 2001/688/EC should therefore be replaced by two separate Decisions, for soil improvers and growing media respectively.
- (4) As regards soil improvers, it is also appropriate in the light of the review, in order to take account of scientific and market developments, to revise the criteria and requirements relating to soil improvers, the period of validity of which expires on 28 August 2007.
- (5) The revised ecological criteria and requirements should be valid for a period of four years.
- (6) It is appropriate to allow a transitional period of not more than 18 months for producers whose products have been awarded the eco-label before 1 October 2006 or who have applied for such an award before that date, so that they have sufficient time to adapt their products to comply with the revised criteria and requirements.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee instituted by Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'soil improvers' shall comprise materials to be added to the soil in situ primarily to maintain or improve its physical properties, and which may improve its chemical and/or biological properties or activity.

Article 2

In order to be awarded the Community eco-label for soil improvers, pursuant to Regulation (EC) No 1980/2000, a product must fall within the product group 'soil improvers' as defined in Article 1, and must comply with the ecological criteria set out in the Annex to this Decision.

Article 3

The environmental performance of the product group 'soil improvers' shall be assessed by reference to the specific ecological criteria set out in the Annex.

Article 4

For administrative purposes, the code number assigned to the product group 'soil improvers' shall be '003'.

Article 5

Decision 2001/688/EC is repealed.

Article 6

Eco-labels awarded before 1 October 2006 in respect of products falling within the product group 'soil improvers and growing media' may continue to be used until 30 April 2008.

Where applications have been submitted before 1 October 2006 for award of the eco-label in respect of products falling within the product group 'soil improvers and growing media', those products may be awarded the eco-label under the conditions applicable until 28 August 2007. In such cases, the eco-label may be used until 30 April 2008.

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 242, 12.9.2001, p. 17. Decision as amended by Decision 2005/384/EC (OJ L 127, 20.5.2005, p. 20).

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 3 November 2006.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

FRAMEWORK

Testing and sampling shall where applicable be carried out in accordance with test methods developed by Technical Committee CEN 223 'Soil improvers and growing media' until relevant horizontal standards elaborated under the guidance of CEN Task Force 151 'Horizontal' become available.

Sampling shall be carried out in accordance with methodologies set out by CEN/TC 223 (WG 3) as specified and approved by CEN in EN 12579 — Soil improvers and growing media — Sampling. Where testing or sampling is required that is not covered by these methods and sampling techniques, the Competent Body or bodies assessing the application (hereinafter referred to as the Competent Body) shall indicate which testing and/or sampling methods it considers acceptable.

Where appropriate, other test methods may be used if their equivalence is accepted by the Competent Body. Where no tests are mentioned, or are mentioned as being for use in verification or monitoring, competent bodies should rely as appropriate on declarations and documentation provided by the applicant and/or independent verifications.

The competent bodies are recommended to take into account the implementation of recognised environmental management schemes, such as EMAS or ISO 14001, when assessing applications and monitoring compliance with the criteria in this Annex. (NB: it is not required to implement such management schemes).

These criteria aim in particular at promoting:

- the use of renewable materials and/or recycling of organic matter derived from the collection and/or processing of waste material and therefore contributing to a minimisation of solid waste at the final disposal (e.g. at landfill),
- the reduction of environmental damage or risks from heavy metals and other hazardous compounds due to application of the product.

The criteria are set at levels that promote the labelling of soil improvers that have a lower environmental impact during the whole lifecycle of the product

ECOLOGICAL CRITERIA

1. Ingredients

The following ingredients are admitted:

1.1. Organic ingredients

A product shall only be considered for the award of the Eco-label if it does not contain peat and its organic matter content is derived from the processing and/or re-use of waste (as defined in Council Directive 75/442/EEC of 15 July 1975 on waste ⁽¹⁾ and in Annex I to the said Directive).

The applicant shall provide the Competent Body with the detailed composition of the product, and a declaration of compliance with the above requirement.

⁽¹⁾ OJ L 194, 25.7.1975, p. 47. Directive as last amended by Regulation (EC) No 1882/2003 of the European Council and of the Parliament (OJ L 284, 31.10.2003, p. 1).

1.2. Sludges

Products shall not contain sewage sludge. (Non-sewage) sludges are allowed only if they meet the following criteria:

Sludges are identified as one of the following wastes according the European list of wastes (as defined by Commission Decision 2001/118/EC of 16 January 2001 amending Decision 2000/532/EC as regards the list of wastes ⁽¹⁾):

0203 05	sludges from on-site effluent treatment in the preparation and processing of fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco; conserve production; yeast and yeast extract production, molasses preparation and fermentation.
0204 03	sludges from on-site effluent treatment in sugar processing.
0205 02	sludges from on-site effluent treatment in the dairy products industry.
0206 03	sludges from on-site effluent treatment in the baking and confectionery industry.
0207 05	sludges from on-site effluent treatment in the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa).

Sludges are single-source separated, meaning that there has been no mixing with effluents or sludges outside the specific production process.

Maximum concentrations of heavy metals in the waste before treatment (mg/kg dry weight) meet the requirements of criterion 2.

Sludges shall meet all other Eco-label criteria specified in this Annex, in which case they are considered to be sufficiently stabilised and sanitised.

The applicant shall provide the Competent Body with the detailed composition of the product, and a declaration of compliance with each of the above requirements.

1.3. Minerals

Minerals shall not be extracted from:

- notified sites of Community importance pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ⁽²⁾,
- Natura 2000 network areas, composed of the special protection areas pursuant to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ⁽³⁾, and those areas under Directive 92/43/EEC, or equivalent areas located outside the European Community that fall under the corresponding provisions of the United Nations Convention on Biological Diversity.

The applicant shall provide the Competent Body with a declaration of compliance with this requirement issued by the appropriate authorities.

⁽¹⁾ OJ L 47, 16.2.2001, p. 1.

⁽²⁾ OJ L 206, 22.7.1992, p. 7. Directive as last amended by Regulation (EC) 1882/2003.

⁽³⁾ OJ L 59, 25.4.1979, p. 1. Directive as last amended by Regulation (EC) No 807/2003. (OJ L 122, 16.5.2003, p. 36).

2. Limitation of hazardous substances

In the final product, the content of the following elements shall be lower than the values shown below, measured in terms of dry weight:

Element	mg/kg (dry weight)
Zn	300
Cu	100
Ni	50
Cd	1
Pb	100
Hg	1
Cr	100
Mo (*)	2
Se (*)	1,5
As (*)	10
F (*)	200

(*) Data relating to the presence of these elements are needed only for products containing material from industrial processes.

NB: These limit values are valid unless national legislation is more strict.

The applicant shall provide the Competent Body with the relevant test reports, and a declaration of compliance with this requirement.

3. Physical contaminants

In the final product (with mesh size 2 mm), the content of glass, metal and plastic shall be lower than 0,5 % as measured in terms of dry weight.

The applicant shall provide the Competent Body with the relevant test reports, and a declaration of compliance with this requirement.

4. Nitrogen

The concentration of nitrogen in the product shall not exceed 3 % total N (by weight) and inorganic N must not exceed 20 % total N (or organic N \geq 80 %).

The applicant shall provide the Competent Body with a declaration of compliance with this requirement.

5. Product performance

(a) Products shall be supplied in a solid form and contain not less than 25 % dry matter by weight and not less than 20 % organic matter by dry weight (measured by loss on ignition).

(b) Products shall not adversely affect plant emergence or subsequent growth.

The applicant shall provide the Competent Body with a declaration of compliance with these requirements, together with related test reports and documentation.

6. Health and safety

Products shall not exceed the maximum levels of primary pathogens as follows:

- *Salmonella*: absent in 25 g
- Helminth ova: absent in 1,5 g ⁽¹⁾
- *E. coli*: < 1 000 MPN/g (MPN: most probable number) ⁽²⁾

The applicant shall provide the Competent Body with the relevant test reports and documentation, and a declaration of compliance with these requirements.

7. Viable seeds/propagules

In the final product, the content of weed seeds and the vegetative reproductive parts of aggressive weeds shall not exceed two units per litre.

The applicant shall provide the Competent Body with a declaration of compliance with these requirements, together with any related test reports and/or documentation.

8. Information provided with the product

The following information shall be provided with the product (whether the product is packaged or unpackaged), either written on the packaging or on accompanying fact sheets:

General information

- (a) the name and address of the body responsible for marketing;
- (b) descriptor identifying the product by type, including the wording 'SOIL IMPROVER';
- (c) batch identification code;
- (d) the quantity (in weight or volume);
- (e) the main input materials (those over 5 % by volume) from which the product has been manufactured;

If applicable, the following information about the use of the product shall be provided with the product, either written on the packaging or on accompanying factsheets:

- (a) the recommended conditions of storage and the recommended 'use by' date;
- (b) guidelines for safe handling and use;
- (c) a description of the purpose for which the product is intended and any limitations on use;
- (d) statement about the suitability of the product for particular plant groups (e.g. calcifuges or calcicoles);
- (e) pH and Carbon to Nitrogen (C/N) ratio;
- (f) a statement about the stability of organic matter (stable or very stable) by national or international standard;

⁽¹⁾ For those products whose organic content is exclusively derived from green, garden or park waste.

⁽²⁾ For those products whose organic content is exclusively derived from green, garden or park waste.

(g) a statement on recommended methods of use;

(h) in hobby applications: recommended rate of application expressed in kilograms or litres of product per unit surface area (m²) per annum;

Information items can only be omitted if a satisfactory justification is provided by the applicant.

NB: This information is supplied unless national legislation requires otherwise.

Detailed information

Parameter	Test methods
Quantity	EN 12580
Organic matter content and ash	EN 13039
Total N	prEN 13654/1-2
Carbon to Nitrogen ration (C/N)	C/N (*)
pH	EN 13037
Heavy metals (Cd, Cr, Cu, Pb, Ni, Zn)	EN 13650
Hg	ISO 16772
Moisture/dry matter content	EN 13040
<i>Salmonella</i>	ISO 6579
Helminth ova	prXP X 33-017
<i>E. coli</i>	ISO 11866-3
Stability/maturity test (test carried out to be declared with results)	n. a.

(*) Carbon = organic matter (EN 13039) × 0,58
n. a. = CEN method not available.

9. Information appearing on the Eco-label

Box 2 of the Eco-label shall include the following text:

- contributes to reducing soil and water pollution,
- promotes the recycling of materials,
- contributes to enhanced soil fertility.

COMMISSION DECISION

of 23 November 2006

approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs against that disease in Bulgaria*(notified under document number C(2006) 5468)***(Text with EEA relevance)**

(2006/800/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

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

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽¹⁾, and in particular the second subparagraph of Article 16(1) and the fourth subparagraph of Article 20(2) thereof,

Whereas:

(1) Directive 2001/89/EC introduces minimum Community measures for the control of classical swine fever. Those measures include the provision that Member States are to submit to the Commission, following the confirmation of a primary case of classical swine fever in feral pigs, a plan of the measures to eradicate that disease. That Directive also contains provisions concerning the emergency vaccination of feral pigs.

(2) Classical swine fever is present in feral pigs in Bulgaria.

(3) Taking into account the accession of Bulgaria, the measures concerning the situation with regard to classical swine fever in that country should be laid down at Community level.

(4) Bulgaria has put in place a programme to survey and control classical swine fever in the whole territory of that country. That programme is still ongoing.

(5) Bulgaria also submitted to the Commission for approval on 31 May 2006 a plan for the eradication of classical swine fever in feral pigs and a plan for the emergency vaccination of such pigs in the whole territory of Bulgaria.

(6) Those plans submitted by Bulgaria have been examined by the Commission and found to comply with Directive 2001/89/EC.

(7) With a view to the accession of Bulgaria, those plans should be approved as a transitional measure to be applicable from the date of accession and for a period of nine months.

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

HAS ADOPTED THIS DECISION:

*Article 1***Plan for the eradication of classical swine fever in feral pigs**

The plan submitted by Bulgaria to the Commission on 31 May 2006 for the eradication of classical swine fever in feral pigs, in the area as set out in point 1 of the Annex, is approved.

*Article 2***Plan for the emergency vaccination against classical swine fever of feral pigs**

The plan submitted by Bulgaria to the Commission on 31 May 2006 for the emergency vaccination against classical swine fever of feral pigs, in the area as set out in point 2 of the Annex, is approved.

⁽¹⁾ OJ L 316, 1.12.2001, p. 5. Directive as amended by the 2003 Act of Accession.

Article 3

It shall apply for a period of nine months.

Compliance

Bulgaria shall take the necessary measures to comply with this Decision and publish those measures. It shall immediately inform the Commission thereof.

Article 5

This Decision is addressed to the Member States.

Article 4

Done at Brussels, 23 November 2006.

Applicability

This Decision shall apply only subject to and from the date of entry into force of the Treaty of Accession of Bulgaria and Romania.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX**1. Areas where the plan for the eradication of classical swine fever in feral pigs is to be implemented:**

The whole territory of Bulgaria.

2. Areas where the plan for the emergency vaccination against classical swine fever of feral pigs is to be implemented:

The whole territory of Bulgaria.
