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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1826/2005
of 10 November 2005
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 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*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 November 2005 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	66,1
	096	36,8
	204	43,7
	999	48,9
0707 00 05	052	115,4
	204	23,8
	999	69,6
0709 90 70	052	108,7
	204	64,4
	999	86,6
0805 20 10	204	69,6
	999	69,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	68,2
	624	90,5
	999	79,4
0805 50 10	052	70,0
	388	54,9
	999	62,5
0806 10 10	052	113,1
	400	243,0
	508	260,2
	624	175,2
	720	104,5
	999	179,2
0808 10 80	052	93,3
	388	102,0
	400	104,9
	404	98,8
	512	131,2
	720	26,7
	800	160,8
	804	82,0
0808 20 50	999	100,0
	052	106,4
	720	44,3
	999	75,4

⁽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 1827/2005**of 10 November 2005****fixing the representative prices and the additional import duties for molasses in the sugar sector
applicable from 11 November 2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾, is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.
- (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

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 12. Regulation as amended by Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

⁽³⁾ OJ 145, 27.6.1968, p. 12. Regulation as amended by Regulation (EC) No 1422/95.

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 11 November 2005

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽¹⁾
1703 10 00 ⁽²⁾	11,14	—	0
1703 90 00 ⁽²⁾	11,76	—	0

⁽¹⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 1828/2005**of 10 November 2005****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.
- (4) In special cases, the amount of the refund may be fixed by other legal instruments.

- (5) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.
- (8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.
- (9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.
- (10) 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 export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 11 NOVEMBER 2005 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	33,86 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	35,06 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	33,86 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	35,06 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,3681
1701 99 10 9100	S00	EUR/100 kg	36,81
1701 99 10 9910	S00	EUR/100 kg	38,12
1701 99 10 9950	S00	EUR/100 kg	38,12
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,3681

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).

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

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

^(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 the provisional application of the Agreement between the European Community and the Swiss Confederation amending 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 calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 1829/2005**of 10 November 2005****fixing the maximum export refund for white sugar to certain third countries for the 12th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1138/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾ and in particular the second indent of Article 27(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 1138/2005 of 15 July 2005 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾, for the 2005/2006 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1138/2005 a maximum export refund shall be fixed,

as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(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 12th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1138/2005 the maximum amount of the export refund shall be 41,360 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 185, 16.7.2005, p. 3.

COMMISSION REGULATION (EC) No 1830/2005
of 10 November 2005
determining the world market price for unginne d cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginne d cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginne d cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginne d

cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginne d cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginne d cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling 21,976 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10. Regulation as amended by Regulation (EC) No 1486/2002 (OJ L 223, 20.8.2002, p. 3).

COMMISSION REGULATION (EC) No 1831/2005**of 10 November 2005****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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⁾,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal meeting the definition laid down therein which may

be imported on special terms for the period 1 July 2005 to 30 June 2006 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 November 2005 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of December 2005 for 5 132,33 t.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

⁽²⁾ OJ L 137, 28.5.1997, p. 10. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

COMMISSION REGULATION (EC) No 1832/2005
of 10 November 2005
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being

determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third-country markets;
- (b) the most favourable prices in third countries of destination for third-country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the above-mentioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽²⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽³⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 1513/2005 (OJ L 241, 17.9.2005, p. 45).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾ laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) In determining the products and destinations eligible for refunds, it is appropriate to take into account that the competitive position of certain Community products does not justify encouragement of exports and that the geographical proximity of certain territories risks facilitating diversion of trade and abuses.
- (10) It follows from applying the rules set out above to the present situation on the market in milk and in particular

to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 10 November 2005 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 30 31 9100	L01	EUR/100 kg	—	0402 21 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	13,20		068	EUR/100 kg	—
	A01	EUR/100 kg	18,86		L02	EUR/100 kg	36,55
0401 30 31 9400	L01	EUR/100 kg	—	0402 21 11 9900	A01	EUR/100 kg	46,92
	L02	EUR/100 kg	20,62		L01	EUR/100 kg	—
	A01	EUR/100 kg	29,47		068	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—	0402 21 17 9000	L02	EUR/100 kg	38,94
	L02	EUR/100 kg	22,75		A01	EUR/100 kg	50,00
	A01	EUR/100 kg	32,49		L01	EUR/100 kg	—
0401 30 39 9100	L01	EUR/100 kg	—	0402 21 19 9300	068	EUR/100 kg	—
	L02	EUR/100 kg	13,20		L02	EUR/100 kg	8,28
	A01	EUR/100 kg	18,86		A01	EUR/100 kg	10,00
0401 30 39 9400	L01	EUR/100 kg	—	0402 21 19 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	20,62		068	EUR/100 kg	—
	A01	EUR/100 kg	29,47		L02	EUR/100 kg	35,03
0401 30 39 9700	L01	EUR/100 kg	—	0402 21 19 9900	A01	EUR/100 kg	44,94
	L02	EUR/100 kg	22,75		L01	EUR/100 kg	—
	A01	EUR/100 kg	32,49		068	EUR/100 kg	—
0401 30 91 9100	L01	EUR/100 kg	—	0402 21 19 9900	L02	EUR/100 kg	36,55
	L02	EUR/100 kg	25,92		A01	EUR/100 kg	46,92
	A01	EUR/100 kg	37,04	0402 21 91 9100	L01	EUR/100 kg	—
0401 30 99 9100	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	25,92		L02	EUR/100 kg	38,94
	A01	EUR/100 kg	37,04	0402 21 91 9200	A01	EUR/100 kg	50,00
0401 30 99 9500	L01	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	38,10		068	EUR/100 kg	—
	A01	EUR/100 kg	54,43		L02	EUR/100 kg	39,19
0402 10 11 9000	L01	EUR/100 kg	—	0402 21 91 9350	A01	EUR/100 kg	50,30
	068	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		068	EUR/100 kg	—
0402 10 19 9000	A01	EUR/100 kg	10,00	0402 21 91 9500	L02	EUR/100 kg	39,42
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,61
	068	EUR/100 kg	—		L01	EUR/100 kg	—
0402 10 91 9000	L02	EUR/100 kg	8,28	0402 21 99 9100	068	EUR/100 kg	—
	A01	EUR/100 kg	10,00		L02	EUR/100 kg	39,84
	L01	EUR/kg	—		A01	EUR/100 kg	51,12
0402 10 99 9000	068	EUR/kg	—	0402 21 99 9200	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		068	EUR/100 kg	—
	A01	EUR/kg	0,1000		L02	EUR/100 kg	42,80
0402 21 11 9200	L01	EUR/kg	—	0402 21 99 9300	A01	EUR/100 kg	54,94
	068	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		068	EUR/100 kg	—
0402 21 11 9300	A01	EUR/kg	0,1000		L02	EUR/100 kg	39,19
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,30
	068	EUR/100 kg	—		L01	EUR/100 kg	—
0402 21 11 9500	L02	EUR/100 kg	8,28		068	EUR/100 kg	—
	A01	EUR/100 kg	10,00		L02	EUR/100 kg	39,42
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,61
0402 21 11 9700	L01	EUR/100 kg	—		L01	EUR/100 kg	—
	068	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	8,28		L02	EUR/100 kg	39,84
0402 21 11 9900	A01	EUR/100 kg	35,03		A01	EUR/100 kg	51,12
	L01	EUR/100 kg	—		L01	EUR/100 kg	—
	068	EUR/100 kg	—		068	EUR/100 kg	—
0402 21 11 9900	L02	EUR/100 kg	35,03		L02	EUR/100 kg	39,84
	A01	EUR/100 kg	44,94		A01	EUR/100 kg	51,12

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0402 21 99 9400	L01	EUR/100 kg	—	0402 91 31 9300	L01	EUR/100 kg	—
	068	EUR/100 kg	—		L02	EUR/100 kg	4,877
	L02	EUR/100 kg	42,03		A01	EUR/100 kg	6,967
	A01	EUR/100 kg	53,96	0402 91 39 9300	L01	EUR/100 kg	—
0402 21 99 9500	L01	EUR/100 kg	—		L02	EUR/100 kg	4,877
	068	EUR/100 kg	—		A01	EUR/100 kg	6,967
	L02	EUR/100 kg	42,80	0402 91 99 9000	L01	EUR/100 kg	—
	A01	EUR/100 kg	54,94		L02	EUR/100 kg	15,93
0402 21 99 9600	L01	EUR/100 kg	—		A01	EUR/100 kg	22,76
	068	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—
	L02	EUR/100 kg	45,83		L02	EUR/kg	0,1055
	A01	EUR/100 kg	58,82		A01	EUR/kg	0,1508
0402 21 99 9700	L01	EUR/100 kg	—	0402 99 19 9350	L01	EUR/kg	—
	068	EUR/100 kg	—		L02	EUR/kg	0,1055
	L02	EUR/100 kg	47,52		A01	EUR/kg	0,1508
	A01	EUR/100 kg	61,03	0402 99 31 9150	L01	EUR/kg	—
0402 21 99 9900	L01	EUR/100 kg	—		L02	EUR/kg	0,1095
	068	EUR/100 kg	—		A01	EUR/kg	0,1565
	L02	EUR/100 kg	49,51	0402 99 31 9300	L01	EUR/kg	—
	A01	EUR/100 kg	63,55		L02	EUR/kg	0,0953
0402 29 15 9200	L01	EUR/kg	—		A01	EUR/kg	0,1362
	L02	EUR/kg	0,0828	0402 99 39 9150	L01	EUR/kg	—
	A01	EUR/kg	0,1000		L02	EUR/kg	0,1095
0402 29 15 9300	L01	EUR/kg	—		A01	EUR/kg	0,1565
	L02	EUR/kg	0,3503	0403 90 11 9000	L01	EUR/100 kg	—
	A01	EUR/kg	0,4494		L02	EUR/100 kg	8,18
0402 29 15 9500	L01	EUR/kg	—		A01	EUR/100 kg	9,86
	L02	EUR/kg	0,3655	0403 90 13 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	8,18
0402 29 15 9900	L01	EUR/kg	—		A01	EUR/100 kg	9,86
	L02	EUR/kg	0,3894	0403 90 13 9300	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	34,70
0402 29 19 9300	L01	EUR/kg	—		A01	EUR/100 kg	44,55
	L02	EUR/kg	0,3503	0403 90 13 9500	L01	EUR/100 kg	—
	A01	EUR/kg	0,4494		L02	EUR/100 kg	36,23
0402 29 19 9500	L01	EUR/kg	—		A01	EUR/100 kg	46,50
	L02	EUR/kg	0,3655	0403 90 13 9900	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	38,61
0402 29 19 9900	L01	EUR/kg	—		A01	EUR/100 kg	49,55
	L02	EUR/kg	0,3894	0403 90 19 9000	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	38,84
0402 29 91 9000	L01	EUR/kg	—		A01	EUR/100 kg	49,86
	L02	EUR/kg	0,3919	0403 90 33 9400	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3470
0402 29 99 9100	L01	EUR/kg	—		A01	EUR/kg	0,4455
	L02	EUR/kg	0,3919	0403 90 33 9900	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3861
0402 29 99 9500	L01	EUR/kg	—		A01	EUR/kg	0,4955
	L02	EUR/kg	0,4203	0403 90 59 9310	L01	EUR/100 kg	—
	A01	EUR/kg	0,5396		L02	EUR/100 kg	13,20
0402 91 11 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	18,86
	L02	EUR/100 kg	4,127	0403 90 59 9340	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
0402 91 19 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	27,59
	L02	EUR/100 kg	4,127	0403 90 59 9370	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
					A01	EUR/100 kg	27,59

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	19,32		L02	EUR/100 kg	66,57
	A01	EUR/100 kg	27,59		A01	EUR/100 kg	89,76
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	7,07		L02	EUR/100 kg	68,24
	A01	EUR/100 kg	8,53		A01	EUR/100 kg	92,00
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 30 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		L02	EUR/100 kg	66,57
	A01	EUR/100 kg	10,00		A01	EUR/100 kg	89,76
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		L02	EUR/100 kg	68,24
	A01	EUR/100 kg	10,00		A01	EUR/100 kg	92,00
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	68,24
	A01	EUR/100 kg	44,94		A01	EUR/100 kg	92,00
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 50 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	36,55		L02	EUR/100 kg	68,24
	A01	EUR/100 kg	46,92		A01	EUR/100 kg	92,00
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 50 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	38,94		L02	EUR/100 kg	66,57
	A01	EUR/100 kg	50,00		A01	EUR/100 kg	89,76
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,19		L02	EUR/100 kg	68,24
	A01	EUR/100 kg	50,30		A01	EUR/100 kg	92,00
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 90 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,42		L02	EUR/100 kg	70,73
	A01	EUR/100 kg	50,61		A01	EUR/100 kg	95,37
0404 90 29 9125	L01	EUR/100 kg	—	0405 20 90 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,84		L02	EUR/100 kg	62,41
	A01	EUR/100 kg	51,12		A01	EUR/100 kg	84,16
0404 90 29 9140	L01	EUR/100 kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	42,80		L02	EUR/100 kg	64,90
	A01	EUR/100 kg	54,94		A01	EUR/100 kg	87,51
0404 90 81 9100	L01	EUR/kg	—	0405 90 10 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		L02	EUR/100 kg	85,16
	A01	EUR/kg	0,1000		A01	EUR/100 kg	114,82
0404 90 83 9110	L01	EUR/kg	—	0405 90 90 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		L02	EUR/100 kg	68,11
	A01	EUR/kg	0,1000		A01	EUR/100 kg	91,83
0404 90 83 9130	L01	EUR/kg	—	0406 10 20 9100	L01	EUR/100 kg	—
	L02	EUR/kg	0,3503		L02	EUR/100 kg	—
	A01	EUR/kg	0,4494		A01	EUR/100 kg	16,24
0404 90 83 9150	L01	EUR/kg	—	0406 10 20 9230	L03	EUR/100 kg	—
	L02	EUR/kg	0,3655		L04	EUR/100 kg	12,99
	A01	EUR/kg	0,4692		400	EUR/100 kg	—
0404 90 83 9170	L01	EUR/kg	—	0406 10 20 9290	A01	EUR/100 kg	—
	L02	EUR/kg	0,3894		A00	EUR/100 kg	—
	A01	EUR/kg	0,5000		A00	EUR/100 kg	—
0404 90 83 9936	L01	EUR/kg	—	0406 10 20 9300	A00	EUR/100 kg	—
	L02	EUR/kg	0,1055		A00	EUR/100 kg	—
	A01	EUR/kg	0,1508		A00	EUR/100 kg	—
0405 10 11 9500	L01	EUR/100 kg	—	0406 10 20 9610	A00	EUR/100 kg	—
	L02	EUR/100 kg	66,57		A00	EUR/100 kg	—
	A01	EUR/100 kg	89,76		A00	EUR/100 kg	—
0405 10 11 9700	L01	EUR/100 kg	—	0406 10 20 9620	L03	EUR/100 kg	—
	L02	EUR/100 kg	68,24		L04	EUR/100 kg	19,96
	A01	EUR/100 kg	92,00		400	EUR/100 kg	—
					A01	EUR/100 kg	24,94

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,32		L04	EUR/100 kg	5,69
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,65		A01	EUR/100 kg	13,34
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	24,44		L04	EUR/100 kg	6,44
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	30,55		A01	EUR/100 kg	15,09
0406 10 20 9830	L03	EUR/100 kg	—	0406 30 90 9000	A00	EUR/100 kg	—
	L04	EUR/100 kg	9,08	0406 40 50 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	34,48
	A01	EUR/100 kg	11,33		400	EUR/100 kg	—
0406 10 20 9850	L03	EUR/100 kg	—	0406 40 90 9000	A01	EUR/100 kg	43,09
	L04	EUR/100 kg	10,99		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,41
	A01	EUR/100 kg	13,74		400	EUR/100 kg	—
0406 20 90 9100	A00	EUR/100 kg	—	0406 90 13 9000	A01	EUR/100 kg	44,26
0406 20 90 9913	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	21,76		L04	EUR/100 kg	39,25
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9915	A01	EUR/100 kg	27,20	0406 90 15 9100	A01	EUR/100 kg	56,18
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	29,54		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9917	A01	EUR/100 kg	36,93	0406 90 17 9100	A01	EUR/100 kg	58,06
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	31,41		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9919	A01	EUR/100 kg	39,24	0406 90 21 9900	A01	EUR/100 kg	58,06
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	35,08		L04	EUR/100 kg	39,43
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 30 31 9710	A00	EUR/100 kg	—	0406 90 23 9900	A01	EUR/100 kg	56,30
0406 30 31 9730	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	3,91		L04	EUR/100 kg	35,35
	400	EUR/100 kg	—		400	EUR/100 kg	—
0406 30 31 9910	A01	EUR/100 kg	9,17	0406 90 25 9900	A01	EUR/100 kg	50,82
	A00	EUR/100 kg	—		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	34,67
	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
0406 30 31 9930	400	EUR/100 kg	—	0406 90 27 9900	A01	EUR/100 kg	49,63
	A01	EUR/100 kg	9,17		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	31,39
	L04	EUR/100 kg	5,69		400	EUR/100 kg	—
0406 30 31 9950	400	EUR/100 kg	—	0406 90 31 9119	A01	EUR/100 kg	44,95
	A01	EUR/100 kg	13,34		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	29,03
	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
0406 30 39 9500	400	EUR/100 kg	—	0406 90 33 9119	A01	EUR/100 kg	41,60
	A01	EUR/100 kg	9,17		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	29,03
	L04	EUR/100 kg	5,69		400	EUR/100 kg	—
0406 30 39 9700	400	EUR/100 kg	—		A01	EUR/100 kg	41,60
	A01	EUR/100 kg	13,34				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 33 9919	A00	EUR/100 kg	—	0406 90 78 9300	L03	EUR/100 kg	—
0406 90 33 9951	A00	EUR/100 kg	—		L04	EUR/100 kg	35,54
0406 90 35 9190	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	50,76
	400	EUR/100 kg	—	0406 90 78 9500	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	34,55
0406 90 35 9990	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	49,04
	400	EUR/100 kg	—	0406 90 79 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	29,35
0406 90 37 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	39,25		A01	EUR/100 kg	42,19
	400	EUR/100 kg	—	0406 90 81 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	56,18		L04	EUR/100 kg	36,63
0406 90 61 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,68		A01	EUR/100 kg	52,44
	400	EUR/100 kg	—	0406 90 85 9930	L03	EUR/100 kg	—
	A01	EUR/100 kg	64,65		L04	EUR/100 kg	40,16
0406 90 63 9100	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,02		A01	EUR/100 kg	57,80
	400	EUR/100 kg	—	0406 90 85 9970	L03	EUR/100 kg	—
	A01	EUR/100 kg	63,49		L04	EUR/100 kg	36,84
0406 90 63 9900	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,31		A01	EUR/100 kg	52,98
	400	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	A01	EUR/100 kg	61,32	0406 90 86 9200	L03	EUR/100 kg	—
0406 90 69 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	35,61
0406 90 69 9910	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,93		A01	EUR/100 kg	52,80
	400	EUR/100 kg	—	0406 90 86 9300	A00	EUR/100 kg	—
	A01	EUR/100 kg	62,22	0406 90 86 9400	L03	EUR/100 kg	—
0406 90 73 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	38,16
	L04	EUR/100 kg	36,12		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	55,80
	A01	EUR/100 kg	51,75	0406 90 86 9900	L03	EUR/100 kg	—
0406 90 75 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	40,16
	L04	EUR/100 kg	36,84		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	57,80
	A01	EUR/100 kg	52,98	0406 90 87 9100	A00	EUR/100 kg	—
0406 90 76 9300	L03	EUR/100 kg	—	0406 90 87 9200	A00	EUR/100 kg	—
	L04	EUR/100 kg	32,71	0406 90 87 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,16
	A01	EUR/100 kg	46,82		400	EUR/100 kg	—
0406 90 76 9400	L03	EUR/100 kg	—		A01	EUR/100 kg	49,00
	L04	EUR/100 kg	36,63	0406 90 87 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,86
	A01	EUR/100 kg	52,44		400	EUR/100 kg	—
0406 90 76 9500	L03	EUR/100 kg	—		A01	EUR/100 kg	49,49
	L04	EUR/100 kg	33,92	0406 90 87 9951	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,97
	A01	EUR/100 kg	48,15		400	EUR/100 kg	—
0406 90 78 9100	L03	EUR/100 kg	—		A01	EUR/100 kg	51,50
	L04	EUR/100 kg	35,88				
	400	EUR/100 kg	—				
	A01	EUR/100 kg	52,42				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	35,97		L04	EUR/100 kg	37,52
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	51,50		A01	EUR/100 kg	53,02
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	15,21		L04	EUR/100 kg	35,35
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	21,86		A01	EUR/100 kg	50,82
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	35,33	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	29,29
	A01	EUR/100 kg	50,57		400	EUR/100 kg	—
0406 90 87 9974	L03	EUR/100 kg	—	0406 90 88 9500	A01	EUR/100 kg	43,13
	L04	EUR/100 kg	37,84		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	30,20
	A01	EUR/100 kg	53,93		400	EUR/100 kg	—
					A01	EUR/100 kg	43,15

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 Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12).

The other destinations are defined as follows:

L01 Ceuta, Melilla, Holy See, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L02 Andorra and Gibraltar.

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Turkey, Romania, Bulgaria, Croatia, Canada, Australia, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

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

COMMISSION REGULATION (EC) No 1833/2005**of 10 November 2005****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 8 November 2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 8 November 2005, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	93,00
Butter	ex 0405 10 19 9700	98,60
Butteroil	ex 0405 90 10 9000	120,29

COMMISSION REGULATION (EC) No 1834/2005**of 10 November 2005****fixing the maximum export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

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 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds for skimmed milk powder ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the tenders submitted in response to the invitation to

tender, it is appropriate to fix a maximum export refund for the tendering period ending on 8 November 2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 8 November 2005, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be 12,29 EUR/100 kg.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

COMMISSION REGULATION (EC) No 1835/2005**of 10 November 2005****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 November 2005.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 172, 5.7.2005, p. 24.

⁽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 November 2005.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

Rates of the refunds applicable from 11 November 2005 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⁾	3,567	3,973
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,866	1,866
	– – in other cases	3,973	3,973
	– 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⁾	2,574	2,980
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,400	1,400
	– – in other cases	2,980	2,980
	– where goods falling within subheading 2208 ⁽³⁾ are exported	1,866	1,866
	– other (including unprocessed)	3,973	3,973
	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⁾	3,030	3,453
	– where goods falling within subheading 2208 ⁽³⁾ are exported	1,866	1,866
	– in other cases	3,973	3,973

(*) The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004 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.

(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 1836/2005**of 10 November 2005****amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The rates of the refunds applicable from 27 October 2005 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1763/2005 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1763/2005 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1763/2005 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1787/2003 (OJ L 270, 21.10.2003, p. 121).

⁽²⁾ OJ L 285, 28.10.2005, p. 18.

ANNEX

Rates of the refunds applicable from 11 November 2005 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	10,00	10,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	23,57	23,57
	(b) on exportation of other goods	50,00	50,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	51,00	51,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	99,25	99,25
	(c) on exportation of other goods	92,00	92,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 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 1837/2005**of 10 November 2005****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.

(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 November 2005.

⁽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).

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

Done at Brussels, 10 November 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to Commission Regulation of 10 November 2005 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	55,62	1104 23 10 9300	C10	EUR/t	45,69
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	47,68	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	47,68	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	9,93
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	71,51	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	55,62	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	47,68	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	47,68	1108 12 00 9200	C10	EUR/t	63,57
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	63,57
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	63,57
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	63,57
1103 20 20 9000	C11	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	62,28
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	47,68
1104 19 50 9110	C10	EUR/t	63,57	1702 30 91 9000	C10	EUR/t	62,28
1104 19 50 9130	C10	EUR/t	51,65	1702 30 99 9000	C10	EUR/t	47,68
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	47,68
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	62,28
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	47,68
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	65,26
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	45,29
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	47,68
1104 23 10 9100	C10	EUR/t	59,60				

⁽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

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania

COMMISSION REGULATION (EC) No 1838/2005
of 10 November 2005
fixing production refunds on cereals

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 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽²⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.

- (3) 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 refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 12,99 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 21,86 for potato starch.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

COMMISSION REGULATION (EC) No 1839/2005**of 10 November 2005****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

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) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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 ⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) 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.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

to the Commission Regulation of 10 November 2005 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	6,40
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	5,90
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	5,45
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	C01	EUR/t	5,10
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	0	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	6,85				

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

C01: All third countries with the exception of Albania, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

COMMISSION REGULATION (EC) No 1840/2005**of 10 November 2005****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1058/2005**

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 barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1058/2005 ⁽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 4 to 10 November 2005 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 12.

⁽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 1841/2005**of 10 November 2005****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1059/2005**

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 1059/2005 ⁽²⁾.

(2) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified from 4 to 10 November 2005, pursuant to the invitation to tender issued in Regulation (EC) No 1059/2005, the maximum refund on exportation of common wheat shall be 5,00 EUR/t.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 15.

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

COMMISSION REGULATION (EC) No 1842/2005**of 10 November 2005****concerning tenders notified in response to the invitation to tender for the import of maize issued in Regulation (EC) No 1808/2005**

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 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain from third countries was opened pursuant to Commission Regulation (EC) No 1808/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 25 of Regulation (EC) No 1784/2003 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty 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 4 to 10 November 2005 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 1808/2005.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 291, 5.11.2005, p. 3.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 1843/2005**of 10 November 2005****concerning tenders notified in response to the invitation to tender for the import of maize issued in Regulation (EC) No 1809/2005**

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 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported in Portugal from third countries was opened pursuant to Commission Regulation (EC) No 1809/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 25 of Regulation (EC) No 1784/2003 and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty 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 4 to 10 November 2005 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 1809/2005.

Article 2

This Regulation shall enter into force on 11 November 2005.

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

Done at Brussels, 10 November 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 291, 5.11.2005, p. 4.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 6 June 2005

on the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Federative Republic of Brazil

(2005/781/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 170(2), in conjunction with the first sentence of the first subparagraph of Article 300(2) and Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) The Commission has negotiated, on behalf of the Community, an Agreement for scientific and technological cooperation with the Federative Republic of Brazil.
- (2) Subject to its possible conclusion at a later date, the Agreement initialled on 3 December 2002 was signed on 19 January 2004.
- (3) The Agreement should be approved,

Article 1

The Agreement for scientific and technological cooperation between the European Community and the Federative Republic of Brazil is hereby approved on behalf of the Community.

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

Article 2

The President of the Council shall, acting on behalf of the Community, give the notification provided for in Article XII of the Agreement.

Done at Luxembourg, 6 June 2005.

For the Council
The President
J. KRECKÉ

⁽¹⁾ Opinion of the European Parliament of 28 April 2005 (not yet published in the Official Journal).

⁽²⁾ See page 38 of this Official Journal.

AGREEMENT**for scientific and technological cooperation between the European Community and the Federative Republic of Brazil**

THE EUROPEAN COMMUNITY (hereinafter referred to as the Community),

of the one part,

and

THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL (hereinafter referred to as Brazil),

of the other part,

hereinafter together referred to as the 'Parties',

CONSIDERING the Framework Agreement on Cooperation between the Parties concluded on 29 June 1992, which entered into force on 1 November 1995;

CONSIDERING the importance of science and technology for the economic and social development of the Parties;

CONSIDERING the present scientific and technological cooperation between the Parties;

CONSIDERING that the Parties are currently carrying out and supporting research activities, including demonstration projects in a number of areas of common interest, as defined in Article 2(d) of this Agreement, and that mutual benefits may be derived from joint participation in research and development activities based on reciprocity;

DESIRING to create a formal basis for cooperation in scientific and technological research with a view to extending and intensifying the conduct of cooperative activities in areas of common interest and to encouraging the application of the results of such cooperation to the economic and social benefit of both Parties;

CONSIDERING that the present Scientific and Technological Cooperation Agreement is part of the general cooperation between Brazil and the Community,

HAVE AGREED AS FOLLOWS:

*Article I***Purpose**

The Parties shall encourage, develop and facilitate cooperative activities in areas of common interest by carrying out and supporting scientific and technological research and development activities.

research and any other data deemed necessary by the participants to cooperative activities, including, as necessary, by the Parties themselves;

(c) 'intellectual property' shall have the meaning defined in Article 2 of the Convention establishing the World Intellectual Property Organisation, signed at Stockholm on 14 July 1967;

*Article II***Definitions**

For the purposes of this Agreement:

(a) 'cooperative activity' means any activity which the Parties undertake or support, pursuant to this Agreement, including joint research;

(b) 'information' means scientific or technical data, and research and development results or methods stemming from joint

(d) 'joint research' means research, technological development or demonstration projects that are implemented with or without financial support from one or both Parties and that involve collaboration between participants from both Brazil and the Community. 'Demonstration projects' are projects aimed at demonstrating the viability of new technologies which offer a potential economic advantage but which cannot be directly commercialised. The Parties shall keep each other regularly informed on activities regarded as joint research activities under Article VI;

- (e) 'participant' or 'research entities' means any person or group of persons, research institute or any other legal entity or undertaking established in Brazil or in the Community involved in cooperative activities, including the Parties themselves.

Article III

Principles

Cooperative activities shall be conducted on the basis of the following principles:

- (a) mutual benefit based on an overall balance of advantages;
- (b) reciprocal access to the activities of research and technological development undertaken by each Party;
- (c) timely exchange of information which may affect cooperative activities;
- (d) appropriate protection of intellectual property rights.

Article IV

Cooperative activity areas

Cooperation under this Agreement may cover all the areas of mutual interest in which both Parties are implementing or supporting research and technological development activities (hereinafter referred to as RTD), in accordance with Article VI(3)(b). Such activities shall be designed to promote the advancement of science, industrial competitiveness, and economic and social development, with emphasis on the following areas:

- biotechnology,
- information and communication technologies,
- bioinformatics,
- space,
- micro- and nanotechnologies,
- materials research,
- clean technologies,
- management and sustainable use of environmental resources,
- biosafety,
- health and medicine,
- aeronautics,
- metrology, standardisation and conformity assessment, and
- human sciences.

Article V

Cooperation arrangements and cooperative activities

1. The Parties shall encourage:
 - (a) the participation of research entities in the cooperative activities covered by this Agreement, in accordance with their own internal policies and regulations, with a view to providing comparable opportunities for participation in their scientific research and technological development activities and making good use of the benefits thereof;
 - (b) reciprocal access to the activities promoted by each Party under current national programmes or policies.
2. Cooperative activities may take the following forms:
 - (a) joint RTD projects;
 - (b) visits and exchanges of scientists, researchers and technical experts;
 - (c) joint organisation of scientific seminars, conferences, symposia and workshops, as well as the participation of experts in those activities;
 - (d) concerted actions such as the pooling of RTD projects already implemented in accordance with the procedures applicable to the RTD programmes of each Party and scientific networks;
 - (e) exchange and sharing of equipment and materials;
 - (f) exchanges of information on practices, laws, regulations and programmes relevant to cooperation under this Agreement, including information on policy in the field of science and technology;
 - (g) any other arrangements recommended by the Steering Committee to be established pursuant to Article VI, which are deemed compliant with the policies and procedures applicable in both Parties.
3. Joint RTD projects shall be carried out only after the participants have concluded a Joint Technology Management Plan, as indicated in the Annex to this Agreement.

Article VI

Coordination and implementation of cooperative activities

1. The coordination and expediting of cooperative activities under this Agreement shall be accomplished on behalf of the Community by the services of the European Commission and on behalf of Brazil by the Ministry of Foreign Affairs, acting as executive agents.

2. The executive agents shall establish a Steering Committee on scientific and technical cooperation which shall be responsible for the management of this Agreement. The committee shall be made up of official representatives of each Party, and shall draw up its own rules of procedure.

3. The duties of the Steering Committee shall include:

(a) proposing and supporting cooperative activities under this Agreement, in accordance with Article V;

(b) indicating, for the following year, pursuant to Article V(1)(b), among the potential sectors for RTD cooperation, those priority sectors or subsectors of mutual interest in which cooperation is sought;

(c) proposing the pooling of projects of mutual interest or complementary projects to researchers in both Parties;

(d) making recommendations pursuant to Article V(2)(g);

(e) advising the Parties on ways to enhance and improve cooperation consistent with the principles set out in this Agreement;

(f) reviewing the efficient implementation and functioning of this Agreement;

(g) providing an annual report to the Parties on the status, the level reached and the effectiveness of cooperation undertaken under this Agreement. This report shall be transmitted to the Joint Committee established under the Framework Cooperation Agreement concluded between the Parties on 29 June 1992.

4. The Steering Committee, which reports to the Joint Committee, shall, as a general rule, meet annually, preferably before the meeting of the Joint Committee, according to a schedule agreed jointly in advance. The meetings should be held alternately in the Community and in Brazil. Extraordinary meetings may be held at the request of either Party.

5. The costs incurred by representatives in attending the Steering Committee meetings shall be borne by the Party they represent.

Article VII

Funding

Cooperative activities shall be subject to the availability of sufficient funds and to the applicable laws, regulations, policies and programmes of the Parties. The costs incurred by the participants in cooperative activities shall not, as a general rule, be settled by the transfer of funds from one Party to the other.

Article VIII

Entry of personnel and equipment

1. Each Party shall take all appropriate steps and use its best efforts, within the laws and regulations applicable in the territories of each Party, to facilitate entry to, sojourn in, and exit from its territory, of persons, material, data and equipment related to or used in cooperative activities developed by the Parties under the provisions of this Agreement, which shall be granted exemptions from taxes and customs duties, pursuant to the legislative and regulatory provisions applicable in the territories of each Party.

2. Where the specific cooperation arrangements of one Party provide for financial aid to be granted to the participants of the other Party, the grants, financial contributions or similar given by one Party to the participants of the other Party in support of these activities shall be given tax and customs exemptions, pursuant to the legislation applicable in the territories of each Party.

Article IX

Intellectual property

Matters of intellectual property arising under this Agreement shall be handled in accordance with the Annex which forms an integral part of this Agreement.

Article X

Community activities in favour of developing countries

This Agreement shall not affect the participation of Brazil, as a developing country, in Community activities in the field of research for development.

Article XI

Territorial application

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

Article XII

Entry into force, termination and dispute settlement

1. This Agreement shall enter into force on the date on which both parties have notified each other in writing that the respective internal procedures necessary for it to enter into force have been completed.

2. This Agreement shall initially be valid for a period of five years and may be renewed by agreement between the Parties after evaluation during the penultimate year of each subsequent renewal period.

3. This Agreement may be amended by agreement of the Parties. Amendments shall enter into force under the same conditions as those mentioned in paragraph 1.

4. This Agreement may be terminated at any time by either Party upon six months' written notice to the other Party sent through diplomatic channels. The expiry or termination of this Agreement shall not affect the validity or duration of any joint

research projects in progress under it, or any specific rights and obligations which have accrued in compliance with the Annex.

5. All questions or disputes related to the interpretation or implementation of this Agreement shall be settled by agreement between the Parties.

Done at Brasilia, on the nineteenth day of January in the year two thousand and four, in two originals, in Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish, all versions being equally authentic. In the event of a difference in interpretation between any of these languages, the English text shall take precedence.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

Por la República Federativa de Brasil
For Den Føderative Republik Brasilien
Für die Föderative Republik Brasilien
Για την Ομοσπονδιακή Δημοκρατία της Βραζιλίας
For the Federative Republic of Brazil
Pour la République fédérative du Brésil
Per la Repubblica Federativa del Brasile
Voor de Federale Republiek Brazilië
Pela República Federativa do Brasil
Brasílian liittotasavallan puolesta
För Förbundsrepubliken Brasilien

ANNEX

INTELLECTUAL PROPERTY

In accordance with Article IX of this Agreement:

The Parties shall ensure that the intellectual property created under this Agreement is protected appropriately and effectively.

The Parties undertake to inform each other in a timely fashion of any inventions or other works produced under this Agreement which may generate intellectual property rights.

I. SCOPE

- A. For the purposes of this Agreement, 'intellectual property' shall have the meaning defined in Article 2 of the Convention establishing the World Intellectual Property Organisation (WIPO), signed at Stockholm on 14 July 1967.
- B. This Annex does not otherwise alter or prejudice the allocation of rights, interests and intellectual property between a Party and its nationals or participants, which will be determined by the laws and practices of each Party.
- C. Intellectual property disputes arising will be settled by consultation between the participating institutions concerned or, if necessary, by the Parties or their authorised representatives. If agreed by the Parties, disputes may be submitted to an arbitration tribunal, in accordance with the international law provisions applicable in the case. Unless decided otherwise and approved in writing by the Parties or by their authorised representatives, the arbitration standards of the United Nations Commission on International Trade Law (UNCITRAL) will apply.
- D. Should either Party believe that a particular joint research project under this Agreement has led, or will lead, to the creation or granting of a type of intellectual property that is not protected by the legislation applicable in the territory of the other Party, the Parties shall immediately hold discussions to find a mutually acceptable solution in accordance with the applicable legislation.

II. ALLOCATION OF RIGHTS

- A. Each Party, subject to the terms of their own national legislation, may, by means of a contract, have non-exclusive, irrevocable, royalty-free licence to translate, reproduce, adapt, transmit and publicly distribute the articles, reports and technical and scientific books generated directly by the cooperative activities covered by this Agreement, provided that the legal provisions on the ownership and transfer of copyright for the creation of the work are respected. All the copies of works subject to copyright produced in line with these provisions and publicly distributed must mention the names of the authors, except where the authors have specifically declined that right.
- B. Rights for all forms of intellectual property not described in Section II A will be allocated as follows:
 - 1. Visiting researchers, such as scientists visiting primarily in furtherance of their education, shall receive intellectual property rights under arrangements with their host institutions in accordance with the provisions of the relevant national legislation on the subject. In addition, each visiting researcher named as an inventor shall be entitled, in the same way that the researchers of the host institution are entitled, to a proportional share of any royalties received by the host institution under the licence for the use of the intellectual property.
 - 2. Regarding the intellectual property which is or may be created by joint research, the participants will draw up a joint technology management plan to be negotiated in the form of a written contract between the participants in joint research projects establishing in advance the fair and balanced distribution of results or any benefits deriving from the cooperation, considering the relative contribution of the Parties or their participants, and strictly complying with the laws on intellectual property in force in each Party and the international agreements on intellectual property to which the Parties are signatories.
 - (a) If the Parties or their participants did not adopt a joint technology management plan in the initial phase of cooperation and if they cannot reach an agreement within a reasonable period, not more than six months, of a Party becoming aware of the creation or likely creation of the intellectual property in question as a result of the joint research, then the Parties must immediately hold discussions in order to find a mutually acceptable solution. Pending resolution of the matter, such intellectual property shall be owned jointly by the Parties or their participants, unless jointly agreed otherwise.

- (b) If a joint research project carried out under this Agreement leads to a creation likely to be protected by intellectual property rights which are not covered by the legislation in force in one of the Parties, the Parties must immediately hold discussions in order to find a mutually acceptable solution in accordance with the applicable legislation.

III. CONFIDENTIAL INFORMATION

- A. Each Party and its participants must protect any business and/or industrial secrets identified as confidential generated or supplied under this Agreement in accordance with the applicable laws, regulations and practices, as agreed between the Parties.
 - B. No Party or participant may divulge information identified as confidential without prior authorisation, except to employees that belong to the categories of officials, contractors or subcontractors; the release of information must be strictly limited to the parties involved in the joint research project agreed between the participants, and/or authorised personnel of government bodies associated with the project or this Agreement.
 - C. The information may be divulged only to parties with written authorisation and must, in no case, be released more widely than is strictly necessary for the execution of tasks, duties or contracts associated with the information released.
 - D. The recipients of confidential information shall undertake in writing to keep such information confidential, and the Parties must ensure that this obligation is fulfilled.
 - E. A Party must immediately notify the other Party if it is, or is likely to be, unable to guarantee not to divulge confidential information. The Parties will consult each other to determine what measures are appropriate in such a case.
-

COMMISSION

COMMISSION DECISION

of 3 May 2005

concerning a State aid which Germany is planning to implement for the development of municipal infrastructure directly serving industry in accordance with Part II, point 7 of the Outline Plan for the joint Federal Government/Länder scheme for 'Improving regional economic structures' — Construction or extension of business, technology and incubator centres that provide accommodation and services for small and medium-sized enterprises 2004 to 2006

(notified under document number C(2005) 1315)

(Only the German text is authentic)

(Text with EEA relevance)

(2005/782/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 88(2) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having regard to Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty ⁽¹⁾, and in particular Article 7 thereof,

Having called on interested parties to submit their comments pursuant to those provisions ⁽²⁾ and having regard to their comments,

Whereas:

September 2002, Germany notified to the Commission the aforementioned aid scheme pursuant to Article 88(3) of the EC Treaty. Although Germany did not regard the measure as State aid within the meaning of Article 87(1) of the EC Treaty, the measure was notified for reasons of legal certainty. The case was registered as State aid No N 644/g/2002. By letters of 9 October 2002, 17 January 2003, 30 June 2003 and 25 September 2003, the Commission requested additional information. Germany replied by letters of 18 November 2002, 11 and 12 February 2003, 24 July 2003 and 30 October 2003. By letter of 26 November 2003, Germany agreed with a request for the extension until 5 February 2004 of the two-month time-limit pursuant to Article 4(5) of Regulation (EC) No 659/1999 and submitted additional information.

- (2) By letter dated 18 February 2004, the Commission informed Germany that it had decided to initiate the procedure laid down in Article 88(2) of the EC Treaty.

I. PROCEDURE

- (1) By letter of 19 September 2002, registered as received by the Secretariat-General of the Commission on 20

⁽¹⁾ OJ L 83, 27.3.1999, p. 1. Regulation as amended by the 2003 Act of Accession.

⁽²⁾ OJ C 84, 3.4.2004, p. 2.

- (3) The Commission decision to initiate the procedure was published in the *Official Journal of the European Union* ⁽³⁾. The Commission called on interested parties to submit their comments.

⁽³⁾ See footnote 2.

(4) By letter of 2 November 2004, registered as received on 3 November 2004, the Commission received comments from ADT — *Bundesverband deutscher Innovations-, Technologie- und Gründerzentren e.V.* (hereinafter 'ADT'), an association of German innovation, technology and incubator centres. It forwarded them to Germany by letter of 15 November 2004, giving it the opportunity to react. However, Germany did not react to those comments.

(5) Comments by Germany were received on 19 March 2004. A meeting was held on 22 April 2004, following which Germany, after two reminders from the Commission dated 9 July and 9 September 2004, sent additional information by letter of 16 September 2004, registered as received on 22 September. A further meeting was held on 16 December 2004, following which the German authorities, after a reminder from the Commission dated 14 February 2005, presented additional information and amended the measure by letters of 3 and 23 March 2005, registered as received the same day.

II. DESCRIPTION OF THE MEASURE

(6) The measure is financed jointly by the Federal Government and the *Länder*. It is administered by the Land governments, with the result that certain details of the measure are treated in a slightly different manner by the individual *Länder*.

(7) The public support is made available in the form of grants for the providers of the centres. It is equivalent to not more than 90 % of the construction or extension costs of the centres. The financial support granted under the scheme is intended to benefit the providers. This is not to be understood as meaning that the providers or the users would benefit from an aid intensity of up to 90 % of eligible costs. The measure applies both to Article 87(3)(a) and (c) areas and to non-assisted areas (accounting for about 5 % of the area covered by the measure). The measure runs until 31 December 2006 and has an annual budget of some EUR 120 million.

(8) The measure is designed to provide certain facilities for small and medium-sized enterprises (SMEs). First, SMEs

will be able to rent premises in a centre. Moreover, SMEs in such centres will be able to avail themselves of services such as consultancy, accommodation searches and cooperation with, for example, universities and research institutes or networking with other enterprises.

(9) However, SMEs will not be supported directly but within a more complex structure. Germany will make financial resources available to the 'providers' in order to encourage them to construct and/or extend a building, i.e. an 'industrial centre, a technology centre or an incubator centre', so that facilities can be rented out and services provided to the users (SMEs). The centres must be operated for at least 15 years.

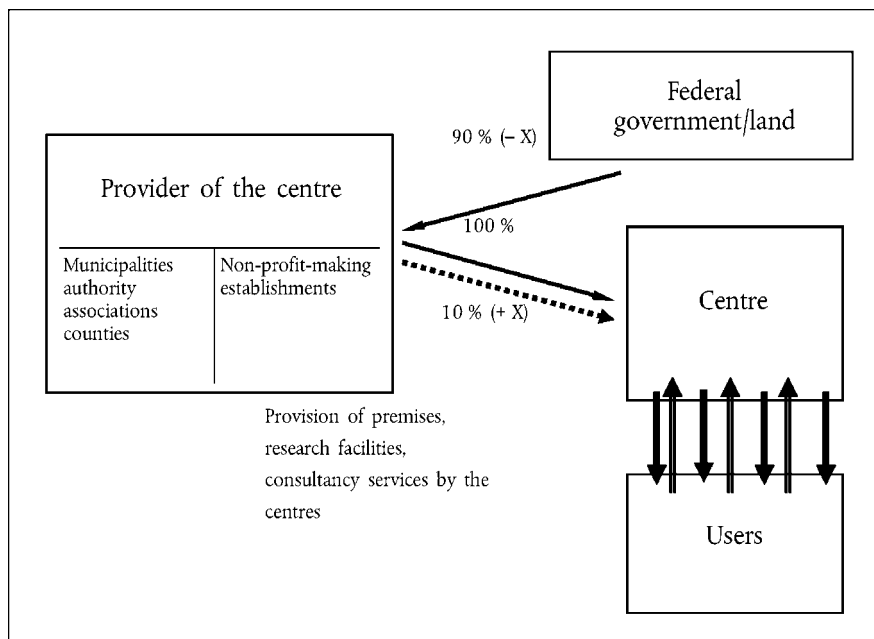
(10) The providers are normally municipalities or local authority associations but can also be public or private non-profit bodies.

(11) The centres are usually owner-operated or separate non-profit legal entities.

(12) There are different types of centre. Whereas business centres usually provide premises for all kinds of SMEs in a particular sector or in all sectors, technology centres are geared to small enterprises undertaking research; all the necessary facilities are available, e.g. laboratories, consultancy services and contacts with universities and research institutes. Incubator centres are intended for start-ups, mainly by micro enterprises. However, there are also hybrid centres. Especially where not all the premises available can be rented out to the target group, centres tend to attract other target groups. Thus, for instance, a technology centre could be used partly as a business centre.

(13) SMEs using the services of the centres (the users) have to pay rental for the premises occupied by them and top-ups for the use of other facilities (such as laboratories or specialised equipment) and/or consultancy services, if available. The rental and/or the price for other facilities/services can be below the market price. The tenants can use the centres normally for five years (eight years in exceptional cases).

- (14) The following diagram illustrates how the measure works:



III. REASONS FOR INITIATING THE INVESTIGATION PROCEDURE

- (15) In its decision to initiate the formal investigation procedure, the Commission expressed doubts as to whether the measure was compatible with the common market as Germany had not provided sufficient information on several aspects, in particular whether State aid was involved at all levels of the measure and especially whether the providers of the centres and the SMEs using the services available at the centres benefited or whether the aid was passed on in its entirety to the SMEs.

IV. COMMENTS FROM INTERESTED PARTIES

- (16) The ADT claimed that the services provided by the centres were not available on the market. According to it, the services offered by the centres included consultancy services (formulation of business plans, support in obtaining start-up capital, etc.), short-term leases, cooperation and clustering with regional research establishments, universities or other enterprises, and research facilities within the centres (laboratories, specialised equipment, etc.).
- (17) In addition, the ADT pointed out that approximately 90 % of start-ups in the centres survive for three years, a much better figure than that for start-ups elsewhere.

V. COMMENTS FROM GERMANY

- (18) In its original comments, Germany argued that the measure was aimed at rectifying market failure in the real estate sector, which was unable to provide start-ups in particular with facilities at prices they could afford. In Germany's experience, the private market is reluctant to provide innovative start-ups with facilities as these firms are normally high-risk ventures. In addition, small scale facilities are not apparently available on the market.
- (19) Germany also claimed that all the aid would benefit the users of the centres. As regards the aid element for the users, it first stated that the aid intensity for the users would not exceed 10 % to 20 % of the comparable market prices. However, in its letter of 22 September 2004, it commented that market prices normally would be paid by the users (prices at the lower-end of the market price scale) and that, in any case, the aid granted would be below EUR 100 000 over a period of three years (up to EUR 23 000 per user each year over a five-year period). Germany enclosed comments from each Land some of which referred to studies describing the positive effects for users and the positive regional effects of the centres. Until then, Germany had not undertaken to comply with all the conditions of Commission Regulation (EC) No 69/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to *de minimis* aid⁽⁴⁾, and in particular Article 3 on cumulation and monitoring.

⁽⁴⁾ OJ L 10, 13.1.2001, p. 30.

- (20) Finally, in their most recent comments and in particular by letter of 3 March 2005, Germany amended the initial notification presented and undertook to apply Article 5 of Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises ⁽⁵⁾ in respect of aid for consultancy grants for SMEs using the centres. It also undertook to apply Regulation (EC) No 69/2001 to any other support measures for SMEs using the centres, and in particular for the renting of premises and laboratories and for the use of research facilities or other items of equipment. Although the aid was exempt under the Regulations, Germany requested a definitive Commission decision for reasons of legal certainty.

VI. ASSESSMENT OF THE MEASURE

- (21) The Commission has assessed the measure in the light of Article 87 *et seq.* of the EC Treaty and Article 61 *et seq.* of the EEA Agreement as well as in the light of Regulations (EC) No 69/2001 and (EC) No 70/2001.

1. Presence of State aid within the meaning of Article 87(1) of the EC Treaty

- (22) In order to assess the measure under the State aid rules of the EC Treaty, it has to be ascertained first whether it constitutes State aid within the meaning of Article 87(1) of the EC Treaty.
- (23) According to Article 87(1), any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods is, insofar as it affects trade between Member States, incompatible with the common market. The concept of State aid applies to any direct or indirect advantage financed out of State resources and granted by the State itself or by entities acting by virtue of powers conferred on it by the State. A measure is deemed to constitute State aid if it meets all the criteria of Article 87(1).
- (24) In the case of measures in the form of a grant or a loan, it is normally obvious which enterprise is potentially the beneficiary for the purpose of assessing whether State aid is involved. However, the measure under consideration is more complex as the German authorities create incentives for one group of market participants (the providers) in order to support another group (the users). In addition, the measure creates a third group of

potential market participants (the centres) which exist separately from the providers and users. Even if Germany intends only to confer benefits on the users, entities at all three levels may be beneficiaries of State aid.

- (25) The existence of State aid within the meaning of Article 87(1) EC Treaty should therefore be assessed at the three different levels: the providers, the centres and the users.

(1) First level: The providers

- (26) It is not contested that the measure will be funded out of State resources. The percentage of State aid depends on whether the provider is a municipality, an association of local authorities or a public or private non-profit body. In the first case, the centre is built with 100 % financing from State resources (up to 90 % from Federal and Land authorities and at least 10 % from local authorities or local authority associations). However, if a non-profit body is involved, it has to provide at least 10 % of the financing, with the State providing the remaining amount (up to 90 %). However, the actual beneficiaries of the aid are SMEs; the State resources are necessary to cover the eligible costs of the construction of the building and in no way reflect the level of the aid granted to the SMEs.
- (27) The providers of the centres fall into two groups: (1) municipalities, local authority associations and public enterprises belonging to them, and (2) public or private non-profit bodies such as universities or research establishments. Irrespective of the legal status of the operators and the fact that they are non-profit bodies, the Commission, as in its Decision 98/353/EC of 16 September 1997 on State aid for Gemeinnützige Abfallverwertung GmbH ⁽⁶⁾, considers that the providers can be regarded as undertakings within the meaning of Article 87(1) if they carry out an economic activity on the market.
- (28) Admittedly, municipalities and local authority associations are not normally regarded as undertakings. But, even though they may carry out a range of public tasks and exercise public powers, they can, according to the ruling given by the Court of Justice of the European Communities on 16 June 1987, in Case 118/85 (Commission v Italy) ⁽⁷⁾, be regarded as undertakings if they carry out an economic activity on the market. This is to be assumed to be the case here especially if the municipalities are active via an owner-operated municipal enterprise.

⁽⁵⁾ OJ L 10, 13.1.2001, p. 33. Regulation as amended by Regulation (EC) No 364/2004 (OJ L 63, 28.2.2004, p. 22).

⁽⁶⁾ OJ L 159, 3.6.1998, p. 58.

⁽⁷⁾ Judgment of the Court of 16 June 1987 Case 118/85 Commission of the European Communities v Italian Republic [1987] ECR 2599, paragraphs 7 and 8.

- (29) Under the measure in question, the providers are responsible for constructing and managing a centre. They are thus creating the possibility that a centre can rent out premises and/or offer other services to SMEs. Even if they are non-profit bodies, they are performing an economic activity which could be carried out by, for example, private real estate firms or private consultancies.
- (30) However, the providers are not supposed to benefit themselves from the measure as the State aid is intended to make premises and services available to SMEs. Indeed, the State resources granted to the providers are intended to confer an economic advantage solely on the users. Several mechanisms ensure that no advantage will remain at the level of the providers.
- (31) A public invitation to tender for the construction or extension of a centre will be organised in compliance with public procurement legislation.
- (32) The providers are obliged to transfer the possession or use of the centre to the users for at least 15 years. To that extent, they do not receive an advantage over that period of 15 years, during which the buildings have to be used as centres.
- (33) However, as the centres will remain in the ownership of the providers after 15 years and as long as no compensation is payable for the residual value, their value could constitute an advantage for the providers (the owners of the building) as they could then be used for other activities or sold. In order to ensure that no advantage remains at the level of the providers after 15 years, the German authorities undertook, in the course of the Commission's investigation, to ensure that profits will be absorbed after that period. This will be done either by applying the discounted cash-flow method or, in any case, on the basis of a method corresponding to the method provided for in Article 29(4) of Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds⁽⁸⁾. All the revenue earned and losses incurred by the providers during the 15 years will be taken into account, including the residual value of the building. This suggests that the business activity of the centres should be placed at the level of the providers as it is the latter that will ultimately bear the economic risk attaching to a centre.
- (34) Since the providers do not receive any economic advantage, they cannot be regarded as beneficiaries of State aid within the meaning of Article 87(1). They can be considered to be only the vehicles for making assistance available to the users via the centres.
- (2) *Second level: The centres and their managers*
- (35) The State resources made available under the measure in question are intended to be used for the construction or extension of the centres. As only the construction costs of centres are eligible under the measure, the centres' operating costs are not covered. This can be ascertained by a check on the use made of the funds (*Verwendungsnachweisprüfung*), i.e. the monitoring of the aid by Germany. Therefore, the centres, which are owned by the providers, have no other use but to make available premises and services to users.
- (36) Reference is also made to the absorption of profits that is mentioned in recital 33 and that Germany has promised to apply also at the level of the centres. This will ensure that no unjustified benefit will remain for the centres after 15 years.
- (37) In addition, Germany has also promised to put out to tender the management of a centre in accordance with public procurement legislation if it is to be taken over by third parties. The managers of a centre will receive a normal market remuneration fixed in the invitation to tender.
- (38) As a result, neither the centres nor their managers receive an economic advantage and cannot themselves be regarded as aid beneficiaries but only as vehicles for making the assistance available to users. Hence, the measure does not grant aid at the level of the centres and their managers.
- (3) *Third level: The users*
- (39) Through the providers of the centres and through the centres themselves, the SMEs who rent facilities in the centres benefit indirectly from State resources. However, it should be emphasized that the scheme does not provide for an aid intensity of 90 % to the targeted SMEs. The costs financed up to 90 % or even 100 % out of State resources are necessary in order to be able to construct a centre.

⁽⁸⁾ OJ L 161, 26.6.1999, p. 1. Regulation as last amended by Regulation (EC) No 173/2005 (OJ L 29, 2.2.2005, p. 3).

(40) The centres offer SMEs a wide range of facilities (premises, equipment, scope for cooperation, laboratories, consultancy and other services). The rental paid by the SMEs for the premises and the prices paid by them for other facilities (such as laboratories and specialised equipment) may be below the market price since it would be exceptionally difficult for some SMEs to find such premises and facilities on the market, at least at prices they could afford. The advantage for the SMEs therefore consists in the use — at low cost compared with market prices — of the centre's premises, including access to other services. Accordingly, the Commission assumes that the measure confers an advantage on user SMEs in that the rental and/or the other facilities are below the market price.

(41) The measure distorts or may distort competition as it targets certain undertakings, with the target group being defined by the type of centre. As mentioned in recitals 6 to 14, business centres are geared mostly to all types of SME, while technology centres target innovative SMEs, with incubator centres targeting start-ups and micro firms. Of course, there are also a large number of hybrid centres since some start-ups may also be innovative firms.

(42) Under the measure, the possibility that aid may be granted to firms engaged in economic sectors where intra-Community trade takes place is not ruled out. It must therefore be assumed that the measure affects trade between Member States.

(43) Accordingly, at the level of the users, the measure constitutes State aid within the meaning of Article 87(1) of the EC Treaty insofar as the *de minimis* ceiling of EUR 100 000 per beneficiary for a period of three years pursuant to Regulation (EC) No 69/2001 is not exceeded.

(44) As regards application of the *de minimis* ceiling to the various facilities offered by the centres, the Commission would note the following:

— As far as the rental of premises is concerned, Germany has undertaken to comply with the provisions of Regulation (EC) No 69/2001 at the level of the users of the centres. The previous lack of transparency of the measure is rectified as Germany has undertaken to calculate the aid

elements contained in the rental for the premises rented by the SMEs on the basis of comparable rentals for similar premises, and in particular the official tables setting out commercial rentals (*Gewerbemietenspiegel*). In this way, Germany will ensure that the *de minimis* ceiling of EUR 100 000 over a three-year period will be complied with. It undertakes, therefore, to explain to each user of a centre that the use of the centre's services may contain aid elements that rank as *de minimis* aid caught by Regulation (EC) No 69/2001.

— As regards the use of laboratories and other specialised equipment (especially in technology centres), Germany commented that any aid elements are reflected in a premium charged on the rental payable by the user. This can, therefore, be separated from the normal rental. It is pointed out that Germany has also promised to comply with Regulation (EC) No 69/2001 also in respect of these premiums for the use of laboratories and specialised equipment.

— As regards consultancy services, however, the aid element is not restricted to the *de minimis* ceiling and must, therefore, be regarded as State aid caught by Article 87(1) of the EC Treaty.

2. Legality of the measure

(45) Germany has complied with its obligation under Article 88(3) of the EC Treaty.

3. Compatibility of the measure with the EC Treaty

(46) Since the measures available under the aid scheme to assist SMEs (e.g. premises, laboratories and specialised equipment), with the exception of consultancy services, are not regarded as State aid insofar as the *de minimis* ceiling and the provisions of Regulation (EC) No 69/2001 are complied with, only the consultancy services for SMEs remain to be assessed for their compatibility with the common market.

(47) The aid scheme is designed to promote the dissemination and commercial use of new German and international research and development in the field of general management and enterprise development. It thus fosters technology transfer and cooperation between enterprises.

- (48) Pursuant to Article 157 of the EC Treaty, the promotion of technology transfer and cooperation between enterprises are two of the major objectives of the Community. To that extent, the aid scheme contributes to the objectives of Article 157. However, the Commission has not yet drawn up any specific criteria for assessing aid measures that are specifically tailored to those objectives, even though such measures are frequently promoted within the context of Community regional policy through the European Regional Development Fund.
- (49) In this context, the Commission also refers to its Communication to the Spring European Council 'Working together for growth and jobs' ⁽⁹⁾, which stresses the importance of promoting innovation and innovation clusters. The target group for the measure under examination comprises innovative and technology oriented SMEs in their start-up phase, these also being the most important target group for fostering economic growth and employment.
- (50) With regard to consultancy services, it should be pointed out that Germany has undertaken not to grant any aid exceeding 50 % of eligible costs. The aid for consultancy services is, therefore, in line with Regulation (EC) No 70/2001, and in particular Article 5.
- (51) Accordingly, the measure should be assessed favourably by the Commission.

VII. CONCLUSION

- (52) Following the amendments made by Germany during the formal investigation procedure, the Commission comes to the following conclusion:
- (53) As regards the aid granted under the scheme to certain SMEs for renting premises and using laboratories, specialised equipment and/or other facilities, the Commission notes the commitment by Germany to comply with Regulation (EC) No 69/2001 as regards the scheme under examination.

- (54) Insofar as aid for the SME consultancy services available in the centres is granted to SMEs under the aid scheme, Germany undertook to make such grants in accordance with Regulation (EC) No 70/2001, and in particular Article 5,

HAS ADOPTED THIS DECISION:

Article 1

1. The aid scheme which Germany intends to implement in the period 2004 to 2006 for the development of municipal infrastructure directly serving industry in accordance with Part II, point 7 of the Outline Plan for the joint Federal Government/Länder scheme for 'Improving regional economic structures' for the construction or extension of business, technology and incubator centres that provide accommodation and services for small and medium-sized enterprises does not constitute State aid caught by Article 87(1) of the EC Treaty insofar as Germany abides by its undertaking to comply with Regulation (EC) No 69/2001 for the rental of premises, laboratories, specialised equipment and/or other facilities.

2. The aid scheme referred to in paragraph 1 constitutes State aid that is compatible with the common market pursuant to Article 87(3)(c) of the EC Treaty insofar as Germany abides by its undertaking to grant any aid for consultancy services to small and medium-sized enterprises that avail themselves of the services available at business, technology and incubator centres in accordance with Regulation (EC) No 70/2001.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 May 2005.

For the Commission

Neelie KROES

Member of the Commission

⁽⁹⁾ COM(2005) 24 final.

COMMISSION DECISION

of 14 October 2005

amending Decisions 2001/689/EC, 2002/231/EC and 2002/272/EC in order to prolong the validity of the ecological criteria for the award of the Community eco-label to certain products

(notified under document number C(2005) 4102)

(Text with EEA relevance)

(2005/783/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-labelling Board,

Whereas:

(1) The product group definition and the ecological criteria set out in Commission Decision 2001/689/EC of 28 August 2001 establishing ecological criteria for the award of the Community eco-label to dishwashers⁽²⁾ expire on 28 August 2006.

(2) Commission Decision 2002/231/EC of 18 March 2002 establishing revised ecological criteria for the award of the Community eco-label to footwear and amending Decision 1999/179/EC⁽³⁾ expires on 31 March 2007.

(3) Commission Decision 2002/272/EC of 25 March 2002 establishing the ecological criteria for the award of the Community eco-label to hard floor coverings⁽⁴⁾ expires on 31 March 2007.

(4) 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 those Decisions.

(5) In the light of the review of those criteria and requirements, it is appropriate in all three cases to prolong the period of validity of the ecological criteria and the requirements for a period of one year.

(6) Since the review obligation pursuant to Regulation (EC) No 1980/2000 concerns only the ecological criteria and assessment and verification requirements, it is appropriate that Decisions 2002/231/EC and 2002/272/EC remain in effect.

(7) Decisions 2001/689/EC, 2002/231/EC and 2002/272/EC should therefore be amended accordingly.

(8) 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

Article 3 of Decision 2001/689/EC is replaced by the following:

'Article 3

The ecological criteria for the product group dishwashers, as well as the related assessment and verification requirements, shall be valid until 28 August 2007.'

Article 2

Article 5 of Decision 2002/231/EC is replaced by the following:

'Article 5

The ecological criteria for the product group footwear, as well as the related assessment and verification requirements, shall be valid until 31 March 2008.'

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 242, 12.9.2001, p. 23.

⁽³⁾ OJ L 77, 20.3.2002, p. 50.

⁽⁴⁾ OJ L 94, 11.4.2002, p. 13.

*Article 3**Article 4*

Article 4 of Decision 2002/272/EC is replaced by the following:

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2005.

'Article 4

The ecological criteria for the product group hard floor coverings, as well as the related assessment and verification requirements, shall be valid until 31 March 2008.'

For the Commission

Stavros DIMAS

Member of the Commission

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL DECISION 2005/784/CFSP

of 7 November 2005

extending and amending Decision 1999/730/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 1999/730/CFSP is hereby amended as follows:

- (a) in Article 3(1), the financial reference amount 'EUR 1 375 565' shall be replaced by 'EUR 600 000';
- (b) in Article 4 second subparagraph, '15 November 2005' shall be replaced by '15 November 2006';
- (c) Article 5 is hereby deleted;
- (d) the Annex shall be replaced by the text appearing in the Annex to this Decision.

Article 2

This Decision shall take effect on 16 November 2005.

Article 3

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

Done at Brussels, 7 November 2005.

For the Council
The President
J. STRAW

Having regard to Council Joint Action 2002/589/CFSP of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons⁽¹⁾, and in particular Article 6 thereof, in conjunction with Article 23(2) of the Treaty on European Union,

Whereas:

- (1) On 15 November 1999 the Council adopted Decision 1999/730/CFSP⁽²⁾ concerning a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia.
- (2) Decision 1999/730/CFSP was last extended and amended by Decision 2004/792/CFSP.
- (3) Some final objectives could not be fulfilled by 15 November 2005, the date on which Decision 1999/730/CFSP is due to expire, and others should be consolidated after that date. The project in question is a multi-annual project.
- (4) Decision 1999/730/CFSP should therefore be extended and amended,

⁽¹⁾ OJ L 191, 19.7.2002, p. 1.

⁽²⁾ OJ L 294, 16.11.1999, p. 5. Decision as last amended by Decision 2004/901/CFSP (OJ L 379, 24.12.2004, p. 111).

ANNEX

'ANNEX

TERMS OF REFERENCE FOR THE PROJECT MANAGER (2006)

1. The Project Manager, in cooperation with the Cambodian Armed Forces, will continue the work related to record-keeping and the management and security of weapons stocks and to developing policies, guidelines and practices in this area. To that end, the Project Manager will monitor the projects previously implemented in Military Region 1 (Stung Treng), Military Region 2 (Kampong Cham), Military Region 3 (Kampong Speu), Military Region 4 (Siem Reap), Military Region 5 (Battambang), the Special Military Region (Phnom Penh) and the Royal Gendarmerie. In close cooperation with the Ministry of National Defence, he will define and implement a further project on safe storage and registration of weapons of the Air Force and Navy. This will include the building of medium- and short-term storage facilities, training of the relevant personnel at all levels and the registration of all weapons in the centralised computer database of the Ministry of Defence. The implemented project is to include assistance, with the support of relevant experts, to the Government's programme of public ceremonies for the destruction of surplus military weapons and, where appropriate, of collected weapons and of surplus weapons that may still be held by the army and police and security forces.
 2. When required the Project Manager will continue to advise, and where possible assist, the Government, international organisations and local NGO's on issues relating to weapons security and to EU ASAC's current and previous activities.
 3. The Project Manager will ensure that appropriate procedures are established for effective monitoring and evaluation of activities. To this end he will seek full cooperation from the Government of Cambodia and the police and security forces.
 4. Following the completion of the project on safe storage and registration of weapons of the Air Force and Navy, the Project Manager will implement the plans drawn up under the Project Manager's 2005 Terms of Reference for a consolidation of the record-keeping and the management and security of weapons stocks and for the closing and winding-up of the project.'
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