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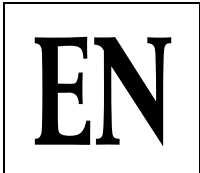
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 886/2006
of 16 June 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 16 June 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	54,6
	204	28,9
	999	41,8
0707 00 05	052	124,8
	068	46,6
	999	85,7
0709 90 70	052	94,1
	999	94,1
0805 50 10	052	54,6
	388	73,0
	508	52,0
	528	56,1
	999	58,9
0808 10 80	388	99,1
	400	97,5
	404	101,4
	508	86,5
	512	74,9
	524	88,5
	528	92,4
	720	115,6
	804	110,7
	999	96,3
0809 10 00	052	219,8
	204	61,1
	624	135,7
	999	138,9
0809 20 95	052	343,6
	068	95,0
	999	219,3
0809 30 10, 0809 30 90	624	182,5
	999	182,5

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

COMMISSION REGULATION (EC) No 887/2006**of 16 June 2006****opening an invitation to tender for the allocation of A3 export licences for fruit and vegetables
(tomatoes, oranges, lemons, table grapes, apples and peaches)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ lays down the detailed rules of application for export refunds on fruit and vegetables.
- (2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. These quantities must be allocated taking account of the perishability of the products concerned.
- (4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation and outlook for fruit and vegetable prices on the Community market and supplies available, on the one hand, and, on the other hand, prices on the international market. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.
- (5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.
- (6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.
- (7) Tomatoes, oranges, lemons, table grapes, apples and peaches of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.
- (8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to proceed by an open invitation to tender and to set the indicative refund amount and the scheduled quantities for the period concerned.
- (9) The negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For these two countries export refunds should therefore be abolished.
- (10) The Management Committee for fresh Fruit and Vegetables has not delivered an opinion within the time-limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender for the allocation of A3 export licences is hereby opened. The products concerned, the tender submission period, the indicative refund rates and the scheduled quantities are laid down in the Annex hereto.
2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not count against the eligible quantities in the Annex hereto.
3. Notwithstanding Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of the A3 licences shall be four months.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation, as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1.

Article 2

This Regulation shall enter into force on 3 July 2006.

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

Done at Brussels, 16 June 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

OPENING AN INVITATION TO TENDER FOR THE ALLOCATION OF A3 EXPORT LICENCES FOR FRUIT AND VEGETABLES (TOMATOES, ORANGES, LEMONS, TABLE GRAPES, APPLES AND PEACHES)

Tender submission period: 3 to 4 July 2006.

Product code ⁽¹⁾	Destination ⁽²⁾	Indicative refund amount (EUR/t net)	Scheduled quantity (t)
0702 00 00 9100	F08	30	5 333
0805 10 20 9100	F08	39	20 000
0805 50 10 9100	F08	60	3 333
0806 10 10 9100	F08	22	33 333
0808 10 80 9100	F04, F09	33	46 667
0809 30 10 9100 0809 30 90 9100	F03	16	26 667

⁽¹⁾ The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

⁽²⁾ The 'A' series destination codes are defined in Annex II to Regulation (EEC) No 3846/87. 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 defined as follows:

F03: All destinations except Switzerland, Romania and Bulgaria.

F04: Hong Kong, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

F08: All destinations except Bulgaria and Romania.

F09: The following destinations: Norway, Iceland, Greenland, Faeroe Islands, Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah and Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia, African countries and territories except South Africa, destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

COMMISSION REGULATION (EC) No 888/2006**of 16 June 2006****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3 of that table.

- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 16 June 2006.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 711/2006 (OJ L 124, 11.5.2006, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A security device designed to gain access to records stored on an automatic data-processing (ADP) machine. It consists of a liquid crystal display (LCD), a printed circuit assembly and a battery encased in a plastic case which can be put on a key-ring. The device generates a sequence of six digit numbers, being specific to a particular user, and allows the user access to the records stored on an ADP machine. The device cannot be connected to an ADP machine and functions independently of such a machine.	8543 89 97	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8543, 8543 89. and 8543 89 97. The device is not classifiable under heading 8470 because it has no manual arrangements for data input nor has it a calculating function in the context of this heading (see HS Explanatory Notes to this heading). It is not classifiable under heading 8471, because it is not freely programmable in accordance with the requirements of the user (see Note 5(A)(a)(2) to Chapter 84), nor is it a unit of an automatic data-processing machine because it is not connectable to the central processing unit (see Note 5(B)(b) to Chapter 84). The device is classifiable under heading 8543 because it is an electrical apparatus with an individual function not specified or included elsewhere.

COMMISSION REGULATION (EC) No 889/2006**of 16 June 2006****fixing the minimum selling prices for butter for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

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 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter from intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the minimum selling prices for butter from intervention stocks and the amount of the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

ANNEX

Minimum selling prices for butter and processing security for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	210	—	210
		Concentrated	—	—	—	—
Processing security		Unaltered	—	79	—	79
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 890/2006**of 16 June 2006****fixing the maximum aid for cream, butter and concentrated butter for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

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 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter of intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the amount of the maximum aid for cream, butter and concentrated butter and the amount the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

ANNEX

Maximum aid for cream, butter and concentrated butter and processing security for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005

(EUR/100 kg)

Formula		A		B	
Incorporation procedure		With tracers	Without tracers	With tracers	Without tracers
Maximum aid	Butter $\geq 82\%$	23,5	20	23,5	20
	Butter $< 82\%$	—	19,5	—	19,5
	Concentrated butter	28	24,5	28	24,5
	Cream	—	—	12	8,5
Processing security	Butter	26	—	26	—
	Concentrated butter	31	—	31	—
	Cream	—	—	13	—

COMMISSION REGULATION (EC) No 891/2006**of 16 June 2006****fixing the maximum buying-in price for butter for the first individual invitation to tender under the standing invitation to tender opened by Regulation (EC) No 796/2006**

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 10 thereof,

Whereas:

(1) Pursuant to Article 16(2) of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, a notice of invitation to tender was published in the *Official Journal of the European Union* for the purpose of the buying-in of butter by standing invitation to tender, as opened by Commission Regulation (EC) No 796/2006 ⁽³⁾.

(2) In the light of the tenders received in response to individual invitations to tender, a maximum buying-in price is to be fixed or a decision is to be taken to make no

award, in accordance with Article 17a of Regulation (EC) No 2771/1999.

(3) In the light of the tenders received for the first individual invitation to tender, a maximum buying-in price should be fixed.

(4) 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 first individual invitation to tender under the standing invitation to tender opened by Regulation (EC) No 796/2006, in respect of which the time limit for the submission of tenders expired on 13 June 2006, the maximum buying-in price for butter is fixed at 246,19 EUR/100 kg.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

⁽³⁾ OJ L 142, 30.5.2006, p. 4.

COMMISSION REGULATION (EC) No 892/2006**of 16 June 2006****fixing the maximum aid for concentrated butter for the 11th individual invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

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 10 thereof,

Whereas:

- (1) In accordance with Article 47 of Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter. Article 54 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 %.
- (2) An end-use security provided for in Article 53(4) of Regulation (EC) No 1898/2005 is to be lodged to

ensure the taking over of the concentrated butter by the retail trade.

- (3) In the light of the tenders received, the maximum aid should be fixed at the appropriate level and the end-use security should be determined accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 11th individual tender under the standing invitation to tender opened in accordance with Regulation (EC) No 1898/2005 the maximum amount of the aid for concentrated butter with a minimum fat content of 96 %, as referred to in Article 47(1) of that Regulation, is fixed at 26,8 EUR/100 kg,

The end-use security provided for in Article 53(4) of Regulation (EC) No 1898/2005 is fixed at 36 EUR/100 kg.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

COMMISSION REGULATION (EC) No 893/2006**of 16 June 2006****fixing the minimum selling price for butter for the 43rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

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 10(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no

award, in accordance with Article 24a of Regulation (EC) No 2771/1999.

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 43rd individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 13 June 2006, the minimum selling price for butter is fixed at 250,00 EUR/100 kg.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1802/2005 (OJ L 290, 4.11.2005, p. 3).

COMMISSION REGULATION (EC) No 894/2006**of 16 June 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

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⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 823/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 June 2006.

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

Done at Brussels, 16 June 2006.

For the Commission

J. L. DEMARTY

*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. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 148, 2.6.2006, p. 40.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 17 June 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	29,48	2,44
1701 11 90 ⁽¹⁾	29,48	6,79
1701 12 10 ⁽¹⁾	29,48	2,31
1701 12 90 ⁽¹⁾	29,48	6,36
1701 91 00 ⁽²⁾	36,79	6,84
1701 99 10 ⁽²⁾	36,79	3,30
1701 99 90 ⁽²⁾	36,79	3,30
1702 90 99 ⁽³⁾	0,37	0,30

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.

⁽³⁾ Fixed per 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 April 2004

closing the procedure initiated against Italy, Friuli-Venezia Giulia Region, in respect of the measures provided for in Draft Law No 106/1/A — ‘Aid for the establishment of infrastructure and services in the goods transport sector, for the restructuring of road haulage and the development of combined transport’

(notified under document number C(2004) 1376)

(Only the Italian version is authentic)

(Text with EEA relevance)

(2006/417/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 invited the parties concerned to submit their comments in accordance with the abovementioned provisions ⁽¹⁾,

Whereas:

1. PROCEDURE

(1) By letter of 5 February 2001, which was registered at the Secretariat-General on 9 February 2001, the Italian authorities, acting in accordance with Article 88(3) of the EC Treaty, notified the Commission of a draft regional Law concerning the development of combined transport. The notification was registered by the Secretariat-General of the European Commission under No N 134/01.

(2) As the notification was incomplete, the Commission requested additional information with letter D(01) 5496 of 5 April 2001. A reply to this letter was received on 20 June 2001 and registered as DG TREN A/61295.

(3) The Commission sent the Italian authorities a letter requesting further information on 27 August 2001. The Italian authorities asked for an extension of the deadline to reply to this request by letter dated 9 October 2001, which was registered as DG TREN A/67862. The extension was agreed to by the Commission Services by letter dated 9 November 2001. A meeting was held between representatives of the Commission and representatives of the Italian authorities on 19 December 2001. The reply to the second request for information was received by letter dated 24 July 2002, which was registered as DG TREN A/64121.

(4) The Commission sent the Italian authorities a new request for information on 7 October 2002. The reply was received by letter dated 21 November 2002 (reference No SG(2002) A/11582). A further meeting was held with representatives of the Italian authorities on 18 December 2002.

(5) The Commission requested further clarifications by letter dated 22 January 2003. The reply was sent by letter dated 25 March 2003 (reference No DG TREN A/16616).

(6) A final letter was sent by the Commission on 27 May 2003. The reply to this request was received by letter dated 4 July 2003 (reference No SG A/6389). Final clarifications were received by letter dated 17 July 2003 (reference No SG A/6942).

⁽¹⁾ OJ C 311, 20.12.2003, p. 18.

- (7) The Commission decision to initiate the procedure on 11 November 2003 was published in the *Official Journal of the European Union* ⁽²⁾. Interested parties were invited by the Commission to submit comments.

services between the Friuli-Venezia Giulia Region and central and eastern Europe. The Commission considered that, for the scheme to be viable in the long term, the Italian authorities had to ensure that it had the support of the authorities of the States concerned.

- (8) Italy submitted its comments by letter dated 27 January 2004, which was registered on 28 January 2004.

- (13) While the beneficiary was required to charge for the use of such new services in a manner commensurate with the intensity of the aid received, this did not seem sufficient to guarantee the future viability of these services.

- (9) The Commission did not receive comments from any other interested parties.

- (14) *Proportionality*: The planned intensity of 30 % of the real costs (defined as the difference between the costs incurred and the revenue received by the beneficiary in providing the service in question) would not have guaranteed compliance with the usual ⁽³⁾ maximum aid ceiling of 30 % of the eligible costs.

2. DETAILED DESCRIPTION OF THE AID MEASURE

2.1. Type of aid

- (10) The aid measure in respect of which the procedure was initiated concerned start-up aid for the development of new rail and maritime services. The beneficiaries of the aid measure provided for in the draft regional Law were (public or private) entities operating in the cargo-handling sector, for a period not exceeding three years for the establishment of new rail cargo services with a modal interchange point in commercial ports or multimodal terminals in the Region and for the establishment of new maritime cabotage services departing from or heading to commercial ports in the Friuli-Venezia Giulia Region (Article 8 of draft Regional Law 106/1/A).

- (15) *No undue distortion of competition*: The aid measure should not result in the diversion of traffic flows between neighbouring ports or existing intermodal services, thereby attracting traffic already transported intermodally.

- (16) The draft Law did not include mechanisms to guarantee that the level of distortion of competition produced by the measure would be acceptable.

- (17) The Commission considered that publication in the Region's Official Gazette and a summary notice in at least two daily papers, including one with a nationwide circulation, were insufficient means of guaranteeing transparency and equality of treatment for operators.

2.2. Grounds for initiating the procedure

- (11) The Commission decision to initiate the procedure provided for in Article 88(2) of the Treaty and to request clarification from the Italian authorities arose from an initial examination of the notified scheme. In particular, concerns were expressed as to whether the implementing arrangements guaranteed that the measures were both necessary and strictly proportionate.

The Commission had doubts in particular regarding the issues set out in points 12 to 17.

3. COMMENTS FROM ITALY

By letter dated 27 January 2004, the Italian authorities stated, through the Italian Permanent Representation, that they had decided to withdraw the notified measure contained in Article 8 of draft Law No 106/1/A.

4. CONCLUSIONS

In view of the withdrawal of the aid measure,

- (12) *Viability of the aid scheme*: Apart from national services, the measure was intended to encourage the creation of

⁽³⁾ Maximum aid intensity provided for in COM(2002) 54 final of 4 February 2002 (Marco Polo proposal) — OJ C 126 E, 28.5.2002, p. 354; aid C 65/2000 — France 'Start-up aid for short-sea shipping services' (OJ C 37, 3.2.2001, p. 16).

⁽²⁾ See footnote 1.

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby closes the procedure initiated on 11 November 2003.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 20 April 2004.

For the Commission
Loyola DE PALACIO
Vice-President

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

COUNCIL JOINT ACTION 2006/418/CFSP

of 12 June 2006

on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

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

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against the Proliferation of Weapons of Mass Destruction, Chapter III of which contains a list of measures to combat such proliferation and which need to be taken both within the EU and in third countries.
- (2) The EU is actively implementing this Strategy and is giving effect to the measures listed in Chapter III thereof, in particular through releasing financial resources to support specific projects conducted by multilateral institutions, such as the International Atomic Energy Agency (IAEA).
- (3) On 17 November 2003 the Council adopted Common Position 2003/805/CFSP ⁽¹⁾ on the universalisation and reinforcement of multilateral agreements in the field of non proliferation of weapons of mass destruction and means of delivery. That Common Position calls, inter alia, for the promotion of the conclusion of IAEA comprehensive safeguards agreements and Additional Protocols and commits the European Union to work towards making the Additional Protocol and comprehensive safeguards agreements the standard for the IAEA verification system.
- (4) On 17 May 2004, the Council adopted Joint Action 2004/495/CFSP ⁽²⁾ on support for IAEA activities under its Nuclear Security Programme and in the framework of
- (5) On 18 July 2005, the Council adopted Joint Action 2005/574/CFSP ⁽³⁾ on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.
- (6) As far as the EU is concerned, the Council adopted on 22 December 2003 Directive 2003/122/Euratom ⁽⁴⁾ on the control of high activity sealed radioactive sources and orphan sources, the strengthening of the control of high activity radioactive sources in all third countries, in accordance with the G-8 statement and Action Plan on securing radioactive sources, remains an important objective to be pursued.
- (7) In July 2005, States Parties and the European Atomic Energy Community agreed by consensus to amend the Convention on the Physical Protection of Nuclear Material (CPPNM) with a view to expanding the scope to encompass nuclear material and facilities in peaceful domestic use and storage, as well as in transport, and will oblige States Parties to put violations under criminal sanctions.
- (8) In September 2005, the International Convention for the Suppression of Acts of Nuclear Terrorism (Nuclear Terrorism Convention) was opened for signature. Once entered into force, it will require States Parties to enact legislation to criminalise these offences.
- (9) The IAEA pursues the same objectives as set out in Recitals (3) to (8). This is done through the implementation of its Nuclear Security Plan which is financed through voluntary contributions to the IAEA Nuclear Security Fund,

⁽¹⁾ OJ L 302, 20.11.2003, p. 34.

⁽²⁾ OJ L 182, 19.5.2004, p. 46.

⁽³⁾ OJ L 193, 23.7.2005, p. 44.

⁽⁴⁾ OJ L 346, 31.12.2003, p. 57.

HAS ADOPTED THIS JOINT ACTION:

A detailed description of the projects is set out in the Annex.

Article 1

1. For the purposes of giving immediate and practical implementation to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction, the EU shall support the IAEA activities in the areas of nuclear security and verification in order to further the following objectives:

- to work towards the universalisation of international non-proliferation and nuclear security instruments, including comprehensive safeguards agreements and the Additional Protocol,
- to enhance the protection of proliferation-sensitive materials and equipment and the relevant technology, provide legislative and regulatory assistance in the area of nuclear security and safeguards,
- to strengthen the detection of and response to illicit trafficking of nuclear and other radio-active materials.

2. The projects of the IAEA, corresponding to measures of the EU Strategy, are the projects which aim at:

- strengthening national legislative and regulatory infrastructures for the implementation of relevant international instruments in the areas of nuclear security and verification, including comprehensive safeguards agreements and the Additional Protocol,
- assisting States in strengthening the security and control of nuclear and other radio-active materials,
- strengthening States' capabilities for detection and response to illicit trafficking in nuclear and other radio-active materials.

These projects will be carried out in countries needing assistance in these areas after an initial assessment carried out by an expert team.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP (SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated to this task.

2. The Commission shall supervise the proper implementation of the financial contribution referred to in Article 3.

3. The technical implementation of the projects referred to in Article 1(2) shall be entrusted to the IAEA, which shall perform its tasks under the responsibility of the Presidency and under the control of the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the IAEA.

4. The choice of the beneficiaries and actions shall be made, on the basis of the initial assessment referred to in Article 1(2), by the implementing entity. Member States and the Commission will be consulted in the framework of the competent Council working group.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 6 995 000.

2. The management of the expenditure financed by the general budget of the European Union specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters with the proviso that any pre financing shall not remain the property of the Community.

3. For the purpose of implementing the expenditure referred to in paragraph 1, the Commission shall conclude a specific financing agreement with the IAEA in accordance with the Regulations and Rules of the IAEA. It shall stipulate that the IAEA shall ensure visibility of the EU contribution, appropriate to its size.

Article 4

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of regular reports prepared by the IAEA. The Commission shall be fully associated and shall provide information on the financial aspects of the implementation of the projects referred to in Article 1(2).

Article 5

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

It shall expire on 12 September 2007.

Article 6

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

Done at Luxembourg, 12 June 2006.

For the Council
The President
U. PLASSNIK

ANNEX

EU support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation and Weapons of Mass Destruction

1. DESCRIPTION

The international community has recognized, notably in the International Conference on Nuclear Security: Global Directions for the Future, held in London in March 2005, that the risk of successful acts of nuclear terrorism remains high. The international community has reacted strongly and taken several initiatives aimed at preventing nuclear or other radioactive material from falling into the hands of criminals and terrorists.

Meanwhile, IAEA verification remains an indispensable tool for building confidence among States with regard to nuclear non-proliferation undertakings, and for advancing the peaceful use of nuclear material.

Recent international developments have resulted in a new and strengthened set of international legal instruments that are relevant for nuclear security and verification. In July 2005, States Parties adopted the Amendment to the CPPNM; the Nuclear Terrorism Convention was opened for signature in September 2005; and in April 2004, the UN Security Council adopted Resolution 1540 dealing with Weapons of Mass Destruction and non-State actors. UN Security Council Resolution 1373 of 2001 calls for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism.

As of to date, over 80 States have made a political commitment to implement the Code of Conduct on the Safety and Security of Radioactive Sources ⁽¹⁾. In addition, in 2005 the General Conference and Board of Governors of the IAEA have adopted several resolutions and decisions to strengthen the IAEA safeguards system ⁽²⁾.

States' implementation of these international instruments may be significantly facilitated, in part, by assistance provided through the IAEA Nuclear Security Plan for 2006-2009, which was approved by the Board of Governors of the IAEA in September 2005 ⁽³⁾. This is a continuation to the 2003-2005 Plan of Activities to protect against nuclear terrorism ⁽⁴⁾. The new Nuclear Security Plan includes three activity areas: (1) Needs assessment, analysis and coordination, (2) Prevention, and (3) Detection and response. It also includes a part referred to as 'Activities Supporting Nuclear Security', which comprises activities originally identified for their safety and safeguards objectives but which are also recognized for their important contributions to nuclear security.

International Safeguards, as implemented by the IAEA, represent key means of verifying the compliance by States with their specific non-proliferation commitments and obligations. It is of utmost importance that the required national legislation for the implementation of a comprehensive safeguards agreement with the IAEA, and, if applicable, an Additional Protocol, is in place ⁽⁵⁾. The implementation requires that each State party to such agreements maintain an effective State System for Accounting for and Control of Nuclear Material (SSAC). In September 2005, the IAEA Board of Governors requested that the IAEA Secretariat assist States for which comprehensive safeguards agreements had small quantities protocols attached, including non-members of the Agency, through available resources, in the establishment and maintenance of such SSACs.

The Nuclear Security Plan 2006-2009 pursues the similar objectives to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction. These provide a comprehensive approach to nuclear security including the regulatory controls, accountability and protection of nuclear and other radioactive materials in use, storage and transport, 'from cradle to grave', in the short term as well as in the long term. However, should the protection fail, backup measures must be established to detect theft or attempts to smuggle the material across international borders and to respond to malicious acts involving nuclear or other radioactive materials, should they occur.

⁽¹⁾ GOV/2003/49-GC(47)/9. Also the document: 'Measures to Strengthen International Cooperation in Nuclear, Radiation, Transport Safety and Waste Management: Promoting Effective and Sustainable National Regulatory Infrastructure for the Control of Radiation Sources' (GOV/2004/52-GC(48)/15) includes parts that are relevant to the IAEA-EU cooperation under the EU Strategy against Proliferation of Weapons of Mass Destruction. These activities are also reflected in 'Activities Supporting Nuclear Security' in the IAEA Nuclear Security Plan for 2006-2009.

⁽²⁾ In September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) decided that in order to strengthen the safeguards system, the so-called 'small quantities protocol' (SQP) to NPT safeguards agreements should remain part of the Agency's safeguards system, subject to modifications in the standard text and the change in the SQP criteria; the 2005 IAEA General Conference adopted a resolution in which it noted, *inter alia*, that, in the case of a State with a comprehensive safeguards agreement supplemented by an Additional Protocol in force, these measures represent the enhanced verification standard for that State.

⁽³⁾ GOV/2005/50-GC(49)/17.

⁽⁴⁾ GOV/2002/10.

⁽⁵⁾ See the Agency's Plan of Action to Promote the Conclusion of Safeguards Agreements and Additional Protocols, as published by the IAEA.

The IAEA is in the process of completing the implementation of Council Joint Action 2004/495/CFSP, and is implementing Council Joint Action 2005/574/CFSP. With the associated contributions of the EU, the IAEA has initiated major activities to support efforts of the recipient States in Caucasus, Central Asia, South-eastern Europe and Balkan regions, and Northern Africa and the Mediterranean region in Middle East, to strengthen the nuclear security and the implementation of international safeguards in these countries.

Support for these efforts continues to be in high demand in IAEA Member States as well as in States that are not members of the IAEA. Countries eligible to receive support are:

- in South-eastern Europe: Turkey, Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Republic of Moldova, and the former Yugoslav Republic of Macedonia,
- in the Central Asia region: Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan,
- in the Caucasus region: Armenia, Azerbaijan and Georgia,
- in the Mediterranean region in the Middle East: Israel, Jordan, Lebanon, and Syrian Arab Republic, and
- in Africa ⁽¹⁾: Altogether up to 20-25 countries in Africa are foreseen to receive support for nuclear security upgrades under different projects. Additional countries may be involved in regional training events.

The final selection of those African countries to receive support will be made on the basis of the needs evaluation phase, which will comprise assessment missions and evaluation of already existing information in headquarters. The support activities for each project will be focused on those countries in the region that have major activities in each project area:

- physical protection upgrades are foreseen in four to six of the eight countries in the region that have nuclear reactors; strengthening the security of radioactive sources is foreseen in five to seven of the 10 countries that have most vulnerable sources in use and in storage;
- provision of support to upgrade the capability to detect illicit trafficking in nuclear or other radioactive materials is foreseen in five to six countries which, on the basis of the information available to the IAEA, pose the highest risk of illicit trafficking, taking into account the existence nuclear material and of radioactive sources in the country and its neighbouring countries;
- provision of appraisal service and support regarding the radiation safety and security of radioactive sources regulatory infrastructure is foreseen in 12 countries where the regulatory infrastructure improvements are deemed to be in most need. Provision of legislative support is foreseen in six countries;
- training would be offered on a regional basis for as many participants as possible in Africa, subject to the funds available.

Initially, needs for improved nuclear security will be evaluated in the countries identified in the EU Joint Action in order to identify priorities for support. For that purpose, a team of recognised experts will evaluate the present status of nuclear security system already in place in these countries and give recommendations on improvements. The recommendations will constitute a platform for the definition of subsequent assistance, covering present status and need for improvement as regards prevention, detection of and response to malicious acts involving nuclear and other radioactive materials, including those in non-nuclear use, and of nuclear facilities. Priorities will be set in identifying the countries for each project that would be covered by the budget made available through EU support. The development of human resources will be implemented as part of the established training programme of the IAEA, which, to a large extent, is based on a regional approach. The participation of experts from as many eligible countries as possible will be supported, subject to available financial resources.

⁽¹⁾ Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome & Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

Subsequently, projects will be implemented in the selected countries in three fields:

1. *Legislative and Regulatory Assistance*

The legal foundation for nuclear security comprises, in large part, international instruments and recognized principles (treaties, conventions, agreements, norms, IAEA standards, codes of conduct and guidance documents, and recommendations) that are implemented by national authorities to control nuclear material and other radioactive sources. This broad range of norms (many developed under IAEA auspices) provides a framework for using nuclear material, other radioactive substances or their related facilities safely and securely — both those with large nuclear programmes and those conducting only limited nuclear activities.

The existence of proper national legislation, and regulatory control infrastructure, is a precondition for a successful nuclear security regime. National implementing legislation should provide a framework of principles and general provisions that enables authorised governmental entities to exercise the necessary regulatory functions and that regulates the conduct of any person engaged in regulated activities. In many States such legislation is inadequate and the regulatory infrastructure is not in existence or is inadequate. Such gaps, combined with inefficient regulatory control infrastructures result in a weakness of the global security regime. The aim should therefore be to strengthen or establish adequate national legislative and regulatory frameworks, and the effective application of relevant measures.

Radioactive materials are often used in non-nuclear applications, e.g. in medical or industrial use. Some of these sources are highly radioactive, and belong to categories 1 to 3, as defined in the IAEA document 'Categorisation of Radioactive Sources'. These sources, if not adequately under regulatory control and protected, may come into the wrong hands and be used in malicious activities. The regulatory infrastructure for radiation safety and security of radioactive sources must be effective and must function adequately in accordance with the international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and the associated import/export guidance, and the best practices.

The conclusion of safeguards agreements and Additional Protocols with the IAEA is an effective measure that promotes stringent national and international control over nuclear material and related technologies. It is important that national implementing legislation clearly identify the nuclear activities, installations, facilities and material to which safeguards will be applied. In addition, States that have concluded an Additional Protocol need to ensure that their national implementing legislation has been enhanced to enable the State concerned to comply with the additional obligations under the Additional Protocol. In particular, the State's domestic legislation should be revised to expand the responsibilities and powers of the regulatory body, designated for the purposes of implementing and applying the safeguards agreements concluded.

States also accept obligations to meet international norms related to nuclear security, when becoming parties to the CPPNM, by ratifying the Amendment to the CPPNM, and when becoming a party to the Nuclear Terrorism Convention. In addition, United Nations Security Council Resolution 1540 (2004) also obliges all States to establish domestic controls including the establishment of appropriate controls over materials related to nuclear weapons.

States' undertakings included in the aforementioned international instruments in the field of nuclear security have resulted in a juxtaposition of commitments related to the security of nuclear material and facilities and other radioactive sources. These commitments include measures for the establishment of a regulatory infrastructure for radiation safety and security of radioactive sources; accountancy and control measures; physical protection measures; import and export controls and the criminalisation of unlawful acts.

2. *Strengthening the Security and Control of Nuclear and other Radioactive Materials*

The materials used or stored at nuclear facilities and locations must be adequately accounted for and protected in order to prevent theft or sabotage. An effective regulatory system should identify those elements requiring implementation at the level of the State and of the operator respectively.

It is also of vital importance that powerful and vulnerable sources in non-nuclear applications are physically protected against malicious acts when used or stored, and when no longer required, they should be dismantled and stored, or disposed of as radioactive waste, in a safe and secure location.

All States with comprehensive safeguards agreements are required to establish and maintain SSACs subject to safeguards. However, IAEA estimates that such systems are lacking or inadequate in many IAEA Member States that are party to such agreements. This situation is particularly widespread among the 120 States or so that do not operate any nuclear facilities.

3. *Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking*

Illicit trafficking relates to the unauthorised receipt, provision, use, transfer or disposal of nuclear material and other radioactive materials, whether intentional or unintentional and with or without crossing international borders.

A terrorist-made, crude nuclear explosive device or a radiological dispersal device cannot be constructed without the material having been acquired as a result of illicit trafficking. In addition, sensitive equipment and technology to produce sensitive material for or to construct a crude nuclear explosive device may also have been acquired via illicit trafficking. It may be assumed that cross-border movement of material or technology is necessary for the material to reach its end destination. To combat illicit trafficking, States thus require the necessary regulatory systems to be in place, as well as technical systems (including user-friendly instruments) and available procedures and information at the border stations for detecting attempts at smuggling radioactive materials (including fissile, radioactive materials), or unauthorised trade with sensitive equipment and technology.

Effective measures must also be in place to respond to such acts and also to seizures of any radioactive materials. Law enforcement staff (customs, police, etc.) is frequently not trained in the use of detection equipment, and thus the sensitive equipment and technology may be unfamiliar. Training of these officers is therefore critical to the success of any measures put in place for detection of illicit trafficking. Different training should be offered to staff of different categories, both in using detection instruments and in understanding the reading of the instrument, to be able to decide on follow-up activities.

Support in this area is in great demand as a result of increased awareness of the threat involved and of the availability of equipment and methodology for improved border-monitoring capability.

2. OBJECTIVES

Overall objective: To strengthen nuclear security in selected countries.

2.1. *Evaluation Phase: Financing International Nuclear Security Missions*

Evaluation will be carried out by the IAEA to identify needs to strengthen the nuclear security in the countries concerned, in which such evaluation has not yet been completed. For the other identified countries, the evaluation carried out earlier will be updated. The evaluation will cover, as appropriate, physical protection and security of nuclear and non-nuclear applications, established measures to combat illicit trafficking as well as the necessary legal and regulatory infrastructure. The results of the overall evaluation will be used as a basis in selecting the countries in which the projects will be implemented.

The projects outlined above will:

- evaluate, in each country, the status of physical protection of nuclear and other radioactive materials, and the protection of any nuclear or research installation or location in which these materials are used or stored. Identify a subset of facilities and locations containing these materials to be selected for subsequent upgrading and support;
- evaluate, in each country, any needs with respect to the upgrading of the security of radioactive sources. Identify any weaknesses and shortcoming against international standards and the Code of Conduct requiring improvement of regulatory infrastructure, and identify the need to provide additional protection of powerful, vulnerable sources. The specific equipment needed to provide protection would also be determined as a result of the evaluation;
- evaluate, in each country, the current status of the capability to combat illicit trafficking and identify needs for the required improvements;
- evaluate, in each country, the status of the SSAC and identify needs for the required improvements.

2.2. Implementation of specific actions defined as priorities as a result of the evaluation phase

Project 1:

Legislative and Regulatory Assistance.

Project purpose:

- to strengthen national legislative and regulatory infrastructures related to nuclear and other radioactive material taking into account relevant international instruments and recognised principles in the nuclear security field and existing synergies with national systems of radiation safety;
- to strengthen national legislative frameworks for the implementation of Safeguards Agreements and Additional Protocols concluded between States and the Agency;
- to strengthen the national regulatory infrastructure for radiation safety and security of radioactive sources.

Project results:

- development and adoption of comprehensive, coherent and effective legislation at the national level, thereby contributing to a harmonised, strengthened and more universal system of nuclear security;
- development and adoption (in national languages) of national legislation necessary to enable States to comply with their obligations under Agency Safeguards Agreements and Additional Protocols;
- establishment/upgrading of the national regulatory infrastructure for radiation safety and security of radioactive sources through the provision of the Radiation Safety, and Security of Radioactive Sources Infrastructure Appraisal (RaSSIA), advisory services, equipment and training, in accordance with the international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and the best practices.

Project 2:

Strengthening the Security and Control of Nuclear and other Radioactive Materials

Project purpose:

- to strengthen physical protection of nuclear facilities and of nuclear and other radioactive materials in nuclear applications in the selected countries;
- to strengthen the control and physical protection of radioactive materials in non-nuclear applications in the selected countries and
- to strengthen SSACs for the implementation of safeguards agreements and Additional Protocols, including in States with 'small quantities protocols'.

Project results:

- physical protection of nuclear materials and other radioactive materials at selected nuclear facilities and locations upgraded;
- vulnerable sources in non-nuclear applications protected or, as appropriate, dismantled and transferred to a safe and secure storage in the selected countries;
- national regulatory infrastructure for physical protection improved through expert assistance;
- establishment and maintenance of effective SSACs capable of implementing safeguards agreements and Additional Protocols, including in States with 'small quantities protocols';
- staff training provided in the countries eligible to receive support.

Project 3:

Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking

Project purpose:

- to strengthen the States' capacities for detection of and response to illicit trafficking in the selected countries.

Project results:

- enhanced information collected and evaluated on illicit nuclear trafficking, from open sources and from States' Points of Contact, to improve the knowledge about and circumstances of illicit nuclear trafficking. This information will also facilitate the prioritisation of the various activities undertaken to combat illicit trafficking;
- national frameworks established through expert assistance, to combat illicit trafficking and to improve the national coordination of control cross-border movements of radioactive materials, sensitive nuclear equipment and technology in the selected countries;
- border monitoring equipment upgraded at selected border crossings;
- training provided for law enforcement staff in countries eligible to receive support.

3. DURATION

The evaluation will be performed within a period of three months after entering into force of the Contribution Agreement between the Commission and the IAEA. The three projects will be performed in parallel during the 12 subsequent months.

The total estimated duration for the implementation of this Joint Action is 15 months.

4. BENEFICIARIES

The beneficiaries are the countries where the assessment and the subsequent projects will be implemented. Their authorities will be helped to understand where there are weak points and receive support to bring solution and increase security. The criteria for identifying the countries for the projects, the final choice of the beneficiaries and the needs to be addressed in the selected countries shall be made in consultation between the implementing entity and the Presidency, assisted by the SG/HR in close consultation with Member States and the Commission in the framework of the competent Council working group. These decisions shall be based, where appropriate, on proposals made by the implementing entity in accordance with Article 2(1) of this Joint Action.

5. IMPLEMENTING ENTITY

The IAEA will be entrusted with the implementation of the projects. The international nuclear security missions will be performed following the standard mode of operation for missions of the IAEA, which will be carried out by IAEA and Member States' experts. The implementation of the three projects will be done directly by the IAEA staff, IAEA Member States-selected experts or contractors. In case of contractors, the procurement of any goods, works or services by the IAEA in the context of this Joint Action shall be carried out in accordance with the applicable rules and procedures of the IAEA, as detailed in the European Community Contribution Agreement with the IAEA.

6. THIRD PARTY PARTICIPANTS

The projects will be financed 100 % by this Joint Action. Experts of IAEA Member States may be considered as third party participants. They will work under the standard rules of operation for IAEA experts.

7. SPECIFIC CONDITIONS FOR CONTRACTING AND PROCUREMENT

In some cases, to improve the security arrangements for nuclear and other radioactive materials, e.g. radioactive sources, originally supplied by the Russian Federation, contracts for procurement of goods, works and services could be offered to providers in the Russian Federation, which are familiar with the Russian technology.

8. ESTIMATED REQUIRED MEANS

The EU contribution will cover the evaluation and the implementation of the three projects as described in point 2.2. The estimated costs are as follows:

Nuclear security evaluation, including missions	EUR 140 000
Project 1	EUR 1 200 000
Project 2	EUR 3 070 000
Project 3	EUR 2 385 000

In addition, a contingency reserve of about 3 % of eligible costs (for a total amount of EUR 200 000) is included for unforeseen costs.

9. FINANCIAL REFERENCE AMOUNT TO COVER THE COST OF THE PROJECT

The total cost of the project is EUR 6 995 000.

COUNCIL JOINT ACTION 2006/419/CFSP**of 12 June 2006****in support of the implementation of the United Nations Security Council Resolution 1540 (2004)
and in the framework of the implementation of the EU Strategy against the Proliferation of
Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 12 December 2003 the European Council adopted the EU Strategy against the Proliferation of Weapons of Mass Destruction, Chapter III of which contains a list of measures to combat such proliferation which need to be taken both within the EU and in third countries.
- (2) The EU is actively implementing this Strategy and is giving effect to the measures listed in Chapter III thereof, in particular through releasing financial resources to support specific projects conducted by multilateral institutions, providing technical assistance and expertise to States in need of a wide range of non-proliferation measures and fostering the role of the United Nations Security Council (UNSC).
- (3) On 28 April 2004 the UNSC unanimously adopted Resolution 1540, which is the first international instrument that deals with Weapons of Mass Destruction, their means of delivery and related materials in an integrated and comprehensive manner. It establishes binding obligations for all States aimed at preventing and deterring non-State actors from accessing such weapons and weapon-related material.
- (4) UNSC Resolution 1540 (2004) called upon States to present a report to the Committee of the Security Council established by UNSC Resolution 1540 (2004) (hereafter 1540 Committee) on steps they have taken or intend to take to implement the Resolution. Consequently, on 28 October 2004 the Presidency submitted, on behalf of the EU, the European Union Report on the implementation of UNSC Resolution 1540 (2004), while the EU Member States submitted their reports individually.
- (5) The EU has carried out démarches to third States to promote the submission of national reports under UNSC Resolution 1540 (2004). Preparation of the national reports requires considerable effort and technical knowledge on behalf of these States. Therefore technical assistance and an exchange of experience gained from the process of drafting national reports and from the adoption of measures to implement UNSC Resolution 1540 (2004) can directly contribute to increased compliance with the reporting obligation under the Resolution and to its actual implementation.
- (6) On 27 April 2006 the UN Security Council unanimously adopted Resolution 1673 (2006), which extended the mandate of the 1540 Committee for a period of two years, and decided that the Committee should intensify its efforts to promote the full implementation of UNSC Resolution 1540 (2004) through a work programme, outreach, assistance and cooperation. It also invited the 1540 Committee to explore with States and international, regional and sub-regional organisations the possibility of sharing experience and lessons learned, and the availability of programmes which might facilitate the implementation of UNSC Resolution 1540 (2004).
- (7) The 1540 Committee's report recommended that the regional and sub-regional outreach activities be widened and intensified with a view to providing States, in a structured manner, with guidance for implementing the obligations under UN Security Council Resolution 1540 (2004), taking into account the fact that 62 States have yet to submit their first national report and that 55 States which have submitted their first national report have yet to submit additional information and clarification requested by the 1540 Committee.
- (8) The 1540 Committee's report also concluded that apart from the non-submitting States, 32 States requested assistance in their national reports for implementing UNSC Resolution 1540 (2004).
- (9) On 9 June 2004 the Security Council assigned to the UN Department for Disarmament Affairs (UN Secretariat) the task of providing substantive and logistical support to the 1540 Committee and its experts.
- (10) The Financial and Administrative Framework Agreement, concluded between the European Community, on the one hand, and the UN, on the other hand, sets out a framework for the UN and the European Community in order to enhance their cooperation, including programmatic partnership. This Framework Agreement is to be implemented by the contribution-specific agreement, as specified in this Joint Action.

- (11) The Commission is entrusted with supervising the proper implementation of the EU financial contribution,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. In line with the EU Strategy against the Proliferation of Weapons of Mass Destruction, which sets the objective of fostering the role of the UN Security Council and of enhancing its expertise in meeting the challenges of proliferation, the EU shall support the implementation of UNSC Resolution 1540 (2004).

2. The projects in support of UNSC Resolution 1540 (2004), corresponding to measures of the EU Strategy, aim at:

- raising awareness of the requirements related to UNSC Resolution 1540 (2004) and the importance of this international non-proliferation instrument,
- contributing to strengthening third States' national administration capacities in three regions (Asia-Pacific, Africa and Latin America-Caribbean) in drafting national reports on the implementation of UNSC Resolution 1540 (2004).

A detailed description of the projects is set out in the Annex.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP, shall be responsible for implementing this Joint Action. The Commission shall be fully associated.

2. The Commission shall supervise the proper implementation of the financial contribution referred to in Article 3.

3. The technical implementation of the projects referred to in Article 1(2) shall be entrusted to the UN Secretariat (Department for Disarmament Affairs) (hereafter UN Secretariat (DDA)). In this capacity, it shall perform this task under the responsibility of the Presidency and under the control of the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the UN Secretariat (DDA).

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 195 000.

2. The management of the expenditure financed by the general budget of the European Union specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters with the proviso that any pre-financing does not remain the property of the Community.

3. For the purpose of implementing the expenditure referred to in paragraph 1, the Commission shall conclude a contribution-specific agreement with the UN Secretariat (DDA) in accordance with the Regulations and Rules of the Organisation. It shall stipulate that the UN Secretariat (DDA) is to ensure visibility of the EU contribution, appropriate to its size.

Article 4

The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP, shall report to the Council on the implementation of this Joint Action on the basis of regular reports prepared by the UN Secretariat (DDA). The Commission shall be fully associated and shall provide information on the financial aspects of the implementation of the projects referred to in Article 1(2).

Article 5

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

It shall expire on 12 June 2008.

Article 6

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

Done at Luxembourg, 12 June 2006.

For the Council

The President

U. PLASSNIK

ANNEX

EU SUPPORT FOR THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)**1. Description**

On 28 April 2004, the United Nations Security Council unanimously adopted Resolution 1540 (2004) as the first international instrument that deals with Weapons of Mass Destruction, their means of delivery and related materials in an integrated and comprehensive manner. All EU Member States were strongly in favour of this non-proliferation instrument. The Resolution provided for the establishment of the Committee of the Security Council which was entrusted with reporting to the Security Council on the implementation of the Resolution drawing from national reports. The national reports should cover the steps the States have taken or intend to take to implement the Resolution.

The EU has carried out démarches to third States to promote the submission of national reports under UNSC Resolution 1540 (2004). That Resolution recognises that some States may require assistance in implementing its provisions. Therefore technical assistance and exchange of experience gained from the process of drafting national reports and adopting measures to implement UNSC Resolution 1540 (2004) can directly contribute to increased compliance with the reporting obligation under the Resolution and to its actual implementation.

On 27 April 2006 the UN Security Council unanimously adopted UNSC Resolution 1673 (2006), which decided that the 1540 Committee should intensify its efforts to promote the full implementation of UNSC Resolution 1540 (2004) including through outreach, assistance and cooperation. In its April 2006 report, the 1540 Committee concluded that since 62 States which have yet to submit their first national report and 55 States which, although they have done so, still have to submit additional information and clarification are concentrated in three geographical areas (Africa, the Caribbean and the South Pacific), and since the gaps in the national reports follow certain regional patterns, activities to assist States in meeting implementation requirements of UNSC Resolution 1540 (2004) should concentrate on regions and areas where specific needs were identified.

2. Project description

The projects in support of the implementation of UNSC Resolution 1540 (2004) aim at addressing three aspects of the implementation — awareness-raising of requirements and obligations under the Resolution, contributing to strengthening national capacities in three target regions (Africa, Latin America and Caribbean, Asia-Pacific) in drafting national reports on the implementation of UNSC Resolution 1540 (2004) and sharing experience from the adoption of national measures required for the implementation of the Resolution.

The projects should take into account the conclusions and recommendations of the Report of the Committee of the Security Council established pursuant to UNSC Resolution 1540 (2004), particularly with regard to regional needs and gaps in the implementation of the Resolution as well as the need of some States for technical assistance, as applicable. The official declaration of interest for hosting the outreach activity in one of the target regions in the Committee of the Security Council shall be considered as the pre-condition for the EU support.

Project covering Asia-Pacific

The project consists primarily of organising an outreach activity, in the form of a seminar, which will raise awareness of the obligations under UNSC Resolution 1540 (2004) and contribute to strengthening national capacities to implement the Resolution in targeted States. The seminar may result in identifying assistance needs, which may be further addressed by future EU initiatives in the area of technical assistance. Within the beneficiary States, focus should be given to policy-making level participants. The agenda of the outreach activity should reflect the regional particularities in the implementation of UNSC Resolution 1540 (2004) and should respect the overall objectives of the Joint Action.

China has indicated in the Committee of the Security Council an interest in hosting, still in the first half of 2006, a regional seminar on the implementation of UNSC Resolution 1540 (2004) with special focus on export controls.

Project covering Africa

The project consists primarily of organising an outreach activity, in the form of a seminar, which will raise awareness of the obligations under UNSC Resolution 1540 (2004) and contribute to strengthening national capacities to implement the Resolution in targeted States. The seminar may result in identifying assistance needs, which may be further addressed by future EU initiatives in the area of technical assistance. Within the beneficiary States, the focus should be on policy-making level participants. The agenda of the outreach activity should reflect the regional particularities in the implementation of UNSC Resolution 1540 (2004) and should respect the overall objectives of the Joint Action.

Ghana has considered positively a request in the Committee of the Security Council to host a regional seminar on the implementation of UNSC Resolution 1540 (2004), by the end of 2006 at the earliest.

Project covering Latin America and Caribbean

The project consists primarily of organising an outreach activity, in the form of a seminar, which will raise awareness of the obligations under UNSC Resolution 1540 (2004) and contribute to strengthening national capacities to implement the Resolution in targeted States. The seminar may result in identifying assistance needs, which may be further addressed by future EU initiatives in the area of technical assistance. Within the beneficiary States, the focus should be on policy-making level participants. The agenda of the outreach activity should reflect the regional particularities in the implementation of UNSC Resolution 1540 (2004) and should respect the overall objectives of the Joint Action.

Peru has expressed its willingness to organise a regional seminar on the implementation of UNSC Resolution 1540 (2004) by the end of 2006.

Project results:

- increased awareness among targeted States and regions of their obligations under UNSC Resolution 1540 (2004) and of the possibilities for technical assistance,
- contributing to strengthening national administrative capacities in the targeted States and regions to report on the implementation of UNSC Resolution 1540 (2004),
- report on summary of proceedings of the outreach activities, e.g. seminars and an assessment paper on technical assistance needs.

3. Duration

The total estimated duration of the projects will be 24 months.

4. Beneficiaries

The beneficiaries of the seminar are primarily States of three target regions which have not submitted their national reports on the implementation of UNSC Resolution 1540 (2004). States which have already fulfilled their reporting obligation under the Resolution but which have not submitted additional information or clarifications as requested by the Committee of the Security Council should also be targeted.

The final choice of beneficiaries will be made by the Presidency assisted by the Secretary-General/High Representative through his Personal Representative on Non-proliferation of Weapons of Mass Destruction, acting upon proposals from the implementing entity in accordance with Article 2(3) of this Joint Action.

The potential regional and out-of-region technical assistance donors as well as relevant international, regional and sub-regional organisations will also be invited to attend.

5. Implementing entity

The UN Secretariat (DDA) will be entrusted with the technical implementation of the projects, in the framework of the political coordination by the Secretary-General/High Representative through his Personal Representative on Non-proliferation of Weapons of Mass Destruction. The UN Secretariat (DDA) will sign a Host Nation Support Agreement with the States, which will be identified as hosting States. The hosting State will take part in the project implementation. The procurement of any goods, works or services by the UN Secretariat (DDA) from the hosting States in the context of this Joint Action will be carried out in accordance with the applicable UN rules and procedures, as detailed in the EU contribution-specific agreement with the UN Secretariat (DDA).

6. Estimated EU financial contribution

The projects are co-financed by the EU and other donors. The EU should focus on expenditure related to participation of target States in the seminars, conference costs and costs for experts. Expenditure incurred by relevant regional and sub-regional organisations may also be covered, insofar as this is directly related to participation in, and organisation of, activities under the projects. The UN Secretariat (DDA) will be responsible for the overall coordination of contributions made by other donors, who will finance the remaining costs of the projects. Some donors may contribute to the implementation of the project directly to the host country. The estimated total cost of the EU contribution to the implementation of projects in Asia-Pacific, Africa and Latin America and Caribbean is EUR 195 000. Contribution transfers among projects are allowed if justified by specific requirements in selected regions.

In addition, a contingency reserve of about 3 % of eligible costs (for a total amount of EUR 3 395) is included for unforeseen costs.

7. Financial reference amount to cover the cost of the projects

The total cost of the projects is EUR 195 000.

CORRIGENDA**Corrigendum to Directive 2005/88/EC of the European Parliament and of the Council of 14 December 2005 amending Directive 2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors**

(Official Journal of the European Union L 344 of 27 December 2005)

On page 45, in the table in Article 1(1), under the item 'Welding and power generators', in the second column, third row:

for: '10 > P_{el}';

read: 'P_{el} > 10'.
