Council Regulation (EC) No 1791/2006 of 20 November 2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania

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adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania[(1)], and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 56 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Pursuant to Article 56 of the Act of Accession, where acts of the institutions remain valid beyond 1 January 2007, and require adaptation by reason of accession, and the necessary adaptations have not been provided for in the Act of Accession or its Annexes, the necessary acts are to be adopted by the Council, unless the original act was adopted by the Commission.

(2) The Final Act of the Conference which drew up the Treaty of Accession indicated that the High Contracting Parties had reached political agreement on a set of adaptations to acts adopted by the institutions required by reason of accession and invited the Council and the Commission to adopt these adaptations before accession, completed and updated where necessary to take account of the evolution of the law of the Union.

(3) The following Regulations should therefore be amended accordingly:

— in the field of the free movement of goods: Regulations (EC) No 2003/2003[(2)] and (EC) No 339/93[(3)],

— in the field of the freedom of movement of persons: Regulations (EEC) No 1408/71[(4)] and (EEC) No 574/72[(5)],

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EC) No 1791/2006. (See end of Document for details)*

— in the field of company law: Regulation (EC) No 2157/2001[6],

— in the field of competition policy: Regulation (EC) No 659/1999[7],

— in the field of agriculture (including veterinary legislation): Regulations: No 79/65[8], (EEC) No 1784/77[9], (EEC) No 2092/91[10], (EEC) No 2137/92[11], (EC) No 1493/1999[12], (EC) No 1760/2000[13], (EC) No 999/2001[14], (EC) No 2160/2003[15], (EC) No 21/2004[16], (EC) No 853/2004[17], (EC) No 854/2004[18], (EC) No 882/2004[19] and (EC) No 510/06[20],

— in the field of transport policy: Regulations (EEC) No 1108/70[21], (EEC) No 3821/85[22], (EEC) No 881/92[23], (EEC) No 684/92[24], (EEC) No 1192/69[25] and (EEC) No 2408/92[26],

— in the field of taxation: Regulation (EC) No 1798/2003[27],

— in the field of statistics: Regulations (EEC) No 2782/75[28], (EEC) No 357/79[29], (EEC) No 837/90[30], (EEC) No 959/93[31], (EC) No 1172/98[32], (EC) No 437/2003[33] and (EC) No 1177/2003[34],

— in the field of energy: Regulation (EC) No 1407/2002[35],

— in the field of environment: Regulations (EC) No 761/2001[36] and (EC) No 2037/2000[37],

— in the field of cooperation in the fields of justice and home affairs: Regulations (EC) No 1346/2000[38], (EC) No 44/2001[39], (EC) No 1683/95[40] and (EC) No 539/2001[41],

— in the field of customs union: Regulation (EEC) No 2913/92[42],

— in the field of external relations: Regulations (EEC) No 3030/93[43], (EC) No 517/94[44], (EC) No 152/2002[45], (EC) No 2368/2002[46] and (EC) No 1236/2005[47],

— in the field of common foreign and security policy: Regulations (EC) No 2488/2000[48], (EC) No 2580/2001[49], (EC) No 881/2002[50], (EC) No 1210/2003[51], (EC) No 131/2004[52], (EC) No 234/2004[53], (EC) No 314/2004[54], (EC) No 872/2004[55], (EC) No 1763/2004[56], (EC) No 174/2005[57], (EC) No 560/2005[58], (EC) No 889/2005[59], (EC) No 1183/2005[60], (EC) No 1184/2005[61], (EC) No 1859/2005[62], (EC) No 305/2006[63], (EC) No 765/2006[64] and(EC) No 817/2006[65],

— in the field of institutions: Regulation (EEC) 1/58[66].

(4) and the following Decisions should therefore be amended accordingly:

— in the field of the freedom of movement of persons: Decisions of the Administrative Commission of the European Communities on Social Security for Migrant Workers No 117 of 7 July 1982[67], No 136 of 1 July 1987[68], No 150 of 26 June 1992[69] and No 192 of 29 October 2003[70],

— in the field of agriculture (veterinary and phytosanitary legislation): Decisions 79/542/EEC[71], 82/735/EEC[72], 90/424/EEC[73], 2003/17/EC[74] and 2005/834/EC[75],

— in the field of transport policy: Decision No 1692/96/EC[76],

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1791/2006. (See end of Document for details)*

— in the field of energy: Decision 77/270/Euratom[(77)] and the Statutes of the Euratom Supply Agency[(78)],

— in the field of environment: Decisions 97/602/EC[(79)] and 2002/813/EC[(80)],

— in the field of cooperation in the fields of justice and home affairs: Decision of the Executive Committee of 28 April 1999 on the definitive version of the Common Consular Instructions[(81)] and Decision of the Executive Committee of 22 December 1994 on the certificate provided for in Article 75 to carry narcotic drugs and psychotropic substances[(82)].

HAS ADOPTED THIS REGULATION:

Article 1

1 The following Regulations shall be amended as set out in the Annex:

— in the field of the free movement of goods: Regulations (EC) No 2003/2003 and (EC) No 339/93,

— in the field of the freedom of movement of persons: Regulations (EEC) No 1408/71 and (EEC) No 574/72,

— in the field of company law: Regulation (EC) No 2157/2001,

— in the field of competition: Regulation (EC) No 659/1999,

— in the field of agriculture (including veterinary parts): Regulations: No 79/65, (EEC) No 1784/77, (EEC) No 2092/91, (EEC) No 2137/92, (EC) No 1493/1999, (EC) No 1760/2000, (EC) No 999/2001, (EC) No 2160/2003, (EC) No 21/2004, (EC) No 853/2004, (EC) No 854/2004, (EC) No 882/2004 and (EC) No 510/06,

— in the field of transport policy: Regulations (EEC) No 1108/70, (EEC) No 3821/85, (EEC) No 881/92, (EEC) No 684/92, (EEC) No 1192/69 and (EEC) No 2408/92,

— **[**[F1]. . . . .**]**

— in the field of statistics: Regulations (EEC) No 2782/75, (EEC) No 357/79, (EEC) No 837/90, (EEC) No 959/93, (EC) No 1172/98, (EC) No 437/2003 and (EC) No 1177/2003,

— in the field of energy: Regulation (EC) No 1407/2002,

— in the field of environment: Regulations (EC) No 761/2001 and (EC) No 2037/2000,

— in the field of cooperation in the fields of justice and home affairs: Regulations (EC) No 1346/2000, (EC) No 44/2001 **[**[F2]and**]** (EC) No 1683/95**[**[F3] and (EC) No 539/2001**]**,

— in the field of customs union: Regulation (EEC) No 2913/92,

— in the field of external relations: Regulations (EEC) No 3030/93, (EC) No 517/94, (EC) No 152/2002, (EC) No 2368/2002 **[**[F4]and**]****[**[F4](EC) No 1236/2005**]**,

— in the field of common foreign and security policy: Regulations (EC) No 2488/2000, (EC) No 2580/2001, (EC) No 881/2002, (EC) No 1210/2003, (EC), No 131/2004, (EC) No 234/2004, (EC) No 314/2004, (EC) No 872/2004, (EC) No 1763/2004, (EC) No 174/2005, (EC) No 560/2005, (EC) No 889/2005, (EC) No 1183/2005, (EC) No 1184/2005, (EC) No 1859/2005, (EC) No 305/2006, (EC) No 765/2006 and(EC) No 817/2006,

— in the field of institutions: Regulation (EEC) 1/58.

2 The following Decisions shall be amended as set out in the Annex:

— in the field of the freedom of movement of persons: Decisions of the Administrative Commission of the European Communities on Social Security for Migrant Workers

No 117 of 7 July 1982, No 136 of 1 July 1987, No 150 of 26 June 1992 and No 192 of 29 October 2003,

— in the field of agriculture (veterinary and phytosanitary legislation): Decisions 79/542/EEC, 82/735/EEC, 90/424/EEC, 2003/17/EC and 2005/834/EC,

— in the field of transport policy: Decision No 1692/96/EC,

— in the field of energy: Decision 77/270/Euratom and the Statutes of the Euratom Supply Agency,

— in the field of environment: Decisions 97/602/EC and 2002/813/EC,

— in the field of cooperation in the fields of justice and home affairs: Decision of the Executive Committee of 28 April 1999 on the definitive versions of the Common Consular Instructions and Decision of the Executive Committee of 22 December 1994 on the certificate provided for in Article 75 to carry narcotic drugs and psychotropic substances.

Textual Amendments

F1 Deleted by Council Regulation (EU) No 904/2010 of 7 October 2010 on administrative cooperation and combating fraud in the field of value added tax (recast).

F2 Substituted by Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (codification).

F3 Deleted by Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (codification).

F4 Deleted by Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (codification).

Article 2

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of Bulgaria and Romania.

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

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1791/2006. (See end of Document for details)*

ANNEX

1. FREE MOVEMENT OF GOODS

A. FERTILISERS

32003 R 2003: Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1), as amended by:

— 32004 R 0885: Council Regulation (EC) No 885/2004 of 26.4.2004 (OJ L 168, 1.5.2004, p. 1),

— 32004 R 2076: Commission Regulation (EC) No 2076/2004 of 3.12.2004 (OJ L 359, 4.12.2004, p. 25).

(a) In Annex I, A.2, No 1, the following is added in column 6, first paragraph, to the text in brackets after 'Slovakia':

Bulgaria, Romania;

(b) In Annex I, B.1, B.2 and B.4, the following is added in column 5, point 3, second paragraph, first indent, to the text in brackets after 'Slovakia':

Bulgaria, Romania;

B. HORIZONTAL AND PROCEDURAL MEASURES

31993 R 0339: Council Regulation (EEC) No 339/93 of 8 February 1993 on checks for conformity with the rules on product safety in the case of products imported from third countries (OJ L 40, 17.2.1993, p. 1), as amended by:

— 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties-Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),

— 12003 T: Act concerning the conditions of accession and the adjustments to the Treaties-Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ L 236, 23.9.2003, p. 33),

— 32003 R 0806: Council Regulation (EC) No 806/2003 of 14.4.2003 (OJ L 122, 16.5.2003, p. 1).

(a) The following is added to Article 6(1):

— Опасен продукт — допускане за свободно обращение не е разрешено — Регламент (ЕИО) № 339/93

— Produs periculos — import neautorizat — Regulamentul (CEE) nr. 339/93;

(b) The following is added to Article 6(2):

— Продукт несъответстващ на изискванията — допускане за свободно обращение не е разрешено — Регламент (ЕИО) № 339/93

— Produs neconform — import neautorizat — Regulamentul (CEE) nr. 339/93

2. FREEDOM OF MOVEMENT FOR PERSONS
SOCIAL SECURITY