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⁽¹⁾ Text with EEA relevance

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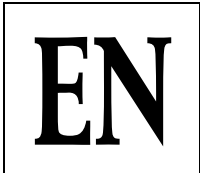
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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 477/2006
of 23 March 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 March 2006.

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

Done at Brussels, 23 March 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 23 March 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	101,8
	204	51,7
	212	102,0
	624	101,8
	999	89,3
0707 00 05	052	141,6
	999	141,6
0709 10 00	624	103,6
	999	103,6
0709 90 70	052	89,8
	204	52,1
	999	71,0
0805 10 20	052	64,8
	204	44,6
	212	50,8
	220	42,3
	400	60,8
	624	57,1
	999	53,4
0805 50 10	052	42,2
	624	64,7
	999	53,5
0808 10 80	388	77,0
	400	129,0
	404	92,9
	508	82,7
	512	82,3
	524	62,5
	528	111,7
	720	85,6
	999	90,5
0808 20 50	388	82,6
	512	70,9
	524	58,2
	528	58,9
	720	122,5
	999	78,6

⁽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 478/2006**of 23 March 2006****fixing the unit amounts of the advances on production levies in the sugar sector for the 2005/06 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⁾, and in particular Article 15(8) thereof,

Whereas:

- (1) Article 6 of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector ⁽²⁾ provides for the fixing before 1 April of the unit amounts to be paid by sugar, isoglucose and inulin syrup producers as advance payments of the production levies for the current marketing year.
- (2) The estimate of the levies gives an amount which is more than 60 % of the maximum indicated in Article 15(3) of Regulation (EC) No 1260/2001 in the case of the basic levy and an amount below 60 % of the maximum indicated in Article 15(5) in the case of the B levy. In accordance with Article 7 of Regulation (EC) No 314/2002, the advances on the basic levies should be fixed at 50 % of the maximum amount for sugar and inulin syrup, and the advances on the B levies should be fixed at 80 % of the amount of the B levy estimate for sugar and inulin syrup. The advance payment for isoglucose is fixed at 40 % of the unit amount of the basic production levy estimated for sugar, in accordance with Article 7(3) of that Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The unit amounts referred to in Article 6(1)(b) of Regulation (EC) No 314/2002 for the 2005/06 marketing year are hereby fixed as follows:

- (a) EUR 6,32 per tonne of white sugar as the advance payment on the basic production levy for A sugar and B sugar;
- (b) EUR 42,83 per tonne of white sugar as the advance payment on the B levy for B sugar;
- (c) EUR 5,06 per tonne of dry matter as the advance payment on the basic production levy for A isoglucose and B isoglucose;
- (d) EUR 6,32 per tonne of dry matter sugar/isoglucose equivalent as the advance payment on the basic production levy for A inulin syrup and B inulin syrup;
- (e) EUR 42,83 per tonne of dry matter sugar/isoglucose equivalent as the advance payment on the B levy for B inulin syrup.

Article 2

This Regulation shall enter into force on the third 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, 23 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 50, 21.2.2002, p. 40. Regulation as last amended by Regulation (EC) No 1665/2005 (OJ L 268, 13.10.2005, p. 3).

COMMISSION REGULATION (EC) No 479/2006**of 23 March 2006****as regards the authorisation of certain additives belonging to the group compounds of trace elements****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽²⁾, and in particular Article 25 thereof,

Whereas:

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

- (5) The applicant sought for the authorisation of chelated forms of iron, manganese, copper and zinc with synthetic glycine. The use of chelated forms may overcome some of the problems of absorption that occurs when other forms are used. A similar product is authorised with amino acids derived from soya protein. However, in this request for authorisation the trace elements are chelated with synthetic glycine and, therefore, needs a specific authorisation.
- (6) The applicant submitted a dossier in support of the use in feedingstuffs of chelated forms of iron, manganese, copper and zinc with synthetic glycine.
- (7) The Commission asked the European Food Safety Authority (the Authority) to evaluate the relevant data supporting the application for authorisation. Following this request, the Authority has adopted on 29 November 2005 an opinion on the use in feedingstuffs of chelated forms of iron, manganese, copper and zinc with synthetic glycine.
- (8) The opinion of the Authority shows that the conditions laid down in Article 3a of Directive 70/524/EEC are satisfied. Accordingly, the use of chelated forms of iron, manganese, copper and zinc with synthetic glycine, should be authorised.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparations belonging to the group 'Compounds of trace elements', as specified in the Annex, are authorised for use without a time-limit as additives in animal nutrition under the conditions laid down in that Annex.

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

⁽²⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

Article 2

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, 23 March 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

EC No	Element	Additive	Chemical formula and description	Maximum content of the element in mg kg ⁻¹ of the complete feedingstuff	Other provisions	End of period of authorisation
E4	Copper — Cu	Cupric chelate of glycine hydrate	Cu (x) ₁₋₃ · nH ₂ O (x = anion of synthetic glycine)	Pigs — piglets up to 12 weeks: 170 (total) — other pigs: 25 (total) Bovine 1. bovine before the start of rumination: — milk replacers: 15 (total) — other complete feedingstuffs: 15 (total) 2. other bovine: 35 (total) Ovine: 15 (total) Fish: 25 (total) Crustaceans: 50 (total) Other species: 25 (total)	The following declarations shall be inserted in the labelling and accompanying documents: — For sheep: Where the level of copper in feedingstuffs exceed 10 mg kg⁻¹, the level of copper in this feedingstuff may cause poisoning in certain breeds sheep — For bovines after the start of rumination: Where the level of copper in feedingstuffs is less than 20 mg kg⁻¹, the level of copper in this feedingstuff may cause copper deficiencies in cattle grazing pastures with high contents of molybdenum or sulphur	Without a time limit
E5	Manganese — Mn	Manganese chelate of glycine hydrate	Mn (x) ₁₋₃ · nH ₂ O (x = anion of synthetic glycine)	Fish: 100 (total) Other species: 150 (total)		Without a time limit
E6	Zinc — Zn	Zinc chelate of glycine hydrate	Zn (x) ₁₋₃ · nH ₂ O (x = anion of synthetic glycine)	Pet animals: 250 (total) Fish: 200 (total) Milk replacers: 200 (total) Other species: 150 (total)		Without a time limit

No (or EC No)	Element	Additive	Chemical formula and description	Maximum content of the element in mg kg ⁻¹ of the complete feedingstuff or in mg/day	Other provisions	End of period of authorisation
E1	Iron — Fe	Ferrous chelate of glycine, hydrate	Fe(x) ₁₋₃ · nH ₂ O (x = anion of synthetic glycine)	Ovine: 500 (total) mg kg⁻¹ of the complete feedingstuff Pet animals: 1 250 (total) mg kg⁻¹ of the complete feedingstuff Pigs: — piglets up to one week before weaning: 250 mg/day — other pigs: 750 (total) mg kg⁻¹ of the complete feedingstuff Other species: 750 (total) mg kg⁻¹ of the complete feedingstuff		Without a time limit

COMMISSION REGULATION (EC) No 480/2006**of 23 March 2006****fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-

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

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 24 March 2006.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 172, 5.7.2005, p. 24.

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

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

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

Done at Brussels, 23 March 2006.

For the Commission

Günter VERHEUGEN

Vice-President

ANNEX

Rates of the refunds applicable from 24 March 2006 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

CN code	Description of products ⁽¹⁾	(EUR/100 kg) Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	—	—
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽³⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	3,007	3,182
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	2,270	2,270
	– – in other cases	3,907	3,907
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ :		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	2,030	2,205
	– – where goods falling within subheading 2208 ⁽³⁾ are exported	1,703	1,703
	– – in other cases	2,930	2,930
	– where goods falling within subheading 2208 ⁽³⁾ are exported	2,270	2,270
	– other (including unprocessed)	3,907	3,907
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies ⁽²⁾	2,395	2,653
	– where goods falling within subheading 2208 ⁽³⁾ are exported	2,270	2,270
	– in other cases	3,907	3,907

(*) The rates set out in this Annex are not applicable to exports to Bulgaria with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

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

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

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

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

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

COMMISSION REGULATION (EC) No 481/2006**of 23 March 2006****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash,

crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 March 2006.

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

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 1549/2004 (OJ L 280, 31.8.2004, p. 13).

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

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

Done at Brussels, 23 March 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to Commission Regulation of 23 March 2006 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C10	EUR/t	54,70	1104 23 10 9300	C10	EUR/t	44,93
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	46,88	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	46,88	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C11	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C11	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C11	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	9,77
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C10	EUR/t	70,33	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	54,70	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	46,88	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	46,88	1108 12 00 9200	C10	EUR/t	62,51
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	62,51
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	62,51
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	62,51
1103 20 20 9000	C11	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	61,24
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	46,88
1104 19 50 9110	C10	EUR/t	62,51	1702 30 91 9000	C10	EUR/t	61,24
1104 19 50 9130	C10	EUR/t	50,79	1702 30 99 9000	C10	EUR/t	46,88
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	46,88
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	61,24
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	46,88
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	64,17
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	44,54
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C14	EUR/t	46,88
1104 23 10 9100	C10	EUR/t	58,61				

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

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

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

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

The other destinations are as follows:

C10: All destinations

C11: All destinations except for Bulgaria

C12: All destinations except for Romania

C13: All destinations except for Bulgaria and Romania

C14: All destinations except for Switzerland and Liechtenstein.

COMMISSION REGULATION (EC) No 482/2006**of 23 March 2006****fixing production refunds on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003, on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- (a) EUR/tonne 17,22 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 28,32 for potato starch.

Article 2

This Regulation shall enter into force on 24 March 2006.

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

Done at Brussels, 23 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

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

COMMISSION REGULATION (EC) No 483/2006
of 23 March 2006
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 22 March 2006, the quantity still available for the period until 30 April 2006, for destination zones (1) Africa, (2) Asia, (3) Eastern Europe and (4) western Europe,

referred to in Article 9(5) of Regulation (EC) No 883/2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 16 to 21 March 2006 should be applied and the submission of applications and the issue of licences suspended for this zone until 1 May 2006,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 16 to 21 March 2006 under Regulation (EC) No 883/2001 shall be issued in concurrence with 37,04 % of the quantities requested for zone (1) Africa, in concurrence with 27,93 % of the quantities requested for zone (2) Asia, in concurrence with 33,51 % of the quantities requested for zone (3) eastern Europe and in concurrence with 38,22 % of the quantities requested for zone (4) western Europe.

2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 22 March 2006 and the submission of export licence applications from 24 March 2006 for destination zone (1) Africa, (2) Asia, (3) Eastern Europe and (4) western Europe shall be suspended until 1 May 2006.

Article 2

This Regulation shall enter into force on 24 March 2006.

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

Done at Brussels, 23 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

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

COMMISSION REGULATION (EC) No 484/2006**of 23 March 2006****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1058/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 1058/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 March 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

Article 2

This Regulation shall enter into force on 24 March 2006.

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

Done at Brussels, 23 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 12.

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

COMMISSION REGULATION (EC) No 485/2006**of 23 March 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 1059/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 1059/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

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

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 March 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 1059/2005.

Article 2

This Regulation shall enter into force on 24 March 2006.

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

Done at Brussels, 23 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 15.

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

II

(Acts whose publication is not obligatory)

COUNCIL

**Agreement between the European Community and the Government of Canada on the processing of
Advance Passenger Information and Passenger Name Record Data ⁽¹⁾**

The procedures necessary for the entry into force of the Agreement between the European Community and the Government of Canada on the processing of Advance Passenger Information and Passenger Name Record Data, signed in Luxembourg on 3 October 2005, have been completed on 22 March 2006. According to Art. 9 of the Agreement, it entered into force on that same day.

⁽¹⁾ OJ L 82, 21.3.2006, p. 15.

COMMISSION

COMMISSION DECISION

of 9 November 2005

on the measure implemented by France for Mines de potasse d'Alsace

(notified under document number C(2005) 4204)

(Only the French text is authentic)

(Text with EEA relevance)

(2006/238/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and 1997, to be transferred by EMC to MDPa in the form of capital increases.

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 called on interested parties to submit their comments pursuant to the provisions cited above ⁽¹⁾ and having regard to their comments,

Whereas:

1. PROCEDURE

(1) In 1994, the Commission approved a EUR 76 million capital injection by the French State for Entreprise minière et chimique (hereinafter EMC), to be transferred by EMC to the company Mines de potasses d'Alsace (MDPA) in the form of a capital increase. In its decision ⁽²⁾, the Commission considered the measure to be compatible with the common market since it was intended to offset the extra social costs of retired workers (heating, accommodation, bridging allowance and severance grant) borne by MDPa by virtue of the special legal status of miners ⁽³⁾.

(2) In 1996, the Commission approved ⁽⁴⁾ for the same reasons, three capital injections each of EUR 38 million by the French State for EMC for the years 1995, 1996

(3) On 7 December 1998, the French authorities notified three more capital injections each of EUR 42 million that would be granted in 1998, 1999 and 2000 to EMC and transferred to MDPa. According to the French authorities, these measures were designed to compensate MDPa for certain social and environmental costs incurred as a result of its closure.

(4) The additional information communicated by France to the Commission on 22 January 1999 revealed that, in addition to the transfer of the aid granted by France, EMC had subscribed to capital increases for MDPa every year since 1995. By letter of 14 March 2000, the French authorities informed the Commission that part of the aid notified in 1998 had already been granted to the firm. In its reply of 10 April 2000, the Commission stated that this aid was to be regarded as unlawful.

(5) By letter of 10 October 2000, the Commission informed France that it had decided to initiate the procedure laid down in Article 88(2) of the EC Treaty in respect of the above measures. The decision was published in the *Official Journal of the European Communities* ⁽⁵⁾. The Commission invited interested parties to submit their comments on the aid.

(6) The Commission received comments from the French authorities on 28 November 2000 and on 21 and 23 March 2001. A meeting between the French authorities and Commission representatives took place on 2 December 2004. France sent information to the Commission by letters dated 8 February 2005 and 23 September 2005.

⁽¹⁾ OJ C 37, 3.2.2001, p. 22.

⁽²⁾ OJ C 196, 19.7.1994, p. 5.

⁽³⁾ Introduced by Decree No 46-1433 of 14 June 1948 on the status of employees of mining establishments and the like.

⁽⁴⁾ OJ C 168, 12.6.1996, p. 11.

⁽⁵⁾ OJ C 37, 3.2.2001, p. 22.

2. DESCRIPTION OF THE MEASURES

2.1. The recipient

- (7) MDPa had been working a sylvinitic deposit in Alsace since 1904 in order to obtain potassium chloride, which is used as a fertiliser or as a raw material for industry. In 1967 France set up EMC ⁽¹⁾ an industrial/commercial establishment in the public sector, and reorganised MDPa into a *Société anonyme à directoire et conseil de surveillance* ⁽²⁾, that was a wholly owned subsidiary of EMC.

- (8) With the deposit being almost worked out, MDPa negotiated in 1996 a social plan for gradually winding down its activity until its complete closure in 2004. In addition to MDPa, EMC then held, directly or through its holding company EMC société anonyme (EMC SA), interests in a number of companies operating in the chemical, animal food, environmental and waste reprocessing sectors.

- (9) In its decision to initiate the formal investigation procedure, the Commission took the view that MDPa was the only recipient of the measures under examination. This decision concurs with that view. There is no evidence to show that EMC subsidiaries benefited from the aid granted to MDPa. In particular, there is no doubt that all the funds concerned were transferred to MDPa by EMC in the form of capital increases.

- (10) In 2002, a fire brought MDPa's mining activities prematurely to an end. The company's objective was amended to reflect this development: whereas, when it was set up, MDPa's objective was 'to work the potassium salt and ancillary salt mines granted to the former public establishment Mines domaniales de potasse d'Alsace', Article 3, as amended, of its memorandum and articles now states that the company's objective is 'to perform the tasks associated with the closure of the potassium mines in the area to the north of Mulhouse as regards the old workings, installations, annexes and outbuildings'.

⁽¹⁾ Decree No 67-797 of 20 September 1967 on the administrative and financial organisation of EMC.

⁽²⁾ Decree No 67-796 of 20 September 1967 regrouping the private potash mines of Alsace and the National Industrial Potassium Office into a public industrial and commercial establishment designated EMC and Decree No 67-797 of 20 September 1967 on the administrative and financial organisation of EMC.

- (11) These tasks consist mainly in supporting redeployment of the workforce and in reconverting, making safe and transferring the sites. MDPa will be wound up on completion of those tasks, scheduled for the end of 2009.

- (12) On 1 January 2005, EMC transferred its capital holding in MDPa to the State, free of charge ⁽³⁾.

2.2. The aid

The decision to initiate the procedure relates to two distinct measures:

Measure 1 or notified measures

- (13) France paid to MDPa the aid notified in 1998 (i.e. EUR 42 million in 1998, in 1999 and in 2000) without awaiting the Commission's decision. This aid is therefore unlawful.

Measure 2 or additional aid

- (14) In order for MDPa to continue its activities until 2004, the date scheduled for closure of the mines, EMC subscribed each year after 1996 to a capital injection for its subsidiary equivalent to the losses incurred by the latter the previous year. Table 1 shows that the amounts thus paid to MDPa are higher than the aid authorised by the Commission in its 1996 decision and the aid notified for the period 1998 to 2000.

Table 1: Details of the non-notified aid granted to MDPa between 1995 and 2000

in EUR million	1995	1996	1997	1998	1999	2000
Aid approved by the Commission in its 1996 decision	38	38	38			
Aid notified 1998 to 2000 = Measure 1				42	42	42
Result for MDPa	- 84	- 95	- 128	- 118	- 96	- 86
Capital increase granted to MDPa by EMC	0	84	98	128	117	79
Measure 2	0	46	59	86	75	37

⁽³⁾ Decree No 2004-1286 of 26 November 2004 authorising the transfer to the State by EMC of its holding in the company Mines de potasse d'Alsace, Official Gazette of 28 November 2004.

3. CONCLUSION

- (15) The Commission notes that the recipient is now wholly owned by France, that it has definitively ceased all economic activities in the potassium sector and that the mines will not be reopened. The sole rationale for MDPA's continued existence is to carry out the tasks associated with the shutdown of mining activity and, in particular, to adapt the site to safety and environmental protection requirements. This latter responsibility would, in any event, be incumbent on the State if MDPA had folded ⁽¹⁾. Once these tasks have been carried out, MDPA will be wound up.
- (16) In the case under examination, the activities of MDPA linked to maintaining safety and environmental protection are not of an economic nature that would justify application of the Treaty's competition rules. Consequently, assuming that measures 1 and 2 have benefited MDPA and distorted competition, the Commission concludes that such distortion ended once MDPA ceased its commercial activities and once the mines were closed down. It also notes that MDPA's capital has been transferred to the State free of charge. Under the circumstances, a Commission decision on the classification as aid of the measures in question and on their compatibility would have no practical effect.

- (17) The formal investigation procedure initiated pursuant to Article 88(2) of the EC Treaty thus serves no useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

The formal investigation procedure initiated on 10 October 2000 in respect of Mines de potasse d'Alsace pursuant to Article 88(2) of the Treaty is hereby terminated.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 9 November 2005.

For the Commission

Neelie KROES

Member of the Commission

⁽¹⁾ See Article 84 of the Mining Code.