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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1230/2006**of 16 August 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 August 2006.

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

Done at Brussels, 16 August 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 16 August 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
0707 00 05	052	87,4
	999	87,4
0709 90 70	052	93,9
	999	93,9
0805 50 10	388	62,2
	524	55,7
	528	58,8
	999	58,9
0806 10 10	052	91,2
	220	112,7
	999	102,0
0808 10 80	388	87,1
	400	86,5
	508	85,1
	512	86,9
	528	80,6
	720	81,3
	800	140,3
	804	89,9
0808 20 50	999	92,2
	052	128,6
	388	88,0
0809 30 10, 0809 30 90	999	108,3
	052	137,0
0809 40 05	999	137,0
	052	39,5
	098	41,6
	624	133,6
	999	71,6

⁽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 1231/2006

of 16 August 2006

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

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, and in particular Articles 2 and 3 thereof,

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

Whereas:

- (1) All pharmacologically active substances used in the Community in veterinary medicinal products intended for food-producing animals should be evaluated in accordance with Regulation (EEC) No 2377/90.
- (2) The substance Ceftiofur is currently included in Annex I to Regulation (EEC) No 2377/90 for bovine and porcine for muscle, fat, liver and kidney and for bovine for milk. The entry for Ceftiofur in that Annex should be modified to include ovine and extended to all mammalian food-producing species for muscle, fat, liver, kidney and milk.
- (3) The substance polyoxyethylene sorbitan monooleate is currently included in Annex II to Regulation (EEC) No 2377/90 for all food-producing species. The entry in that Annex for polyoxyethylene sorbitan monooleate should be replaced by polyoxyethylene sorbitan monooleate and

trioleate covering polyoxyethylene sorbitan trioleate for all food-producing species.

- (4) Regulation (EEC) No 2377/90 should therefore be amended accordingly.
- (5) An adequate period should be allowed before the applicability of this Regulation in order to enable Member States to make any adjustment which may be necessary in the light of this Regulation to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽²⁾ to take account of the provisions of this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

It shall apply from 16 October 2006.

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

Done at Brussels, 16 August 2006.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 224, 18.8.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 1055/2006 (OJ L 192, 13.7.2006, p. 3).

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

ANNEX

A. The following substance is inserted in Annex I to Regulation (EEC) No 2377/90 (List of pharmacologically active substances for which maximum residue limits have been fixed):

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.2. Cephalosporins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues
'Cefiofur	Sum of all residues retaining the betalactam structure expressed as desfuoylcefiofur	All mammalian food-producing species	1 000 µg/kg 2 000 µg/kg 2 000 µg/kg 6 000 µg/kg 100 µg/kg	Muscle Fat (1) Liver Kidney Milk

(1) For porcine species this MRL relates to "skin and fat in natural proportions".

B. The following substance is inserted in Annex II to Regulation (EEC) No 2377/90 (List of substances not subject to maximum residue limits):

3. Substances generally recognised as safe

Pharmacologically active substance(s)	Animal species
'Polyoxyethylene sorbitan monooleate and trioleate	All food-producing species'

COMMISSION REGULATION (EC) No 1232/2006**of 16 August 2006****opening and providing for the administration of an import tariff quota of poultrymeat allocated to the United States of America**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽¹⁾, and in particular Article 3(2), Article 6(1) and Article 15 thereof,

Whereas:

(1) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽²⁾, approved by Council Decision 2006/333/EC ⁽³⁾, provides for the incorporation of a country allocated (US) import tariff rate quota of 16 665 tonnes of poultry.

(2) In order to ensure regular imports, the quantities of products covered by the import regime should be staggered over the period from 1 July to 30 June.

(3) The administration of the tariff quota should be based on import licences. To that end, detailed rules for submission of applications and the information which must appear in applications and licences should be laid down. Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁴⁾ should apply, save as otherwise provided in this Regulation.

(4) In view of the possible accession of Bulgaria and Romania to the European Union as from 1 January 2007, it is advisable to provide for a different period for lodging the licence applications for the first quarter of 2007.

(5) In order to ensure proper administration of the tariff quota, the security for import licences under the system should be set at EUR 50 per 100 kilograms. In view of the likelihood of speculation inherent in the system in the poultrymeat sector, clear conditions should be laid down as regards access by operators.

(6) Provision should be made for the licences to be issued after a period for consideration and, where necessary, an allocation coefficient should be applied to determine the quantity awarded in respect of each application.

(7) In the interests of the operators, provision should be made for the withdrawal of applications after the fixing of the coefficient to be applied.

(8) The attention of operators should be drawn to the fact that licences may only be used for products that comply with all the veterinary requirements in force in the Community.

(9) To ensure proper management of the import regimes, the Commission needs precise information from the Member States on the quantities actually imported. For the sake of clarity it is necessary to use a single model for communicating the quantities between Member States and the Commission.

(10) By way of derogation from Regulation (EC) No 1291/2000 and in order to assure that the imported quantity does not exceed the quantity under this regime, the tolerance provided for in Article 8(4) of that Regulation should not apply.

(11) For the period from 1 July 2006 to 30 September 2006 the operators have to introduce the licence applications during the first 15 days following the date of entry into force of this Regulation. It is therefore advisable to provide for the entering into force of this Regulation on the date of its publication in the *Official Journal of the European Union*.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The import tariff quota provided for in Annex I shall be opened annually for the products and under the conditions laid down therein.

⁽¹⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 124, 11.5.2006, p. 15.

⁽³⁾ OJ L 124, 11.5.2006, p. 13.

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 410/2006 (OJ L 71, 10.3.2006, p. 7).

Article 2

The tariff quota referred to in Article 1 shall be staggered as follows:

- 25 % in the period from 1 July to 30 September,
- 25 % in the period from 1 October to 31 December,
- 25 % in the period from 1 January to 31 March,
- 25 % in the period from 1 April to 30 June.

Article 3

All imports into the Community under the tariff quota referred to in Article 1 shall be subject to the presentation of an import licence.

Article 4

The import licences provided for in Article 3 shall be subject to the following rules:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member States that they have imported or exported not less than 50 tonnes of products falling under Regulation (EEC) No 2777/75 in each of the two calendar years preceding the year in which the licence application is lodged;
- (b) the licence application may involve several products covered by different CN codes and originating in the United States of America; in such cases, all the CN codes shall be indicated in section 16 and their description in section 15;
- (c) the licence application must relate to at least one tonne and to a maximum of 10 % of the quantity available for the period as specified in Article 2;
- (d) section 8 of licence applications and licences shall indicate the country of origin and the box indicating 'yes' shall be ticked to indicate that this indication is compulsory;
- (e) section 20 of licence applications and licences shall show one of the entries listed in Annex II;
- (f) section 24 of licences shall show one of the entries listed in Annex III.

Notwithstanding point (a) of the first paragraph, retail and catering establishments selling their products to final consumers shall be excluded from the regime.

Article 5

1. Licence applications shall be lodged during the first seven days of the month preceding each period as specified in Article 2.

However, for the period from 1 July 2006 to 30 September 2006 licence applications shall be lodged during the first 15 days following the entry into force of this Regulation and for the period from 1 January 2007 to 31 March 2007 licence applications shall be lodged during the first 15 days of January 2007.

2. Licence applications must be submitted to the competent authority of the Member State in which the applicant is established or has set up his registered office.

Applications shall only be admissible where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the same period, concerning products of the group set out in Annex I.

Where an applicant submits more than one application all applications from that applicant shall be inadmissible.

3. A security of EUR 50 per 100 kilograms shall be lodged for import licence applications for all products set out in Annex I.

4. Member States shall notify the Commission, on the fifth working day following the end of the application submission period provided for in paragraph 1, of applications lodged for each of the products concerned. Such notification shall include a list of applicants and a statement of the quantities applied for by product.

All notifications, including 'nil' notifications, shall be made by electronic means on the working day provided for in the first subparagraph, using the model set out in Annex IV in cases where no applications have been submitted and the models set out in Annexes IV and V in cases where applications have been submitted.

5. The Commission shall decide as quickly as possible to what extent quantities may be awarded in respect of the applications referred to in Article 4.

If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix an allocation coefficient as a percentage of quantities applied for.

6. Operators may withdraw their licence applications within 10 working days following publication of the allocation coefficient in the *Official Journal of the European Union* where application of that rate results in the fixing of a quantity less than 20 tonnes. Member States shall inform the Commission thereof within five days following the withdrawal of the licence application and shall release the security immediately.

7. The Commission shall calculate the quantity remaining, which shall be added to the quantity available in respect of the following quarter for the same period of the quota.

8. Licences shall be issued as quickly as possible after the Commission has taken its decision.

9. Licences may only be used for products complying with all the veterinary requirements in force in the Community.

10. Member States shall notify the Commission, before the end of the fourth month following each annual period, of the total volume of products, specified by CN code, entered into free circulation under this Regulation during that period.

All notifications, including 'nil' notifications, shall be made using the model set out in Annex VI.

Article 6

1. For the purposes of Article 23(2) of Regulation (EC) No 1291/2000, import licences shall be valid for a period of 150 days from the date of actual issue.

However, licences shall not be valid beyond the end of the last period of the year referred to in Article 2 for which a licence has been issued.

2. Import licences issued pursuant to this Regulation shall not be transferable.

Article 7

Access to the tariff quota shall be conditional on presentation of a certificate of origin issued by the competent authorities of the United States of America in accordance with Articles 55 to 65 of Commission Regulation (EEC) No 2454/93 ⁽¹⁾. The origin of the products covered by this Regulation shall be determined in accordance with the provisions in force in the Community.

Article 8

Regulation (EC) No 1291/2000 shall apply, save as otherwise provided in this Regulation.

By way of derogation from Article 8(4) of Regulation (EC) No 1291/2000, the quantity imported under this Regulation may not exceed that shown in sections 17 and 18 of the import licence. The figure '0' shall accordingly be entered in section 19 of the licence.

Article 9

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

It shall apply from 1 July 2006.

However, Article 5 shall apply from the date of entry into force of this Regulation.

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

Done at Brussels, 16 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

ANNEX I

Order number	CN codes	Applicable duty	Total quantity in tonnes product weight from 1 July 2006
09.4169	0207 11 10	131 EUR/t	16 665
	0207 11 30	149 EUR/t	
	0207 11 90	162 EUR/t	
	0207 12 10	149 EUR/t	
	0207 12 90	162 EUR/t	
	0207 13 10	512 EUR/t	
	0207 13 20	179 EUR/t	
	0207 13 30	134 EUR/t	
	0207 13 40	93 EUR/t	
	0207 13 50	301 EUR/t	
	0207 13 60	231 EUR/t	
	0207 13 70	504 EUR/t	
	0207 14 10	795 EUR/t	
	0207 14 20	179 EUR/t	
	0207 14 30	134 EUR/t	
	0207 14 40	93 EUR/t	
	0207 14 50	0 %	
	0207 14 60	231 EUR/t	
	0207 14 70	0 %	
	0207 24 10	170 EUR/t	
	0207 24 90	186 EUR/t	
	0207 25 10	170 EUR/t	
	0207 25 90	186 EUR/t	
	0207 26 10	425 EUR/t	
	0207 26 20	205 EUR/t	
	0207 26 30	134 EUR/t	
	0207 26 40	93 EUR/t	
	0207 26 50	339 EUR/t	
	0207 26 60	127 EUR/t	
	0207 26 70	230 EUR/t	
	0207 26 80	415 EUR/t	
	0207 27 10	0 %	
	0207 27 20	0 %	
	0207 27 30	134 EUR/t	
	0207 27 40	93 EUR/t	
	0207 27 50	339 EUR/t	
	0207 27 60	127 EUR/t	
	0207 27 70	230 EUR/t	
	0207 27 80	0 %	

ANNEX II

Entries referred to in point (e) of the first paragraph of Article 4

- *in Spanish:* Reglamento (CE) n° 1232/2006
 - *in Czech:* Nařízení (ES) č. 1232/2006
 - *in Danish:* Forordning (EF) nr. 1232/2006
 - *in German:* Verordnung (EG) Nr. 1232/2006
 - *in Estonian:* Määrus (EÜ) nr 1232/2006
 - *in Greek:* Κανονισμός (ΕΚ) αριθ. 1232/2006
 - *in English:* Regulation (EC) No 1232/2006
 - *in French:* Règlement (CE) n° 1232/2006
 - *in Italian:* Regolamento (CE) n. 1232/2006
 - *in Latvian:* Regula (EK) Nr. 1232/2006
 - *in Lithuanian:* Reglamentas (EB) Nr. 1232/2006
 - *in Hungarian:* 1232/2006/EK rendelet
 - *in Maltese:* Regolament (KE) Nru 1232/2006
 - *in Dutch:* Verordening (EG) nr. 1232/2006
 - *in Polish:* Rozporządzenie (WE) nr 1232/2006
 - *in Portuguese:* Regulamento (CE) n.º 1232/2006
 - *in Slovak:* Nariadenie (ES) č. 1232/2006
 - *in Slovene:* Uredba (ES) št. 1232/2006
 - *in Finnish:* Asetus (EY) N:o 1232/2006
 - *in Swedish:* Förordning (EG) nr 1232/2006
-

ANNEX III

Entries referred to in point (f) of the first paragraph of Article 4

- *in Spanish:* Reducción de los derechos del AAC en virtud del Reglamento (CE) n° 1232/2006
 - *in Czech:* SCS cla snížena podle nařízení (ES) č. 1232/2006
 - *in Danish:* FTT-toldsats nedsat i henhold til forordning (EF) nr. 1232/2006
 - *in German:* Ermäßigung des Zollsatzes nach dem GZT gemäß Verordnung (EG) Nr. 1232/2006
 - *in Estonian:* Ühise tollitariifistiku tollimakse vähendatakse vastavalt määrusele (EÜ) nr 1232/2006
 - *in Greek:* Μειωμένος δασμός του κοινού δασμολογίου, όπως προβλέπει ο κανονισμός (ΕΚ) αριθ. 1232/2006
 - *in English:* CCT duties reduced as provided for in Regulation (EC) No 1232/2006
 - *in French:* Droits du TDC réduits conformément au règlement (CE) n° 1232/2006
 - *in Italian:* Dazi TDC ridotti secondo quanto previsto dal Regolamento (CE) n. 1232/2006
 - *in Latvian:* KMT nodoklis samazināts, kā noteikts Regulā (EK) Nr. 1232/2006
 - *in Lithuanian:* BMT muitai sumažinti, kaip numatyta Reglamente (EB) Nr. 1232/2006
 - *in Hungarian:* A közös vámtarifában meghatározott vámtételek csökkentése a 1232/2006/EK rendeletnek megfelelően
 - *in Maltese:* Dazji TDK imnaqqsa kif previst fir-Regolament (KE) Nru 1232/2006
 - *in Dutch:* Invoer met verlaagd GDT-douanerecht overeenkomstig Verordening (EG) nr. 1232/2006
 - *in Polish:* Cła pobierane na podstawie WTC, obniżone, jak przewidziano w rozporządzeniu (WE) nr 1232/2006
 - *in Portuguese:* Direitos PAC reduzidos em conformidade com o Regulamento (CE) n.º 1232/2006
 - *in Slovak:* Clo SCS znížené podľa ustanovení nariadenia (ES) č. 1232/2006
 - *in Slovene:* Carine SCT, znižane, kakor določa Uredba (ES) št. 1232/2006
 - *in Finnish:* Yhteisen tullitariffin mukaiset tullit alennettu asetuksen (EY) N:o 1232/2006 mukaisesti
 - *in Swedish:* Tullar enligt gemensamma tulltaxan skall nedsättas i enlighet med förordning (EG) nr 1232/2006
-

ANNEX IV

Application of Regulation (EC) No 1232/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

Application for import licences at reduced rate of duty	Date:	Period:
USA		

Member State:

Sender:

Responsible contact person:

Tel.:

Fax:

Addressee: AGRID.2

Fax: (32-2) 292 17 41

E-mail: AGRI-IMP-POULTRY@ec.europa.eu

Order No	Quantity applied for (kg product weight)

ANNEX V

Application of Regulation (EC) No 1232/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

Application for import licences at reduced rate of duty	Date:	Period:
USA		

Member State:

Order No	CN code	Applicant (Name and Address)	Quantity applied for (kg product weight)

ANNEX VI

Application of Regulation (EC) No 1232/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Poultrymeat sector

NOTIFICATION CONCERNING ACTUAL IMPORTS

Member State:

Application of Article 4(8) of Regulation (EC) No 1232/2006

Quantity of products (in kg product weight) actually imported

Address: AGRID.2

Fax: (32-2) 292 17 41

E-mail: AGRI-IMP-POULTRY@ec.europa.eu

Order No	Quantity actually entered into free circulation	Country of origin
		USA

COMMISSION REGULATION (EC) No 1233/2006**of 16 August 2006****opening and providing for the administration of an import tariff quota of pigmeat allocated to the United States of America**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular Article 8(2), Article 11(1) and the second paragraph of Article 22 thereof,

Whereas:

(1) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽²⁾, approved by Council Decision 2006/333/EC ⁽³⁾, provides for the incorporation of a country allocated (US) import tariff rate quota of 4 722 tonnes of pigmeat.

(2) In order to ensure regular imports, the quantities of products covered by the import regime should be staggered over the period from 1 July to 30 June.

(3) The administration of the tariff quota should be based on import licences. To that end, detailed rules for the submission of applications and the information which must appear in applications and licences should be laid down. Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁴⁾ should apply, save as otherwise provided in this Regulation.

(4) In view of the possible accession of Bulgaria and Romania to the European Union as from 1 January 2007, it is advisable to provide for a different period for lodging the licence applications for the first quarter of the year 2007.

(5) In order to ensure proper administration of the tariff quota, the security for import licences under the system should be set at EUR 20 per 100 kilograms. In

view of the likelihood of speculation inherent in the system in the pigmeat sector, clear conditions should be laid down as regards access by operators.

(6) Provision should be made for the licences to be issued after a period for consideration and, where necessary, an allocation coefficient should be applied to determine the quantity awarded in respect of each application.

(7) In the interests of the operators, provision should be made for the withdrawal of applications after the fixing of the coefficient to be applied.

(8) The attention of operators should be drawn to the fact that licences may only be used for products which comply with all the veterinary requirements in force in the Community.

(9) To ensure proper management of the import regimes, the Commission needs precise information from the Member States on the quantities actually imported. For the sake of clarity it is necessary to use a single model for communicating the quantities between Member States and the Commission.

(10) By way of derogation from Regulation (EC) No 1291/2000 and in order to assure that the imported quantity does not exceed the quantity under this regime, the tolerance provided for in Article 8(4) of that Regulation should not apply.

(11) For the period from 1 July 2006 to 30 September 2006 the operators have to introduce the licence applications during the first 15 days following the date of entry into force of this Regulation. It is therefore advisable to provide for the entering into force of this Regulation on the date of its publication in the *Official Journal of the European Union*.

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

HAS ADOPTED THIS REGULATION:

Article 1

The import tariff quota provided for in Annex I shall be opened annually for the products and under the conditions laid down therein.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 124, 11.5.2006, p. 15.

⁽³⁾ OJ L 124, 11.5.2006, p. 13.

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 410/2006 (OJ L 71, 10.3.2006, p. 7).

Article 2

The tariff quota provided for in Annex I shall be staggered as follows:

- 25 % in the period from 1 July to 30 September;
- 25 % in the period from 1 October to 31 December;
- 25 % in the period from 1 January to 31 March;
- 25 % in the period from 1 April to 30 June.

Article 3

All imports into the Community under the tariff quota referred to in Article 1 shall be subject to the presentation of an import licence.

Article 4

The import licences for the tariff quota provided for in Annex I shall be subject to the following provisions:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade with third countries in pigmeat products for at least the preceding 12 months;
- (b) licence applications may refer to only the order number set out in Annex I and may involve several products covered by different CN codes and originating in the United States of America; in such cases, all the CN codes shall be indicated in section 16 and their descriptions in section 15;
- (c) for the order number, licence applications must relate to at least 20 tonnes and to a maximum of 20 % of the quantity available for the period as specified in Article 2;
- (d) section 8 of licence applications and licences shall indicate the country of origin and the box indicating 'yes' shall be ticked to indicate that this indication is compulsory;
- (e) section 20 of licence applications and licences shall show one of the entries listed in Annex II;
- (f) section 24 of licences shall show one of the entries listed in Annex III.

Notwithstanding point (a) of the first paragraph, retail and catering establishments selling their products to final consumers shall be excluded from the regime.

Article 5

1. Licence applications shall be lodged during the first seven days of the month preceding each period as specified in Article 2.

However, for the period from 1 July 2006 to 30 September 2006 licence applications shall be lodged during the first 15 days following the entry into force of this Regulation and for the period from 1 January 2007 to 31 March 2007 licence applications shall be lodged during the first 15 days of January 2007.

2. Licence applications shall only be admissible where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the same period, for products in the order number fixed in Annex I in the Member State in which his application is submitted or in any other Member State.

Where an applicant submits more than one application relating to products in the order number fixed in Annex I, all applications from that applicant shall be inadmissible

3. A security of EUR 20 per 100 kilograms shall be lodged for import licence applications for all products set out in Annex I.

4. Member States shall notify the Commission, on the third working day following the end of the application submission period provided for in paragraph 1, of applications lodged for each of the products concerned. Such notifications shall include a list of applicants and a statement of the quantities applied for by product.

All notifications, including 'nil' notifications, shall be made by electronic means on the working day provided for in the first subparagraph, using the model set out in Annex IV in cases where no applications have been submitted, and the models set out in Annexes IV and V in cases where applications have been submitted.

5. The Commission shall decide as quickly as possible to what extent quantities may be awarded in respect of applications referred to in Article 4.

If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix an allocation coefficient as a percentage of acceptance of the quantities applied for.

In the case where the percentage is less than 5 %, the Commission may refuse all applications and the corresponding security shall be released immediately.

6. Operators may withdraw their licence applications within 10 working days following publication of the allocation coefficient in the *Official Journal of the European Union* where application of that rate results in the fixing of a quantity of less than 20 tonnes for the order number. Member States shall inform the Commission thereof within five days following the withdrawal of the licence application and shall release the security immediately.

7. The Commission shall calculate the quantity remaining, which shall be added to the quantity available in respect of the following quarter for the same period of the quota.

8. Licences shall be issued as quickly as possible after the Commission has taken its decision.

9. Licences may only be used for products complying with all the veterinary requirements in force in the Community.

10. Member States shall notify the Commission, before the end of the fourth month following each annual period, of the total volume of products, specified by CN code, entered into free circulation under this Regulation during that period.

All notifications, including 'nil' notifications, shall be made using the model set out in Annex VI.

Article 6

1. For the purposes of Article 23(2) of Regulation (EC) No 1291/2000, import licences shall be valid for a period of 150 days from the date of actual issue.

However, licences shall not be valid beyond the end of the last period of the year referred to in Article 2 for which a licence has been issued.

2. Import licences issued pursuant to this Regulation shall not be transferable.

Article 7

Access to the tariff quota shall be conditional on presentation of a certificate of origin issued by the competent authorities of the United States of America in accordance with Articles 55 to 65 of Commission Regulation (EEC) No 2454/93 ⁽¹⁾. The origin of the products covered by this Regulation shall be determined in accordance with the provisions in force in the Community.

Article 8

Regulation (EC) No 1291/2000 shall apply, save as otherwise provided in this Regulation.

By way of derogation from Article 8(4) of Regulation (EC) No 1291/2000, the quantity imported under this Regulation may not exceed that shown in sections 17 and 18 of the import licence. The figure '0' shall accordingly be entered in section 19 of the licence.

Article 9

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

It shall apply from 1 July 2006.

However, Article 5 shall apply from the date of entry into force of this Regulation.

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

Done at Brussels, 16 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

ANNEX I

Order No	CN codes	Product description	Applicable duty	Total quantity in tonnes product weight from 1 July 2006
09.4170	ex 0203 19 55 ex 0203 29 55	Boned loins and hams, fresh, chilled or frozen	250 EUR/t	4 722

ANNEX II

Entries referred to in point (e) of the first paragraph of Article 4

- *in Spanish:* Reglamento (CE) n° 1233/2006
- *in Czech:* Nařízení (ES) č. 1233/2006
- *in Danish:* Forordning (EF) nr. 1233/2006
- *in German:* Verordnung (EG) Nr. 1233/2006
- *in Estonian:* Määrus (EÜ) nr 1233/2006
- *in Greek:* Κανονισμός (ΕΚ) αριθ. 1233/2006
- *in English:* Regulation (EC) No 1233/2006
- *in French:* Règlement (CE) n° 1233/2006
- *in Italian:* Regolamento (CE) n. 1233/2006
- *in Latvian:* Regula (EK) Nr. 1233/2006
- *in Lithuanian:* Reglamentas (EB) Nr. 1233/2006
- *in Hungarian:* 1233/2006/EK rendelet
- *in Maltese:* Regolament (KE) Nru 1233/2006
- *in Dutch:* Verordening (EG) nr. 1233/2006
- *in Polish:* Rozporządzenie (WE) nr 1233/2006
- *in Portuguese:* Regulamento (CE) n.º 1233/2006
- *in Slovak:* Nariadenie (ES) č. 1233/2006
- *in Slovene:* Uredba (ES) št. 1233/2006
- *in Finnish:* Asetus (EY) N:o 1233/2006
- *in Swedish:* Förordning (EG) nr 1233/2006

ANNEX III

Entries referred to in point (f) of the first paragraph of Article 4

- *in Spanish:* Reducción de los derechos del AAC en virtud del Reglamento (CE) n° 1233/2006
 - *in Czech:* SCS cla snížena podle nařízení (ES) č. 1233/2006
 - *in Danish:* FTT-toldsats nedsat i henhold til forordning (EF) nr. 1233/2006
 - *in German:* Ermäßigung des Zollsatzes nach dem GZT gemäß Verordnung (EG) Nr. 1233/2006
 - *in Estonian:* Ühise tollitariifistiku tollimakse vähendatakse vastavalt määrusele (EÜ) nr 1233/2006
 - *in Greek:* Μειωμένος δασμός του κοινού δασμολογίου, όπως προβλέπει ο κανονισμός (ΕΚ) αριθ. 1233/2006
 - *in English:* CCT duties reduced as provided for in Regulation (EC) No 1233/2006
 - *in French:* Droits du TDC réduits conformément au règlement (CE) n° 1233/2006
 - *in Italian:* Dazi TDC ridotti secondo quanto previsto dal Regolamento (CE) n. 1233/2006
 - *in Latvian:* KMT nodoklis samazināts, kā noteikts Regulā (EK) Nr. 1233/2006
 - *in Lithuanian:* BMT muitai sumažinti, kaip numatyta Reglamente (EB) Nr. 1233/2006
 - *in Hungarian:* A közös vámtarifában meghatározott vámtételek csökkentése a 1233/2006/EK rendeletnek megfelelően
 - *in Maltese:* Dazji TDK imnaqqsa kif previst fir-Regolament (KE) Nru 1233/2006
 - *in Dutch:* Invoer met verlaagd GDT-douanerecht overeenkomstig Verordening (EG) nr. 1233/2006
 - *in Polish:* Cła pobierane na podstawie WTC, obniżone, jak przewidziano w rozporządzeniu (WE) nr 1233/2006
 - *in Portuguese:* Direitos PAC reduzidos em conformidade com o Regulamento (CE) n.º 1233/2006
 - *in Slovak:* Clo SCS znížené podľa ustanovení nariadenia (ES) č. 1233/2006
 - *in Slovene:* Carine SCT, znižane, kakor določa Uredba (ES) št. 1233/2006
 - *in Finnish:* Yhteisen tullitariffin mukaiset tullit alennettu asetuksen (EY) N:o 1233/2006 mukaisesti
 - *in Swedish:* Tullar enligt gemensamma tulltaxan skall nedsättas i enlighet med förordning (EG) nr 1233/2006
-

ANNEX IV

Application of Regulation (EC) No 1233/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Pigmeat sector

Application for import licences at reduced rate of duty	Date:	Period:
USA		

Member State:

Sender:

Responsible contact person:

Tel.:

Fax:

Adresse: AGRI.D.2

Fax: (32-2) 292 17 39

E-mail: AGRI-IMP-PORK@ec.europa.eu

Order No	Quantity applied for (kg product weight)
09.4170	

ANNEX V

Application of Regulation (EC) No 1233/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Pigmeat sector

Application for import licences at reduced rate of duty	Date:	Period:
USA		

Member State:

Order No	CN code	Applicant (name and address)	Quantity applied for (kg product weight)
09.4170			

ANNEX VI

Application of Regulation (EC) No 1233/2006

Commission of the European Communities — DG Agriculture and Rural Development

Unit D.2 — Implementation of market measures

Pigmeat sector

NOTIFICATION CONCERNING ACTUAL IMPORTS

Member States:

Application of Article 4(8) of Regulation (EC) No 1233/2006

Quantity of products (in kg product weight) actually imported:

Addressee: AGRI.D.2

Fax: (32-2) 292 17 41

E-mail: AGRI-IMP-PORK@ec.europa.eu

Order No	Quantity actually entered into free circulation	Country of origin
09.4170		USA

COMMISSION REGULATION (EC) No 1234/2006**of 16 August 2006****amending Regulation (EEC) No 2973/79 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 12(8) of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector ⁽²⁾, as amended by Regulation (EC) No 360/2004 ⁽³⁾, no longer provides for the possibility of carrying over unused quantities where the amounts in respect of which licences have been applied for are less than the overall quantity available for export.
- (2) Article 1(1) of Commission Regulation (EEC) No 2973/79 of 21 December 1979 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country ⁽⁴⁾ provides for an annual quota of 5 000 tonnes of fresh, chilled or frozen beef for export to the United States of America. It also provides for that quota to be divided into four quantities of 1 250 tonnes, each to be available per quarter, and for the possibility of a quarterly carry-over of unused quantities available per quarter.

- (3) As a result of the amendment introduced by Regulation (EC) No 360/2004, the quarterly carry-over provided for in the second subparagraph of Article 1(1) of Regulation (EEC) No 2973/79 has become obsolete and should be deleted.
- (4) Moreover, in view of the rate of use of the above mentioned quota and the abolition of the possibility of a quarterly carry-over, there is no longer any point in maintaining the obligation to divide that quota into four identical quarterly quantities. Consequently, the quarterly breakdown into available quantities should also be abolished.
- (5) Regulation (EEC) No 2973/79 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(1) of Regulation (EEC) No 2973/79, the second subparagraph is deleted.

Article 2

This Regulation shall enter into force on the seventh 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 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 143, 27.6.1995, p. 35. Regulation as last amended by Regulation (EC) No 1118/2004 (OJ L 217, 17.6.2004, p. 10).

⁽³⁾ OJ L 63, 28.2.2004, p. 13.

⁽⁴⁾ OJ L 336, 29.12.1979, p. 44. Regulation as last amended by Regulation (EEC) No 3434/87 (OJ L 327, 18.11.1987, p. 7).

COMMISSION REGULATION (EC) No 1235/2006

of 16 August 2006

setting, for the 2006/2007 marketing year, the amount of aid for the cultivation of grapes intended for the production of certain varieties of dried grapes and of aid for replanting vineyards affected by phylloxera

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, and in particular Article 7(5) thereof,

Whereas:

(1) The second subparagraph of Article 7(1) of Regulation (EC) No 2201/96 establishes the criteria for setting the aid for the cultivation of grapes intended for the production of dried grapes of the sultana and Muscatel varieties and currants.

(2) The third subparagraph of Article 7(1) of Regulation (EC) No 2201/96 states that the amount of aid may be differentiated according to grape variety. It also states that that amount may also be differentiated according to other factors which may affect yields. In the case of sultanas an additional differentiation should therefore be provided for, between areas affected by phylloxera and other areas.

(3) For the 2005/06 marketing year, verification of the areas used to grow the grapes referred to in the first subparagraph of Article 7(1) of Regulation (EC) No 2201/96 has revealed no overrun of the maximum guaranteed area laid down in Article 2(1) of Commission Regulation (EC) No 1621/1999 of 22 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the aid for the cultivation of grapes to produce certain varieties of dried grapes ⁽²⁾.

(4) The aid for the cultivation of those grapes should be determined for the 2006/07 marketing year.

(5) The aid to be granted to producers replanting their vineyards in order to combat phylloxera under the conditions provided for in Article 7(4) of Regulation (EC) No 2201/96 should also be determined.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 2006/07 marketing year the cultivation aid referred to in Article 7(1) of Regulation (EC) No 2201/96 shall be:

(a) EUR 2 603 per hectare for areas under sultana grapes affected by phylloxera or replanted within the last five years;

(b) EUR 3 569 per hectare for other areas under sultana grapes;

(c) EUR 3 391 per hectare for areas under currant grapes;

(d) EUR 969 per hectare for areas under Muscatel grapes.

2. For the 2006/07 marketing year the replanting aid referred to in Article 7(4) of Regulation (EC) No 2201/96 shall be EUR 3 917 per hectare.

⁽¹⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Commission Regulation (EC) No 386/2004 (OJ L 64, 2.3.2004, p. 25).

⁽²⁾ OJ L 192, 24.7.1999, p. 21. Regulation as last amended by Regulation (EC) No 1880/2001 (OJ L 258, 27.9.2001, p. 14).

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, 16 August 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 1236/2006**of 16 August 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular of the Article 36,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2006/2007 marketing year are fixed by Commission Regulation (EC) No 1002/2006 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 1224/2006 ⁽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 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 August 2006.

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

Done at Brussels, 16 August 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 55, 28.2.2006, p. 1.
⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 178, 1.7.2006, p. 36.
⁽⁴⁾ OJ L 221, 12.8.2006, p. 7.

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 August 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⁾	24,74	3,93
1701 11 90 ⁽¹⁾	24,74	9,16
1701 12 10 ⁽¹⁾	24,74	3,74
1701 12 90 ⁽¹⁾	24,74	8,73
1701 91 00 ⁽²⁾	31,22	9,62
1701 99 10 ⁽²⁾	31,22	5,10
1701 99 90 ⁽²⁾	31,22	5,10
1702 90 99 ⁽³⁾	0,31	0,34

⁽¹⁾ Fixed for the standard quality defined in Annex I.III to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).⁽²⁾ Fixed for the standard quality defined in Annex I.II to Regulation (EC) No 318/2006.⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 1237/2006**of 16 August 2006****laying down the allocation coefficient to be applied under tariff subquota III for common wheat of a quality other than high quality opened by Regulation (EC) No 2375/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

number 09.4125) for the period 1 July to 30 September 2006.

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⁾,Having regard to Commission Regulation (EC) No 2375/2002 of 27 December 2002 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Regulation (EC) No 2375/2002 opens an annual tariff quota of 2 988 387 tonnes of common wheat of a quality other than high quality. That quota is divided into three subquotas.
- (2) Article 3(3) of Regulation (EC) No 2375/2002 fixes a quantity of 597 991 tonnes for subquota III (serial

- (3) The quantities applied for by 13.00 (Brussels time) on Monday 14 August 2006 in accordance with Article 5(1) of Regulation (EC) No 2375/2002 exceed the quantities available. The extent to which licences may be issued should therefore be determined and an allocation coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for subquota III for common wheat of a quality other than high quality lodged by 13.00 (Brussels time) on Monday 14 August 2006 and forwarded to the Commission in accordance with Article 5(1) and (2) of Regulation (EC) No 2375/2002 shall be accepted at a rate of 83,57528 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 17 August 2006.

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

Done at Brussels, 16 August 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 358, 31.12.2002, p. 88. Regulation as last amended by Regulation (EC) No 971/2006 (OJ L 176, 30.6.2006, p. 51).

COMMISSION REGULATION (EC) No 1238/2006**of 16 August 2006****fixing a single allocation coefficient to be applied to the tariff quota for wheat under Regulation (EC) No 573/2003**

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⁾,

Having regard to Commission Regulation (EC) No 573/2003 of 28 March 2003 laying down detailed rules for the application of Council Decision 2003/18/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in Romania and amending Regulation (EC) No 2809/2000 ⁽²⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Regulation (EC) No 573/2003 has opened an annual tariff quota of 230 000 tonnes of wheat (serial number 09.4766) for 2006/07.

- (2) The quantities applied for on Monday 14 August 2006 in accordance with Article 2(1) of Regulation (EC) No 573/2003 exceed the quantities available. The extent to which licences may be issued should therefore be determined and a single allocation coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence in respect of the 'Romania' quota for wheat lodged and sent to the Commission on Monday 14 August 2006 in accordance with Article 2(1) and (2) of Regulation (EC) No 573/2003 shall be accepted at a rate of 1,744760634 % of the quantities applied for.

Article 2

This Regulation shall enter into force on 17 August 2006.

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

Done at Brussels, 16 August 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 82, 29.3.2003, p. 25. Regulation as amended by Regulation (EC) No 1024/2006 (OJ L 184, 6.7.2006, p. 7).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 August 2006

amending Decision 2003/766/EC on emergency measures to prevent the spread within the Community of *Diabrotica virgifera* Le Conte

(notified under document number C(2006) 3582)

(2006/564/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular the fourth sentence of Article 16(3) thereof,

Whereas:

(1) Commission Decision 2003/766/EC⁽²⁾ requires Member States to take emergency measures against the dissemination of *Diabrotica virgifera* Le Conte (hereinafter referred to as the organism) as regards areas, other than those in which it is known to occur.

(2) On the basis of assessments by the Food and Veterinary Office in 2003, 2004 and 2005 in Member States and additional information from official surveys carried out in 2004 and 2005 by Member States, it would appear that the organism is established in some areas within the Community. However, a major part of Community territory remains free from the organism.

(3) The implementation of the emergency measures laid down in Decision 2003/766/EC was evaluated by the Standing Committee on Plant Health on several occasions during 2005. It was concluded that the emergency measures for eradication of the organism in areas where the organism was previously not known to occur should be supplemented by containment measures in all other areas.

(4) Decision 2003/766/EC should therefore be amended accordingly.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2003/766/EC is amended as follows:

1. The following Articles 4a and 4b are inserted:

‘Article 4a

1. When the results of the surveys referred to in Article 2 during more than two consecutive years have confirmed the presence of the organism in a part of their territory, Member States shall define zones, covering that part of their territory where the organism was found (“infested zones”).

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2006/35/EC (OJ L 88, 25.3.2006, p. 9).

⁽²⁾ OJ L 275, 25.10.2003, p. 49.

2. Member States shall either apply the provisions of Article 4 or, in case there is evidence that the organism can no longer be eradicated, organise programmes on a yearly basis in the infested zones and their vicinity to limit the spread of the organism from the infested zones into areas that are free from the organism ("containment programmes").

Article 4b

In maize fields in a zone of at least 2 500 m around the runways or any other areas where aircraft move within an airport where there is evidence that the risk for introduction of the organism is high, the following measures shall be taken:

- crop rotation in such way that maize is only grown once during any period of two consecutive years, or
- an intensive monitoring for the presence of the organism using appropriate sex pheromone traps is carried out and, when the organism is detected, measures are taken according to Articles 3 and 4.’.

2. In Article 5, the following indents are added:

- ‘— the areas of the zones referred to in Article 4a(1) and any changes therein,
- the containment programmes referred to in Article 4a(2) and any changes therein.’.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 August 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION RECOMMENDATION

of 11 August 2006

on containment programmes to limit the further spread of *Diabrotica virgifera* Le Conte in Community areas where its presence is confirmed

(2006/565/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 211 thereof,

Whereas:

- (1) Commission Decision 2003/766/EC of 24 October 2003 on emergency measures to prevent the spread within the Community of *Diabrotica virgifera* Le Conte ⁽¹⁾ (the organism) provides for restrictions on growing maize in areas that were previously known to be free from the organism but where the organism has been found, as well as in areas where the organism is already established.
- (2) According to Article 4a(2) of Decision 2003/766/EC, Member States can organise containment programmes on a yearly basis in the infested zones and their vicinity to limit the spread of the organism from the infested zones into areas that are free from the organism.
- (3) In order to facilitate a coordinated approach for those containment programmes, technical guidance should be provided.
- (4) The containment programmes should be based on sound scientific principles, the biology of the organism, the level of the infestation and the particular production system of maize in the Member State concerned.
- (5) In developing the technical guidance, account has been taken of the work and the experiences of the responsible official bodies in the Member States as regards the control of the organism.
- (6) The technical guidance provided for in this Recommendation is in accordance with the opinion of the Standing Committee on Plant Health,

HEREBY RECOMMENDS:

1. The exact delimitation of infested zones referred to in Article 4a(1) of Decision 2003/766/EC should be based on sound

scientific principles, the biology of the organism, the level of the infestation, and the particular production system of maize in the Member State concerned.

The delimitation of infested zones should be reviewed when, in at least two consecutive years, similar results as regards the absence or presence of the organism have been obtained in the surveys referred to in Article 2 of Decision 2003/766/EC.

2. For the purpose of the implementation of the containment programmes referred to in Article 4a(2) of Decision 2003/766/EC, Member States should take account of the following principles:

- (a) Measures to limit the spread of the organism from the infested zones into areas that are free from the organism (containment measures). They should be established in a zone (containment zone) which should extend for at least 10 km within the infested zone and at least 30 km into the non-infested zone.

In the containment zone, Member States should ensure that in the maize fields:

- crop rotation is organised in such a way that maize is grown not more than once during any period of two consecutive years, or
- crop rotation takes place in such a way that maize can be grown twice in any period of three consecutive years and, linked to a local prediction system for the development of the organism, at least one of these maize crops is sown only after the emergence of the larvae, or

- crop rotation takes place in such a way that maize can be grown twice in any period of three consecutive years, each time in combination with efficient insecticide treatments against adults or any other measures or treatments resulting in a similar level of control of the organism.

⁽¹⁾ OJ L 275, 25.10.2003, p. 49. Decision as amended by Decision 2006/564/EC (see page 28 of this Official Journal).

- (b) Measures, based upon area-wide pest management in the rest of the infested zone, to mitigate the possibilities for the further spread of the organism and to ensure a sustainable production of maize (suppression measures).

account the local circumstances and the characteristics of the containment zone.

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- (c) The presence of the organism in the non-infested part of the containment zone should be monitored intensively using appropriate sex pheromone traps, taking into

For the Commission
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Member of the Commission