

Official Journal

of the European Union

L 230

Volume 49

24 August 2006

English edition

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1260/2006
of 23 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 24 August 2006.

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

Done at Brussels, 23 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 23 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	69,0
	999	69,0
0709 90 70	052	71,8
	999	71,8
0805 50 10	388	64,1
	524	55,4
	528	56,3
	999	58,6
0806 10 10	052	78,4
	220	57,7
	624	138,5
	999	91,5
0808 10 80	388	89,5
	400	94,5
	404	87,6
	508	84,4
	512	82,5
	528	84,7
	720	81,3
	800	149,6
0808 20 50	804	96,3
	999	94,5
0809 30 10, 0809 30 90	052	121,6
	388	102,4
	999	112,0
0809 40 05	052	130,2
	999	130,2
	052	39,5
	098	47,3
	624	149,1
	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 1261/2006**of 23 August 2006****amending Regulation (EC) No 219/2006 opening and providing for the administration of the tariff quota for bananas falling under CN code 0803 00 19 originating in ACP countries for the period 1 March to 31 December 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Council Regulation (EC) No 1964/2005 of 29 November 2005 on the tariff rates for bananas ⁽¹⁾, and in particular Article 2 thereof,

In the Annex to Regulation (EC) No 219/2006, the part of the text concerning Luxembourg is replaced by the following:

Whereas:

'Luxembourg
Direction des Douanes et Accises
Division "Douane/Valeur"
26, Place de la Gare
L-1616 Luxembourg'.

(1) The Annex to Commission Regulation (EC) No 219/2006 ⁽²⁾ lists the authorities responsible for applying the import arrangements in each Member State. Following a notification from a Member State, the list of authorities should be amended.

Article 2

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

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 August 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 316, 2.12.2005, p. 1.

⁽²⁾ OJ L 38, 9.2.2006, p. 22. Regulation as last amended by Regulation (EC) No 966/2006 (OJ L 176, 30.6.2006, p. 21).

COMMISSION REGULATION (EC) No 1262/2006**of 23 August 2006****amending Council Regulation (EC) No 51/2006 as regards the list of vessels engaged in illegal, unreported and unregulated fisheries in the north-east Atlantic**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽¹⁾, and in particular point 13.2. of Annex III thereto,

Whereas:

(1) The European Community has, since 1981, been a Party to the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries ⁽²⁾.

(2) In May 2006 the North-East Atlantic Fisheries Commission (NEAFC) made a recommendation to

amend the list of vessels that have been confirmed as having engaged in illegal, unreported and unregulated fisheries. Implementation of the recommendation in the Community legal order should be ensured.

(3) Regulation (EC) No 51/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Appendix 4 to Annex III to Regulation (EC) No 51/2006 is replaced by the text in 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*.

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

Done at Brussels, 23 August 2006.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Regulation (EC) No 941/2006 (OJ L 173, 27.6.2006, p. 1).

⁽²⁾ OJ L 227, 12.8.1981, p. 21.

ANNEX

In Annex III of Regulation (EC) No 51/2006 Appendix 4 is replaced by the following:

‘Appendix 4 to Annex III

List of vessels with the following IMO numbers that have been confirmed by NEAFC as having engaged in illegal, unreported and unregulated fisheries

IMO ⁽¹⁾ ship identification number	Vessel's name ⁽²⁾	Vessel's name ⁽²⁾
6719419	GRAN SOL	Panama
7321374	FONTE NOVA	Panama
7332218	IANNIS I	Panama
7347407	SUNNY JANE	Belize
7385174	MURTOSA	Togo
7700104	BRIZ	Panama
7803255	KERGUELEN	Guinea Conakry
8028424	ICE BAY	Cambodia
8326319	PAVLOVSK	Georgia
8422838	ISABELLA	Georgia
8422852	DOLPHIN	Georgia
8522030	CARMEN	Georgia
8522042	JUANITA	Georgia
8522119	EVA	Georgia
8522169	ROSITA	Georgia
8606836	ULLA	Georgia

⁽¹⁾ International Maritime Organisation.

⁽²⁾ Any changes of names and flags and additional information on the vessels are available on the NEAFC website: www.neafc.org

COMMISSION REGULATION (EC) No 1263/2006**of 23 August 2006****derogating from Regulations (EC) No 1464/95, (EC) No 174/1999, (EC) No 800/1999, (EC) No 1291/2000, (EC) No 1342/2003, (EC) No 633/2004, (EC) No 1138/2005, (EC) No 951/2006 and (EC) No 958/2006 as regards agricultural products exported to Lebanon**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organisation of the market in poultrymeat⁽¹⁾ and in particular Article 3(2), Article 8(12) and Article 15 thereof and the corresponding articles of the other Regulations on the common organisation of the markets in agricultural products,

Whereas:

- (1) The common rules concerning the export of agricultural products are laid down in Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽²⁾ and 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⁽³⁾.
- (2) Exceptional circumstances prevailing in Lebanon have seriously damaged the economic interests of exporters and the situation thus created has adversely affected export opportunities under the conditions laid down in Regulations (EC) No 800/1999 and (EC) No 1291/2000.
- (3) It is therefore necessary to limit those harmful effects by adopting special measures so that export operations which have not been completed on account of the above mentioned circumstances can be regularised. In particular, derogations should be adopted from certain provisions applicable to export procedures such as those concerning time-limits in Regulations (EC) No 800/1999 and (EC) No 1291/2000, in Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68, as regards export

licences and export refunds in the case of milk and milk products⁽⁴⁾, in Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁵⁾ and in Commission Regulation (EC) No 633/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licence in the poultry meat sector⁽⁶⁾.

- (4) For products in the sugar sector, derogations should be provided from Commission Regulation (EC) No 1464/95 of 27 June 1995 laying down special detailed rules for the application of the system of import and export licences in the sugar sector⁽⁷⁾ for licences applied for before 1 July 2006, from Commission Regulation (EC) No 1138/2005 of 15 July 2005 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar for the 2005/06 marketing year⁽⁸⁾, from 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 same sector⁽⁹⁾ for licences applied for from 1 July 2006 and from Commission Regulation (EC) No 958/2006 of 28 June 2006 opening a standing invitation to tender to determine refunds on exports of white sugar for the 2006/07 marketing year⁽¹⁰⁾.
- (5) Only those operators who can prove, on the basis of the export documents or the documents referred to in Article 1(2) of Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC⁽¹¹⁾, that the products were destined for export to Lebanon should be allowed to benefit from the derogations.
- (6) In order to remedy the harmful effects on all operators who may have been affected by the exceptional circumstances in Lebanon, this Regulation should apply as from 1 July 2006.

⁽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 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 671/2004 (OJ L 105, 14.4.2004, p. 5).

⁽³⁾ 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).

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 508/2006 (OJ L 92, 30.3.2006, p.10).

⁽⁵⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 988/2006 (OJ L 176, 30.6.2006, p. 98).

⁽⁶⁾ OJ L 100, 6.4.2004, p. 8. Regulation as amended by Regulation (EC) No 1498/2004 (OJ L 275, 25.5.2004, p. 8).

⁽⁷⁾ OJ L 144, 28.6.1995, p. 14. Regulation as last amended by Regulation (EC) No 96/2004 (OJ L 15, 22.1.2004, p. 3).

⁽⁸⁾ OJ L 185, 16.7.2005, p. 3.

⁽⁹⁾ OJ L 178, 1.7.2006, p. 24.

⁽¹⁰⁾ OJ L 175, 29.6.2006, p. 49.

⁽¹¹⁾ OJ L 388, 30.12.1989, p. 18. Regulation as last amended by Regulation (EC) No 2154/2002 (OJ L 328, 5.12.2002, p. 4).

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Article 6(3) of Regulation (EC) No 1464/95, Article 6 of Regulation (EC) No 174/1999, Article 7 of Regulation (EC) No 1342/2003, Article 2 of Regulation (EC) No 633/2004, Article 13 of Regulation (EC) No 1138/2005, Article 8 of Regulation (EC) No 951/2006 and Article 12(2) of Regulation (EC) No 958/2006, the term of validity of export licences issued pursuant to those Regulations and applied for by 20 July 2006 shall, on application by the holder, be extended by:

- (a) three months for licences whose term of validity expires during the month of July;
- (b) two months for licences whose term of validity expires during the month of August;
- (c) one month for licences whose term of validity expires during the month of September.

2. By way of derogation from Article 32(1)(b)(i) of Regulation (EC) No 1291/2000 and from Article 7(1) and Article 34(1) of Regulation (EC) No 800/1999, the 60-day time-limit shall, on application by the exporter, be extended to 150 days for products for which the customs export formalities have been completed or which were placed under any of the arrangements referred to in Articles 4 and 5 of Council Regulation (EEC) No 565/80 ⁽¹²⁾ by 20 July 2006 at the latest.

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

Done at Brussels, 23 August 2006.

3. The increases of 10 % and 15 % referred to in Article 25(1) and in the second subparagraph of Article 35(1) respectively, and the 20 % reduction referred to in Article 18(3) of Regulation (EC) No 800/1999 shall not apply to exports carried out under licences and applied for by 20 July 2006 at the latest.

If entitlement to refund is lost due to the exceptional circumstances in Lebanon, the penalty provided for by Article 51(1)(a) of Regulation (EC) No 800/1999 shall not apply.

Article 2

Article 1 shall apply to the products listed in sections 1, 2, 3, 4, 7, 9, 13 and 14 in Annex I to Commission Regulation (EEC) No 3846/87 ⁽¹³⁾ insofar as the exporter concerned can supply proof to the satisfaction of the competent authorities that the products were destined for Lebanon.

The competent authorities shall base their assessment on the export licence, the export declaration or the commercial documents referred to in Article 1(2) of Regulation (EEC) No 4045/89.

Article 3

By 31 January 2007, Member States shall notify the Commission of the quantities of the products concerned by each of the measures laid down in Article 1, detailing the number and date of issue of the licence, the export refunds nomenclature code, the quantity of the products, the initial term of validity and the extended term of validity.

Article 4

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.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹²⁾ OJ L 62, 7.3.1980, p. 5.

⁽¹³⁾ OJ L 366, 24.12.1987, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 August 2006

on emergency measures regarding the non-authorised genetically modified organism LL RICE 601 in rice products

(notified under document number C(2006) 3863)

(Text with EEA relevance)

(2006/578/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, and in particular Article 53(2), first subparagraph, thereof,

Whereas:

(1) Articles 4(2) and Article 16(2) of Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed⁽²⁾ provide that no genetically modified food or feed is to be placed on the Community market unless it is covered by an authorisation granted in accordance with that Regulation. Articles 4(3) and Article 16(3) of the same Regulation lay down that no genetically modified food and feed may be authorised unless it has been adequately and sufficiently demonstrated that it does not have adverse effects on human health, animal health or the environment, that it does not mislead the consumer or the user, and that it does not differ from the food or feed it is intended to replace to such an extent that its normal consumption would be nutritionally disadvantageous for humans or animals.

(2) On 18 August 2006, the authorities of the United States of America (the US authorities) informed the Commission that rice products contaminated with the genetically modified rice called 'LL RICE 601' ('the contaminated products'), which have not been authorised for placing on the market in the Community, had been found in rice samples taken on the US market from commercial long grain rice coming from the 2005 crop. The contamination of products was reported to the US authorities on 31 July 2006 by Bayer Crop Science, which is the company that developed the genetically modified rice LL RICE 601. The US authorities later informed the Commission that it is still not known to what extent the supply chain has been contaminated and that information on possible contamination of exports to the Community cannot be given for the moment. In addition, they informed the Commission that those products had not been authorised for placing on the market in the United States either.

(3) Without prejudice to the control obligations of the Member States, the measures to be adopted further to the likely imports of contaminated products should form a comprehensive and common approach allowing rapid and effective action to be taken and avoiding disparities between the treatment of the situation by the various Member States.

(4) Article 53 of Regulation (EC) No 178/2002 provides for the possibility to adopt appropriate Community emergency measures for food and feed imported from a third country in order to protect human health, animal health or the environment, where the risk can not be contained satisfactorily by means of measures taken by the Member States concerned.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 268, 18.10.2003, p. 1.

- (5) Since genetically modified rice LL RICE 601 is not authorised under Community legislation and in view of the presumption of risk on products not authorised according to Regulation (EC) No 1829/2003, which takes into account the precautionary principle laid down in Article 7 of Regulation (EC) No 178/2002, it is appropriate to take emergency measures to prevent the placing on the market in the Community of the contaminated products.
- (6) According to the general requirements laid down in Regulation (EC) No 178/2002, food and feed business operators have primary legal responsibility for ensuring that foods or feeds within the businesses under their control satisfy the requirements of food law and for verifying that such requirements are met. It is, therefore, the operators responsible for first placing food and feed on the market who should be under the duty to prove that they do not contain the contaminated products. To this end, the measures provided for by this Decision should require that consignments of specific products originating from the United States may be placed on the market only if an analytical report demonstrating that the products are not contaminated with the genetically modified rice LL RICE 601 is provided. The analytical report should be issued by an accredited laboratory conforming to internationally recognised standards.
- (7) In order to facilitate controls, all genetically modified food and feed placed on the market should be subject to a validated method of detection. Bayer Crop Science has been requested to provide methods for detection of genetically modified rice LL RICE 601 as well as control samples. It has made available two methods which have been validated by the Grain Inspection, Packers and Stockyards Administration (GIPSA) of the US Department of Agriculture, in collaboration with the Community reference laboratory referred to in Article 32 of Regulation (EC) No 1829/2003 (the CRL).
- (8) The measures provided for in this Decision must be proportionate and no more restrictive of trade than is required and should therefore cover only products considered likely to be contaminated with LL RICE 601, which according to the information received, are imported from the United States to the Community.
- (9) Despite requests made by the Commission, the US authorities have been unable to provide any guarantee that rice products imported from the United States will not contain LL RICE 601 because of the lack of segregation or traceability measures in the United States.
- (10) With regard to feed products or other food products not covered by the measures provided for in this Decision, Member States should monitor whether such products have been contaminated by LL RICE 601. On the basis of the information provided by Member States, the Commission will consider the need for any appropriate measure.

HAS ADOPTED THIS DECISION:

Article 1

Scope

This Decision applies to the following products originating from the United States of America:

- husked (brown) rice Parboiled Long A within CN code 1006 20 15,
- husked (brown) rice Parboiled Long B within CN code 1006 20 17,
- husked (brown) rice Long A within CN code 1006 20 96,
- husked (brown) rice Long B within CN code 1006 20 98,
- semi-milled Parboiled Long A within CN code 1006 30 25,
- semi-milled Parboiled Long B within CN code 1006 30 27,
- semi-milled Long A within CN code 1006 30 46,
- semi-milled Long B within CN code 1006 30 48,
- wholly milled Parboiled Long A within CN code 1006 30 65,
- wholly milled Parboiled Long B within CN code 1006 30 67,
- wholly milled Long A within CN code 1006 30 96,
- wholly milled Long B within CN code 1006 30 98,
- broken rice within CN code 1006 40 00 unless it is certified free of Long grain.

*Article 2***Conditions for first placing on the market**

1. Member States shall allow the first placing on the market of the products referred to in Article 1 only where an original analytical report based on a suitable and validated method for detection of genetically modified rice LL RICE 601 and issued by an accredited laboratory accompanying the consignment demonstrates that the product does not contain genetically modified rice LL RICE 601.

If a consignment of products referred to in Article 1 is split, a certified copy of the analytical report provided for in paragraph 1 shall accompany each part of the split consignment.

2. In the absence of such an analytical report, the operator established in the Community who is responsible for the first placing on the market of the product shall have the products referred to in Article 1 tested to demonstrate that they do not contain genetically modified rice LL RICE 601. Pending availability of the analytical report, the consignment shall not be placed on the market of the Community.

3. Member States shall inform the Commission of positive (unfavourable) results through the Rapid Alert System for food and feed.

*Article 3***Other control measures**

Member States shall take appropriate measures, including random sampling and analysis, concerning the products

referred to in Article 1 already on the market in order to verify the absence of genetically modified rice LL RICE 601. They shall inform the Commission of positive (unfavourable) results through the Rapid Alert System for food and feed.

*Article 4***Contaminated consignments**

Member States shall take the necessary measures to ensure that the products referred to in Article 1 that are found to contain genetically modified rice LL RICE 601 are not placed on the market.

*Article 5***Recovery of costs**

Member States shall ensure that the costs incurred in the implementation of Articles 2 and 4 are borne by the operators responsible for the first placing on the market.

*Article 6***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 23 August 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission