

COMMISSION REGULATION (EC) No 1838/2006

of 13 December 2006

setting the export refunds for nuts (shelled almonds, hazelnuts in shell, shelled hazelnuts and walnuts in shell) using system A1

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

prices that are most favourable from the point of view of exportation.

Having regard to the Treaty establishing the European Community,

(6) The international trade situation or specific requirements of certain markets may necessitate differentiation of the refund on a given product by destination.

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

(7) Economically significant exports can at present be made of shelled almonds, hazelnuts and walnuts in shell.

Whereas:

(8) Since nuts have a relatively long storage life export refunds can be set at longer intervals.

(1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ sets detailed rules covering export refunds on fruit and vegetables.

(9) In order to permit the best possible use of available resources the export refunds should, given the structure of exportation from the Community, be set using system A1.

(2) Under Article 35(1) of Regulation (EC) No 2200/96 refunds can be granted on products exported by the Community, to the extent necessary to enable economically significant quantities to be exported and within the limits ensuing from agreements concluded in line with Article 300 of the Treaty.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

(3) In line with Article 35(2) of Regulation (EC) No 2200/96 care should be taken to ensure that trade flows already engendered by the granting of refunds are not disturbed. For that reason and given the seasonal nature of fruit and vegetable exports quantities should be set product by product using the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. In setting quantities account must be taken of perishability.

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refund rates for nuts, the period for lodging licence applications and the quantities permitted are stipulated in the Annex hereto.

(4) Article 35(4) of Regulation (EC) No 2200/96 stipulates that when refunds are set account is to be taken of the existing situation and outlook for prices and availability of fruit and vegetables on the Community market and for international trade prices, of marketing and transport costs and of the economic aspects of the exportation envisaged.

2. Licences for food aid purposes issued as indicated in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not be counted against the quantities indicated in the Annex hereto.

(5) Article 35(5) of Regulation (EC) No 2200/96 requires Community market prices to be determined using the

3. Without prejudice to Article 5(6) of Regulation (EC) No 1961/2001, the type A1 licences shall be valid for three months.

Article 2

This Regulation shall enter into force on 3 January 2007.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

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

Done at Brussels, 13 December 2006.

For the Commission
Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

ANNEX

to the Commission Regulation of 13 December 2006 setting the export refunds for nuts (system A1)

Period for lodging licence applications: from 3 January to 23 June 2007.

Produce code ⁽¹⁾	Destination ⁽²⁾	Rate of refund (EUR/t net)	Permitted quantities (t)
0802 12 90 9000	A00	45	1 400
0802 21 00 9000	A00	53	60
0802 22 00 9000	A00	103	2 500
0802 31 00 9000	A00	66	40

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

⁽²⁾ The series A destination codes are defined in Annex II to Regulation (EEC) No 3846/87. The numerical destination codes are defined in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).