

Official Journal

of the European Union

L 134

Volume 48
27 May 2005

English edition

Legislation

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2005/396/EC:

- ★ **Commission Decision of 19 January 2005 relating to a proceeding pursuant to Article 81 of the EC Treaty and Article 53(1) of the EEA Agreement (Case COMP/C.2/37.214 — Joint selling of the media rights to the German Bundesliga)** (notified under document number C(2005) 78) ⁽¹⁾

2005/397/EC:

- ★ **Commission Decision of 23 May 2005 definitively allocating between the Member States for 2005 Community Tobacco Fund resources for financing the measures indicated in Articles 13 and 14 of Regulation (EC) No 2182/2002** (notified under document number C(2005) 1513) ⁽¹⁾



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 791/2005
of 26 May 2005
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 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
J. M. SILVA RODRÍGUEZ
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 26 May 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	75,1
	204	85,3
	999	80,2
0707 00 05	052	101,5
	204	30,3
	999	65,9
0709 90 70	052	91,3
	624	50,3
	999	70,8
0805 10 20	052	41,3
	204	42,1
	212	108,2
	220	47,3
	388	77,2
	400	39,7
	528	45,4
	624	59,0
	999	57,5
0805 50 10	052	107,2
	388	62,3
	524	56,8
	528	70,8
	624	63,9
	999	72,2
0808 10 80	388	83,3
	400	106,7
	404	68,3
	508	65,7
	512	76,6
	524	62,0
	528	75,6
	720	70,3
	804	114,5
999	80,3	
0809 20 95	400	476,8
	999	476,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 792/2005**of 26 May 2005****modifying Regulation (EC) No 348/2005 derogating from Regulation (EC) No 174/1999 as regards the term of validity of export licences in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(14) thereof,

Whereas:

- (1) Article 6 of 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 ⁽²⁾ lays down the term of validity of export licences.
- (2) As a precautionary measure, with a view to protect the Community budget from unnecessary expenditures and to avoid a speculative application of the export refund regime in the dairy sector, Commission Regulation (EC) No 348/2005 ⁽³⁾ provided for that, by way of derogation from Regulation (EC) No 174/1999, the term of validity of export licences for milk products for which an application has been lodged from 2 March 2005 on should be limited to 30 June 2005.

(3) A close monitoring of both the internal and the world market has shown a longer validity period of the licences may be progressively re-established without any risk of destabilisation of the proper functioning of the common market organisation. It is therefore appropriate to modify Regulation (EC) No 348/2005.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EC) No 348/2005 is replaced by the following:

'By way of derogation from Article 6 of Regulation (EC) No 174/1999, the term of validity of export licences with advance fixing of the refund, which are applied for from 27 May until 23 June 2005 in respect of the products referred to in points (b) and (c) of that Article, shall expire on 30 June 2005.'

Article 2

This Regulation shall enter into force on the day of 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, 26 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 558/2005 (OJ L 94, 13.4.2005, p. 22).

⁽³⁾ OJ L 55, 1.3.2005, p. 11.

COMMISSION REGULATION (EC) No 793/2005

of 26 May 2005

on the opening of a special standing invitation to tender for the resale on the internal market of approximately 7 783 tonnes of paddy rice held for a long time by the Greek intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽¹⁾, and in particular Article 7(4) and (5) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 75/91 ⁽²⁾, lays down the procedures and conditions for the disposal of paddy rice held by intervention agencies.
- (2) The Greek intervention agency has held some paddy rice for a long time. A quantity of approximately 7 783 tonnes should be disposed of on the Community market. Such disposal should be carried out in accordance with Regulation (EEC) No 75/91.
- (3) However, in view of the long storage period and the resulting deterioration in the quality of the product, provision should be made for a derogation from Article 5(1) of Regulation (EEC) No 75/91 and the minimum selling price of each of the lots concerned should be determined on the basis of its specific characteristics, in accordance with Article 2(3)(d) of Commission Regulation (EEC) No 3597/90 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies ⁽³⁾.
- (4) Given the quality and characteristics of the rice to be disposed of, measures must be taken to enable tenderers to assess the quality of the rice before bids are submitted. Provision should also be made for tenders to cover an entire lot.

- (5) 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

Under the conditions laid down in Regulation (EEC) No 75/91, the Greek intervention agency shall launch a special standing invitation to tender for the resale on the internal market of approximately 7 783 tonnes of paddy rice held by it.

Article 2

By way of derogation from Article 5(1) of Regulation (EEC) No 75/91, the minimum selling prices to be respected shall be set at:

— **Lot No 1**

Price EUR 84,00/t: approximately 1 593 tonnes

Storer: Milloi Yiannitson Abec

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 4

— **Lot No 2**

Price EUR 50,00/t: approximately 1 553 tonnes

Storer: Milloi Yiannitson Abec

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 5

— **Lot No 3**

Price EUR 74,00/t: approximately 1 044 tonnes

Storer: Megas Alexandros Abex

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 5

— **Lot No 4**

Price EUR 74,00/t: approximately 1 571 tonnes

Storer: Milloi Yiannitson Abec

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 7

⁽¹⁾ OJ L 270, 21.10.2003, p. 96.

⁽²⁾ OJ L 9, 12.1.1991, p. 15.

⁽³⁾ OJ L 350, 14.12.1990, p. 43. Regulation as last amended by Regulation (EC) No 1392/97 (OJ L 190, 19.7.1997, p. 22).

— **Lot No 5**

Price EUR 74,00/t: approximately 790 tonnes

Storer: Milloi Yiannitson Abee

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 8

— **Lot No 6**

Price EUR 124,00/t: approximately 1 075 tonnes

Storer: Milloi Yiannitson Abee

Warehouse: Kougioumgidou 5, GR-58100 Yannitsa — silo No 9

Article 3

1. By way of derogation from Article 3(2) of Regulation (EEC) No 75/91, tenders shall cover an entire lot.

2. By way of derogation from Article 13(1) of Regulation (EEC) No 75/91, tenders shall be drawn up by reference to the real quality of the lot to which they relate.

Article 4

1. The notice of invitation to tender shall contain an approximate description of the qualitative characteristics of each lot of rice to be sold, based on the results of the most recent analyses carried out.

2. The notice of invitation to tender shall give tenderers the option of having a prior analysis carried out of the quality characteristics of the rice to be sold and shall specify the place where the goods are stored. The analysis shall be carried out by the tenderer before the tender is submitted, using a sample taken from the warehouse.

3. When removing the goods, the successful tenderer may not dispute the quality and characteristics of the paddy rice.

Article 5

1. The deadline for the submission of tenders for the first partial invitation to tender is 7 June at 12.00 (Athens time).

2. The deadline for the submission of tenders for the last partial invitation to tender is 21 July at 12.00 (Athens time).

3. Tenders shall be lodged with the Greek intervention agency:

OPEKEPE

Acharnon Street 241

GR-10466 Athènes

Tel. (30-210) 212 46 86 et 212 47 88

Fax (30-210) 212 47 91.

Article 6

By way of derogation from Article 19 of Regulation (EEC) No 75/91, the Greek intervention agency shall inform the Commission electronically, no later than the Tuesday of the week following the closing date for the submission of tenders, of the quantities sold and the average prices of the various lots.

Article 7

This Regulation shall enter into force on the day of 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, 26 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 794/2005

of 26 May 2005

amending Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

applies to the minimum number of nut trees per hectare or the number of nut trees actually planted in the orchard in question.

Having regard to the Treaty establishing the European Community,

(3) Regulation (EC) No 1973/2004 should therefore be amended accordingly.

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 ⁽¹⁾, and in particular Article 145(c) and Article 155 thereof,

(4) Since Regulation (EC) No 1973/2004 applies from 1 January 2005, the amendment concerned should also apply from that date.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Whereas:

Article 1

Regulation (EC) No 1973/2004 is hereby amended as follows:

(1) Article 10 of Commission Regulation (EC) No 1973/2004 ⁽²⁾ lays down transitional measures for establishing the list of selected varieties which are eligible for the special quality premium for durum wheat in respect of 2005. Experience shows that the transitional measures provided for in paragraph 2 of that Article should also be applied in some Member States in 2006.

1. the following paragraph is added to Article 10:

‘4. Member States may opt to establish the list of selected varieties which are eligible for the special quality premium for durum wheat in respect of 2006 in accordance with the procedure referred to in paragraph 2, not later than 1 October 2005 as regards winter varieties and not later than 31 December 2005 as regards spring varieties.’;

(2) The second subparagraph of Article 15(1) of Regulation (EC) No 1973/2004 provides that, by way of derogation from the first subparagraph, the Member States may allow the presence in nut orchards of trees other than nut trees within a limit corresponding to 10 % of the minimum number of nut trees per hectare laid down in paragraph 3 of that Article. Application of that provision has led to differences in interpretation. The scope of that provision should therefore be clarified, taking account of the special nature of nut orchards in the Member States, and specifying that the aforementioned 10 % limit

2. the second subparagraph of Article 15(1) is replaced by the following:

‘By way of derogation from the first subparagraph, and without prejudice to paragraph 4, Member States may allow the presence in an orchard of trees other than nut trees within a limit corresponding to 10 % of the minimum number of trees laid down in paragraph 3 or the number of nut trees actually planted per hectare of orchard, at the choice of the Member State. Moreover, Member States may allow the presence of chestnut trees if the number of trees laid down in paragraph 3 is respected as regards the eligible nut trees.’

⁽¹⁾ OJ L 270, 21.10.2003, p. 1. Regulation last amended by Commission Regulation (EC) No 118/2005 (OJ L 24, 27.1.2005, p. 15).

⁽²⁾ OJ L 345, 20.11.2004, p. 1.

Article 2

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

Article 1(2) shall apply from 1 January 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 795/2005**of 26 May 2005****granting no refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds of skimmed milk powder ⁽²⁾, provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 24 May 2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 24 May 2005, no refund shall be granted for the product and destinations referred to in Article 1(1) of that Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 2250/2004.

COMMISSION REGULATION (EC) No 796/2005**of 26 May 2005****fixing the rates of the refunds applicable to certain milk 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 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e) and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.

(4) However in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to Regulation (EC) No 1520/2000 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999 shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Commission Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

⁽³⁾ OJ L 350, 20.12.1997, p. 3. Regulation as last amended by Commission Regulation (EC) No 921/2004 (OJ L 163, 30.4.2004, p. 94).

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

Done at Brussels, 26 May 2005.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 27 May 2005 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	14,21	15,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	23,42	25,05
	(b) on exportation of other goods	51,24	54,60
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	40,70	44,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	126,58	136,25
	(c) on exportation of other goods	119,33	129,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 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.

COMMISSION REGULATION (EC) No 797/2005
of 26 May 2005
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:
- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
 - marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
 - the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
 - the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
 - the need to avoid disturbances on the Community market, and
 - the economic aspect of the proposed exports.
- (3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third-country markets;
- (b) the most favourable prices in third countries of destination for third-country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

- (4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the above-mentioned Regulation according to destination.
- (5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.
- (6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products⁽²⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector⁽³⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 558/2005 (OJ L 94, 13.4.2005, p. 22).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾ laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71. Regulation as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988, p. 1).

ANNEX

to the Commission Regulation of 26 May 2005 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	1,548	0402 21 11 9300	L01	EUR/100 kg	—
0401 10 90 9000	970	EUR/100 kg	1,548		068	EUR/100 kg	—
0401 20 11 9500	970	EUR/100 kg	2,393		L02	EUR/100 kg	38,25
0401 20 19 9500	970	EUR/100 kg	2,393		A01	EUR/100 kg	49,08
0401 20 91 9000	970	EUR/100 kg	3,028	0402 21 11 9500	L01	EUR/100 kg	—
0401 30 11 9400	970	EUR/100 kg	6,987		068	EUR/100 kg	—
0401 30 11 9700	970	EUR/100 kg	10,49		L02	EUR/100 kg	39,91
0401 30 31 9100	L01	EUR/100 kg	—		A01	EUR/100 kg	51,24
	L02	EUR/100 kg	17,84	0402 21 11 9900	L01	EUR/100 kg	—
	A01	EUR/100 kg	25,49		068	EUR/100 kg	—
0401 30 31 9400	L01	EUR/100 kg	—		L02	EUR/100 kg	42,53
	L02	EUR/100 kg	27,87		A01	EUR/100 kg	54,60
	A01	EUR/100 kg	39,82	0402 21 17 9000	L01	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	30,74		L02	EUR/100 kg	12,43
	A01	EUR/100 kg	43,91		A01	EUR/100 kg	15,00
0401 30 39 9100	L01	EUR/100 kg	—	0402 21 19 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	17,84		068	EUR/100 kg	—
	A01	EUR/100 kg	25,49		L02	EUR/100 kg	38,25
0401 30 39 9400	L01	EUR/100 kg	—		A01	EUR/100 kg	49,08
	L02	EUR/100 kg	27,87	0402 21 19 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	39,82		068	EUR/100 kg	—
0401 30 39 9700	L01	EUR/100 kg	—		L02	EUR/100 kg	39,91
	L02	EUR/100 kg	30,74		A01	EUR/100 kg	51,24
	A01	EUR/100 kg	43,91	0402 21 19 9900	L01	EUR/100 kg	—
0401 30 91 9100	L01	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	42,53
	A01	EUR/100 kg	50,05		A01	EUR/100 kg	54,60
0401 30 99 9100	L01	EUR/100 kg	—	0402 21 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		068	EUR/100 kg	—
	A01	EUR/100 kg	50,05		L02	EUR/100 kg	42,80
0401 30 99 9500	L01	EUR/100 kg	—		A01	EUR/100 kg	54,93
	L02	EUR/100 kg	51,49	0402 21 91 9200	L01	EUR/100 kg	—
	A01	EUR/100 kg	73,55		068	EUR/100 kg	—
0402 10 11 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	43,05
	068	EUR/100 kg	—		A01	EUR/100 kg	55,27
	L02	EUR/100 kg	12,43	0402 21 91 9350	L01	EUR/100 kg	—
	A01	EUR/100 kg	15,00		068	EUR/100 kg	—
0402 10 19 9000	L01	EUR/100 kg	—		L02	EUR/100 kg	43,50
	068	EUR/100 kg	—		A01	EUR/100 kg	55,83
	L02	EUR/100 kg	12,43	0402 21 91 9500	L01	EUR/100 kg	—
	A01	EUR/100 kg	15,00		068	EUR/100 kg	—
0402 10 91 9000	L01	EUR/kg	—		L02	EUR/100 kg	46,74
	068	EUR/kg	—		A01	EUR/100 kg	60,00
	L02	EUR/kg	0,1243	0402 21 99 9100	L01	EUR/100 kg	—
	A01	EUR/kg	0,1500		068	EUR/100 kg	—
0402 10 99 9000	L01	EUR/kg	—		L02	EUR/100 kg	42,80
	068	EUR/kg	—		A01	EUR/100 kg	54,93
	L02	EUR/kg	0,1243	0402 21 99 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,1500		068	EUR/100 kg	—
0402 21 11 9200	L01	EUR/100 kg	—		L02	EUR/100 kg	43,05
	068	EUR/100 kg	—		A01	EUR/100 kg	55,27
	L02	EUR/100 kg	12,43				
	A01	EUR/100 kg	15,00				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund	
0402 21 99 9300	L01	EUR/100 kg	—	0402 91 19 9370	L01	EUR/100 kg	—	
	068	EUR/100 kg	—		L02	EUR/100 kg	4,127	
	L02	EUR/100 kg	43,50		A01	EUR/100 kg	5,895	
	A01	EUR/100 kg	55,83	0402 91 31 9300	L01	EUR/100 kg	—	
0402 21 99 9400	L01	EUR/100 kg	—		L02	EUR/100 kg	4,877	
	068	EUR/100 kg	—		A01	EUR/100 kg	6,967	
	L02	EUR/100 kg	45,90	0402 91 39 9300	L01	EUR/100 kg	—	
A01	EUR/100 kg	58,93	L02		EUR/100 kg	4,877		
0402 21 99 9500	L01	EUR/100 kg	—		A01	EUR/100 kg	6,967	
	068	EUR/100 kg	—	0402 91 99 9000	L01	EUR/100 kg	—	
	L02	EUR/100 kg	46,74		L02	EUR/100 kg	21,53	
A01	EUR/100 kg	60,00	A01		EUR/100 kg	30,75		
0402 21 99 9600	L01	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—	
	068	EUR/100 kg	—		L02	EUR/kg	0,1055	
	L02	EUR/100 kg	50,04		A01	EUR/kg	0,1508	
	A01	EUR/100 kg	64,23	0402 99 19 9350	L01	EUR/kg	—	
0402 21 99 9700	L01	EUR/100 kg	—		L02	EUR/kg	0,1055	
	068	EUR/100 kg	—		A01	EUR/kg	0,1508	
	L02	EUR/100 kg	51,90	0402 99 31 9150	L01	EUR/kg	—	
A01	EUR/100 kg	66,64	L02		EUR/kg	0,1095		
0402 21 99 9900	L01	EUR/100 kg	—		A01	EUR/kg	0,1565	
	068	EUR/100 kg	—	0402 99 31 9300	L01	EUR/kg	—	
	L02	EUR/100 kg	54,07		L02	EUR/kg	0,1288	
A01	EUR/100 kg	69,40	A01		EUR/kg	0,1840		
0402 29 15 9200	L01	EUR/kg	—	0402 99 39 9150	L01	EUR/kg	—	
	L02	EUR/kg	0,1243		L02	EUR/kg	0,1095	
	A01	EUR/kg	0,1500		A01	EUR/kg	0,1565	
0402 29 15 9300	L01	EUR/kg	—	0403 90 11 9000	L01	EUR/100 kg	—	
	L02	EUR/kg	0,3825		L02	EUR/100 kg	12,26	
	A01	EUR/kg	0,4908		A01	EUR/100 kg	14,79	
0402 29 15 9500	L01	EUR/kg	—	0403 90 13 9200	L01	EUR/100 kg	—	
	L02	EUR/kg	0,3991		L02	EUR/100 kg	12,26	
	A01	EUR/kg	0,5124		A01	EUR/100 kg	14,79	
0402 29 15 9900	L01	EUR/kg	—	0403 90 13 9300	L01	EUR/100 kg	—	
	L02	EUR/kg	0,4253		L02	EUR/100 kg	37,90	
	A01	EUR/kg	0,5460		A01	EUR/100 kg	48,65	
0402 29 19 9300	L01	EUR/kg	—	0403 90 13 9500	L01	EUR/100 kg	—	
	L02	EUR/kg	0,3825		L02	EUR/100 kg	39,56	
	A01	EUR/kg	0,4908		A01	EUR/100 kg	50,78	
0402 29 19 9500	L01	EUR/kg	—	0403 90 13 9900	L01	EUR/100 kg	—	
	L02	EUR/kg	0,3991		L02	EUR/100 kg	42,16	
	A01	EUR/kg	0,5124		A01	EUR/100 kg	54,11	
0402 29 19 9900	L01	EUR/kg	—	0403 90 19 9000	L01	EUR/100 kg	—	
	L02	EUR/kg	0,4253		L02	EUR/100 kg	42,41	
	A01	EUR/kg	0,5460		A01	EUR/100 kg	54,44	
0402 29 91 9000	L01	EUR/kg	—	0403 90 33 9400	L01	EUR/kg	—	
	L02	EUR/kg	0,4280		L02	EUR/kg	0,3790	
	A01	EUR/kg	0,5493		A01	EUR/kg	0,4865	
0402 29 99 9100	L01	EUR/kg	—	0403 90 33 9900	L01	EUR/kg	—	
	L02	EUR/kg	0,4280		L02	EUR/kg	0,4216	
	A01	EUR/kg	0,5493		A01	EUR/kg	0,5411	
0402 29 99 9500	L01	EUR/kg	—	0403 90 51 9100	970	EUR/100 kg	1,548	
	L02	EUR/kg	0,4590		0403 90 59 9170	970	EUR/100 kg	10,49
	A01	EUR/kg	0,5893			0403 90 59 9310	L01	EUR/100 kg
0402 91 11 9370	L01	EUR/100 kg	—	L02	EUR/100 kg		17,84	
	L02	EUR/100 kg	4,127	A01	EUR/100 kg		25,49	
	A01	EUR/100 kg	5,895					

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9340	L01	EUR/100 kg	—	0405 10 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	26,11		075	EUR/100 kg	118,16
	A01	EUR/100 kg	37,29		L02	EUR/100 kg	93,35
0403 90 59 9370	L01	EUR/100 kg	—	0405 10 11 9700	A01	EUR/100 kg	125,86
	L02	EUR/100 kg	26,11		L01	EUR/100 kg	—
	A01	EUR/100 kg	37,29		075	EUR/100 kg	121,10
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L02	EUR/100 kg	95,68
	L02	EUR/100 kg	26,11		A01	EUR/100 kg	129,00
	A01	EUR/100 kg	37,29		L01	EUR/100 kg	—
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	075	EUR/100 kg	118,16
	L02	EUR/100 kg	10,60		L02	EUR/100 kg	93,35
	A01	EUR/100 kg	12,79		A01	EUR/100 kg	125,86
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 19 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	12,43		075	EUR/100 kg	121,10
	A01	EUR/100 kg	15,00		L02	EUR/100 kg	95,68
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9100	A01	EUR/100 kg	129,00
	L02	EUR/100 kg	12,43		L01	EUR/100 kg	—
	A01	EUR/100 kg	15,00		075	EUR/100 kg	118,16
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9100	L02	EUR/100 kg	93,35
	L02	EUR/100 kg	38,25		A01	EUR/100 kg	125,86
	A01	EUR/100 kg	49,08		L01	EUR/100 kg	—
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 30 9300	075	EUR/100 kg	121,10
	L02	EUR/100 kg	39,91		L02	EUR/100 kg	95,68
	A01	EUR/100 kg	51,24		A01	EUR/100 kg	129,00
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 30 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	42,53		075	EUR/100 kg	121,10
	A01	EUR/100 kg	54,60		L02	EUR/100 kg	95,68
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9300	A01	EUR/100 kg	129,00
	L02	EUR/100 kg	42,80		L01	EUR/100 kg	—
	A01	EUR/100 kg	54,93		075	EUR/100 kg	121,10
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 50 9300	L02	EUR/100 kg	95,68
	L02	EUR/100 kg	43,05		A01	EUR/100 kg	129,00
	A01	EUR/100 kg	55,27		L01	EUR/100 kg	—
0404 90 29 9125	L01	EUR/100 kg	—	0405 10 50 9500	075	EUR/100 kg	118,16
	L02	EUR/100 kg	43,50		L02	EUR/100 kg	93,35
	A01	EUR/100 kg	55,83		A01	EUR/100 kg	125,86
0404 90 29 9140	L01	EUR/100 kg	—	0405 10 50 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	46,74		075	EUR/100 kg	121,10
	A01	EUR/100 kg	60,00		L02	EUR/100 kg	95,68
0404 90 81 9100	L01	EUR/kg	—	0405 10 90 9000	A01	EUR/100 kg	129,00
	L02	EUR/kg	0,1243		L01	EUR/100 kg	—
	A01	EUR/kg	0,1500		075	EUR/100 kg	125,54
0404 90 83 9110	L01	EUR/kg	—	0405 20 90 9500	L02	EUR/100 kg	99,17
	L02	EUR/kg	0,1243		A01	EUR/100 kg	133,72
	A01	EUR/kg	0,1500		L01	EUR/100 kg	—
0404 90 83 9130	L01	EUR/kg	—	0405 20 90 9500	075	EUR/100 kg	110,78
	L02	EUR/kg	0,3825		L02	EUR/100 kg	87,51
	A01	EUR/kg	0,4908		A01	EUR/100 kg	118,00
0404 90 83 9150	L01	EUR/kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/kg	0,3991		075	EUR/100 kg	115,20
	A01	EUR/kg	0,5124		L02	EUR/100 kg	91,01
0404 90 83 9170	L01	EUR/kg	—	0405 90 10 9000	A01	EUR/100 kg	122,71
	L02	EUR/kg	0,4253		L01	EUR/100 kg	—
	A01	EUR/kg	0,5460		075	EUR/100 kg	151,14
0404 90 83 9936	L01	EUR/kg	—	0405 90 10 9000	L02	EUR/100 kg	119,41
	L02	EUR/kg	0,1055		A01	EUR/100 kg	161,00
	A01	EUR/kg	0,1508				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund	
0405 90 90 9000	L01	EUR/100 kg	—	0406 20 90 9919	L03	EUR/100 kg	—	
	075	EUR/100 kg	120,90		L04	EUR/100 kg	38,05	
	L02	EUR/100 kg	95,50		400	EUR/100 kg	—	
	A01	EUR/100 kg	128,76		A01	EUR/100 kg	47,57	
0406 10 20 9100	A00	EUR/100 kg	—	0406 30 31 9710	L03	EUR/100 kg	—	
0406 10 20 9230	L03	EUR/100 kg	—		L04	EUR/100 kg	2,89	
	L04	EUR/100 kg	14,01		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	6,74	
	A01	EUR/100 kg	17,51	0406 30 31 9730	L03	EUR/100 kg	—	
0406 10 20 9290	L03	EUR/100 kg	—		L04	EUR/100 kg	4,22	
	L04	EUR/100 kg	13,04		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	9,89	
	A01	EUR/100 kg	16,29	0406 30 31 9910	L03	EUR/100 kg	—	
0406 10 20 9300	L03	EUR/100 kg	—		L04	EUR/100 kg	2,89	
	L04	EUR/100 kg	5,72		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	6,74	
	A01	EUR/100 kg	7,14	0406 30 31 9930	L03	EUR/100 kg	—	
0406 10 20 9610	L03	EUR/100 kg	—		L04	EUR/100 kg	4,22	
	L04	EUR/100 kg	19,00		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	9,89	
	A01	EUR/100 kg	23,76	0406 30 31 9950	L03	EUR/100 kg	—	
0406 10 20 9620	L03	EUR/100 kg	—		L04	EUR/100 kg	6,14	
	L04	EUR/100 kg	19,29		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	14,38	
	A01	EUR/100 kg	24,09	0406 30 39 9500	L03	EUR/100 kg	—	
0406 10 20 9630	L03	EUR/100 kg	—		L04	EUR/100 kg	4,22	
	L04	EUR/100 kg	21,52		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	9,89	
	A01	EUR/100 kg	26,89	0406 30 39 9700	L03	EUR/100 kg	—	
0406 10 20 9640	L03	EUR/100 kg	—		L04	EUR/100 kg	6,14	
	L04	EUR/100 kg	31,62		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	14,38	
	A01	EUR/100 kg	39,52	0406 30 39 9930	L03	EUR/100 kg	—	
0406 10 20 9650	L03	EUR/100 kg	—		L04	EUR/100 kg	6,14	
	L04	EUR/100 kg	26,35		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	14,38	
	A01	EUR/100 kg	32,94	0406 30 39 9950	L03	EUR/100 kg	—	
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	6,94	
	L04	EUR/100 kg	9,79		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	16,27	
	A01	EUR/100 kg	12,22	0406 30 90 9000	L03	EUR/100 kg	—	
0406 10 20 9850	L03	EUR/100 kg	—		L04	EUR/100 kg	7,28	
	L04	EUR/100 kg	11,85		400	EUR/100 kg	—	
	400	EUR/100 kg	—		A01	EUR/100 kg	17,06	
	A01	EUR/100 kg	14,82	0406 40 50 9000	L03	EUR/100 kg	—	
0406 20 90 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	37,18	
	0406 20 90 9913	L03	EUR/100 kg		—	400	EUR/100 kg	—
		L04	EUR/100 kg		24,27	A01	EUR/100 kg	46,47
		400	EUR/100 kg	—	0406 40 90 9000	L03	EUR/100 kg	—
A01		EUR/100 kg	30,34	L04		EUR/100 kg	38,18	
0406 20 90 9915	L03	EUR/100 kg	—	400		EUR/100 kg	—	
	L04	EUR/100 kg	32,03	A01		EUR/100 kg	47,73	
	400	EUR/100 kg	—	0406 90 13 9000	L03	EUR/100 kg	—	
	A01	EUR/100 kg	40,05		L04	EUR/100 kg	41,99	
0406 20 90 9917	L03	EUR/100 kg	—		400	EUR/100 kg	—	
	L04	EUR/100 kg	34,06		A01	EUR/100 kg	60,10	
	400	EUR/100 kg	—					
	A01	EUR/100 kg	42,55					

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 15 9100	L03	EUR/100 kg	—	0406 90 63 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	43,40		L04	EUR/100 kg	44,25
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	62,10		A01	EUR/100 kg	64,13
0406 90 17 9100	L03	EUR/100 kg	—	0406 90 69 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	43,40	0406 90 69 9910	L03	EUR/100 kg	—
	400	EUR/100 kg	—	L04	EUR/100 kg	44,25	
	A01	EUR/100 kg	62,10	400	EUR/100 kg	—	
0406 90 21 9900	L03	EUR/100 kg	—	A01	EUR/100 kg	64,13	
	L04	EUR/100 kg	42,52	0406 90 73 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	—	L04	EUR/100 kg	38,54	
	A01	EUR/100 kg	60,71	400	EUR/100 kg	—	
0406 90 23 9900	L03	EUR/100 kg	—	0406 90 75 9900	A01	EUR/100 kg	55,21
	L04	EUR/100 kg	37,34		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	38,80
	A01	EUR/100 kg	53,67		400	EUR/100 kg	—
0406 90 25 9900	L03	EUR/100 kg	—	A01	EUR/100 kg	55,80	
	L04	EUR/100 kg	37,09	0406 90 76 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—	L04	EUR/100 kg	34,99	
	A01	EUR/100 kg	53,09	400	EUR/100 kg	—	
0406 90 27 9900	L03	EUR/100 kg	—	A01	EUR/100 kg	50,08	
	L04	EUR/100 kg	33,58	0406 90 76 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	39,19
	A01	EUR/100 kg	48,09		400	EUR/100 kg	—
0406 90 31 9119	L03	EUR/100 kg	—		A01	EUR/100 kg	56,10
	L04	EUR/100 kg	30,88	0406 90 76 9500	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	37,28
	A01	EUR/100 kg	44,25		400	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—		A01	EUR/100 kg	52,91
	L04	EUR/100 kg	30,88	0406 90 78 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	36,15
	A01	EUR/100 kg	44,25		400	EUR/100 kg	—
0406 90 33 9919	A00	EUR/100 kg	—		A01	EUR/100 kg	52,81
0406 90 33 9951	A00	EUR/100 kg	—	0406 90 78 9300	L03	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—		L04	EUR/100 kg	38,33
	L04	EUR/100 kg	43,66		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	54,74
	A01	EUR/100 kg	62,79	0406 90 78 9500	L03	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—		L04	EUR/100 kg	37,97
	L04	EUR/100 kg	43,66		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	53,89
	A01	EUR/100 kg	62,79	0406 90 79 9900	L03	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—		L04	EUR/100 kg	31,00
	L04	EUR/100 kg	41,99		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	44,56
	A01	EUR/100 kg	60,10	0406 90 81 9900	L03	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—		L04	EUR/100 kg	39,19
	L04	EUR/100 kg	46,27		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	56,10
	A01	EUR/100 kg	66,95	0406 90 85 9930	L03	EUR/100 kg	—
0406 90 63 9100	L03	EUR/100 kg	—		L04	EUR/100 kg	42,31
	L04	EUR/100 kg	46,04		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	60,89
	A01	EUR/100 kg	66,40				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 85 9970	L03	EUR/100 kg	—	0406 90 87 9971	L03	EUR/100 kg	—
	L04	EUR/100 kg	38,80		L04	EUR/100 kg	38,48
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	55,80		A01	EUR/100 kg	55,09
0406 90 86 9100	A00	EUR/100 kg	—	0406 90 87 9972	L03	EUR/100 kg	—
0406 90 86 9200	L03	EUR/100 kg	—		L04	EUR/100 kg	16,40
	L04	EUR/100 kg	35,61		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	23,57	
	A01	EUR/100 kg	52,80	0406 90 87 9973	L03	EUR/100 kg	—
0406 90 86 9300	L03	EUR/100 kg	—		L04	EUR/100 kg	37,79
	L04	EUR/100 kg	36,13		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	54,08	
	A01	EUR/100 kg	53,36	0406 90 87 9974	L03	EUR/100 kg	—
0406 90 86 9400	L03	EUR/100 kg	—		L04	EUR/100 kg	41,01
	L04	EUR/100 kg	38,36		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	58,45	
	A01	EUR/100 kg	56,10	0406 90 87 9975	L03	EUR/100 kg	—
0406 90 86 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	41,83
	L04	EUR/100 kg	42,31		400	EUR/100 kg	—
	400	EUR/100 kg	—	A01	EUR/100 kg	59,11	
	A01	EUR/100 kg	60,89	0406 90 87 9979	L03	EUR/100 kg	—
0406 90 87 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	37,34
	0406 90 87 9200	L03	EUR/100 kg		—	400	EUR/100 kg
		L04	EUR/100 kg	29,68	A01	EUR/100 kg	53,67
		400	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg
A01		EUR/100 kg	43,99	0406 90 88 9300		L03	EUR/100 kg
0406 90 87 9300	L03	EUR/100 kg	—			L04	EUR/100 kg
	L04	EUR/100 kg	33,16		400	EUR/100 kg	—
	400	EUR/100 kg	—	0406 90 88 9500	A01	EUR/100 kg	43,13
	A01	EUR/100 kg	49,00		L03	EUR/100 kg	—
0406 90 87 9400	L03	EUR/100 kg	—		L04	EUR/100 kg	31,90
	L04	EUR/100 kg	34,03	400	EUR/100 kg	—	
	400	EUR/100 kg	—	A01	EUR/100 kg	45,57	
	A01	EUR/100 kg	49,74	0406 90 87 9951	L03	EUR/100 kg	—
0406 90 87 9951	L03	EUR/100 kg	—		L04	EUR/100 kg	38,48
	L04	EUR/100 kg	38,48		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	55,09
	A01	EUR/100 kg	55,09				

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 Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12).

The other destinations are defined as follows:

L01 Holy See, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L02 Andorra and Gibraltar,

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Turkey, Romania, Bulgaria, Croatia, Canada, Australia, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control,

L04 Albania, Bosnia and Herzegovina, Kosovo, Serbia and Montenegro and the former Yugoslav Republic of Macedonia.

'970' includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 798/2005**of 26 May 2005****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 24 May 2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 24 May 2005, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 2250/2004 (OJ L 381, 28.12.2004, p. 25).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund	
		For export to the destination referred to in the first indent of Article 1(1) of Regulation (EC) No 581/2004	For export to the destinations referred to in the second indent of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—	131,50
Butter	ex 0405 10 19 9700	131,00	136,50
Butteroil	ex 0405 90 10 9000	—	166,00

COMMISSION REGULATION (EC) No 799/2005

of 26 May 2005

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 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 13 of Regulation (EC) No 3072/95 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 13 of Regulation (EC) No 3072/95 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, tégument, 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(1)(d) of Regulation (EC) No 1784/2003 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to 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 27 May 2005.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 329, 30.12.1995, p. 18. Regulation as last amended by Commission Regulation (EC) No 411/2002 (OJ L 62, 5.3.2002, p. 27).

⁽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, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to Commission Regulation of 26 May 2005 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	59,11	1104 23 10 9300	C10	EUR/t	48,55
1102 20 10 9400 ⁽¹⁾	C10	EUR/t	50,66	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C10	EUR/t	50,66	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	10,56
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	76,00	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C10	EUR/t	59,11	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C10	EUR/t	50,66	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C10	EUR/t	50,66	1108 12 00 9200	C10	EUR/t	67,55
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	67,55
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	67,55
1103 20 60 9000	C12	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	67,55
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	66,18
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	50,66
1104 19 50 9110	C10	EUR/t	67,55	1702 30 91 9000	C10	EUR/t	66,18
1104 19 50 9130	C10	EUR/t	54,89	1702 30 99 9000	C10	EUR/t	50,66
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	50,66
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	66,18
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	50,66
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	69,35
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	48,13
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	50,66
1104 23 10 9100	C10	EUR/t	63,33				

⁽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

COMMISSION REGULATION (EC) No 800/2005
of 26 May 2005
fixing the export refunds on cereal-based compound feedingstuffs

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) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽²⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) 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 compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 26 May 2005 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000,

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

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.

C10: All destinations.

COMMISSION REGULATION (EC) No 801/2005**of 26 May 2005****fixing the representative prices and the additional import duties for molasses in the sugar sector
applicable from 27 May 2005**

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 market in sugar ⁽¹⁾, and in particular Article 24(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, stipulates that the cif import price for molasses established in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾, is to be considered the representative price. That price is fixed for the standard quality defined in Article 1 of Regulation (EEC) No 785/68.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 3 of Regulation (EEC) No 785/68, except in the cases provided for in Article 4 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 7 of that Regulation.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 6 of Regulation (EEC) No 785/68.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Articles 1(2) and 3(1) of Regulation (EC) No 1422/95.
- (6) 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 representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽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 141, 24.6.1995, p. 12. Regulation as amended by Regulation (EC) No 79/2003 (OJ L 13, 18.1.2003, p. 4).

⁽³⁾ OJ 145, 27.6.1968, p. 12. Regulation as amended by Regulation (EC) No 1422/95.

ANNEX

Representative prices and additional duties for imports of molasses in the sugar sector applicable from 27 May 2005

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽¹⁾
1703 10 00 ⁽²⁾	10,98	—	0
1703 90 00 ⁽²⁾	11,35	—	0

⁽¹⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

COMMISSION REGULATION (EC) No 802/2005**of 26 May 2005****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

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 the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of that Regulation. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.
- (4) In special cases, the amount of the refund may be fixed by other legal instruments.

- (5) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial.
- (8) To prevent any abuse through the re-import into the Community of sugar products in receipt of an export refund, no refund should be set for all the countries of the western Balkans for the products covered by this Regulation.
- (9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be set at the appropriate amounts.
- (10) 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 export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

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 214, 8.9.1995, p. 16.

ANNEX

**REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING
APPLICABLE FROM 27 MAY 2005 ⁽¹⁾**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	33,73 ⁽²⁾
1701 11 90 9910	S00	EUR/100 kg	33,73 ⁽²⁾
1701 12 90 9100	S00	EUR/100 kg	33,73 ⁽²⁾
1701 12 90 9910	S00	EUR/100 kg	33,73 ⁽²⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,3667
1701 99 10 9100	S00	EUR/100 kg	36,67
1701 99 10 9910	S00	EUR/100 kg	36,67
1701 99 10 9950	S00	EUR/100 kg	36,67
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,3667

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).

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

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and the provisional application of the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽²⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

COMMISSION REGULATION (EC) No 803/2005

of 26 May 2005

fixing the export refunds on syrups and certain other sugar products exported in the natural state

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 the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾, to the products listed in the Annex to the last mentioned Regulation.

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes

account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The abovementioned refunds must be fixed every month; they may be altered in the intervening period.

(8) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(9) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

⁽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. 6).

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

- (10) In order to prevent any abuses associated with the reimportation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.
- (11) In view of the above, refunds for the products in question should be fixed at the appropriate amounts.
- (12) 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 export refunds on the products listed in Article 1(1)(d), (f), (g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

EXPORT REFUNDS ON SYRUPS AND CERTAIN OTHER SUGAR PRODUCTS EXPORTED WITHOUT FURTHER PROCESSING APPLICABLE FROM 27 MAY 2005 ⁽¹⁾

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	36,67 ⁽²⁾
1702 60 10 9000	S00	EUR/100 kg dry matter	36,67 ⁽²⁾
1702 60 80 9100	S00	EUR/100 kg dry matter	69,67 ⁽³⁾
1702 60 95 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,3667 ⁽⁴⁾
1702 90 30 9000	S00	EUR/100 kg dry matter	36,67 ⁽²⁾
1702 90 60 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,3667 ⁽⁴⁾
1702 90 71 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,3667 ⁽⁴⁾
1702 90 99 9900	S00	EUR/1 % sucrose × net 100 kg of product	0,3667 ⁽⁴⁾ ⁽⁵⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	36,67 ⁽²⁾
2106 90 59 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,3667 ⁽⁴⁾

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).

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

The other destinations are defined as follows:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999), the former Yugoslav Republic of Macedonia, except for sugar incorporated into the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and the provisional application of the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ Applicable only to products referred to in Article 6 of Regulation (EC) No 2135/95.

⁽⁴⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽⁵⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 804/2005**of 26 May 2005****fixing the maximum export refund for white sugar to certain third countries for the 26th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1327/2004**

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 the second indent of Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1327/2004 of 19 July 2004 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽²⁾, for the 2004/2005 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1327/2004 a maximum export refund shall be fixed,

as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

- (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

For the 26th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1327/2004 the maximum amount of the export refund shall be 40,126 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

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 246, 20.7.2004, p. 23. Regulation as amended by Regulation (EC) No 1685/2004 (OJ L 303, 30.9.2004, p. 21).

COMMISSION REGULATION (EC) No 805/2005**of 26 May 2005****fixing the rates of refunds applicable to certain products from the sugar sector 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 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 27(5)(a) and (15),

Whereas:

- (1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex V to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for 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 ⁽²⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kg for each of the basic products in question must be fixed for each month.
- (3) Article 27(3) of Regulation (EC) No 1260/2001 lays down that the export refund for a product contained

in a good may not exceed the refund applicable to that product when exported without further processing.

- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) 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.
- (6) 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 rates of the refunds applicable to the basic products listed in Annex A to Regulation (EC) No 1520/2000 and in Article 1(1) and (2) of Regulation (EC) No 1260/2001, and exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Günter VERHEUGEN
Vice-President

⁽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 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

ANNEX

Rates of refunds applicable from 27 May 2005 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	white sugar	36,67	36,67

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, 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.

COMMISSION REGULATION (EC) No 806/2005

of 26 May 2005

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 of 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 1520/2000 of 13 July 2000 laying down common implementing rules for 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 should 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 subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for 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 4(3) and (5) of Regulation (EC) No 1520/2000, 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 to 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 A to Regulation (EC) No 1520/2000 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1(1) of Regulation (EC) No 1785/2003, 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, are fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 May 2005.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 177, 15.7.2000, p. 1. Regulation as last amended by Regulation (EC) No 886/2004 (OJ L 168, 1.5.2004, p. 14).

⁽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 1548/2004 (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, 26 May 2005.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 27 May 2005 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description of products ⁽²⁾	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 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾	—	—
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 ⁽⁴⁾ are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾	3,543	3,883
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	1,178	1,178
	– – in other cases	4,222	4,222
	– 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 ⁽⁵⁾ :		
	– – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾	2,488	2,827
	– – where goods falling within subheading 2208 ⁽⁴⁾ are exported	0,884	0,884
	– – in other cases	3,167	3,167
	– where goods falling within subheading 2208 ⁽⁴⁾ are exported	1,178	1,178
	– other (including unprocessed)	4,222	4,222
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾	3,544	3,544
	– where goods falling within subheading 2208 ⁽⁴⁾ are exported	1,178	1,178
	– in other cases	4,222	4,222

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, and to the goods listed in Tables I and II to Protocol No 2 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 ⁽²⁾	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	—	—

⁽²⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E to Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽³⁾ The goods concerned fall in under CN code 3505 10 50.

⁽⁴⁾ 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).

⁽⁵⁾ 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 may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 807/2005**of 26 May 2005****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

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) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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 ⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.
- (4) 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.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 1431/2003 (OJ L 203, 12.8.2003, p. 16).

ANNEX

**to the Commission Regulation of 26 May 2005 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	10,24
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	9,44
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	8,72
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	C01	EUR/t	8,16
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	0	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	10,96				

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

C01: All third countries with the exception of Albania, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

COMMISSION REGULATION (EC) No 808/2005**of 26 May 2005****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1757/2004**

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 1757/2004 ⁽²⁾.

(2) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified on 20 to 26 May 2005, pursuant to the invitation to tender issued in Regulation (EC) No 1757/2004, the maximum refund on exportation of barley shall be 16,95 EUR/t.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 313, 12.10.2004, p. 10.

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

COMMISSION REGULATION (EC) No 809/2005**of 26 May 2005****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 115/2005**

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 115/2005 ⁽²⁾.
- (2) In accordance with 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⁾, the Commission may, on the basis of the tenders notified, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95.

In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being 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

For tenders notified on 20 to 26 May 2005, pursuant to the invitation to tender issued in Regulation (EC) No 115/2005, the maximum refund on exportation of common wheat shall be 8,00 EUR/t.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 24, 27.1.2005, p. 3.

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

COMMISSION REGULATION (EC) No 810/2005**of 26 May 2005****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 641/2005**

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 12(1) thereof,

Whereas:

(1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain from third countries was opened pursuant to Commission Regulation (EC) No 641/2005 ⁽²⁾.

(2) Pursuant to Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾ the Commission, acting under the procedure laid down in Article 25 of Regulation (EC) No 1784/2003, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

(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

For tenders notified from 20 to 26 May 2005, pursuant to the invitation to tender issued in Regulation (EC) No 641/2005, the maximum reduction in the duty on maize imported shall be 29,99 EUR/t and be valid for a total maximum quantity of 50 900 t.

Article 2

This Regulation shall enter into force on 27 May 2005.

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

Done at Brussels, 26 May 2005.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 107, 28.4.2005, p. 13.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 January 2005

relating to a proceeding pursuant to Article 81 of the EC Treaty and Article 53(1) of the EEA Agreement

(Case COMP/C.2/37.214 — Joint selling of the media rights to the German Bundesliga)

(notified under document number C(2005) 78)

(Only the German text is authentic)

(Text with EEA relevance)

(2005/396/EC)

The decision concerns the *Liga-Fußballverbands e.V.* (League Association) in Germany. The subject matter of the procedure is the central marketing of the media exploitation rights in respect of matches in the first and second national football divisions for men (*Bundesliga* and 2. *Bundesliga*). In a preliminary assessment, the Commission noted that the exclusive selling of the commercial broadcasting rights by the League Association could restrict competition between the clubs and companies in the first and second divisions within the meaning of Article 81 of the EC Treaty.

Without having conducted a full investigation of the case, it is considered that the League Association's commitments seem to introduce competition in the marketing of *Bundesliga* and 2. *Bundesliga* rights between the league and the clubs and allow for new, in particular club branded products. The commitments reduce the scope and duration of future marketing deals and

provide a transparent and non-discriminatory marketing procedure. They improve the accessibility of content for TV, radio and new media operators, make sure that more rights are being made available to the market and thereby contribute to innovation and dampen the concentration tendencies in the media markets.

The proposed decision now concludes that, in view of the commitments given by the League Association following the preliminary assessment and the observations submitted by interested third parties, there are no grounds for it to take action within the meaning of Article 9(1) of Council Regulation (EC) No 1/2003⁽¹⁾. The commitments shall be binding on the League Association until 30 June 2009.

The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 6 December 2004.

⁽¹⁾ OJ L 1, 4.1.2003, p. 1. Regulation as amended by Regulation (EC) No 411/2004 (OJ L 68, 6.3.2004, p. 1).

COMMISSION DECISION

of 23 May 2005

definitively allocating between the Member States for 2005 Community Tobacco Fund resources for financing the measures indicated in Articles 13 and 14 of Regulation (EC) No 2182/2002*(notified under document number C(2005) 1513)***(Only the Dutch, French, German, Greek, Italian, Portuguese and Spanish versions are authentic)****(Text with EEA relevance)**

(2005/397/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

2005 on the basis of the provisional plans notified by them for funding the measures in the applications for aid.

Having regard to the Treaty establishing the European Community,

- (4) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Tobacco,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco ⁽¹⁾ and in particular Article 14a thereof,

HAS ADOPTED THIS DECISION:

Whereas:

Article 1

- (1) Articles 13 and 14 of Commission Regulation (EC) No 2182/2002 of 6 December 2002 laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 with regard to the Community Tobacco Fund ⁽²⁾ specify measures to promote switching of production. These are to be financed from the Community Tobacco Fund set up under Article 13 of Regulation (EEC) No 2075/92.

The definitive allocation for 2005 between the Member States of the Community Tobacco Fund resources for financing the measures indicated in Articles 13 and 14 of Regulation (EC) No 2182/2002 is annexed hereto.

Article 2

- (2) Total resources available from the Community Tobacco Fund for 2005 amount to EUR 28,8 million, 50 % of which is to be allocated to specific measures relating to switching by tobacco growers to other crops or other economic activities generating employment, and to studies on these topics.
- (3) Under Article 17(4) of Regulation (EC) No 2182/2002, the amount available for 2005 should therefore be allocated between the Member States before 31 May

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Austria and the Portuguese Republic.

Done at Brussels, 23 May 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 215, 30.7.1992, p. 70. Regulation last amended by Regulation (EC) No 2319/2003 (OJ L 345, 31.12.2003, p. 17).

⁽²⁾ OJ L 331, 7.12.2002, p. 16. Regulation amended by Regulation (EC) No 480/2004 (OJ L 78, 16.3.2004, p. 8).

ANNEX

Definitive allocation for 2005 between Member States of the Community Tobacco Fund resources for financing the measures indicated in Articles 13 and 14 of Regulation (EC) No 2182/2002

(EUR)

Basis	Definitive allocation	
	90 % of the quantities irrevocably bought back under the quotas	10 % of the national guarantee threshold
Member State	Value	Value
Belgium	99 062	3 260
Germany	0	48 876
Greece	8 972 907	388 757
Spain	0	184 000
France	0	120 000
Italy	1 961 308	662 236
Austria	0	0
Portugal	379 265	25 069
Total	11 412 542	1 432 198