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Legislation

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EN

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European Parliament and Council

2006/12/EC:

- ★ **Decision of the European Parliament and of the Council of 17 November 2005 on the mobilisation of the European Union Solidarity Fund according to point 3 of the Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure** 44

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2006/13/EC:

- ★ **Decision No 2/2005 of the EC-Faroe Islands Joint Committee of 8 December 2005 amending Decision No 1/2001 laying down provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part** 46

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 38/2006
of 12 January 2006
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

ANNEX

to Commission Regulation of 12 January 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	105,9
	204	41,1
	212	92,7
	999	79,9
0707 00 05	052	168,4
	204	79,9
	999	124,2
0709 10 00	220	88,5
	999	88,5
0709 90 70	052	92,6
	204	105,2
	999	98,9
0805 10 20	052	49,1
	204	57,8
	220	48,5
	388	66,5
	624	51,9
	999	54,8
0805 20 10	052	74,2
	204	73,4
	999	73,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	70,2
	204	51,6
	464	107,2
	624	70,1
	662	35,9
	999	67,0
0805 50 10	052	50,6
	999	50,6
0808 10 80	400	112,5
	404	102,5
	720	66,1
	999	93,7
0808 20 50	400	89,2
	720	63,2
	999	76,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 39/2006**of 12 January 2006****derogating from Regulation (EC) No 1282/2001 as regards the final date for submitting harvest and production declarations for the 2005/06 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 73 thereof,

Whereas:

- (1) Article 11(1) of Commission Regulation (EC) No 1282/2001 ⁽²⁾ requires wine growers to submit harvest and production declarations no later than 10 December, with a view to knowing the volume of Community wine production in good time.
- (2) In a particular Member State the procedure for notifying declarations has just been computerised. Most producers must prepare their declarations at local support centres for farmers. As these centres must also simultaneously set up the electronic case-files for these declarations and update the area declarations and single payment scheme for the first year, it will not be possible to deal with all the producers' files by the deadline.

(3) To resolve the problem, which is not the fault of the producers, and to avoid their being unjustly penalised, those producers should be granted an extension for the submission of harvest and production declarations.

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 11(1) of Regulation (EC) No 1282/2001, for the 2005/06 wine year the declarations referred to in Articles 2 and 4 of that Regulation may be submitted up to 25 January 2006.

Article 2

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

It shall apply from 10 December 2005.

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

Done at Brussels, 12 January 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 176, 29.6.2001, p. 14.

COMMISSION REGULATION (EC) No 40/2006
of 10 January 2006

amending Regulation (EC) No 4/2004 laying down detailed rules for the application of Council Regulation (EEC) No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC ⁽¹⁾, and in particular Article 19 thereof,

Whereas:

- (1) Regulation (EEC) No 4045/89 requires Member States to communicate to the Commission certain information. Commission Regulation (EC) No 4/2004 ⁽²⁾ provides for the standardisation of the form and content of such communications. As standardisation makes it easier to use the information submitted and ensures uniformity of approach, further detailed rules should be adopted on the form and content of the communications.
- (2) Regulation (EC) No 4/2004 should therefore be amended accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 4/2004 is amended as follows:

1. Article 5 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. The annual report referred to in Article 9(1) of Regulation (EEC) No 4045/89 shall include detailed information on each of the aspects of the application of that Regulation as set out in part I of Annex II to this Regulation and shall include detailed information in accordance with the specimen forms set out in part II of that Annex.';

(b) paragraph 3 is replaced by the following:

'3. The list of undertakings referred to in Article 7(2) of Regulation (EEC) No 4045/89 shall be drawn up in accordance with the specimen form set out in Annex IV to this Regulation and shall include transaction data in a format specified under Article 6(3).';

(c) the following paragraph 8 is added:

'8. The risk analysis referred to in Article 2(2) of Regulation (EEC) No 4045/89 shall be drawn up in accordance with the specimen form set out in Annex IX to this Regulation.';

2. Article 6 is replaced by the following:

'Article 6

1. The information to be submitted pursuant to Article 5(1) to (4) and (7) and (8) shall be communicated in electronic form in the format to be specified by the Commission.

2. The information to be submitted pursuant to Article 5(5) and (6) shall be communicated on paper or in electronic form, in a format to be agreed between the sender and the recipient. Confirmation of receipt of each request/reply received pursuant to Article 5(5) and (6) should be sent to the sender.

3. Transaction data pursuant to Article 7 of Regulation (EEC) No 4045/89 shall be communicated in electronic form in the format specified in Annex I, Annex II, point 2 and in Annex III to Commission Regulation (EC) No 2390/1999 (*).

⁽¹⁾ OJ L 388, 30.12.1989, p. 18. Regulation as last amended by Regulation (EC) No 2154/2002 (OJ L 328, 5.12.2002, p. 4).

⁽²⁾ OJ L 2, 6.1.2004, p. 3.

(*) OJ L 295, 16.11.1999, p.1.';

3. Annex II is replaced by the text in Annex I to this Regulation;
4. Annex III is replaced by the text in Annex II to this Regulation;
5. Annex VIII is replaced by the text in Annex III to this Regulation;
6. A new Annex IX, the text of which is set out in Annex IV to this Regulation, is added.

Article 2

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

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

Done at Brussels, 10 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

ANNEX II

PART I

Information to be contained in the annual report provided for in Article 9(1) of Regulation (EEC) No 4045/89**1. Administration of Regulation (EEC) No 4045/89**

Information shall be provided concerning the administration of Regulation (EEC) No 4045/89, including changes to the organisations responsible for controls and to the special department responsible for monitoring the application of that Regulation, as referred to in Article 11 thereof, and to the competences of those organisations.

2. Legislative changes

Information shall be provided regarding any national legislative changes relevant to the application of Regulation (EEC) No 4045/89 that have intervened since the previous annual report.

3. Amendments to the scrutiny programme

A description shall be provided of any amendments or modifications that were made to the scrutiny programme submitted to the Commission under Article 10(2) of Regulation (EEC) No 4045/89 since the date of submission of that programme.

4. Execution of the scrutiny programme covered by the present report

Information shall be provided on the execution of the programme of scrutinies for the period ending on 30 June preceding the closing date for submission of the report, as referred to in Article 9(1) of Regulation (EEC) No 4045/89, including the following points, both in total and broken down by control body (where more than one carries out controls pursuant to that Regulation):

- (a) the number of undertakings scrutinised during the scrutiny period, in accordance with the specimen form shown in sheet A of this Annex;
- (b) the number of undertakings still in the course of being scrutinised, in accordance with specimen form shown in sheet A of this Annex;
- (c) the number of undertakings that were not subject to scrutiny during the period in question as a result of the non-execution of some scrutinies, in accordance with the specimen form shown in sheet A of this Annex;
- (d) the reasons why the scrutinies referred to in point (c) were not carried out;
- (e) the breakdown, by amounts received by or paid to, and by measure, of the scrutinies referred to in points (a), (b) and (c), in accordance with the specimen form shown in sheet B of this Annex;
- (f) the results of the scrutinies referred to in point (a), in accordance with the specimen form shown in sheet C of this Annex, including:
 - (i) the number of scrutinies for which irregularities were discovered, and the number of undertakings involved;
 - (ii) the nature of these irregularities;
 - (iii) the measure concerned where an irregularity was discovered;
 - (iv) the estimated financial consequence of each irregularity;
- (g) an indication of the average duration of scrutinies in person/days, indicating, where practicable, the time spent on planning, preparation, execution of controls, and reporting.

5. Execution of the scrutiny programmes preceding the one covered by the present programme

The report shall contain the results of the scrutinies carried out in respect of previous scrutiny periods, for which the results were not available at the time of the submission of the reports for those scrutiny periods, including for each previous scrutiny period:

- (a) the status of scrutinies communicated pursuant to point 4(b) and (c) in previous annual scrutiny reports, in accordance with the specimen form shown in sheet D of this Annex;
- (b) the number of scrutinies through which irregularities were discovered, and the number of undertakings involved, in accordance with the specimen form shown in sheet C of this Annex;
- (c) the nature of these irregularities, in accordance with the specimen form shown in sheet C of this Annex;
- (d) the measure concerned where an irregularity was discovered, in accordance with the specimen form shown in sheet C of this Annex;
- (e) the estimated financial consequence of each irregularity, in accordance with the specimen form shown in sheet C of this Annex.

The results of the scrutinies pursuant to the third subparagraph of Article 7(1) of Regulation (EEC) No 4045/89 shall be presented as such.

6. Mutual assistance

Mutual assistance requests made and received pursuant to Article 7 of Regulation (EEC) No 4045/89 shall be communicated, including the results of scrutinies carried out as a matter of priority pursuant to Article 7(2) and (4) of that Regulation, and a summary of the lists both sent and received pursuant to Article 7(2) and (3) of that Regulation.

7. Resources

Details on the resources available for the carrying out of the scrutinies under Regulation (EEC) No 4045/89 shall be transmitted, including:

- (a) the number of staff, expressed in person/years, allocated to scrutinies pursuant to Regulation (EEC) No 4045/89, by control body and, where appropriate, region;
- (b) training received by staff working on scrutinies pursuant to Regulation (EEC) No 4045/89, with an indication of the proportion of the staff referred to in point (a) who have received such training, and the nature of the training itself; and
- (c) computer equipment and tools at the disposal of staff working on scrutinies pursuant to Regulation (EEC) No 4045/89.

8. Difficulties in applying Regulation (EEC) No 4045/89

Information shall be provided on any difficulties encountered in the application of the Regulation, and the measures taken to overcome them or proposals to this end.

9. Suggestions for improvement

Where appropriate, suggestions shall be made for the improvement, either of the application of Regulation (EEC) No 4045/89 or, of that Regulation itself.

PART II

SHEET A

SCRUTINY REPORT FOR THE PERIOD ...

(Article 9 of Regulation (EEC) No 4045/89)

Total:

1. (A) The total number of undertakings to be controlled:

2. (A) The total number of undertakings controlled:

3. (A) The total number of undertakings in the course of control:

4. (A) The total number of undertakings not yet controlled:

Control body:

1. (C) The number of undertakings to be controlled:

2. (C) The number of undertakings controlled:

3. (C) The number of undertakings in the course of control:

4. (C) The number of undertakings not yet controlled:

Control body:

1. (B) The number of undertakings to be controlled:

2. (B) The number of undertakings controlled:

3. (B) The number of undertakings in the course of control:

4. (B) The number of undertakings not yet controlled:

Control body:

1. (D) The number of undertakings to be controlled:

2. (D) The number of undertakings controlled:

3. (D) The number of undertakings in the course of control:

4. (D) The number of undertakings not yet controlled:

Notes on boxes:

Where applicable additional boxes are to be added and further explanations are to be provided.

SHEET B

SCRUTINY REPORT FOR THE PERIOD ...

(Article 9 of Regulation (EEC) No 4045/89)

**Report of control in relation to EAGGF Guarantee Fund budget headings in respect of the EAGGF financial
year ...**

Scrutiny programme ...

B(1) EAGGF Budget Article or Item No	B(2) Total value of expenditure relating to undertakings selected for scrutiny... (EUR)	B(3) Controlled undertakings		B(4) Undertakings in the course of control (i) total expenditure relating to those undertakings (EUR)	B(5) Undertakings not controlled (i) total expenditure relating to those undertakings (EUR)
		(i) expenditure actually controlled (EUR)	(ii) total expenditure relating to those undertakings (EUR)		
Totals:					

SHEET C

SCRUTINY REPORT FOR THE PERIOD ...

(Article 9 of Regulation (EEC) No 4045/89)

Potential irregularities discovered in relation to EAGGF Guarantee Fund budget headings in respect of the EAGGF financial year ...

Scrutiny programme ...

C(1) EAGGF Budget Article or Item No	C(2) Number of potential irregularities discovered	C(3) Number of payments concerned	C(4) Number of undertakings concerned	C(5) Estimated value of potential irregularities	C(6) Description and nature of each potential irregularity discovered, the reference number(s) of the undertaking(s) concerned and the OLAF reference number(s) where communication in accordance with Article 3 of Regulation (EEC) No 595/91 has been sent
Totals:					

SCRUTINY REPORT FOR THE PERIOD ...

(Article 9 of Regulation (EEC) No 4045/89)

Execution of scrutinies relating to preceding control programmes

Scrutiny programme ...

D(1) Number of undertakings declared in previous report as in the course of control:			
D(4) Value of expenditure relating to undertakings in D(1):			
D(2) Number of undertakings in D(1) for which controls have been completed:		D(3) Number of undertakings in D(1) for which controls are still in course:	
D(5) Value of expenditure relating to undertakings in D(2):		D(6) Value of expenditure relating to undertakings in D(3):	
D(7) Value of expenditure actually controlled relating to undertakings in D(2):			
D(8) Number of undertakings for which controls in previous report were declared as not started:		D(10) Number of undertakings in D(8) for which controls are still in course:	D(11) Number of undertakings in D(8) for which controls have not been started:
D(12) Value of expenditure relating to undertakings in D(8):		D(14) Value of expenditure relating to undertakings in D(10):	D(15) Value of expenditure relating to undertakings in D(11):
D(16) Value of expenditure actually controlled relating to undertakings in D(9):			

ANNEX II
ANNEX III

PROPOSED SCRUTINY PROGRAMME FOR THE PERIOD ...

(Article 10 of Regulation (EEC) No 4045/89)

SHEET A

1. Calculation of the minimum number of undertakings

A(1) The number of undertakings whose receipts or payments, or the sum thereof amounted to more than EUR 150 000 for the EAGGF financial year ...

× 1/2 =

A(2) The minimum number

2. Population from which the selection is made

The total number of undertakings having received or made payments subject to Regulation (EEC) No 4045/89 scrutiny during the financial year ... was as follows:

A(3) Total number

Total number whose receipts or payments, or the sum thereof, were in the following categories:

A(4) Exceeding EUR 350 000

A(5) EUR 350 000 or less, but not less than EUR 40 000

A(6) Less than 40 000

3. Undertakings proposed for scrutiny:

A(7) Total number

A(8) Total based upon risk analysis

Total number whose receipts or payments, or the sum thereof, were in the following categories:

A(9) Exceeding EUR 350 000

A(10) EUR 350 000 or less, but not less than EUR 40 000

A(11) Less than EUR 40 000

Notes on boxes:

A(4): It is compulsory to scrutinise undertakings in this category which were not scrutinised in accordance with this Regulation during the two scrutiny periods preceding this scrutiny period, unless the payments that they received were under a measure or measures for which risk analysis techniques of selection have been adopted.

A(9): Undertakings in this category are to be scrutinised only for specific reasons which are to be indicated in sheet D of this Annex.

SHEET C

PROPOSED SCRUTINY PROGRAMME FOR THE PERIOD ...

(Article 10 of Regulation (EEC) No 4045/89)

Criteria adopted in drawing up the programme in the area of export refunds and other sectors where risk analysis selection techniques have been adopted where these differ from those included in the proposals for risk analysis sent to the Commission pursuant to Article 2(2) of Regulation (EEC) No 4045/89.

Sector where scrutiny is proposed (show EAGGF budget heading as set out in sheet B, column B(1) of this Annex)	Comments on risk and selection criteria adopted (give brief details, e.g. detected irregularities or exceptional increase in expenditure)

SHEET D

PROPOSED SCRUTINY PROGRAMME FOR THE PERIOD ...

(Article 10 of Regulation (EEC) No 4045/89)

Proposed scrutinies, if any, of undertakings whose receipts or payments, or the sum thereof, were less than EUR 40 000 during the EAGGF financial year ...

EAGGF budget heading (as set out in sheet B, column B(1))	Number of undertakings that it is proposed to scrutinise	Specific reason for scrutiny

PROPOSED SCRUTINY PROGRAMME FOR THE PERIOD ...

(Article 10 of Regulation (EEC) No 4045/89)

Total:

E(1) The total number of undertakings to be controlled:

Control body:

E(2) The number of undertakings to be controlled:

Control body:

E(3) The number of undertakings to be controlled:

Control body:

E(4) The number of undertakings to be controlled:

Notes on boxes:

Where applicable additional boxes are to be added and further explanations are to be provided.

—

ANNEX III

ANNEX VIII

QUARTERLY REPORT

(as provided for in the first subparagraph of Article 7(4) of Regulation (EEC) No 4045/89)

of ... (Member State)**on requests for inspection and on the results of inspection for the first [], second [], third [], fourth [] quarter 20...**

QUARTERLY OVERVIEW TABLE:

REQUESTS sent to:

Member State	Total number per Member State	REQUEST	
		Date sent	Reference No
Total:			

REPLIES sent to:

Member State	Total number per Member State	REPLY	
		Date sent	Reference No
Total:			

Notes on boxes:

Each request/reply sent during the quarter is to be included in the overview table.

Where applicable additional rows are to be added.

The reference number for replies sent is to be the same as the reference number on the corresponding request for inspection.

SHEET A

REQUEST FORM

(For each request issued)

Identification

- A.1. Requesting Member State:
 - 2. Name of special department:
 - 8. Name of control organisation responsible:
 - 14. Enquiry number/report reference:

- B.1. Requested Member State
 - 2. Organisation:

- C.1. Date of request and reference number:
 - 2. Scrutiny programme:
 - 3. Date of reply and reference number:

- D.1. Beneficiary data in requesting Member State
 - Name:
 - Address:
 - Reference number:
- 2. Beneficiary data in requested Member State
 - Nom:
 - Address:
 - Reference number:

- G. Risk Analysis
 - 1. Rating: high, medium or low
 - 2. Narrative justification for rating:

- H. Scope and objective of control:

SHEET B

REPLY FORM

(For each reply issued)

Identification

- B.1. Requested Member State:
 - 2. Organisation:
 - 3. Regional Office:
 - 4. Name of the controller:

 - A.1. Requesting Member State:
 - 2. Name of special department:
 - 8. Name of control organisation responsible:
 - 14. Enquiry number/report reference:

 - C.1. Date of request and reference number:
 - 2. Scrutiny programme:
 - 3. Date of reply and reference number:

 - D.1. Beneficiary data in requesting Member State
 - Name:
 - Address:
 - Reference number:
 - 2. Beneficiary data in requested Member State
 - Name:
 - Address:
 - Reference number:
 - 3. Other undertakings scrutinised:
 - Name:
 - Address:

 - H. Scope and objective of control:

 - I. List of supporting documents supplied:

 - J. Results:
-

ANNEX IV

'ANNEX IX

Information to be contained in the annual risk analysis referred to in Article 2(2) of Regulation (EEC) No 4045/89**1. Assessment of previous year's risk analysis**

Information shall be provided concerning the assessment of effectiveness of the previous year's risk analysis, including the evaluation of its strengths and weaknesses. Any possibilities for improvement shall be clearly identified and implementation thereof shall be considered.

2. Library of information

Information shall be provided on all sources of information taken into account in order to prepare and conduct the risk analysis. Particular reference shall be made to Regulation (EEC) No 386/90.

3. Selection procedure

A description shall be provided of the procedure to be applied in order to select the undertakings to be scrutinised. A clear indication shall be made of the number/percentage of undertakings and sectors/measures to which risk analysis, random, automatic and/or manual selection shall be applied. Sectors/measures to be excluded shall be clearly identified and the reasons for exclusion shall be described.

4. Risk factors and risk values to be applied

Where risk analysis shall be applied, information shall be provided on all risk factors taken into consideration and the subsequent possible values assigned to those risk factors. This information shall be provided in accordance with the specimen tables provided below.

Risk factors and risk values applicable to all measures subject to risk analysis		
Risk factors	Risk values	
	Description	Values
Specific risk factors and risk values applicable to export refunds		
Risk factors	Risk values	
	Description	Values
Specific risk factors and risk values applicable to... (sector/measure)		
Risk factors	Risk values	
	Description	Values

5. Weighting of risk factors

Where appropriate, a description shall be provided of the procedure to be applied to weight the risk factors.

6. Results of risk analysis

Information shall be provided on how the results of risk analysis and the establishment of a "scoring list" (for each specific sector/measure, where appropriate) will be reflected in the selection of undertakings into the final scrutiny plan.

Particular attention shall be given to the possibility of joint actions as provided pursuant to Article 7(1) of Regulation (EEC) No 4045/89.

7. Difficulties encountered and suggestions for improvement

Information shall be provided on any difficulties encountered and the measures taken to overcome them or proposals to this end. Where appropriate, suggestions shall be made for improvement.'

COMMISSION REGULATION (EC) No 41/2006**of 12 January 2006****amending 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 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 15 December 2005 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 2053/2005 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 2053/2005 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 2053/2005 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 329, 16.12.2005, p. 19.

ANNEX

Rates of the refunds applicable from 13 January 2006 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	10,00	10,00
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 1898/2005 are exported	23,89	23,89
	(b) on exportation of other goods	50,00	50,00
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 1898/2005 are exported	52,00	52,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	100,25	100,25
	(c) on exportation of other goods	93,00	93,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 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 42/2006
of 12 January 2006
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 Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 20, 27.1.1999, p. 8. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

⁽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) In determining the products and destinations eligible for refunds, it is appropriate to take into account that the competitive position of certain Community products does not justify encouragement of exports and that the geographical proximity of certain territories risks facilitating diversion of trade and abuses.
- (10) 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.

- (11) 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 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 13 January 2006.

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

Done at Brussels, 12 January 2006.

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 12 January 2006 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 30 31 9100	L01	EUR/100 kg	—	0402 21 11 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	13,20		068	EUR/100 kg	—
	A01	EUR/100 kg	18,86		L02	EUR/100 kg	36,55
0401 30 31 9400	L01	EUR/100 kg	—	0402 21 11 9900	A01	EUR/100 kg	46,92
	L02	EUR/100 kg	20,62		L01	EUR/100 kg	—
	A01	EUR/100 kg	29,47		068	EUR/100 kg	—
0401 30 31 9700	L01	EUR/100 kg	—	0402 21 17 9000	L02	EUR/100 kg	38,94
	L02	EUR/100 kg	22,75		A01	EUR/100 kg	50,00
	A01	EUR/100 kg	32,49		L01	EUR/100 kg	—
0401 30 39 9100	L01	EUR/100 kg	—	0402 21 19 9300	068	EUR/100 kg	—
	L02	EUR/100 kg	13,20		L02	EUR/100 kg	8,28
	A01	EUR/100 kg	18,86		A01	EUR/100 kg	10,00
0401 30 39 9400	L01	EUR/100 kg	—	0402 21 19 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	20,62		068	EUR/100 kg	—
	A01	EUR/100 kg	29,47		L02	EUR/100 kg	35,03
0401 30 39 9700	L01	EUR/100 kg	—	0402 21 19 9500	A01	EUR/100 kg	44,94
	L02	EUR/100 kg	22,75		L01	EUR/100 kg	—
	A01	EUR/100 kg	32,49		068	EUR/100 kg	—
0401 30 91 9100	L01	EUR/100 kg	—	0402 21 19 9900	L02	EUR/100 kg	36,55
	L02	EUR/100 kg	25,92		A01	EUR/100 kg	46,92
	A01	EUR/100 kg	37,04		L01	EUR/100 kg	—
0401 30 99 9100	L01	EUR/100 kg	—	0402 21 19 9900	068	EUR/100 kg	—
	L02	EUR/100 kg	25,92		L02	EUR/100 kg	38,94
	A01	EUR/100 kg	37,04		A01	EUR/100 kg	50,00
0401 30 99 9500	L01	EUR/100 kg	—	0402 21 91 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	38,10		068	EUR/100 kg	—
	A01	EUR/100 kg	54,43		L02	EUR/100 kg	39,19
0402 10 11 9000	L01	EUR/100 kg	—	0402 21 91 9200	A01	EUR/100 kg	50,30
	068	EUR/100 kg	—		L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		068	EUR/100 kg	—
0402 10 19 9000	A01	EUR/100 kg	10,00	0402 21 91 9200	L02	EUR/100 kg	39,42
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,61
	068	EUR/100 kg	—		L01	EUR/100 kg	—
0402 10 91 9000	L02	EUR/100 kg	8,28	0402 21 91 9350	068	EUR/100 kg	—
	A01	EUR/100 kg	10,00		L02	EUR/100 kg	39,84
	L01	EUR/kg	—		A01	EUR/100 kg	51,12
0402 10 99 9000	068	EUR/kg	—	0402 21 91 9500	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		068	EUR/100 kg	—
	A01	EUR/kg	0,1000		L02	EUR/100 kg	42,80
0402 10 99 9000	L01	EUR/kg	—	0402 21 99 9100	A01	EUR/100 kg	54,94
	068	EUR/kg	—		L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		068	EUR/100 kg	—
0402 21 11 9200	A01	EUR/kg	0,1000	0402 21 99 9100	L02	EUR/100 kg	39,19
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,30
	068	EUR/100 kg	—		L01	EUR/100 kg	—
0402 21 11 9300	L02	EUR/100 kg	8,28	0402 21 99 9200	068	EUR/100 kg	—
	A01	EUR/100 kg	10,00		L02	EUR/100 kg	39,42
	L01	EUR/100 kg	—		A01	EUR/100 kg	50,61
0402 21 11 9300	L01	EUR/100 kg	—	0402 21 99 9300	L01	EUR/100 kg	—
	068	EUR/100 kg	—		068	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	39,84
0402 21 11 9300	A01	EUR/100 kg	44,94	0402 21 99 9300	A01	EUR/100 kg	51,12

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0402 21 99 9400	L01	EUR/100 kg	—	0402 91 31 9300	L01	EUR/100 kg	—
	068	EUR/100 kg	—		L02	EUR/100 kg	4,877
	L02	EUR/100 kg	42,03		A01	EUR/100 kg	6,967
	A01	EUR/100 kg	53,96	0402 91 39 9300	L01	EUR/100 kg	—
0402 21 99 9500	L01	EUR/100 kg	—		L02	EUR/100 kg	4,877
	068	EUR/100 kg	—		A01	EUR/100 kg	6,967
	L02	EUR/100 kg	42,80	0402 91 99 9000	L01	EUR/100 kg	—
A01	EUR/100 kg	54,94	L02		EUR/100 kg	15,93	
0402 21 99 9600	L01	EUR/100 kg	—		A01	EUR/100 kg	22,76
	068	EUR/100 kg	—	0402 99 11 9350	L01	EUR/kg	—
	L02	EUR/100 kg	45,83		L02	EUR/kg	0,1055
	A01	EUR/100 kg	58,82		A01	EUR/kg	0,1508
0402 21 99 9700	L01	EUR/100 kg	—	0402 99 19 9350	L01	EUR/kg	—
	068	EUR/100 kg	—		L02	EUR/kg	0,1055
	L02	EUR/100 kg	47,52		A01	EUR/kg	0,1508
	A01	EUR/100 kg	61,03	0402 99 31 9150	L01	EUR/kg	—
0402 21 99 9900	L01	EUR/100 kg	—		L02	EUR/kg	0,1095
	068	EUR/100 kg	—		A01	EUR/kg	0,1565
	L02	EUR/100 kg	49,51	0402 99 31 9300	L01	EUR/kg	—
A01	EUR/100 kg	63,55	L02		EUR/kg	0,0953	
0402 29 15 9200	L01	EUR/kg	—		A01	EUR/kg	0,1362
	L02	EUR/kg	0,0828	0402 99 39 9150	L01	EUR/kg	—
	A01	EUR/kg	0,1000		L02	EUR/kg	0,1095
	0402 29 15 9300	L01	EUR/kg		—	A01	EUR/kg
L02		EUR/kg	0,3503	0403 90 11 9000	L01	EUR/100 kg	—
A01		EUR/kg	0,4494		L02	EUR/100 kg	8,18
0402 29 15 9500	L01	EUR/kg	—		A01	EUR/100 kg	9,86
	L02	EUR/kg	0,3655	0403 90 13 9200	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	8,18
0402 29 15 9900	L01	EUR/kg	—		A01	EUR/100 kg	9,86
	L02	EUR/kg	0,3894	0403 90 13 9300	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	34,70
0402 29 19 9300	L01	EUR/kg	—		A01	EUR/100 kg	44,55
	L02	EUR/kg	0,3503	0403 90 13 9500	L01	EUR/100 kg	—
	A01	EUR/kg	0,4494		L02	EUR/100 kg	36,23
0402 29 19 9500	L01	EUR/kg	—		A01	EUR/100 kg	46,50
	L02	EUR/kg	0,3655	0403 90 13 9900	L01	EUR/100 kg	—
	A01	EUR/kg	0,4692		L02	EUR/100 kg	38,61
0402 29 19 9900	L01	EUR/kg	—		A01	EUR/100 kg	49,55
	L02	EUR/kg	0,3894	0403 90 19 9000	L01	EUR/100 kg	—
	A01	EUR/kg	0,5000		L02	EUR/100 kg	38,84
0402 29 91 9000	L01	EUR/kg	—		A01	EUR/100 kg	49,86
	L02	EUR/kg	0,3919	0403 90 33 9400	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3470
0402 29 99 9100	L01	EUR/kg	—		A01	EUR/kg	0,4455
	L02	EUR/kg	0,3919	0403 90 33 9900	L01	EUR/kg	—
	A01	EUR/kg	0,5030		L02	EUR/kg	0,3861
0402 29 99 9500	L01	EUR/kg	—		A01	EUR/kg	0,4955
	L02	EUR/kg	0,4203	0403 90 59 9310	L01	EUR/100 kg	—
	A01	EUR/kg	0,5396		L02	EUR/100 kg	13,20
0402 91 11 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	18,86
	L02	EUR/100 kg	4,127	0403 90 59 9340	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
0402 91 19 9370	L01	EUR/100 kg	—		A01	EUR/100 kg	27,59
	L02	EUR/100 kg	4,127	0403 90 59 9370	L01	EUR/100 kg	—
	A01	EUR/100 kg	5,895		L02	EUR/100 kg	19,32
			A01		EUR/100 kg	27,59	

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0403 90 59 9510	L01	EUR/100 kg	—	0405 10 19 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	19,32		L02	EUR/100 kg	67,29
	A01	EUR/100 kg	27,59		A01	EUR/100 kg	90,74
0404 90 21 9120	L01	EUR/100 kg	—	0405 10 19 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	7,07		L02	EUR/100 kg	68,98
	A01	EUR/100 kg	8,53		A01	EUR/100 kg	93,00
0404 90 21 9160	L01	EUR/100 kg	—	0405 10 30 9100	L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		L02	EUR/100 kg	67,29
	A01	EUR/100 kg	10,00		A01	EUR/100 kg	90,74
0404 90 23 9120	L01	EUR/100 kg	—	0405 10 30 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	8,28		L02	EUR/100 kg	68,98
	A01	EUR/100 kg	10,00		A01	EUR/100 kg	93,00
0404 90 23 9130	L01	EUR/100 kg	—	0405 10 30 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	35,03		L02	EUR/100 kg	68,98
	A01	EUR/100 kg	44,94		A01	EUR/100 kg	93,00
0404 90 23 9140	L01	EUR/100 kg	—	0405 10 50 9300	L01	EUR/100 kg	—
	L02	EUR/100 kg	36,55		L02	EUR/100 kg	68,98
	A01	EUR/100 kg	46,92		A01	EUR/100 kg	93,00
0404 90 23 9150	L01	EUR/100 kg	—	0405 10 50 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	38,94		L02	EUR/100 kg	67,29
	A01	EUR/100 kg	50,00		A01	EUR/100 kg	90,74
0404 90 29 9110	L01	EUR/100 kg	—	0405 10 50 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,19		L02	EUR/100 kg	68,98
	A01	EUR/100 kg	50,30		A01	EUR/100 kg	93,00
0404 90 29 9115	L01	EUR/100 kg	—	0405 10 90 9000	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,42		L02	EUR/100 kg	71,50
	A01	EUR/100 kg	50,61		A01	EUR/100 kg	96,41
0404 90 29 9125	L01	EUR/100 kg	—	0405 20 90 9500	L01	EUR/100 kg	—
	L02	EUR/100 kg	39,84		L02	EUR/100 kg	63,09
	A01	EUR/100 kg	51,12		A01	EUR/100 kg	85,07
0404 90 29 9140	L01	EUR/100 kg	—	0405 20 90 9700	L01	EUR/100 kg	—
	L02	EUR/100 kg	42,80		L02	EUR/100 kg	65,61
	A01	EUR/100 kg	54,94		A01	EUR/100 kg	88,46
0404 90 81 9100	L01	EUR/kg	—	0405 90 10 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		L02	EUR/100 kg	86,09
	A01	EUR/kg	0,1000		A01	EUR/100 kg	116,07
0404 90 83 9110	L01	EUR/kg	—	0405 90 90 9000	L01	EUR/100 kg	—
	L02	EUR/kg	0,0828		L02	EUR/100 kg	68,85
	A01	EUR/kg	0,1000		A01	EUR/100 kg	92,83
0404 90 83 9130	L01	EUR/kg	—	0406 10 20 9100	L01	EUR/100 kg	—
	L02	EUR/kg	0,3503		L02	EUR/100 kg	—
	A01	EUR/kg	0,4494		A01	EUR/100 kg	—
0404 90 83 9150	L01	EUR/kg	—	0406 10 20 9230	L03	EUR/100 kg	—
	L02	EUR/kg	0,3655		L04	EUR/100 kg	12,99
	A01	EUR/kg	0,4692		400	EUR/100 kg	—
0404 90 83 9170	L01	EUR/kg	—	0406 10 20 9290	A01	EUR/100 kg	16,24
	L02	EUR/kg	0,3894		A00	EUR/100 kg	—
	A01	EUR/kg	0,5000		A00	EUR/100 kg	—
0404 90 83 9936	L01	EUR/kg	—	0406 10 20 9300	A00	EUR/100 kg	—
	L02	EUR/kg	0,1055		A00	EUR/100 kg	—
	A01	EUR/kg	0,1508		A00	EUR/100 kg	—
0405 10 11 9500	L01	EUR/100 kg	—	0406 10 20 9610	A00	EUR/100 kg	—
	L02	EUR/100 kg	67,29		A00	EUR/100 kg	—
	A01	EUR/100 kg	90,74		A00	EUR/100 kg	—
0405 10 11 9700	L01	EUR/100 kg	—	0406 10 20 9620	L03	EUR/100 kg	—
	L02	EUR/100 kg	68,98		L04	EUR/100 kg	19,96
	A01	EUR/100 kg	93,00		400	EUR/100 kg	—
				A01	EUR/100 kg	24,94	

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,32		L04	EUR/100 kg	5,69
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,65		A01	EUR/100 kg	13,34
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	24,44		L04	EUR/100 kg	6,44
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	30,55		A01	EUR/100 kg	15,09
0406 10 20 9830	L03	EUR/100 kg	—	0406 30 90 9000	A00	EUR/100 kg	—
	L04	EUR/100 kg	9,08	0406 40 50 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	—	L04	EUR/100 kg	34,48	
	A01	EUR/100 kg	11,33	400	EUR/100 kg	—	
0406 10 20 9850	L03	EUR/100 kg	—	0406 40 90 9000	A01	EUR/100 kg	43,09
	L04	EUR/100 kg	10,99		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,41
	A01	EUR/100 kg	13,74		400	EUR/100 kg	—
0406 20 90 9100	A00	EUR/100 kg	—	0406 90 13 9000	A01	EUR/100 kg	44,26
0406 20 90 9913	L03	EUR/100 kg	—		L03	EUR/100 kg	—
0406 20 90 9915	L04	EUR/100 kg	21,76		L04	EUR/100 kg	39,25
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	27,20	A01	EUR/100 kg	56,18	
0406 20 90 9917	L03	EUR/100 kg	—	0406 90 15 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,54		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,93		A01	EUR/100 kg	58,06
0406 20 90 9919	L03	EUR/100 kg	—	0406 90 17 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	31,41		L04	EUR/100 kg	40,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	39,24		A01	EUR/100 kg	58,06
0406 20 90 9919	L03	EUR/100 kg	—	0406 90 21 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	35,08		L04	EUR/100 kg	39,43
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	43,86		A01	EUR/100 kg	56,30
0406 30 31 9710	A00	EUR/100 kg	—	0406 90 23 9900	L03	EUR/100 kg	—
0406 30 31 9730	L03	EUR/100 kg	—		L04	EUR/100 kg	35,35
0406 30 31 9910	L04	EUR/100 kg	3,91		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	50,82
	A01	EUR/100 kg	9,17	0406 90 25 9900	L03	EUR/100 kg	—
0406 30 31 9930	A00	EUR/100 kg	—		L04	EUR/100 kg	34,67
0406 30 31 9950	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	5,69		A01	EUR/100 kg	49,63
	400	EUR/100 kg	—	0406 90 27 9900	L03	EUR/100 kg	—
A01	EUR/100 kg	13,34	L04		EUR/100 kg	31,39	
0406 30 39 9500	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	3,91		A01	EUR/100 kg	44,95
	400	EUR/100 kg	—	0406 90 31 9119	L03	EUR/100 kg	—
A01	EUR/100 kg	9,17	L04		EUR/100 kg	29,03	
0406 30 39 9700	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	5,69		A01	EUR/100 kg	41,60
	400	EUR/100 kg	—	0406 90 33 9119	L03	EUR/100 kg	—
A01	EUR/100 kg	13,34	L04		EUR/100 kg	29,03	
0406 30 39 9700	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	5,69		A01	EUR/100 kg	41,60
	400	EUR/100 kg	—				
A01	EUR/100 kg	13,34					

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 33 9919	A00	EUR/100 kg	—	0406 90 78 9300	L03	EUR/100 kg	—
0406 90 33 9951	A00	EUR/100 kg	—		L04	EUR/100 kg	35,54
0406 90 35 9190	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	50,76
	400	EUR/100 kg	—	0406 90 78 9500	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	34,55
0406 90 35 9990	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	41,33		A01	EUR/100 kg	49,04
	400	EUR/100 kg	—	0406 90 79 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	59,45		L04	EUR/100 kg	29,35
0406 90 37 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	39,25		A01	EUR/100 kg	42,19
	400	EUR/100 kg	—	0406 90 81 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	56,18		L04	EUR/100 kg	36,63
0406 90 61 9000	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,68		A01	EUR/100 kg	52,44
	400	EUR/100 kg	—	0406 90 85 9930	L03	EUR/100 kg	—
	A01	EUR/100 kg	64,65		L04	EUR/100 kg	40,16
0406 90 63 9100	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	44,02		A01	EUR/100 kg	57,80
	400	EUR/100 kg	—	0406 90 85 9970	L03	EUR/100 kg	—
	A01	EUR/100 kg	63,49		L04	EUR/100 kg	36,84
0406 90 63 9900	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,31		A01	EUR/100 kg	52,98
	400	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	A01	EUR/100 kg	61,32	0406 90 86 9200	L03	EUR/100 kg	—
0406 90 69 9100	A00	EUR/100 kg	—		L04	EUR/100 kg	35,61
0406 90 69 9910	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	42,93		A01	EUR/100 kg	52,80
	400	EUR/100 kg	—	0406 90 86 9300	A00	EUR/100 kg	—
	A01	EUR/100 kg	62,22	0406 90 86 9400	L03	EUR/100 kg	—
0406 90 73 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	38,16
	L04	EUR/100 kg	36,12		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	55,80
	A01	EUR/100 kg	51,75	0406 90 86 9900	L03	EUR/100 kg	—
0406 90 75 9900	L03	EUR/100 kg	—		L04	EUR/100 kg	40,16
	L04	EUR/100 kg	36,84		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	57,80
	A01	EUR/100 kg	52,98	0406 90 87 9100	A00	EUR/100 kg	—
0406 90 76 9300	L03	EUR/100 kg	—	0406 90 87 9200	A00	EUR/100 kg	—
	L04	EUR/100 kg	32,71	0406 90 87 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,16
	A01	EUR/100 kg	46,82		400	EUR/100 kg	—
0406 90 76 9400	L03	EUR/100 kg	—		A01	EUR/100 kg	49,00
	L04	EUR/100 kg	36,63	0406 90 87 9400	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	33,86
	A01	EUR/100 kg	52,44		400	EUR/100 kg	—
0406 90 76 9500	L03	EUR/100 kg	—		A01	EUR/100 kg	49,49
	L04	EUR/100 kg	33,92	0406 90 87 9951	L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	35,97
	A01	EUR/100 kg	48,15		400	EUR/100 kg	—
0406 90 78 9100	L03	EUR/100 kg	—		A01	EUR/100 kg	51,50
	L04	EUR/100 kg	35,88				
	400	EUR/100 kg	—				
	A01	EUR/100 kg	52,42				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	35,97		L04	EUR/100 kg	37,52
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	51,50		A01	EUR/100 kg	53,02
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	15,21		L04	EUR/100 kg	35,35
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	21,86		A01	EUR/100 kg	50,82
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	35,33	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	—	L04	EUR/100 kg	29,29	
	A01	EUR/100 kg	50,57	400	EUR/100 kg	—	
0406 90 87 9974	L03	EUR/100 kg	—	0406 90 88 9500	A01	EUR/100 kg	43,13
	L04	EUR/100 kg	37,84		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	30,20
	A01	EUR/100 kg	53,93		400	EUR/100 kg	—
				A01	EUR/100 kg	43,15	

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 Ceuta, Melilla, 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, Montenegro and the former Yugoslav Republic of Macedonia.

COMMISSION REGULATION (EC) No 43/2006**of 12 January 2006****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 10 January 2006.

- (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 10 January 2006, 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 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	92,47
Butter	ex 0405 10 19 9700	98,55
Butteroil	ex 0405 90 10 9000	120,10

COMMISSION REGULATION (EC) No 44/2006**of 12 January 2006****fixing the maximum export 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 for 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 to fix a maximum export refund for the tendering period ending on 10 January 2006.

- (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 582/2004, for the tendering period ending on 10 January 2006, the maximum amount of refund for the product and destinations referred to in Article 1(1) of that Regulation shall be 12,20 EUR/100 kg.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 1239/2005 (OJ L 200, 30.7.2005, p. 32).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

COMMISSION REGULATION (EC) No 45/2006**of 12 January 2006****amending Regulation (EC) No 2805/95 fixing the export refunds in the wine sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular the second subparagraph of Articles 63(3) and 64(5) thereof,

Whereas:

- (1) Pursuant to Article 63(1) of Regulation (EC) No 1493/1999, to the extent necessary to enable the products listed in Article 1(2)(a) and (b) of that Regulation to be exported on the basis of the prices for those products on the world market and within the limits of the Agreements concluded in accordance with Article 300 of the Treaty, the difference between those prices and the prices in the Community may be covered by an export refund.
- (2) Under Article 64(3) of Regulation (EC) No 1493/1999, the amounts and destinations for refunds are to be fixed

periodically taking account of the existing situation and likely trends with regard to the prices and availability of the products concerned on the Community market and the world market prices for those products.

- (3) Commission Regulation (EC) No 2805/95 ⁽²⁾ should therefore be amended accordingly.
- (4) The Management Committee for Wines has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2805/95 is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 13 January 2006.

It shall apply from 16 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 291, 6.12.1995, p. 10. Regulation as last amended by Regulation (EC) No 1481/2005 (OJ L 237, 14.9.2005, p. 3).

ANNEX

'ANNEX

Product code	Destination	Unit of measurement	Amount of refund
2009 69 11 9100	W01	EUR/hl	31,609
2009 69 19 9100	W01	EUR/hl	31,609
2009 69 51 9100	W01	EUR/hl	31,609
2009 69 71 9100	W01	EUR/hl	31,609
2204 30 92 9100	W01	EUR/hl	31,609
2204 30 94 9100	W01	EUR/hl	8,375
2204 30 96 9100	W01	EUR/hl	31,609
2204 30 98 9100	W01	EUR/hl	8,375
2204 21 79 9100	W02	EUR/hl	4,340
2204 21 79 9100	W03	EUR/hl	4,340
2204 21 80 9100	W02	EUR/hl	5,243
2204 21 80 9100	W03	EUR/hl	5,243
2204 21 84 9100	W02	EUR/hl	5,927
2204 21 84 9100	W03	EUR/hl	5,927
2204 21 85 9100	W02	EUR/hl	7,162
2204 21 85 9100	W03	EUR/hl	7,162
2204 21 79 9200	W02	EUR/hl	5,080
2204 21 79 9200	W03	EUR/hl	5,080
2204 21 80 9200	W02	EUR/hl	6,138
2204 21 80 9200	W03	EUR/hl	6,138
2204 21 79 9910	W02 and W03	EUR/hl	3,054
2204 21 94 9910	W02 and W03	EUR/hl	11,543
2204 21 98 9910	W02 and W03	EUR/hl	11,543
2204 29 62 9100	W02	EUR/hl	4,340
2204 29 62 9100	W03	EUR/hl	4,340
2204 29 64 9100	W02	EUR/hl	4,340
2204 29 64 9100	W03	EUR/hl	4,340
2204 29 65 9100	W02	EUR/hl	4,340
2204 29 65 9100	W03	EUR/hl	4,340
2204 29 71 9100	W02	EUR/hl	5,243
2204 29 71 9100	W03	EUR/hl	5,243
2204 29 72 9100	W02	EUR/hl	5,243
2204 29 72 9100	W03	EUR/hl	5,243

Product code	Destination	Unit of measurement	Amount of refund
2204 29 75 9100	W02	EUR/hl	5,243
2204 29 75 9100	W03	EUR/hl	5,243
2204 29 62 9200	W02	EUR/hl	5,080
2204 29 62 9200	W03	EUR/hl	5,080
2204 29 64 9200	W02	EUR/hl	5,080
2204 29 64 9200	W03	EUR/hl	5,080
2204 29 65 9200	W02	EUR/hl	5,080
2204 29 65 9200	W03	EUR/hl	5,080
2204 29 71 9200	W02	EUR/hl	6,138
2204 29 71 9200	W03	EUR/hl	6,138
2204 29 72 9200	W02	EUR/hl	6,138
2204 29 72 9200	W03	EUR/hl	6,138
2204 29 75 9200	W02	EUR/hl	6,138
2204 29 75 9200	W03	EUR/hl	6,138
2204 29 83 9100	W02	EUR/hl	5,927
2204 29 83 9100	W03	EUR/hl	5,927
2204 29 84 9100	W02	EUR/hl	7,162
2204 29 84 9100	W03	EUR/hl	7,162
2204 29 62 9910	W02 and W03	EUR/hl	3,054
2204 29 64 9910	W02 and W03	EUR/hl	3,054
2204 29 65 9910	W02 and W03	EUR/hl	3,054
2204 29 94 9910	W02 and W03	EUR/hl	11,543
2204 29 98 9910	W02 and W03	EUR/hl	11,543

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 last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

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:

W01: Libya, Nigeria, Cameroon, Gabon, Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, Hong Kong SAR, South Korea, Japan, Taiwan, Equatorial Guinea.

W02: All countries of the African continent with the exception of: Algeria, Morocco, Tunisia, South Africa.

W03: All destinations, with the exception of: Africa, America, Australia, Bosnia-Herzegovina, Croatia, Israel, Serbia, Montenegro, Kosovo, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Bulgaria and Romania.'

COMMISSION REGULATION (EC) No 46/2006**of 12 January 2006****concerning tenders notified in response to the invitation to tender for the import of sorghum issued in Regulation (EC) No 2094/2005**

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 from third countries in the duty on sorghum imported into Spain was opened pursuant to Commission Regulation (EC) No 2094/2005 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 25 of Regulation (EC) No 1784/2003 and on the basis of the tenders notified to make no award.
- (3) On the basis of the criteria laid down in Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 6 to 12 January 2006 in response to the invitation to tender for the reduction in the duty on imported sorghum issued in Regulation (EC) No 2094/2005.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 335, 21.12.2005, p. 4.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 47/2006**of 12 January 2006****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 2093/2005**

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 2093/2005 ⁽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 6 to 12 January 2006, pursuant to the invitation to tender issued in Regulation (EC) No 2093/2005, the maximum reduction in the duty on maize imported shall be 22,88 EUR/t and be valid for a total maximum quantity of 55 175 t.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 335, 20.12.2005, p. 3.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 48/2006**of 12 January 2006****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 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

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

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

to the Commission Regulation of 12 January 2006 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	11,52
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	10,62
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	9,81
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	C01	EUR/t	9,18
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	12,33				

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 49/2006
of 12 January 2006
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 1058/2005

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 6 to 12 January 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1058/2005.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 12.

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

COMMISSION REGULATION (EC) No 50/2006**of 12 January 2006****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1059/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 1059/2005 ⁽²⁾.

(2) 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 from 6 to 12 January 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1059/2005, the maximum refund on exportation of common wheat shall be 9,00 EUR/t.

Article 2

This Regulation shall enter into force on 13 January 2006.

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

Done at Brussels, 12 January 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

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

⁽²⁾ OJ L 174, 7.7.2005, p. 15.

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

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT AND COUNCIL

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 17 November 2005

on the mobilisation of the European Union Solidarity Fund according to point 3 of the Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure

(2006/12/EC)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 7 November 2002 between the European Parliament, the Council and the Commission on the financing of the European Union Solidarity Fund supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure ⁽¹⁾, and in particular point 3 thereof,

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund ⁽²⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) The European Union has created a Solidarity Fund (the Fund) to show solidarity with the population of regions struck by disasters.
- (2) Sweden, Estonia, Latvia and Lithuania submitted their applications to mobilise the Fund within the 10-week deadline set by Article 4 of Regulation (EC) No 2012/2002, following a disaster caused by a storm.
- (3) The Interinstitutional Agreement of 7 November 2002 allows mobilisation of the Fund within an annual ceiling of EUR 1 billion.
- (4) The storm disaster in Sweden, Estonia, Latvia and Lithuania on 8 January 2005 fulfils the criteria for mobilising the Fund,

⁽¹⁾ OJ C 283, 20.11.2002, p. 1.

⁽²⁾ OJ L 311, 14.11.2002, p. 3.

HAVE DECIDED AS FOLLOWS:

Article 1

The Fund shall be mobilised to provide the sum of EUR 92 880 830 in commitment appropriations from the general budget of the European Union for the financial year 2005.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Strasbourg, 17 November 2005.

For the European Parliament

The President

J. BORRELL FONTELLES

For the Council

The President

C. CLARKE

COMMISSION

DECISION No 2/2005 OF THE EC-FAROE ISLANDS JOINT COMMITTEE of 8 December 2005

amending Decision No 1/2001 laying down provisions to implement the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part

(2006/13/EC)

THE EC-FAROE ISLANDS JOINT COMMITTEE,

Having regard to the Agreement in the form of an Exchange of Letters, between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part,

Having regard to the Protocol on veterinary matters supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part ⁽¹⁾, and in particular Article 2, first subparagraph, thereof,

Whereas:

- (1) At the meeting in Brussels on 24 August 2004, of the veterinary subgroup of the EC-Faroe Islands Joint Committee, the Faroe Islands presented their contingency plan for fish diseases and their withdrawal scheme for fish infected with infectious salmon anaemia, Community experts considered both documents to be in conformity with Community rules and therefore acceptable.
- (2) The veterinary subgroup also recommended the inclusion of the Faroe Islands in the EC Animal Disease Notification System.
- (3) The veterinary subgroup therefore recommended that Decision No 1/2001 of the EC-Faroe Islands Joint Committee ⁽²⁾ be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 1/2001 of the EC-Faroe Islands Joint Committee is hereby amended as follows:

1. in Article 7, a new paragraph shall be added as follows:

‘3. The Faroe Islands shall implement Council Directive 82/894/EEC (*) and they shall take part in the Animal Disease Notification System (ADNS). The practical arrangements for the participation of the Faroe Islands shall be settled between Commission and Faroe Islands officials.

(*) OJ L 378, 31.12.1982, p. 58.;

⁽¹⁾ OJ L 305, 30.11.1999, p. 26.

⁽²⁾ OJ L 46, 16.2.2001, p. 24.

2. in Article 11(1), the third subparagraph shall be replaced by the following:

'The Faroe Islands have submitted to the veterinary sub-group a contingency plan in accordance with Article 15 of Directive 93/53/EEC. The contingency plan includes a withdrawal scheme in accordance with Article 6 of Directive 93/53/EEC. The contingency plan and withdrawal scheme submitted in September 2004 are approved with the procedures for vaccination laid down in that plan. Later updates of the plan shall be submitted for approval to the Commission after notification to the Member States within the Standing Committee for the Food Chain and Animal Health';

3. in Article 11, paragraph 2 shall be deleted.

Article 2

This Decision shall enter into force on the first day of the month following of its adoption.

Done at Brussels, 8 December 2005.

For the Joint Committee
The President
Pierre FAUCHERAND
