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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 226/2006
of 9 February 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 10 February 2006.

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

Done at Brussels, 9 February 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 9 February 2006 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	88,1
	204	45,7
	212	93,4
	624	106,4
	999	83,4
0707 00 05	052	122,9
	204	101,8
	628	167,7
	999	130,8
0709 10 00	220	66,1
	624	101,9
	999	84,0
0709 90 70	052	154,7
	204	87,3
	999	121,0
0805 10 20	052	53,0
	204	51,9
	212	40,0
	220	41,6
	448	47,7
	624	61,7
	999	49,3
0805 20 10	204	89,6
	999	89,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,0
	204	107,6
	400	79,6
	464	141,7
	624	73,7
	662	45,3
	999	85,3
0805 50 10	052	49,2
	999	49,2
0808 10 80	400	100,9
	404	105,2
	720	67,2
	999	91,1
0808 20 50	388	86,0
	400	84,1
	528	106,0
	720	66,9
	999	85,8

⁽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 227/2006
of 9 February 2006
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN codes indicated in column 2.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the 20th day following that 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, 9 February 2006.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 2175/2005 (OJ L 347, 30.12.2005, p. 9).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (OJ L 117, 4.5.2005, p. 13).

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>1. Product consisting of (% by weight)</p> <p>Sucrose 99,05 Citric acid 0,95</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product cannot be considered as raw sugar within the meaning of Additional Note 1 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90.</p>
<p>2. Product consisting of (% by weight)</p> <p>Sucrose 99,5 Citric acid 0,5</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product cannot be considered as white sugar within the meaning of Additional Note 3 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90.</p>
<p>3. Product consisting of (% by weight)</p> <p>Sucrose 99,5 Citric acid 0,4 Ascorbic acid 0,1</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product cannot be considered as white sugar within the meaning of Additional Note 3 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90.</p>
<p>4. Product consisting of (% by weight)</p> <p>Sucrose 99,7 Citric acid 0,2 Ascorbic acid 0,1</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product cannot be considered as white sugar within the meaning of Additional Note 3 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90.</p>
<p>5. Preparation consisting of (% by weight)</p> <p>Sucrose 90 Cocoa butter 10</p> <p>This preparation is a light-coloured, yellow-tinged, very sweet, coarse powder with a cocoa butter taste.</p>	2106 90 98	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 2106, 2106 90 and 2106 90 98.</p> <p>This food preparation is fit for human consumption and is presented in a form of sticky powder (HSEN to heading 2106, item (B))</p>

(1)	(2)	(3)
<p>6. Preparation consisting of (% by weight)</p> <p>Sucrose 95 Cocoa butter 5</p> <p>This preparation consists of white, sweet, sticky crystals with a slight cocoa taste.</p>	2106 90 98	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 2106, 2106 90 and 2106 90 98.</p> <p>This food preparation is fit for human consumption and is presented in a form of sticky crystals (HSEN to heading 2106, item (B)).</p>
<p>7. Product consisting of (% by weight)</p> <p>Sucrose 97,5 Cocoa butter 2,5</p> <p>This product consists of white, sweet, crystalline powder, resembling a commercial white sugar.</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product cannot be considered as raw sugar within the meaning of Additional Note 1 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90 as the quantity of cocoa butter is not sufficient to alter its sugar characteristics.</p>
<p>8. Product consisting of (% by weight)</p> <p>Sucrose 97,7 Sodium chloride 2,3</p> <p>The product is presented in a form of white, crystalline, sweet and slightly salty-tasting powder.</p> <p>It consists mainly of sucrose crystals with very sporadic discernible cube-shaped sodium chloride crystals.</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product consists of a mixture of sucrose in crystal form and sodium chloride. It cannot be considered as raw sugar within the meaning of Additional Note 1 to Chapter 17 of the CN.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90. The presence of a small quantity of sodium chloride (2,3 % by weight) does not change the characteristics of the product as a sugar of Chapter 17 of the CN.</p>
<p>9. Preparation consisting of (% by weight)</p> <p>White sugar 90 Wheat flour 10</p>	2106 90 98	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 2106, 2106 90, 2106 90 98.</p> <p>This food preparation is fit for human consumption and has to be classified in subheading 2106 90 98.</p>
<p>10. Product consisting of (% by weight)</p> <p>Sucrose 95 Lactose 5</p>	1701 99 90	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 99, 1701 99 90.</p> <p>The product has to be classified as other sugar in CN subheading 1701 99 90 as the content of lactose does not alter the characteristics of the product as a sugar of Chapter 17 of the CN.</p>

(1)	(2)	(3)				
<p>11. Product consisting of (% by weight)</p> <table><tr><td>White sugar</td><td>97</td></tr><tr><td>Liquorice extract</td><td>3</td></tr></table> <p>The product has the form of granular sugar and is put up for retail sale.</p>	White sugar	97	Liquorice extract	3	1701 91 00	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 1701, 1701 91, 1701 91 00.</p> <p>The product has to be classified as a flavoured sugar in CN subheading 1701 91 00 (HSEN to Chapter 17, General, first paragraph, second sentence, and to heading 1701, fifth paragraph).</p> <p>The presence of a small quantity of liquorice extract does not change the characteristics of the product as a sugar of Chapter 17 of the CN.</p>
White sugar	97					
Liquorice extract	3					

COMMISSION REGULATION (EC) No 228/2006
of 9 February 2006
amending Regulation (EC) No 2257/94 laying down quality standards for bananas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2257/94 ⁽²⁾ lays down detailed rules for applying Regulation (EC) No 404/93 as regards the quality standards for bananas.
- (2) Recent research on banana varieties has led to the development of several hybrids. This is the case of the variety Flhorban 920, a triploide hybrid, *Musa balbisiana* X *Musa acuminata*, which belongs to the group AAA. This variety was granted Community protection by Decision No 13757 of the Community Plant Variety Office of 19 July 2004. Hybrids should therefore be covered by Regulation (EC) No 2257/94.
- (3) Due to the specific climatic conditions of those regions, Regulation (EC) No 2257/94 allows bananas produced in Madeira, the Azores, the Algarve, Crete and Laconia to be marketed in the Community when classified in Class II even if they do not fulfil the requirement of attaining at least 14 cm in length. It is appropriate to provide for the same derogation for bananas produced in Cyprus, where the climatic conditions are similar.
- (4) In view of the demands of the Community market and taking into account the Codex Alimentarius Standard for bananas (Codex Stan 205-1997), provision should be made in order to allow the commercialisation of bananas presented as single fingers.
- (5) Regulation (EC) No 2257/94 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2257/94 is amended as follows:

1. Annex I is amended as follows:

- (a) Point I is replaced by the following:

‘I. DEFINITION OF PRODUCE

This standard applies to bananas of the varieties (cultivars) of *Musa* (AAA) spp., Cavendish and Gros Michel subgroups, as well as hybrids, referred to in Annex II, for supply fresh to the consumer after preparation and packaging. Plantains, bananas intended for industrial processing and fig bananas are not covered.’

- (b) In point III the fourth paragraph is replaced by the following:

‘As an exception to the third paragraph, bananas produced in Madeira, the Azores, the Algarve, Crete, Lakonia and Cyprus which are less than 14 cm in length may be marketed in the Community but must be classified in Class II.’

- (c) In point V, point C, the first paragraph is replaced by the following:

‘The bananas must be presented in hands or clusters (parts of hands) of at least four fingers. Bananas may also be presented as single fingers.’

2. In Annex II, Group AAA, the following row is inserted after the sub-group Gros Michel:

Group	Sub-group	Main cultivars (non-exhaustive list)
	‘Hybrids	Flhorban 920’

⁽¹⁾ OJ L 47, 25.2.1993, p. 1. Regulation as last amended by the 2003 Act of Accession.

⁽²⁾ OJ L 245, 20.9.1994, p. 6. Regulation as last amended by Regulation (EC) No 386/97 (OJ L 60, 1.3.1997, p. 53).

Article 2

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

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

Done at Brussels, 9 February 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 229/2006**of 9 February 2006****determining the extent to which applications for import rights lodged in respect of the quota for live bovine animals of a weight exceeding 160 kg and originating in Switzerland, provided for in Regulation (EC) No 2172/2005, can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 2172/2005 of 23 December 2005 laying down detailed rules for the application of an import tariff quota for live bovine animals of a weight exceeding 160 kg and originating in Switzerland provided for in the Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽²⁾, and in particular in the first sentence of Article 4(2) thereof,

Whereas:

(1) Article 1(1) of Regulation (EC) No 2172/2005 fixes at 4 600 head the quantity of the annual quota in respect of

which Community importers can lodge an application for import rights in accordance with Article 3 of that Regulation.

(2) Since the import rights applied for exceed the available quantity referred to in Article 1(1) of Regulation (EC) No 2172/2005, a unique reduction coefficient should be fixed for quantities tendered,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for import rights lodged in accordance with Article 3(3) of Regulation (EC) No 2172/2005 for the quota period from 1 January to 31 December 2006 shall be accepted at a rate of 64,5161 % of the import rights applied for.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

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

⁽²⁾ OJ L 346, 29.12.2005, p. 10.

COMMISSION REGULATION (EC) No 230/2006

of 9 February 2006

fixing the A1 and B export refunds for fruit and vegetables (tomatoes, oranges, lemons and apples)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1961/2001 ⁽²⁾ lays down the detailed rules of application for export refunds on fruit and vegetables.
- (2) Article 35(1) of Regulation (EC) No 2200/96 provides that, to the extent necessary for economically significant exports, the products exported by the Community may be covered by export refunds, within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Under Article 35(2) of Regulation (EC) No 2200/96, care must be taken to ensure that the trade flows previously brought about by the refund scheme are not disrupted. For this reason and because exports of fruit and vegetables are seasonal in nature, the quantities scheduled for each product should be fixed, based on the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾. These quantities must be allocated taking account of the perishability of the products concerned.
- (4) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the

other hand. Account must also be taken of the transport and marketing costs and of the economic aspect of the exports planned.

- (5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint.
- (6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.
- (7) Tomatoes, oranges, lemons and apples of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.
- (8) In order to ensure the best use of available resources and in view of the structure of Community exports, it is appropriate to fix the A1 and B export refunds.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. For system A1, the refund rates, the refund application period and the scheduled quantities for the products concerned are fixed in the Annex hereto. For system B, the indicative refund rates, the licence application period and the scheduled quantities for the products concerned are fixed in the Annex hereto.

2. The licences issued in respect of food aid as referred to in Article 16 of Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ shall not count against the eligible quantities in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 March 2006.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 268, 9.10.2001, p. 8. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1856/2005 (OJ L 297, 15.11.2005, p. 7).

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

Done at Brussels, 9 February 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

**to the Commission Regulation of 9 February 2006 fixing the export refunds on fruit and vegetables
(tomatoes, oranges, lemons and apples)**

Product code ⁽¹⁾	Destination ⁽²⁾	System A1 Refund application period 10.3.2006 to 8.5.2006		System B Licence application period 17.3.2006 to 15.5.2006	
		Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	30		30	5 774
0805 10 20 9100	A00	37		37	40 920
0805 50 10 9100	A00	60		60	8 245
0808 10 80 9100	F09	33		33	53 622

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

⁽²⁾ The 'A' series destination codes are set out in Annex II to Regulation (EEC) No 3846/87.

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:

F03: All destinations except Switzerland.

F04: Sri Lanka, Hong Kong SAR, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica and Japan.

F08: All destinations except Bulgaria.

F09: The following destinations:

- Norway, Iceland, Greenland, Faeroe Islands, Romania, Albania, Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999), Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen, Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia,
- African countries and territories except for South Africa,
- destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

COMMISSION REGULATION (EC) No 231/2006

of 9 February 2006

setting export refunds in the processed fruit and vegetable sector other than those granted on added sugar (provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts, certain orange juices)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

marketing and transport costs and of the economic aspects of the exportation envisaged.

Having regard to the Treaty establishing the European Community,

(5) Article 17(3) of Regulation (EC) No 2201/96 requires that when prices on the Community market are determined account is taken of the prices that are most favourable from the point of view of exportation.

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, and in particular the third subparagraph of Article 16(3) thereof,

(6) The international trade situation or specific requirements of certain markets may make it necessary to differentiate the refund on a given product by destination.

Whereas:

(1) Commission Regulation (EC) No 1429/95 ⁽²⁾ set implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugar.

(7) Economically significant exports can at present be made of provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts and certain orange juices.

(2) Article 16(1) of Regulation (EC) No 2201/96 states that to the extent necessary to permit exportation of economically significant quantities export refunds can be granted on the products listed at Article 1(2)(a) of that Regulation within the limits ensuing from agreements concluded in line with Article 300 of the Treaty. Article 18(4) of that Regulation provides that if the refund on the sugar incorporated in the products listed in Article 1(2)(b) is insufficient to allow exportation of these products the refund set in line with Article 17 thereof shall apply to them.

(8) Export refund rates and quantities should therefore be set for these products.

(3) Article 16(2) of Regulation (EC) No 2201/96 requires that it be ensured that trade flows that have already arisen as a result of granting of export refunds are not disturbed. For that reason the quantities should be set product by product using the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87 ⁽³⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refund rates in the processed fruit and vegetable sector, periods for lodging and for issuing licence applications and the quantities permitted are stipulated in the Annex hereto.

(4) Article 17(2) of Regulation (EC) No 2201/96 requires that when refunds are set account is taken of the existing situation and outlook for prices and availability on the Community market of products processed from fruit and vegetables and for international trade prices, of

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

Article 2

This Regulation shall enter into force on 24 February 2006.

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

⁽²⁾ OJ L 141, 24.6.1995, p. 28. Regulation as last amended by Regulation (EC) No 498/2004 (OJ L 80, 18.3.2004, p. 20).

⁽³⁾ OJ L 366, 24.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2091/2005 (OJ L 343, 24.12.2005, p. 1).

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1741/2004 (OJ L 311, 8.10.2004, p. 17).

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

Done at Brussels, 9 February 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

to the Commission Regulation of 9 February 2006 setting export refunds for the processed fruit and vegetable sector other than those granted on added sugar (provisionally preserved cherries, peeled tomatoes, sugar-preserved cherries, prepared hazelnuts, certain orange juices)

Period for lodging licence applications: 24 February to 23 June 2006.

Licence assignment period: February to June 2006.

Product code ⁽¹⁾	Destination code ⁽²⁾	Refund rate (EUR/t net)	Permitted quantities (t)
0812 10 00 9100	F06	50	2 853
2002 10 10 9100	F10	45	42 477
2006 00 31 9000 2006 00 99 9100	F06	153	287
2008 19 19 9100 2008 19 99 9100	A00	59	344
2009 11 99 9110 2009 12 00 9111 2009 19 98 9112	A00	5	300
2009 11 99 9150 2009 19 98 9150	A00	29	301

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

⁽²⁾ The meanings of the A series destination codes are given in Annex II to Regulation (EEC) No 3846/87, as amended. The meanings of the numerical destination codes are given in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). The other destinations are:

F06 All destinations except the countries of North America.

F10 All destinations except the United States of America and Bulgaria.

COMMISSION REGULATION (EC) No 232/2006**of 9 February 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

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⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 225/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 2006.

For the Commission

J. L. DEMARTY

*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. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 38, 9.2.2006, p. 34.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 10 February 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	38,37	0,00
1701 11 90 ⁽¹⁾	38,37	3,39
1701 12 10 ⁽¹⁾	38,37	0,00
1701 12 90 ⁽¹⁾	38,37	3,10
1701 91 00 ⁽²⁾	37,33	6,57
1701 99 10 ⁽²⁾	37,33	3,14
1701 99 90 ⁽²⁾	37,33	3,14
1702 90 99 ⁽³⁾	0,37	0,30

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.

⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 233/2006**of 9 February 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 3 to 9 February 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 10 February 2006.

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

Done at Brussels, 9 February 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 234/2006**of 9 February 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 3 to 9 February 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 30,95 EUR/t and be valid for a total maximum quantity of 70 500 t.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 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 235/2006**of 9 February 2006****concerning tenders notified in response to the invitation to tender for the import of maize issued in Regulation (EC) No 1809/2005**

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 in Portugal from third countries was opened pursuant to Commission Regulation (EC) No 1809/2005 ⁽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 3 to 9 February 2006 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 1809/2005.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 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 291, 5.11.2005, 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 236/2006**of 9 February 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 10 February 2006.

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

Done at Brussels, 9 February 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 9 February 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	3,84
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	3,54
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	3,27
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9180	C01	EUR/t	3,06
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	4,11				

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 237/2006**of 9 February 2006****fixing the maximum export refund on barley in connection with the invitation to tender 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) 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 3 to 9 February 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1058/2005, the maximum refund on exportation of barley shall be 2,95 EUR/t.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 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 amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 238/2006**of 9 February 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 3 to 9 February 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1059/2005, the maximum refund on exportation of common wheat shall be 3,00 EUR/t.

Article 2

This Regulation shall enter into force on 10 February 2006.

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

Done at Brussels, 9 February 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).