COMMISSION REGULATION (EC) No 1242/2006

of 17 August 2006

amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables

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 Article 33(1) thereof,

Whereas:

(1) Article 33(1) Regulation (EC) No 2200/96 clearly sets out the conditions to be fulfilled in order for the Commission to impose additional import duties. For clarity and legal certainty, the same wording should also be used in Article 3(1) of Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables [2].

(2) Regulation (EC) No 1555/96 provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [3].

(3) For the purposes of Article 5(4) of the Agreement on Agriculture [4] concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 2003, 2004 and 2005, the trigger levels for additional duties on apples should be adjusted.

(4) Regulation (EC) No 1555/96 should therefore be amended accordingly.

(5) 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

Article 3(1) of Regulation (EC) No 1555/96 is replaced by the following:

'1. If it is found that, for one of the products and one of the periods listed in the Annex hereto, the quantity put into free circulation exceeds the corresponding triggering volume the Commission shall levy an additional duty unless the imports are unlikely to disturb the Community market, or the effects would be disproportionate to the intended objective.'

Article 2

The Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

Article 3

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

It shall apply from 1 September 2006.

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

Done at Brussels, 17 August 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

---

[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 193, 3.8.1996, p. 1. Regulation as last amended by Regulation (EC) No 808/2006 (OJ L 147, 31.5.2006, p. 9).
[3] OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 402/2006 (OJ L 70, 9.3.2006, p. 35).
[4] OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX

Without prejudice to the rules governing the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation.

Order No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	0702 00 00	Tomatoes	— 1 October to 31 May	260 534
78.0020			— 1 June to 30 September	18 280
78.0065	0707 00 05	Cucumbers	— 1 May to 31 October	9 278
78.0075			— 1 November to 30 April	11 060
78.0085	0709 10 00	Artichokes	— 1 November to 30 June	90 600
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	68 401
78.0110	0805 10 20	Oranges	— 1 December to 31 May	271 073
78.0120	0805 20 10	Clementines	— 1 November to end of February	150 169
78.0130	0805 20 30 0805 20 50 0805 20 70 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	94 492
78.0155	0805 50 10	Lemons	— 1 June to 31 December	301 899
78.0160			— 1 January to 31 May	34 287
78.0170	0806 10 10	Table grapes	— 21 July to 20 November	189 604
78.0175	0808 10 80	Apples	— 1 January to 31 August	922 228
78.0180			— 1 September to 31 December	51 920
78.0220	0808 20 50	Pears	— 1 January to 30 April	263 711
78.0235			— 1 July to 31 December	33 052
78.0250	0809 10 00	Apricots	— 1 June to 31 July	4 569
78.0265	0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	46 088
78.0270	0809 30	Peaches, including nectarines	— 11 June to 30 September	17 411
78.0280	0809 40 05	Plums	— 11 June to 30 September	11 155'