

COMMISSION REGULATION (EC) No 973/2006**of 29 June 2006****amending Regulation (EC) No 1831/96 opening and providing for the administration of Community tariff quotas bound under GATT for certain fruit and vegetables and processed fruit and vegetable products from 1996**

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 34(1) thereof,

Whereas:

- (1) The Agreement in the form of an Exchange of Letters between the European Community and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽²⁾, approved by Council Decision 2006/398/EC ⁽³⁾ and the Agreement in the form of an Exchange of Letters between the European Community and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽⁴⁾, approved by Council Decision 2006/333/EC ⁽⁵⁾, provide for the increasing of existing GATT tariff quotas and for the opening of new ones for certain fruit and vegetables and processed fruit and vegetable products.
- (2) Since the adoption of Commission Regulation (EC) No 1831/96 ⁽⁶⁾, several CN codes listed in Annexes I to III of that Regulation have changed.

- (3) To provide for the modified and new tariff quotas and for the sake of clarity, the Annexes to Regulation (EC) No 1831/96 should be replaced.
- (4) Regulation (EC) No 1831/96 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committees for Fresh Fruit and Vegetables and Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1831/96 is amended as follows:

1. Annex I is replaced by the text in Annex I to this Regulation;
2. Annex II is replaced by the text in Annex II to this Regulation;
3. Annex III is replaced by the text in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 29 June 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 154, 8.6.2006, p. 24.

⁽³⁾ OJ L 154, 8.6.2006, p. 22.

⁽⁴⁾ OJ L 124, 11.5.2006 p. 15.

⁽⁵⁾ OJ L 124, 11.5.2006 p. 13.

⁽⁶⁾ OJ L 243, 24.9.1996 p. 5.

ANNEX I

'ANNEX I

Order No	CN code TARIC subheading	Description (1)	Quota period	Quota volume (tonnes)	Duty rate (%)
09.0055	0701 90 50	Potatoes, fresh or chilled	1 January to 15 May	4 295	3
09.0056	0706 10 00	Carrots and turnips, fresh or chilled	1 January to 31 December	1 244	7
09.0057	0709 60 10	Sweet peppers	1 January to 31 December	500	1,5
09.0035	0712 20 00	Dried onions, whole, cut, sliced, broken or in powder, but not further prepared	1 January to 31 December	12 000	10
09.0041	0802 11 90 0802 12 90	Almonds, fresh or dried, whether or not shelled, other than bitter	1 January to 31 December	90 000	2
09.0039	0805 50 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>)	15 January to 14 June	10 000	6
09.0058	0809 10 00	Apricots, fresh	1 August to 31 May	500	10
09.0092	2008 20 11 2008 20 19 2008 20 31 2008 20 39 2008 20 71 2008 30 11 2008 30 19 2008 30 31 2008 30 39 2008 30 79 2008 40 11 2008 40 19 2008 40 21 2008 40 29 2008 40 31 2008 40 39 2008 50 11 2008 50 19 2008 50 31 2008 50 39 2008 50 51 2008 50 59 2008 50 71 2008 60 11 2008 60 19 2008 60 31 2008 60 39 2008 60 60 2008 70 11 2008 70 19 2008 70 31 2008 70 39 2008 70 51 2008 70 59 2008 80 11 2008 80 19 2008 80 31 2008 80 39 2008 80 70	Preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries	1 January to 31 December	2 838	20

Order No	CN code TARIC subheading	Description ⁽¹⁾	Quota period	Quota volume (tonnes)	Duty rate (%)
09.0093	2009 11 11 2009 11 19 2009 19 11 2009 19 19 2009 29 11 2009 29 19 2009 39 11 2009 39 19 2009 49 11 2009 49 19 2009 79 11 2009 79 19 2009 80 11 2009 80 19 2009 80 35 2009 80 36 2009 80 38 2009 90 11 2009 90 19 2009 90 21 2009 90 29	Fruit juices	1 January to 31 December	7 044	20

⁽¹⁾ The goods descriptions in this Annex are those appearing in the Combined Nomenclature (OJ L 286, 28.10.2005, p. 1), supplemented where necessary by a TARIC code.'

ANNEX II

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Order No.	CN code TARIC subheading	Description ⁽¹⁾	Quota period	Quota volume (tonnes)	Duty rate (%)
09.0025	0805 10 20 11 0805 10 20 92 0805 10 20 96	High quality sweet oranges, fresh	1 February to 30 April	20 000	10
09.0027	0805 20 90 05 0805 20 90 91	Citrus hybrids known as "minneolas"	1 February to 30 April	15 000	2
09.0033	2009 11 99 11 2009 11 99 19	Frozen concentrated orange juice, without added sugar, of a Brix value not exceeding 50, in containers of two litres or less, containing no blood orange juice	1 January to 31 December	1 500	13

⁽¹⁾ The goods descriptions in this Annex are those appearing in the Combined Nomenclature (OJ L 286, 28.10.2005), supplemented where necessary by a TARIC code.

For the purposes of this Annex:

- (a) "high quality sweet oranges" shall mean oranges similar in variety characteristics, ripe, firm and of good shape, of at least good colour, of flexible unrotted structure, and without unhealed cracks in the skin, hard or dry skin, exanthemata, growth tears, contusions (except as caused by normal handling and packaging), damage caused by dryness or humidity, broad or emergent hispids, folds, scars, oil stains, scales, sun marks, dirt or other foreign matter, disease, insects or damage caused by machinery, movement or otherwise; a maximum of 15 % of the fruit in each consignment may not meet this specification, this percentage including at most 5 % of defects amounting to serious damage, and the latter percentage including at most 0,5 % rot;
- (b) "citrus hybrids known as "minneolas" shall mean citrus hybrids of the Minneola variety (*Citrus paradisi* Macf. CV Duncan and *Citrus reticulata blanca* CV Dancy);
- (c) "Frozen concentrated orange juice, of a Brix value not exceeding 50" shall mean orange juice with a density of no more than 1,229 grams per cubic centimetre at 20°C.'

ANNEX III

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Order No	CN code TARIC subheading	Description ⁽¹⁾	Quota period	Quota volume (tonnes)	Duty rate (%)
09.0094	0702 00 00	Tomatoes, fresh or chilled	15 May to 31 October	472	12
09.0059	0707 00 05	Cucumbers, fresh or chilled	1 November to 15 May	1 134	2,5
09.0060	0806 10 10 91 0806 10 10 99	Table grapes, fresh	21 July to 31 October	1 500	9
09.0061	0808 10 80 10 0808 10 80 90	Apples, fresh, other than cider apples	1 April to 31 July	600	0
09.0062	0808 20 50	Pears, fresh, other than perry pears	1 August to 31 December	1 000	5
09.0063	0809 10 00	Apricots, fresh	1 June to 31 July	2 500	10
09.0040	0809 20 95	Fresh (sweet) cherries	21 May to 15 July	800	4

⁽¹⁾ The goods descriptions in this Annex are those appearing in the Combined Nomenclature (OJ L 286, 28.10.2005, p. 1), supplemented where necessary by a TARIC code.'