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*(Acts whose publication is obligatory)*

**Commission Regulation (EC) No 1993/2006****of 21 December 2006**

**laying down transitional measures as regards exports of milk and milk products pursuant to Regulation (EC) No 1282/2006, by reason of the accession of Bulgaria and Romania to the European Union**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 41 thereof,

Whereas:

- (1) Article 3(2) of Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds in the case of milk and milk products<sup>1</sup> provides that, for a refund to be granted, the products must meet the requirements laid down in Regulation (EC) No 853/2004 of the European Parliament and the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>2</sup>. Notably, the products must be prepared in an approved establishment and comply with the health marking requirements specified in Articles 4 and 5 of Regulation (EC) No 853/2004.
- (2) Commission Decision 2006/.../EC (C(2006) 7028) of 22 December 2006 laying down transitional measures for the marketing of certain products of animal origin obtained in Bulgaria and Romania<sup>3</sup> lays down measures to facilitate the transition from the existing regime in Bulgaria and Romania to that resulting from the application of the Community veterinary legislation. According to Article 3 of that Decision, Member States shall authorise trade from 1 January to 31 December 2007 in products which are obtained in establishments in Bulgaria and Romania authorised to export milk

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<sup>1</sup> OJ L 234, 29.8.2006, p. 4.

<sup>2</sup> OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

<sup>3</sup> Not yet published in the Official Journal.

products to the Community before the accession date, provided that the products bear the Community export health mark of the establishment concerned and are accompanied by a document certifying that they have been produced before 1 January 2007.

- (3) It is appropriate to derogate from Regulation (EC) No 1282/2006 and provide that products which comply with Article 3 of Decision 2006/.../EC (C(2006) 7028) and are authorised to be traded for the period from 1 January to 31 December 2007 should be eligible for an export refund.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

By way of derogation from Article 3(2) of Regulation (EC) No 1282/2006, products obtained before the date of accession in establishments of Bulgaria and Romania authorised to export to the Community before the accession date and exported from the Community in the period from the accession date to 31 December 2007 are eligible for an export refund, provided that they meet the requirements of Article 3(a) of Decision 2006/.../EC (C(2006) 7028) and are accompanied by the document set out in Annex II to Commission Decision 2004/438/EC<sup>4</sup> to which the following particulars shall be added:

‘Produced before 1 January 2007, in conformity with Commission Decision 2006/7028/EC’.

#### *Article 2*

This Regulation shall enter into force subject to and on the date of the entry into force of the Treaty of Accession of Bulgaria and Romania.

It shall apply to export declarations accepted from its date of entry into force to 31 December 2007.

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

Done at Brussels, 21 December 2006.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

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<sup>4</sup> OJ L 154, 30.4.2004, p. 72. Corrected version in OJ L 189, 27.5.2004, p. 57.