

KOMMISSIONENS FORORDNING (EF) Nr. 1375/2007
af 23. november 2007
om indførsel af restprodukter fra fremstilling af majsstivelse fra USA
(kodificeret udgave)

KOMMISSIONEN FOR DE EUROPÆISKE FÆLLESSKABER HAR —

under henvisning til traktaten om oprettelse af Det Europæiske Fællesskab,

under henvisning til Rådets forordning (EF) nr. 1784/2003 af 29. september 2003 om den fælles markedsordning for korn ⁽¹⁾, særlig artikel 9, stk. 2, og

ud fra følgende betragtninger:

- (1) Kommissionens forordning (EF) nr. 2019/94 af 2. august 1994 om indførsel af restprodukter fra fremstilling af majsstivelse fra USA ⁽²⁾ er blevet ændret væsentligt ved flere lejligheder ⁽³⁾. Forordningen bør af klarheds- og rationaliseringshensyn kodificeres.
- (2) Som led i GATT har Fællesskabet og USA vedtaget at præcisere tolddefinitionen af restprodukter fra fremstilling af majsstivelse. Når sådanne produkter indføres til Fællesskabet, underkastes de en laboratorieanalyse for at fastslå deres overensstemmelse med tolddefinitionen. Det amerikanske landbrugsministerium Federal Grain Inspection Service (FGIS) og den amerikanske vådmølleindustri, der er under regelmæssigt tilsyn af de amerikanske myndigheder, certificerer, at de produkter, der indføres fra USA til Fællesskabet, svarer til den aftalte definition.
- (3) På grundlag af certifikater for kontrol af importprodukter fra USA bør de sædvanlige kontrolforanstaltninger fortsat anvendes på importprodukter fra USA, der ledsages af sådanne certifikater.

(4) Medlemsstaternes regelmæssige fremsendelse til Kommissionen af oplysninger om mængder og værdi af produkter, der indføres med sådanne certifikater, udgør et af de med USA aftalte elementer, der vil muliggøre en effektiv kontrol af gennemførelsen af den pågældende aftale.

(5) De i denne forordning fastsatte foranstaltninger er i overensstemmelse med udtalelse fra Forvaltningskomiteén for Korn —

UDSTEDT FØLGENDE FORORDNING:

Artikel 1

1. Ved hjælp af laboratorieanalyser fastslås det, at restprodukter fra fremstilling af majsstivelse, henhørende under KN-kode 2309 90 20, der indføres fra USA til Fællesskabet, er i overensstemmelse med definitionen, for så vidt angår de forsendelser, der ikke ledsages af et af Federal Grain Inspection Service (FGIS) udstedt certifikat og et af vådmølleindustrien i USA udstedt certifikat, jf. bilag I.

2. For forsendelser fra USA, der ledsages af de to certifikater nævnt i stk. 1, foretages de sædvanlige importkontrolforanstaltninger.

Artikel 2

Inden udgangen af hver måned underretter medlemsstaterne Kommissionen om mængderne og værdien af de produkter, henhørende under KN-kode 2309 90 20, der blev indført den foregående måned, og som var ledsaget af de i artikel 1, stk. 1, nævnte certifikater.

Artikel 3

Forordning (EF) nr. 2019/94 ophæves.

⁽¹⁾ EUT L 270 af 21.10.2003, s. 78. Senest ændret ved forordning (EF) nr. 735/2007 (EUT L 169 af 29.6.2007, s. 6).

⁽²⁾ EFT L 203 af 6.8.1994, s. 5. Senest ændret ved forordning (EF) nr. 2060/2002 (EFT L 317 af 21.11.2002, s. 20).

⁽³⁾ Se bilag II.

Henvisninger til den ophævede forordning gælder som henvisninger til nærværende forordning og læses efter sammenligningstabellen i bilag III.

Artikel 4

Denne forordning træder i kraft på tyvendedagen efter offentliggørelsen i *Den Europæiske Unions Tidende*.

Denne forordning er bindende i alle enkeltheder og gælder umiddelbart i hver medlemsstat.

Udfærdiget i Bruxelles, den 23. november 2007.

På Kommissionens vegne

José Manuel BARROSO

Formand

BILAG I

OMB NO.: 0580-0013
(For additional OMB information see reverse.)



U.S. DEPARTMENT OF AGRICULTURE
FEDERAL GRAIN INSPECTION SERVICE

ORIGINAL NOT
NEGOTIABLE

COMMODITY INSPECTION CERTIFICATE

B - 21646

DATE OF ISSUANCE	ISSUED AT	LEVEL OF INSPECTION
APPLICANT		LOCATION OF COMMODITY
IDENTIFICATION		QUANTITY AND CONTAINER

VOID

I CERTIFY THAT THE SERVICES SPECIFIED ABOVE WERE PERFORMED WITH THE RESULTS STATED.	INSPECTOR
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This certificate is issued under the authority of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), and the regulations thereunder (7 CFR 68.1 et seq.), and is receivable in all courts of the United States as prima facie evidence of the truth of the statements therein contained. This certificate does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

WARNING: Sec. 203(h) of the Agricultural Marketing Act of 1946 provides that anyone who shall knowingly falsely make, issue, alter, forge, or counterfeit any official certificate, or aid, assist, or be a party to such actions, is subject to a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both.

The conduct of all services and the licensing of inspection/grading/sampling personnel under the regulations governing such services shall be accomplished without discrimination as to race, color, religion, sex, national origin, age, or handicap.

FORM FGIS-992 (1-92) Replaces Form FGIS-993 (6-91) which may be used.

Public reporting burden for this collection of information is estimated to average 82.03 hrs. per recordkeeper, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to USDA, OIRM, Clearance Officer, Room 404-W, Washington, DC 20250. When replying refer to the OMB Number and Form Number in your letter.

FORMFCIS-993 (1-92) Reverse



U.S. DEPARTMENT OF AGRICULTURE
FEDERAL GRAIN INSPECTION SERVICE

ORIGINAL NOT
NEGOTIABLE

**COMMODITY CERTIFICATE SUBMITTED
SAMPLE INSPECTION**

A-00403

DATE OF ISSUANCE	ISSUED AT	LEVEL OF INSPECTION
COMMODITY	QUANTITY IN SAMPLE	
IDENTIFICATION OF SAMPLE	SAMPLE SUBMITTED BY	

**VOID
NOT OFFICIALLY SAMPLED**

RESULTS OF THE ABOVE INSPECTION APPLY ONLY TO THE QUANTITY OF SAMPLE INDICATED AND NOT TO THE COMMODITY FROM WHICH THE SAMPLE MAY HAVE BEEN TAKEN.

CERTIFY THAT THE SERVICES SPECIFIED ABOVE WERE
PERFORMED WITH THE RESULTS STATED.

INSPECTOR

This certificate is issued under the authority of the Agricultural Marketing Act of 1946, as amended (7 U. S. C. 1621 et. seq.), and the regulations thereunder (7 CFR 68.1 et. seq.), and is receivable in all courts of the United States as prima facie evidence of the truth of the statements therein contained. This certificate does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

WARNING: Sec. 203(h) of the Agricultural Marketing Act of 1946 provides that anyone who shall knowingly falsely make, issue, after, forge, or counterfeit any official certificate, or aid, assist, or be a party to such actions, is subject to a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both.

The conduct of all services and the licensing of inspecting/grading/sampling personnel under the regulations governing such services shall be accomplished without discrimination as to race, color, religion, sex, national origin, age, or handicap.

CORN REFINERS ASSOCIATION, INC.
Washington, D.C.

Certificate of Conformity

On behalf of the Corn Refiners Association, Inc., the undersigned confirms receipt of Producer's Certificates affirming that _____ of corn gluten feed (CN 2309 9020:

Quantity (Metric Tons)

residues from the manufacture of starch from maize) aboard the vessel _____, departing the United

Name of Vessel

States on or about _____, (I) were obtained

Date

From the wet-mill maize-refining process, (II), contain not more than: (a) 28 percent starch content (dry basis), (b) 40 percent protein content (dry basis), (c) 4.5 percent fat (dry basis, as measured by test method A of the Directive 84/4/EEC of 20 December 1983), and (d) 15 percent by weight screenings/cleanings from corn subsequently used for the manufacture of starch and starch products, it being understood that, for the use of yellow number 2 corn, the figure is up to 10 percent, **AND (III)** may contain residues from steepwater derived from the wet milling process and used in the manufacture of alcohol or other starch derived products which utilize steepwater as part of their manufacturing process and which were in existence in 1992, (the presence of which does not result in an increase in the feed value of the corn gluten feed).

Signature

Issue Date

Association Services Group/VERIS Consulting, LLC
11710 Plaza America Drive
Suite 300
Reston, VA 20190-4745

The Corn Refiners Association, Inc., 1701 Pennsylvania Ave., N.W., Washington, D.C. 20006, provides blank Producer's Certificates upon request to any corn wet milling company operating in the United States. The Corn Refiners Association, Inc., provides these certificates as a service to facilitate the export of U.S. corn gluten feed to the European Union. The Corn Refiners Association, Inc., has retained Association Services Group, a practice of the independent firm of VERIS Consulting, LLC and Johnson Lambert & Co., to verify the Association's receipt of these Producer's Certificates on a per vessel basis, as gathered and submitted by shipping companies conveying corn gluten feed to any Member State of the Union. This is neither a weight certificate for commercial trade purposes, nor an independent certification of product quality by either the Corn Refiners Association, Inc., or VERIS Consulting, LLC; it is intended solely to describe product that has been certified by producers and any commercial handlers for customs clearance purposes.

AUDIT CONTROL NO. 0001 RR

BILAG II

Ophævet forordning med oversigt over ændringer

Kommissionens forordning (EF) nr. 2019/94	(EFT L 203 af 6.8.1994, s. 5)
Kommissionens forordning (EF) nr. 396/96	(EFT L 54 af 5.3.1996, s. 22)
Kommissionens forordning (EF) nr. 2060/2002 ⁽¹⁾	(EFT L 317 af 21.11.2002, s. 20)

⁽¹⁾ I henhold til artikel 2, stk. 1, i forordning (EF) nr. 2060/2002: »De certifikater, der i overensstemmelse med forordning (EF) nr. 2019/94 er udstedt inden nærværende forordnings ikrafttræden, er fortsat gyldige«.

BILAG III

Sammenligningstabel

Forordning (EF) nr. 2019/94	Nærværende forordning
Artikel 1	Artikel 1
Artikel 2	Artikel 2
—	Artikel 3
Artikel 3	Artikel 4
Bilag	Bilag I
—	Bilag II
—	Bilag III