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## I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

## REGULATIONS

## COUNCIL REGULATION (EC) No 1107/2007

of 26 September 2007

**derogating from Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, as regards set-aside for the year 2008**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 37(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) Article 54 of Council Regulation (EC) No 1782/2003<sup>(1)</sup> provides that, in order to qualify for a payment under the single payment scheme, any set-aside entitlement must be accompanied by a hectare of land set aside from production.

(2) At the beginning of the 2007/2008 marketing year the cereals market is experiencing exceptionally high prices, both at Community and world level. The low level of Community 2006/2007 closing stocks was a consequence of a smaller than expected 2006 harvest. There is considerable uncertainty as regards the rebuilding of those stocks, given the preliminary forecasts for the 2007 harvest. On the international market, closing stocks in

2007/2008 are expected to fall to a historically low level, especially in the major exporting countries. Against this backdrop, even if the 2008 harvest were normal, stocks would not increase significantly, while a poor harvest would expose the internal market to potentially serious risks. Furthermore, cereals prices and stocks have a significant impact on the availability and prices of other arable crops, such as oilseeds and protein crops, and on the livestock sector, which contributes to the risk of the crisis extending to these other sectors.

(3) It is therefore appropriate, for 2008, to allow the use of set-aside land for agricultural purposes.

(4) Given the urgency of the matter, it is imperative to grant an exception to the six-week period referred to in paragraph I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

HAS ADOPTED THIS REGULATION:

*Article 1*

By way of derogation from Article 54(3) of Regulation (EC) No 1782/2003, for 2008, farmers shall not be obliged, in order to be entitled to the amount fixed by the set-aside entitlements, to set aside from production hectares eligible for those entitlements.

*Article 2*

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

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 552/2007 (OJ L 131, 23.5.2007, p. 10).

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

Done at Brussels, 26 September 2007.

*For the Council*

*The President*

J. SILVA

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**COMMISSION REGULATION (EC) No 1108/2007**  
**of 27 September 2007**  
**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 <sup>(1)</sup>, 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 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*  
Jean-Luc DEMARTY  
*Director-General for Agriculture and Rural Development*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

## ANNEX

**to Commission Regulation of 27 September 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MK	49,5
	TR	94,4
	XS	52,8
	ZZ	65,6
0707 00 05	JO	151,2
	MK	27,9
	TR	111,2
	ZZ	96,8
0709 90 70	IL	51,9
	TR	109,1
	ZZ	80,5
0805 50 10	AR	70,8
	TR	87,8
	UY	47,0
	ZA	67,8
	ZZ	68,4
0806 10 10	IL	284,6
	TR	111,8
	US	284,6
	ZZ	227,0
0808 10 80	AR	83,4
	AU	151,4
	CL	88,7
	CN	79,8
	MK	29,7
	NZ	99,3
	US	96,2
	ZA	79,4
	ZZ	88,5
0808 20 50	CN	68,8
	TR	118,5
	ZA	85,7
	ZZ	91,0
0809 30 10, 0809 30 90	TR	146,9
	US	160,3
	ZZ	153,6
0809 40 05	IL	118,5
	ZZ	118,5

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1109/2007****of 27 September 2007****fixing the representative prices and additional import duties for certain products in the sugar sector  
in the 2007/2008 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular Article 27(2) thereof,

Whereas:

- (1) Pursuant to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>, the cif import prices for raw sugar and white sugar. Those prices are fixed for the standard qualities defined in Annex I(II) and III to Regulation (EC) No 318/2006.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 23 of Regulation (EC) No 951/2006, except in the cases provided for in Article 24 of that Regulation.
- (3) For the purpose of adjusting prices not relating to the standard quality, the price increases or reductions referred to in Article 26(1)(a) of Regulation (EC) No 915/2006 must be applied to the offers taken into consideration in

the case of white sugar. In the case of raw sugar, the corrective factors provided for in point (b) of that paragraph must be applied.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 39 of Regulation (EC) No 951/2006.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with the second paragraph of Article 36 of Regulation (EC) No 951/2006.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24. Regulation as last amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

## ANNEX

**Representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 1 October 2007**

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 <sup>(1)</sup>	20,08	6,26
1701 11 90 <sup>(1)</sup>	20,08	11,89
1701 12 10 <sup>(1)</sup>	20,08	6,07
1701 12 90 <sup>(1)</sup>	20,08	11,37
1701 91 00 <sup>(2)</sup>	19,69	16,62
1701 99 10 <sup>(2)</sup>	19,69	11,18
1701 99 90 <sup>(2)</sup>	19,69	11,18
1702 90 99 <sup>(3)</sup>	0,20	0,44

<sup>(1)</sup> Fixed for the standard quality defined in Annex LIII to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).

<sup>(2)</sup> Fixed for the standard quality defined in Annex LII to Regulation (EC) No 318/2006.

<sup>(3)</sup> Fixed per 1 % sucrose content.

**COMMISSION REGULATION (EC) No 1110/2007****of 27 September 2007****fixing the representative prices and the additional import duties for molasses in the sugar sector applicable from 1 October 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in sugar <sup>(1)</sup>, and in particular Article 27(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>, stipulates that the cif import price for molasses is to be considered the representative price. That price is fixed for the standard quality defined in Article 27 of Regulation (EC) No 951/2006.
- (2) For the purpose of fixing the representative prices, account must be taken of all the information provided for in Article 29 of Regulation (EC) No 951/2006, except in the cases provided for in Article 30 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 33 of Regulation (EC) No 951/2006.
- (3) Prices not referring to the standard quality should be adjusted upwards or downwards, according to the

quality of the molasses offered, in accordance with Article 32 of Regulation (EC) No 951/2006.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 39 of Regulation (EC) No 951/2006. Should the import duties be suspended pursuant to Article 40 of Regulation (EC) No 951/2006, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Article 34 of Regulation (EC) No 951/2006.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 34 of Regulation (EC) No 951/2006 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24. Regulation as last amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

## ANNEX

**Representative prices and additional duties for imports of molasses in the sugar sector applicable from 1 October 2007**

(EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 40 of Regulation (EC) No 951/2006 <sup>(1)</sup>
1703 10 00 <sup>(2)</sup>	7,22	0	—
1703 90 00 <sup>(2)</sup>	9,91	—	0

<sup>(1)</sup> This amount replaces, in accordance with Article 40 of Regulation (EC) No 951/2006, the rate of the Common Customs Tariff duty fixed for these products.

<sup>(2)</sup> For the standard quality as defined in Article 27 of Regulation (EC) No 951/2006.

**COMMISSION REGULATION (EC) No 1111/2007****of 27 September 2007****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector<sup>(1)</sup>, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

## ANNEX

**Export refunds on white and raw sugar exported without further processing applicable from 28 September 2007 <sup>(a)</sup>**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	31,34 <sup>(1)</sup>
1701 11 90 9910	S00	EUR/100 kg	31,34 <sup>(1)</sup>
1701 12 90 9100	S00	EUR/100 kg	31,34 <sup>(1)</sup>
1701 12 90 9910	S00	EUR/100 kg	31,34 <sup>(1)</sup>
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3407
1701 99 10 9100	S00	EUR/100 kg	34,07
1701 99 10 9910	S00	EUR/100 kg	34,07
1701 99 10 9950	S00	EUR/100 kg	34,07
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,3407

NB: The destinations are defined as follows:

S00 — All destinations with the exception of:

- (a) third countries: Albania, Croatia, Bosnia-Herzegovina, Montenegro, Serbia, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Liechtenstein and the Holy See (Vatican City State);
- (b) territories of the EU Member States not forming part of the customs territory of the Community: Gibraltar, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

<sup>(a)</sup> The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

<sup>(1)</sup> This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex 1 of Regulation (EC) No 318/2006.

**COMMISSION REGULATION (EC) No 1112/2007****of 27 September 2007****fixing the export refunds on syrups and certain other sugar products exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector <sup>(1)</sup>, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(c), (d) and (g) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed

rules for the implementation of Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>.

- (5) Export refunds may be set to cover the competitive gap between Community and third country's exports. Community exports to certain close destinations and to third countries granting Community products a preferential import treatment are currently in a particular favourable competitive position. Therefore, refunds for exports to those destinations should be abolished.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.
2. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

## ANNEX

**Export refunds on syrups and certain other sugar products exported without further processing applicable from 28 September 2007 <sup>(a)</sup>**

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	34,07
1702 60 10 9000	S00	EUR/100 kg dry matter	34,07
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3407
1702 90 30 9000	S00	EUR/100 kg dry matter	34,07
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3407
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3407
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,3407 <sup>(1)</sup>
2106 90 30 9000	S00	EUR/100 kg dry matter	34,07
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3407

NB: The destinations are defined as follows:

S00 — All destinations with the exception of:

- (a) third countries: Albania, Croatia, Bosnia-Herzegovina, Montenegro, Serbia, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Liechtenstein and the Holy See (Vatican City State);
- (b) territories of the EU Member States not forming part of the customs territory of the Community: Gibraltar, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

<sup>(a)</sup> The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

<sup>(1)</sup> The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

**COMMISSION REGULATION (EC) No 1113/2007****of 27 September 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 900/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 900/2007 of 27 July 2007 on a standing invitation to tender to determine refunds on exports of white sugar for the 2007/2008 marketing year <sup>(2)</sup> requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 900/2007 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 27 September 2007, it is appropriate to fix a maximum export refund for that partial invitation to tender.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the partial invitation to tender ending on 27 September 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 900/2007 shall be 39,069 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

<sup>(2)</sup> OJ L 196, 28.7.2007, p. 26.

**COMMISSION REGULATION (EC) No 1114/2007****of 27 September 2007****establishing that no award shall be made in the framework of the standing invitation to tender of white sugar provided for in Regulation (EC) No 38/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 38/2007 of 17 January 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden <sup>(2)</sup> requires the issuing of partial invitations to tender.

- (2) Pursuant to Article 4(1) of Regulation (EC) No 38/2007 and following an examination of the tenders submitted in response to the partial invitation to tender ending on 26 September 2007, it is appropriate to decide that no award shall be made for that partial invitation to tender.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the partial invitation to tender ending on 26 September 2007, for the product referred to in Article 1(1) of Regulation (EC) No 38/2007, no award shall be made.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1.

<sup>(2)</sup> OJ L 11, 18.1.2007, p. 4.

## COMMISSION REGULATION (EC) No 1115/2007

of 27 September 2007

## fixing the export refunds on products processed from cereals and rice

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 <sup>(1)</sup>, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice <sup>(2)</sup>, and in particular Article 14(3) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 1784/2003 and Article 14 of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 14 of Regulation (EC) No 1785/2003 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 2 of Commission Regulation (EC) No 1518/95 <sup>(3)</sup> on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 1549/2004 (OJ L 280, 31.8.2004, p. 13).

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 55. Regulation as last amended by Regulation (EC) No 2993/95 (OJ L 312, 23.12.1995, p. 25).

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) 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.

(7) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinised starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*  
Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

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## ANNEX

## to Commission Regulation of 27 September 2007 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 <sup>(1)</sup>	C10	EUR/t	5,28	1104 23 10 9300	C10	EUR/t	4,34
1102 20 10 9400 <sup>(1)</sup>	C10	EUR/t	4,52	1104 29 11 9000	C10	EUR/t	0,00
1102 20 90 9200 <sup>(1)</sup>	C10	EUR/t	4,52	1104 29 51 9000	C10	EUR/t	0,00
1102 90 10 9100	C10	EUR/t	0,00	1104 29 55 9000	C10	EUR/t	0,00
1102 90 10 9900	C10	EUR/t	0,00	1104 30 10 9000	C10	EUR/t	0,00
1102 90 30 9100	C10	EUR/t	0,00	1104 30 90 9000	C10	EUR/t	0,94
1103 19 40 9100	C10	EUR/t	0,00	1107 10 11 9000	C10	EUR/t	0,00
1103 13 10 9100 <sup>(1)</sup>	C10	EUR/t	6,79	1107 10 91 9000	C10	EUR/t	0,00
1103 13 10 9300 <sup>(1)</sup>	C10	EUR/t	5,28	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 <sup>(1)</sup>	C10	EUR/t	4,52	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 <sup>(1)</sup>	C10	EUR/t	4,52	1108 12 00 9200	C10	EUR/t	6,03
1103 19 10 9000	C10	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	6,03
1103 19 30 9100	C10	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	6,03
1103 20 60 9000	C10	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	6,03
1103 20 20 9000	C10	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	0,00
1104 19 69 9100	C10	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	0,00
1104 12 90 9100	C10	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C10	EUR/t	0,00	1702 30 51 9000 <sup>(2)</sup>	C10	EUR/t	5,91
1104 19 10 9000	C10	EUR/t	0,00	1702 30 59 9000 <sup>(2)</sup>	C10	EUR/t	4,52
1104 19 50 9110	C10	EUR/t	6,03	1702 30 91 9000	C10	EUR/t	5,91
1104 19 50 9130	C10	EUR/t	4,90	1702 30 99 9000	C10	EUR/t	4,52
1104 29 01 9100	C10	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	4,52
1104 29 03 9100	C10	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	5,91
1104 29 05 9100	C10	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	4,52
1104 29 05 9300	C10	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	6,19
1104 22 20 9100	C10	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	4,30
1104 22 30 9100	C10	EUR/t	0,00	2106 90 55 9000	C14	EUR/t	4,52
1104 23 10 9100	C10	EUR/t	5,66				

<sup>(1)</sup> No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

<sup>(2)</sup> Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

The other destinations are as follows:

C10: All destinations

C14: All destinations except for Switzerland and Liechtenstein.

**COMMISSION REGULATION (EC) No 1116/2007**  
**of 27 September 2007**  
**fixing the export refunds on cereal-based compound feedingstuffs**

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 <sup>(1)</sup>, 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 within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice <sup>(2)</sup> in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) 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 compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 147, 30.6.1995, p. 51.

## ANNEX

**to the Commission Regulation of 27 September 2007 fixing the export refunds on cereal-based compound feedingstuffs**

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,  
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,  
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,  
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

C10: All destinations.

**COMMISSION REGULATION (EC) No 1117/2007**  
**of 27 September 2007**  
**fixing production refunds on cereals**

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 <sup>(1)</sup>, and in particular Article 8(2) thereof,

Whereas:

(1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively <sup>(2)</sup> lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

(2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.

(3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 0,00 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 0,00 for potato starch.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1950/2005 (OJ L 312, 29.11.2005, p. 18).

**COMMISSION REGULATION (EC) No 1118/2007****of 27 September 2007****amending Regulation (EC) No 1555/96 as regards the trigger levels for additional duties on tomatoes**

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 <sup>(1)</sup>, and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables <sup>(2)</sup> 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 <sup>(3)</sup>.

(2) For the purposes of Article 5(4) of the Agreement on Agriculture <sup>(4)</sup> concluded during the Uruguay Round of

multilateral trade negotiations and in the light of the latest data available for 2004, 2005 and 2006, the trigger levels for additional duties on tomatoes.

(3) As a result, Regulation (EC) No 1555/96 should be amended.

(4) 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*

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

*Article 2*

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

It shall apply from 1 October 2007.

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

Done at Brussels, 27 September 2007.

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

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 193, 3.8.1996, p. 1. Regulation as last amended by Regulation (EC) No 977/2007 (OJ L 217, 22.8.2007, p. 9).

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

<sup>(4)</sup> 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.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	0702 00 00	Tomatoes	— 1 October to 31 May	325 606
78.0020			— 1 June to 30 September	25 103
78.0065	0707 00 05	Cucumbers	— 1 May to 31 October	3 462
78.0075			— 1 November to 30 April	7 332
78.0085	0709 90 80	Artichokes	— 1 November to 30 June	5 770
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	37 250
78.0110	0805 10 20	Oranges	— 1 December to 31 May	271 744
78.0120	0805 20 10	Clementines	— 1 November to end of February	116 637
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	91 359
78.0155	0805 50 10	Lemons	— 1 June to 31 December	326 811
78.0160			— 1 January to 31 May	61 504
78.0170	0806 10 10	Table grapes	— 21 July to 20 November	70 731
78.0175	0808 10 80	Apples	— 1 January to 31 August	882 977
78.0180			— 1 September to 31 December	78 670
78.0220	0808 20 50	Pears	— 1 January to 30 April	239 427
78.0235			— 1 July to 31 December	35 716
78.0250	0809 10 00	Apricots	— 1 June to 31 July	14 163
78.0265	0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	114 530
78.0270	0809 30	Peaches, including nectarines	— 11 June to 30 September	11 980
78.0280	0809 40 05	Plums	— 11 June to 30 September	5 806'

## COMMISSION REGULATION (EC) No 1119/2007

of 27 September 2007

**derogating from Regulation (EC) No 581/2004 opening a standing invitation to tender for export refunds concerning certain types of butter and from Regulation (EC) No 582/2004 opening a standing invitation to tender for exports refunds concerning skimmed milk powder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 31(3)(b) and 14 thereof,

Whereas:

(1) The present situation on the market for milk and milk products has allowed Commission Regulation (EC) No 660/2007 of 14 June 2007 fixing the export refunds for milk and milk products <sup>(2)</sup> not to provide for export refunds from 15 June 2007. This situation is likely to remain for some months.

(2) Article 2(2) of Commission Regulation (EC) No 581/2004 <sup>(3)</sup> and Article 2(2) of Commission Regulation (EC) No 582/2004 <sup>(4)</sup>, lay down the application period for tender export refund certificates for butter and skimmed milk powder. Given the current market situation and with a view to avoid unnecessary administrative procedures and charges it is appropriate and found sufficient to have one single tender application period per month in the last quarter of 2007.

(3) It is therefore necessary to derogate from Regulations (EC) No 581/2004 and (EC) No 582/2004.

(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 2(2) of Regulation (EC) No 581/2004, the tendering periods for the months October to December 2007 shall be the following:

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 155, 15.6.2007, p. 26.

<sup>(3)</sup> OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 276/2007 (OJ L 76, 16.3.2007, p. 16).

<sup>(4)</sup> OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 276/2007.

(a) for October 2007 the tendering period shall begin on 9 and end on 16 October;

(b) for November 2007 the tendering period shall begin on 6 and end on 13 November;

(c) for December 2007 the tendering period shall begin on 4 and end on 11 December.

If the starting date is a public holiday, the period shall begin on the following working day. If the end date is a public holiday, it shall end on the previous working day.

Tendering periods shall start and end at 13:00 (Brussels time).

*Article 2*

By way of derogation from Article 2(2) of Regulation (EC) No 582/2004, the tendering periods for the months October to December 2007 shall be the following:

(a) for October 2007 the tendering period shall begin on 9 and end on 16 October;

(b) for November 2007 the tendering period shall begin on 6 and end on 13 November;

(c) for December 2007 the tendering period shall begin on 4 and end on 11 December.

If the starting date is a public holiday, the period shall begin on the following working day. If the end date is a public holiday, it shall end on the previous working day.

Tendering periods shall start and end at 13:00 (Brussels time).

*Article 3*

Member States shall inform the operators of the new dates by the means which they consider the most appropriate.

*Article 4*

This Regulation shall enter into force on the third 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, 27 September 2007.

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

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## COMMISSION REGULATION (EC) No 1120/2007

of 27 September 2007

**fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds <sup>(2)</sup>, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

(4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to

those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter <sup>(3)</sup>, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(8) 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*

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

<sup>(3)</sup> OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 96/2007 (OJ L 25, 1.2.2007, p. 6).

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*  
Heinz ZOUREK  
*Director-General Enterprise and Industry*

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## ANNEX

**Rates of the refunds applicable from 28 September 2007 to certain milk products exported in the form of goods not covered by Annex I to the Treaty <sup>(1)</sup>**

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	0,00	0,00
	(b) on exportation of other goods	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	0,00	0,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	0,00	0,00
	(c) on exportation of other goods	0,00	0,00

<sup>(1)</sup> The rates set out in this Annex are not applicable to exports to

- a) third countries: Andorra, the Holy See (Vatican City State), Liechtenstein, the United States of America and the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.
- b) territories of EU Member States not forming part of the customs territory of the Community: Gibraltar, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

## COMMISSION REGULATION (EC) No 1121/2007

of 27 September 2007

**fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty**

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 <sup>(1)</sup>, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice <sup>(2)</sup>, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds <sup>(3)</sup>, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-

term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC <sup>(4)</sup>, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 <sup>(5)</sup>, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

<sup>(3)</sup> OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

<sup>(4)</sup> OJ L 275, 29.9.1987, p. 36.

<sup>(5)</sup> OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1584/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 27 September 2007.

*For the Commission*  
Heinz ZOUREK  
*Director-General Enterprise and Industry*

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## ANNEX

**Rates of the refunds applicable from 28 September 2007 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (\*)**

CN code	Description of products <sup>(1)</sup>	Rate of refund per 100 kg of basic product <sup>(EUR/100 kg)</sup>	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies <sup>(2)</sup>	—	—
	– – where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies <sup>(2)</sup>	0,377	0,377
	– – where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– – in other cases	0,377	0,377
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 <sup>(4)</sup> :		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies <sup>(2)</sup>	0,283	0,283
	– – where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– – in other cases	0,283	0,283
	– – where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– other (including unprocessed)	0,377	0,377
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies <sup>(2)</sup>	0,377	0,377
	– where goods falling within subheading 2208 <sup>(3)</sup> are exported	—	—
	– in other cases	0,377	0,377

(\*) The rates set out in this Annex are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein.

(EUR/100 kg)

CN code	Description of products <sup>(1)</sup>	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

<sup>(1)</sup> As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients set out in Annex V to Commission Regulation (EC) No 1043/2005 is applicable.

<sup>(2)</sup> The goods concerned fall under CN code 3505 10 50.

<sup>(3)</sup> Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

<sup>(4)</sup> For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund relates only to the glucose syrup.

**COMMISSION REGULATION (EC) No 1122/2007****of 27 September 2007****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector<sup>(1)</sup>, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds<sup>(2)</sup>, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods

may not exceed the refund applicable to that product when exported without further processing.

- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 September 2007.

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

Done at Brussels, 27 September 2007.

*For the Commission*

Heinz ZOUREK

*Director-General Enterprise and Industry*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

<sup>(2)</sup> OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

## ANNEX

**Rates of refunds applicable from 28 September 2007 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty <sup>(1)</sup>**

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	34,07	34,07

<sup>(1)</sup> The rates set out in this Annex are not applicable to exports to

- a) third countries: Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Holy See (Vatican City State), Liechtenstein and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.
- b) territories of EU Member States not forming part of the customs territory of the Community: Gibraltar, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

**COMMISSION REGULATION (EC) No 1123/2007****of 27 September 2007****on the issue of licences for importing rice under the tariff quotas opened for the September 2007 subperiod by Regulation (EC) No 327/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the markets in rice <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice <sup>(3)</sup>, and in particular the first subparagraph of Article 5 thereof,

Whereas:

- (1) Regulation (EC) No 327/98 opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex IX to the Regulation.
- (2) September is the fourth subperiod for the quota laid down in Article 1(1)(a) of Regulation (EC) No 327/98, the third subperiod for the quotas laid down in Article 1(1)(d) and the first subperiod for the quota laid down in Article 1(1)(e).
- (3) The notifications presented under Article 8(a) of Regulation (EC) No 327/98 show that, for the quotas with serial numbers 09.4130, 09.4117, 09.4118, 09.4119 and 09.4168, the applications lodged in the first 10 working days of September 2007 under Article 4(1) of the Regulation cover a quantity greater than that

available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested under the quota[s] in question.

- (4) It is also clear from the notifications that, for the quotas with serial numbers 09.4127, 09.412, 09.4129 and 09.4112, the applications lodged in the first 10 working days of September 2007 under Article 4(1) of the Regulation (EC) No 327/98, cover a quantity less than or equal to that available.
- (5) The quantities not used for the September subperiod of the quotas with serial numbers 09.4127, 09.4128 and 09.4129 are transferred to the quota with serial number 09.4138 for the following subperiod under Article 2 of Regulation (EC) No 327/98.
- (6) The total quantities available for the following subperiod should therefore be fixed for the quotas with serial numbers 09.4138 and 09.4168, in accordance with the first subparagraph of Article 5 of Regulation (EC) No 327/98,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For import licence applications for rice under the quotas with serial numbers 09.4130, 09.4117, 09.4118, 09.4119 and 09.4168 as referred to in Regulation (EC) No 327/98 lodged in the first 10 working days of September 2007, licences shall be issued for the quantities requested, multiplied by the allocation coefficients set out in the Annex to this Regulation.

2. The total quantities available under the quotas with serial numbers 09.4138 and 09.4168 as referred to in Regulation (EC) No 327/98 for the following subperiod are set out in the Annex to this Regulation.

*Article 2*

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

<sup>(1)</sup> OJ L 270, 21.10.2003, p. 96. Regulation as amended by Commission Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

<sup>(3)</sup> OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Commission Regulation (EC) No 2019/2006 (OJ L 384, 29.12.2006, p. 48).

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

Done at Brussels, 27 September 2007.

*For the Commission*  
Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

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## ANNEX

Quantities to be allocated for the September 2007 subperiod and quantities available for the following subperiod under Regulation (EC) No 327/98:

- (a) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(a) of Regulation (EC) No 327/98:

Origin	Serial number	Allocation coefficient for September 2007 subperiod	Total quantities available for September 2007 subperiod (kg)
United States of America	09.4127	— <sup>(2)</sup>	
Thailand	09.4128	— <sup>(2)</sup>	
Australia	09.4129	— <sup>(2)</sup>	
Other origins	09.4130	83,630141 %	
All countries	09.4138		16 206 129

- (b) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 40 provided for in Article 1(1)(d) of Regulation (EC) No 327/98:

Origin	Serial number	Allocation coefficient for September 2007 subperiod
Thailand	09.4112	— <sup>(2)</sup>
United States of America	09.4116	— <sup>(3)</sup>
India	09.4117	19,261642 %
Pakistan	09.4118	33,333333 %
Other origins	09.4119	20,000000 %
All countries	09.4166	— <sup>(3)</sup>

- (c) Quota for broken rice falling within CN code 1006 40 provided for in Article 1(1)(c) of Regulation (EC) No 327/98:

Origin	Serial number	Allocation coefficient for September 2007 subperiod	Total quantities available for October 2007 subperiod (kg)
All countries	09.4168	1,505425 %	0

<sup>(1)</sup> No allocation coefficient for this subperiod: no licence applications were sent to the Commission.

<sup>(2)</sup> Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.

<sup>(3)</sup> No quantity available for this subperiod.

## II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

## DECISIONS

## COUNCIL

## COUNCIL DECISION

of 26 September 2007

appointing a Latvian member of the European Economic and Social Committee

(2007/620/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to Council Decision 2006/524/EC, Euratom of 11 July 2006 appointing Czech, German, Estonian, Spanish, French, Italian, Latvian, Lithuanian, Luxembourg, Hungarian, Maltese, Austrian, Slovenian and Slovak members of the European Economic and Social Committee for the period from 21 September 2006 to 20 September 2010 <sup>(1)</sup>,

Having regard to the nomination submitted by the Latvian Government,

Having regard to the opinion of the Commission,

Whereas a Latvian member's seat on the European Economic and Social Committee has fallen vacant following the resignation of Mr Andris BĒRZIŅŠ,

HAS DECIDED AS FOLLOWS:

*Article 1*

Mr Gundars STRAUTMANIS is hereby appointed a member of the European Economic and Social Committee in place of Mr Andris BĒRZIŅŠ for the remainder of the latter's term of office, which runs until 20 September 2010.

*Article 2*

This Decision shall take effect on the date of its adoption.

Done at Brussels, 26 September 2007.

*For the Council*  
*The President*  
J. SILVA

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<sup>(1)</sup> OJ L 207, 28.7.2006, p. 30.

**COUNCIL DECISION**  
**of 26 September 2007**  
**appointing a Danish member of the European Economic and Social Committee**  
(2007/621/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to Council Decision 2006/703/EC, Euratom of 16 October 2006 appointing the Danish members of the European Economic and Social Committee <sup>(1)</sup> for the period from 21 September 2006 to 20 September 2010,

Having regard to the nomination submitted by the Danish Government,

Having received the opinion of the Commission,

Whereas a Danish member's seat on the aforementioned Committee has fallen vacant following the resignation of Ms Randi IVERSEN,

HAS DECIDED AS FOLLOWS:

*Article 1*

Ms Mette KINDBERG is hereby appointed a member of the European Economic and Social Committee in place of Ms Randi IVERSEN for the remainder of her term of office, which ends on 20 September 2010.

*Article 2*

This Decision shall take effect on the date of its adoption.

Done at Brussels, 26 September 2007.

*For the Council*  
*The President*  
J. SILVA

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<sup>(1)</sup> OJ L 291, 21.10.2006, p. 33.

**COUNCIL DECISION****of 26 September 2007****appointing an Italian member of the European Economic and Social Committee and amending  
Decisions 2006/524/EC, Euratom and 2006/651/EC, Euratom**

(2007/622/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to the nomination submitted by the Italian government,

Having obtained the opinion of the Commission,

Whereas:

- (1) By Decision 2006/524/EC, Euratom appointing Czech, German, Estonian, Spanish, French, Italian, Latvian, Lithuanian, Luxembourg, Hungarian, Maltese, Austrian, Slovenian and Slovak members of the European Economic and Social Committee <sup>(1)</sup>, and Decision 2006/651/EC, Euratom appointing Belgian, Greek, Irish, Cypriot, Dutch, Polish, Portuguese, Finnish, Swedish and British members and two Italian members of the European Economic and Social Committee <sup>(2)</sup>, the Council appointed the Italian members of the European Economic and Social Committee for the period from 21 September 2006 to 20 September 2010.
- (2) An Italian member's seat on the Committee has fallen vacant following the resignation of Mr Paolo NICOLETTI,

HAS DECIDED AS FOLLOWS:

*Article 1*

Mr Marco FELISATI is hereby appointed a member of the European Economic and Social Committee in place of Mr Paolo NICOLETTI for the remainder of the latter's term of office, which runs until 20 September 2010.

*Article 2*

This Decision shall take effect on the date of its adoption.

Done at Brussels, 26 September 2007.

*For the Council*  
*The President*  
J. SILVA

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<sup>(1)</sup> OJ L 207, 28.7.2006, p. 30.

<sup>(2)</sup> OJ L 269, 28.9.2006, p. 13.

# COMMISSION

## COMMISSION DECISION

of 31 August 2007

### setting up the High Level Group of Independent Stakeholders on Administrative Burdens

(2007/623/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) On 24 January 2007 the Commission adopted the Communication entitled 'Action Programme for Reducing Administrative Burdens in the European Union' <sup>(1)</sup>, in which it announced its intention to take a transparent approach towards implementing this Action Programme by involving stakeholders from all over the European Union and continuously benefiting from their input.
- (2) The Action Programme was endorsed by the 2007 Spring European Council which underlined the goal of reducing administrative burdens by 25 % by 2012.
- (3) The Commission is already consulting and cooperating on this topic with Member States' experts through the High Level Group of National Regulatory Experts on Better Regulation, but with a view to ensuring an equally effective interaction with the other stakeholders, whose input is indispensable for reaching the ambitious reduction target, and in accordance with the aforementioned Communication, the Commission may need to call upon the expertise of specialists in an advisory body.
- (4) It is therefore necessary to set up a group of experts in the field of reduction of administrative burdens and to define its tasks and its structure.
- (5) The group should advise the Commission with regard to the Action Programme, in particular on administrative burden reduction measures suggested by the consultants, through internet consultation and local workshops in the Member States.
- (6) The group should be composed of high level independent stakeholders selected on the basis of their expertise in Better Regulation and/or the policy areas covered by the Action Programme. The Commission should ensure that the interests of small and large businesses, social partners, consumer and environmental organisations, including non-governmental organisations, are adequately represented.
- (7) Rules on disclosure of information by members of the group should be provided for, without prejudice to the Commission's rules on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom <sup>(2)</sup>.
- (8) Personal data relating to members of the group should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>(3)</sup>.
- (9) It is appropriate to fix a period for the application of this Decision. The Commission will in due course consider the advisability of an extension,

<sup>(1)</sup> COM(2007) 23 final, 24 January 2007.

<sup>(2)</sup> OJ L 317, 3.12.2001, p. 1. Decision as last amended by Decision 2006/548/EC, Euratom (OJ L 215, 5.8.2006, p. 38).

<sup>(3)</sup> OJ L 8, 12.1.2001, p. 1.

HAS DECIDED AS FOLLOWS:

*Article 1*

**The High Level Group of Independent Stakeholders on Administrative Burdens**

The High Level Group of Independent Stakeholders on Administrative Burdens, hereinafter referred to as 'the group', is hereby set up with effect from 31 August 2007.

*Article 2*

**Task**

The group's task shall be to advise the Commission with regard to the Action Programme for Reducing Administrative Burdens in the European Union whose aim is to reduce administrative burdens on businesses arising from EU legislation by 25 % by 2012.

In particular, the group will:

- provide advice on administrative burden reduction measures suggested by the consultants, through internet consultation and local workshops in Member States,
- advise the Commission at its request on methodological issues that may arise in the Action Programme,
- suggest which additional pieces of existing legislation could be included in the EU-wide measurement exercise, as necessary.

The mandate is given for three years: it may be extended by Commission Decision.

*Article 3*

**Consultation**

1. The Commission may consult the group on any matter relating to the implementation of the Action Programme for Reducing Administrative Burdens in the European Union.

2. The chairperson of the group may advise the Commission that it is desirable to consult the group on a specific question. The group shall not provide such advice unless being requested in writing by the Commission.

*Article 4*

**Membership — Appointment**

1. The group shall be composed of up to 15 members.

2. The Commission shall first appoint the chairperson of the group. The members of the group shall then be appointed by the Commission in consultation with the chairperson from high level stakeholders with competence in the areas referred to in Article 2 and 3(1).

The members shall be selected on the basis of their expertise in Better Regulation and/or the policy areas covered by the Action Programme. The Commission shall ensure that the interests of small and large businesses, social partners, consumer and environmental organisations, including non-governmental organisations are adequately represented.

3. The members shall be appointed in a personal capacity and shall advise the Commission independently of any outside influence in accordance with this decision.

4. Members of the group are appointed for a three-year term of office. They shall remain in office until such time as they are replaced or their term of office ends.

5. Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who do not comply with the conditions set out paragraph 3 of this Article, or Article 287 of the Treaty may be replaced for the remainder of their term of office.

6. Members shall each year sign an undertaking to act in the public interest and a declaration indicating the absence or existence of any interest which may undermine their objectivity.

7. The names of members shall be published on the Internet site of the Directorate-General for Enterprise and Industry. The names of members shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

*Article 5*

**Operation**

1. In agreement with the Commission, sub-groups may be set up to examine specific questions under terms of reference established by the group. Such sub-groups shall be dissolved as soon as their objectives have been reached. Where appropriate, the opinion of existing stakeholder groups with sectoral expertise will be sought and transmitted to the group and sub-groups.

2. The Commission or the chairperson, in agreement with the Commission, may ask experts or observers with specific competence on a subject on the agenda to participate in the group's or sub-groups' deliberations if this is useful and/or necessary.

3. Information obtained by participating in the deliberations of a group or sub-group shall not be divulged if, in the opinion of the Commission, that information relates to confidential matters.

4. The group and its sub-groups shall normally meet on Commission premises in accordance with the procedures and schedule established by it. The Directorate-General for Enterprise and Industry shall provide secretarial services.

5. The group shall adopt its rules of procedure on the basis of the standard rules of procedure adopted by the Commission <sup>(1)</sup>.

6. The Commission will in general publish on the Internet, in the original language of the document concerned, any relevant summary or conclusion resulting from the work of the group.

#### *Article 6*

##### **Meeting expenses**

The Commission shall reimburse travel and, where appropriate, subsistence expenses for members, experts and observers in connection with the group's activities in accordance with the Commission's rules on the compensation of external experts.

The members, experts and observers shall not be remunerated for the services they render.

Meeting expenses are reimbursed within the limits of the allocations annually set by the responsible Commission services.

#### *Article 7*

##### **Applicability**

The decision shall apply until three years after its adoption by the Commission.

Done at Brussels, 31 August 2007.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

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<sup>(1)</sup> See standard rules of procedure — Annex III of document SEC(2005) 1004.

## COMMISSION DECISION

of 27 September 2007

**amending Decision 2006/800/EC to prolong the application of the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs against that disease in Bulgaria**

(notified under document number C(2007) 4457)

(Only the Bulgarian text is authentic)

(2007/624/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever <sup>(1)</sup>, and in particular the second subparagraph of Article 16(1) and the fourth subparagraph of Article 20(2) thereof,

Whereas:

- (1) Commission Decision 2006/800/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs against that disease in Bulgaria <sup>(2)</sup> was adopted as one of a number of measures to combat classical swine fever.
- (2) The Bulgarian authorities have informed the Commission about the evolution of the disease in Bulgaria.
- (3) Given the epidemiological situation in Bulgaria it is appropriate to prolong the application of the approved eradication and emergency vaccination plans.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 4 of Decision 2006/800/EC is replaced by the following:

*'Article 4*

**Applicability**

This Decision shall apply until 31 December 2007.'

*Article 2*

This Decision is addressed to the Republic of Bulgaria.

Done at Brussels, 27 September 2007.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

<sup>(1)</sup> OJ L 316, 1.12.2001, p. 5. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

<sup>(2)</sup> OJ L 325, 24.11.2006, p. 35.

## COMMISSION DECISION

of 27 September 2007

amending Decision 2006/802/EC to prolong the application of the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania

(notified under document number C(2007) 4458)

(Only the Romanian text is authentic)

(2007/625/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever <sup>(1)</sup>, and in particular the second subparagraph of Article 16(1), the second subparagraph of Article 19(3) and the fourth subparagraph of Article 20(2) thereof,

Whereas:

- (1) Commission Decision 2006/802/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania <sup>(2)</sup> was adopted as one of a number of measures to combat classical swine fever.
- (2) The Romanian authorities have informed the Commission about the evolution of the disease in Romania.
- (3) Given the epidemiological situation in Romania it is appropriate to prolong the application of the approved eradication and emergency vaccination plans.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 8 of Decision 2006/802/EC is replaced by the following:

*'Article 8*

**Applicability**

This Decision shall apply until 31 December 2007.'

*Article 2*

This Decision is addressed to Romania.

Done at Brussels, 27 September 2007.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

<sup>(1)</sup> OJ L 316, 1.12.2001, p. 5. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

<sup>(2)</sup> OJ L 329, 25.11.2006, p. 34. Decision as amended by Decision 2007/522/EC (OJ L 193, 25.7.2007, p. 23).