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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 945/2010

of 21 October 2010

adopting the plan allocating to the Member States resources to be charged to the 2011 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the EU and derogating from certain provisions of Regulation (EU) No 807/2010

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 43(f) and (g), in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽²⁾, and in particular Article 3(2) thereof,

Whereas:

(1) In accordance with Article 2 of Commission Regulation (EU) No 807/2010 of 14 September 2010 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Union ⁽³⁾, the Commission has to adopt a distribution plan to be financed from resources available in the 2011 budget year. That plan has to lay down, in particular, for each of the Member States applying the measure, the maximum financial resources available to carry out its part of the plan, and the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies.

(2) The Member States involved in the distribution plan for the 2011 budget year have supplied the Commission with the information required in accordance with Article 1 of Regulation (EU) No 807/2010.

(3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.

(4) Point (a), (iii) of Article 2(3) of Regulation (EU) No 807/2010 provides for the allocation of resources for the purchase on the market of products temporarily unavailable in intervention stocks. Given that the stocks of butter currently held by the intervention agencies are not sufficient to cover the allocations, resource allocations should be fixed to enable the purchase on the market as required to implement the distribution plan for the 2011 budget year.

(5) Article 4 of Regulation (EU) No 807/2010 provides that, where no rice is available in intervention stocks, the Commission may authorise the removal of cereals from the intervention stocks as payment for the supply of rice or rice products mobilised on the market. Accordingly, given that there are currently no intervention stocks of rice, the removal of cereals from intervention stocks as payment for mobilising rice products in the market should be authorised.

(6) Article 8(1) of Regulation (EU) No 807/2010 provides for the transfer between Member States of products unavailable in the intervention stocks of the Member State in which such products are required to implement the annual distribution plan. Accordingly, the intra-EU transfers necessary to implement that plan for 2011 should be authorised, subject to the conditions laid down in Article 8 of Regulation (EU) No 807/2010.

(7) Furthermore, in view of the market situation as regards cereals and in order to enable the Commission to manage cereal intervention stocks in an efficient and timely manner, it is appropriate, in case of intra-EU transfers, that supplier Member States swiftly inform

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 242, 15.9.2010, p. 9.

the Commission about the quantities of each type of cereal kept in intervention in their territory that they will reserve for the purpose of implementing the 2011 distribution plan.

- (8) Taking into account the complexity of the implementation of the 2011 distribution plan requiring a high volume of intra-EU transfers, it is appropriate to increase the 5 % margin provided in Article 3(4) of Regulation (EU) No 807/2010.
- (9) In order to ensure that products from the intervention stocks do not enter the market at an inappropriate moment during the year, the time periods provided for in the first, second and third subparagraphs of Article 3(2) of Regulation (EU) No 807/2010 during which products may be withdrawn from the intervention stocks should be shortened.
- (10) Taking into account the high volume of products to be withdrawn from intervention stocks and the high volume of intra-EU transfers, it is appropriate to derogate from the sixty-day period allowed for the removal of the products from intervention stocks in accordance with the fifth subparagraph of Article 3(2) of Regulation (EU) No 807/2010.
- (11) Due to the current market situation in the cereals sector, which is marked by high market price levels, it is appropriate, in order to secure the Union's financial interests, to increase the security, which is to be lodged by the contractor undertaking the supply operation of cereals as provided for in Articles 4(3) and 8(4) of Regulation (EU) No 807/2010.
- (12) To implement the annual distribution plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.
- (13) In accordance with Article 2(2) of Regulation (EU) No 807/2010, the Commission has consulted the major organisations familiar with the problems of the most deprived persons in the EU when drawing up the annual distribution plan.
- (14) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

In 2011, the distribution of food to the most deprived persons in the EU under Article 27 of Regulation (EC) No 1234/2007 shall be implemented in accordance with the annual distribution plan set out in Annex I to this Regulation.

The use of cereals as payment for mobilising rice products on the market is authorised, as referred to in Article 4(2) of Regulation (EU) No 807/2010.

Article 2

Allocations to Member States for the purchase of butter on the EU market, as required under the plan referred to in Article 1, shall be as set out in Annex II.

Article 3

1. The intra-EU transfer of products listed in Annex III to this Regulation shall be authorised, subject to the conditions laid down in Article 8 of Regulation (EU) No 807/2010.

2. In case of intra-EU transfer of cereals, the supplier Member States shall notify the Commission, within 15 days following the entry into force of this Regulation, of the quantities of each type of cereal held by their intervention agencies that are reserved for the implementation of 2011 distribution plan.

Article 4

By way of derogation from the first and third subparagraphs of Article 3(2) of Regulation (EU) No 807/2010, for the 2011 distribution plan, withdrawal of butter and skimmed milk powder from intervention stocks shall take place from 1 June to 30 September 2011.

However, the first paragraph of this Article shall not apply to allocations of 500 tonnes or less.

For the 2011 distribution plan, the sixty-day period for the removal of withdrawn products provided for in the fifth subparagraph of Article 3(2) of Regulation (EU) No 807/2010 shall not apply in the case of butter and skimmed milk powder.

Article 5

By way of derogation from the second subparagraph of Article 3(2) of Regulation (EU) No 807/2010, for the 2011 distribution plan, 70 % of the cereals stocks held by the intervention agencies must be withdrawn before 1 June 2011.

For the 2011 distribution plan, the sixty-day period for the removal of withdrawn products provided for in the fifth subparagraph of Article 3(2) of Regulation (EU) No 807/2010 shall not apply in the case of cereals.

Article 6

By way of derogation from the fifth subparagraph of Article 4(3) and from the first subparagraph of Article 8(4) of Regulation (EU) No 807/2010, for the 2011 distribution plan, before cereals are removed from intervention, the contractor undertaking the supply operation shall lodge a security equal to EUR 150 per tonne.

Article 7

By way of derogation from Article 3(4) of Regulation (EU) No 807/2010, for the 2011 distribution plan where substantiated changes concern 10 % or more of the quantities or values entered per product in the EU plan, the plan shall be revised.

Article 8

For the purpose of implementing the annual distribution plan referred to in Article 1 of this Regulation, the date of the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 shall be 1 October 2010.

Article 9

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, 21 October 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

ANNEX I

ANNUAL DISTRIBUTION PLAN FOR 2011

(a) Financial resources made available to implement the 2011 plan in each Member State:

(in EUR)

Member State	Distribution
Belgique/België	10 935 075
България	11 042 840
Česká republika	120 462
Eesti	782 938
Éire/Ireland	1 196 457
Elláda	20 045 000
España	74 731 353
France	72 741 972
Italia	100 649 380
Latvija	6 723 467
Lietuva	7 781 341
Luxembourg	107 483
Magyarország	14 146 729
Malta	640 243
Polska	75 320 186
Portugal	20 513 026
România	49 578 143
Slovenija	2 409 038
Slovakia	4 809 692
Suomi/Finland	5 725 175
Total	480 000 000

(b) Quantity of each type of product to be withdrawn from EU intervention stocks for distribution in each Member State subject to the maximum amounts laid down in point (a) of this Annex:

(in tonnes)

Member State	Cereals	Butter	Skimmed milk powder	Sugar
Belgique/België	74 030	—	1 687	
България	103 318	—	—	
Česká Republika (*)	401	—	—	9

(in tonnes)

Member State	Cereals	Butter	Skimmed milk powder	Sugar
Eesti (**)	7 068	—	—	
Eire/Ireland	250	109	—	
Elláda	88 836	976	—	
España	305 207	—	23 507	
France	491 108	—	11 305	
Italia	467 683	—	28 281	
Latvija	50 663	—	730	
Lietuva	61 000	—	704	
Luxembourg (***)	—	—	—	
Magyarország	132 358	—	—	
Malta	5 990	—	—	
Polska	441 800	—	15 686	
Portugal	61 906	458	5 000	
România	370 000	—	5 600	
Slovenija	14 159	—	500	
Slovakia	45 000	—	—	
Suomi/Finland	38 500	—	899	
Total	2 759 277	1 543	93 899	9

(*) Allocation for Česká Republika for the purchase of skimmed milk powder on the EU market: 37 356 EUR and purchase of butter on the EU market: 33 263 EUR.

(**) Allocation for Eesti for the purchase of skimmed milk powder on the EU market: 7 471 EUR and purchase of butter on the EU market: 18 627 EUR.

(***) Allocation for Luxembourg for the purchase of skimmed milk powder on the EU market: 101 880 EUR.

ANNEX II

Allocations to Member States for the purchase of butter on the EU market:

(in EUR)

Member State	Butter
Éire/Ireland	867 046
Elláda	7 835 710
Portugal	3 666 327
Total	12 369 083

ANNEX III

(a) Intra-EU transfers of cereals authorised under the plan for the 2011 budget year:

	Quantity (tonnes)	Holder	Recipient
1.	39 080	BLE, Deutschland	BIRB, Belgique
2.	57 631	Pôdohospodárska platobná agentúra, Slovenská Republika	Държавен фонд 'Земеделие' — Разплащателна агенция, България
3.	250	FranceAgriMer, France	OFI, Ireland
4.	88 836	Mezőgazdasági és Vidékfejlesztési Hivatal, Magyarország	OPEKEPE, Elláda
5.	305 207	FranceAgriMer, France	FEGA, España
6.	467 683	BLE, Deutschland	AGEA, Italia
7.	27 670	PRIA, Eesti	Rural Support Service, Latvia
8.	5 990	AMA, Austria	Ministry for Resources and Rural Affairs Paying Agency, Malta
9.	75 912	BLE, Deutschland	ARR, Polska
10.	61 906	FranceAgriMer, France	IFAP I.P., Portugal
11.	146 070	SZIF, Česká republika	Agenția de Plăți și Intervenție pentru Agricultură, România
12.	162 497	Mezőgazdasági és Vidékfejlesztési Hivatal, Magyarország	Agenția de Plăți și Intervenție pentru Agricultură, România
13.	14 159	AMA, Austria	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja, Slovenija

(b) Intra-EU transfers of skimmed milk powder authorised under the plan for the 2011 budget year:

	Quantity (tonnes)	Holder	Recipient
1.	23 507	OFI, Ireland	FEGA, España
2.	28 281	BLE, Deutschland	AGEA, Italia
3.	730	PRIA, Eesti	Rural Support Service, Latvia
4.	13 090	BLE, Deutschland	ARR, Polska
5.	4 393	FranceAgriMer, France	IFAP I.P., Portugal
6.	5 600	BLE, Deutschland	Agenția de Plăți și Intervenție pentru Agricultură, România
7.	500	SZIF, Česká republika	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja, Slovenija

(c) Intra-EU transfers of butter authorised under the plan for the 2011 budget year:

	Quantity (tonnes)	Holder	Recipient
1.	109	Lietuvos žemės ūkio ir maisto produktų rinkos reguliavimo agentūra, Lietuva	OFI, Ireland
2.	181	PRIA, Eesti	OPEKEPE, Elláda
3.	795	Lietuvos žemės ūkio ir maisto produktų rinkos reguliavimo agentūra, Lietuva	OPEKEPE, Elláda
4.	458	Lietuvos žemės ūkio ir maisto produktų rinkos reguliavimo agentūra, Lietuva	IFAP I.P., Portugal

COMMISSION REGULATION (EU) No 946/2010
of 21 October 2010
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	77,1
	MK	80,4
	XS	73,2
	ZZ	76,9
0707 00 05	MK	87,5
	TR	155,0
	ZZ	121,3
0709 90 70	TR	140,0
	ZZ	140,0
0805 50 10	AR	72,5
	CL	46,3
	IL	91,2
	TR	90,3
	ZA	64,8
	ZZ	73,0
0806 10 10	BR	211,4
	TR	140,6
	US	155,2
	ZA	64,2
	ZZ	142,9
0808 10 80	AR	76,6
	BR	59,6
	CL	85,0
	CN	64,2
	NZ	94,5
	US	82,6
	ZA	93,1
ZZ	79,4	
0808 20 50	CN	72,2
	ZA	88,6
	ZZ	80,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 947/2010**of 21 October 2010****granting no export refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 619/2008**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2), in conjunction with Article 4, thereof,

Whereas:

- (1) Commission Regulation (EC) No 619/2008 of 27 June 2008 opening a standing invitation to tender for export refunds concerning certain milk products ⁽²⁾ provides for a standing invitation to tender procedure.
- (2) Pursuant to Article 6 of Commission Regulation (EC) No 1454/2007 of 10 December 2007 laying down common rules for establishing a tender procedure for

fixing export refunds for certain agricultural products ⁽³⁾ and following an examination of the tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 19 October 2010.

- (3) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

For the standing invitation to tender opened by Regulation (EC) No 619/2008, for the tendering period ending on 19 October 2010, no export refund shall be granted for the product and destinations referred to in point (c) of Article 1 and in Article 2 respectively of that Regulation.

Article 2

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 168, 28.6.2008, p. 20.⁽³⁾ OJ L 325, 11.12.2007, p. 69.

COMMISSION REGULATION (EU) No 948/2010
of 21 October 2010
fixing the export refunds on milk and milk products

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2) and Article 170, in conjunction with Article 4, thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVI of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that export refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products that comply with the requirements of Commission Regulation (EC) No 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products ⁽²⁾.
- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 650/2010 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 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 Article 3 of Regulation (EC) No 1187/2009.

Article 2

Regulation (EU) No 650/2010 is hereby repealed.

Article 3

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 318, 4.12.2009, p. 1.

⁽³⁾ OJ L 191, 23.7.2010, p. 7.

ANNEX

Export refunds on milk and milk products applicable from 22 October 2010

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	0,00	0402 29 19 9900	L20	EUR/100 kg	0,00
0401 30 31 9400	L20	EUR/100 kg	0,00	0402 29 99 9100	L20	EUR/100 kg	0,00
0401 30 31 9700	L20	EUR/100 kg	0,00	0402 29 99 9500	L20	EUR/100 kg	0,00
0401 30 39 9100	L20	EUR/100 kg	0,00	0402 91 10 9370	L20	EUR/100 kg	0,00
0401 30 39 9400	L20	EUR/100 kg	0,00	0402 91 30 9300	L20	EUR/100 kg	0,00
0401 30 39 9700	L20	EUR/100 kg	0,00	0402 91 99 9000	L20	EUR/100 kg	0,00
0401 30 91 9100	L20	EUR/100 kg	0,00	0402 99 10 9350	L20	EUR/100 kg	0,00
0401 30 99 9100	L20	EUR/100 kg	0,00	0402 99 31 9300	L20	EUR/100 kg	0,00
0401 30 99 9500	L20	EUR/100 kg	0,00	0403 90 11 9000	L20	EUR/100 kg	0,00
0402 10 11 9000	L20	EUR/100 kg	0,00	0403 90 13 9200	L20	EUR/100 kg	0,00
0402 10 19 9000	L20	EUR/100 kg	0,00	0403 90 13 9300	L20	EUR/100 kg	0,00
0402 10 99 9000	L20	EUR/100 kg	0,00	0403 90 13 9500	L20	EUR/100 kg	0,00
0402 21 11 9200	L20	EUR/100 kg	0,00	0403 90 13 9900	L20	EUR/100 kg	0,00
0402 21 11 9300	L20	EUR/100 kg	0,00	0403 90 33 9400	L20	EUR/100 kg	0,00
0402 21 11 9500	L20	EUR/100 kg	0,00	0403 90 59 9310	L20	EUR/100 kg	0,00
0402 21 11 9900	L20	EUR/100 kg	0,00	0403 90 59 9340	L20	EUR/100 kg	0,00
0402 21 17 9000	L20	EUR/100 kg	0,00	0403 90 59 9370	L20	EUR/100 kg	0,00
0402 21 19 9300	L20	EUR/100 kg	0,00	0404 90 21 9120	L20	EUR/100 kg	0,00
0402 21 19 9500	L20	EUR/100 kg	0,00	0404 90 21 9160	L20	EUR/100 kg	0,00
0402 21 19 9900	L20	EUR/100 kg	0,00	0404 90 23 9120	L20	EUR/100 kg	0,00
0402 21 91 9100	L20	EUR/100 kg	0,00	0404 90 23 9130	L20	EUR/100 kg	0,00
0402 21 91 9200	L20	EUR/100 kg	0,00	0404 90 23 9140	L20	EUR/100 kg	0,00
0402 21 91 9350	L20	EUR/100 kg	0,00	0404 90 23 9150	L20	EUR/100 kg	0,00
0402 21 99 9100	L20	EUR/100 kg	0,00	0404 90 81 9100	L20	EUR/100 kg	0,00
0402 21 99 9200	L20	EUR/100 kg	0,00	0404 90 83 9110	L20	EUR/100 kg	0,00
0402 21 99 9300	L20	EUR/100 kg	0,00	0404 90 83 9130	L20	EUR/100 kg	0,00
0402 21 99 9400	L20	EUR/100 kg	0,00	0404 90 83 9150	L20	EUR/100 kg	0,00
0402 21 99 9500	L20	EUR/100 kg	0,00	0404 90 83 9170	L20	EUR/100 kg	0,00
0402 21 99 9600	L20	EUR/100 kg	0,00	0405 10 11 9500	L20	EUR/100 kg	0,00
0402 21 99 9700	L20	EUR/100 kg	0,00	0405 10 11 9700	L20	EUR/100 kg	0,00
0402 29 15 9200	L20	EUR/100 kg	0,00				
0402 29 15 9300	L20	EUR/100 kg	0,00				
0402 29 15 9500	L20	EUR/100 kg	0,00				
0402 29 19 9300	L20	EUR/100 kg	0,00				
0402 29 19 9500	L20	EUR/100 kg	0,00				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	0,00	0406 30 39 9500	L04	EUR/100 kg	0,00
0405 10 19 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9100	L20	EUR/100 kg	0,00	0406 30 39 9700	L04	EUR/100 kg	0,00
0405 10 30 9300	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9700	L20	EUR/100 kg	0,00	0406 30 39 9930	L04	EUR/100 kg	0,00
0405 10 50 9500	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 50 9700	L20	EUR/100 kg	0,00	0406 30 39 9950	L04	EUR/100 kg	0,00
0405 10 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 20 90 9500	L20	EUR/100 kg	0,00	0406 40 50 9000	L04	EUR/100 kg	0,00
0405 20 90 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 90 10 9000	L20	EUR/100 kg	0,00	0406 40 90 9000	L04	EUR/100 kg	0,00
0405 90 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9640	L04	EUR/100 kg	0,00	0406 40 90 9000	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9650	L04	EUR/100 kg	0,00	0406 90 13 9000	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9830	L04	EUR/100 kg	0,00	0406 90 15 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9850	L04	EUR/100 kg	0,00	0406 90 17 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9913	L04	EUR/100 kg	0,00	0406 90 21 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9915	L04	EUR/100 kg	0,00	0406 90 23 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9917	L04	EUR/100 kg	0,00	0406 90 25 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9919	L04	EUR/100 kg	0,00	0406 90 27 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00	0406 90 29 9100	L04	EUR/100 kg	0,00
0406 30 31 9730	L04	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00	0406 90 29 9300	L04	EUR/100 kg	0,00
0406 30 31 9930	L04	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00	0406 90 32 9119	L04	EUR/100 kg	0,00
0406 30 31 9950	L04	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00	0406 90 35 9190	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 35 9990	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 37 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 61 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	0,00	0406 90 86 9200	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 63 9900	L04	EUR/100 kg	0,00	0406 90 86 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 69 9910	L04	EUR/100 kg	0,00	0406 90 86 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 73 9900	L04	EUR/100 kg	0,00	0406 90 87 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 75 9900	L04	EUR/100 kg	0,00	0406 90 87 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9300	L04	EUR/100 kg	0,00	0406 90 87 9951	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9400	L04	EUR/100 kg	0,00	0406 90 87 9971	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9500	L04	EUR/100 kg	0,00	0406 90 87 9973	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9100	L04	EUR/100 kg	0,00	0406 90 87 9974	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9300	L04	EUR/100 kg	0,00	0406 90 87 9975	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 79 9900	L04	EUR/100 kg	0,00	0406 90 87 9979	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 81 9900	L04	EUR/100 kg	0,00	0406 90 88 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9930	L04	EUR/100 kg	0,00	0406 90 88 9500	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9970	L04	EUR/100 kg	0,00				
	L40	EUR/100 kg	0,00				

The destinations are defined as follows:

L20: All destinations with the exception of:

- (a) third countries: Andorra, Holy See (Vatican City State), Liechtenstein and the United States of America;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

L04: Albania, Bosnia and Herzegovina, Serbia, Kosovo (*), Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations with the exception of:

- (a) third countries: L04, Andorra, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and South Africa;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

(*) As defined by United Nations Security Council Resolution 1244 of 10 June 1999.

COMMISSION REGULATION (EU) No 949/2010
of 21 October 2010
fixing the export refunds on pigmeat

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVII of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in pigmeat, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that the refund may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products that are allowed to move freely in the Union and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾. Those products must also satisfy the requirements laid down

in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 654/2010 ⁽⁵⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the condition provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

Regulation (EU) No 654/2010 is hereby repealed.

Article 3

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

For the Commission,
On behalf of the President,

Jean-Luc DEMARTY

Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 139, 30.4.2004, p. 55.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁵⁾ OJ L 191, 23.7.2010, p. 15.

ANNEX

Export refunds on pigmeat applicable from 22 October 2010

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	A00	EUR/100 kg	54,20
0210 11 31 9910	A00	EUR/100 kg	54,20
0210 19 81 9100	A00	EUR/100 kg	54,20
0210 19 81 9300	A00	EUR/100 kg	54,20
1601 00 91 9120	A00	EUR/100 kg	19,50
1601 00 99 9110	A00	EUR/100 kg	15,20
1602 41 10 9110	A00	EUR/100 kg	29,00
1602 41 10 9130	A00	EUR/100 kg	17,10
1602 42 10 9110	A00	EUR/100 kg	22,80
1602 42 10 9130	A00	EUR/100 kg	17,10
1602 49 19 9130	A00	EUR/100 kg	17,10

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).

COMMISSION REGULATION (EU) No 950/2010
of 21 October 2010
fixing the export refunds on eggs

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products⁽¹⁾, and in particular Article 164(2), last subparagraph, and Article 170 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XIX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.
- (2) In view of the current situation on the market in eggs, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162 to 164, 167, 169 and 170 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products which are authorised to move freely within the Union and comply

with requirements under Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁽²⁾ and of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽³⁾, as well as marking requirements under point A of Annex XIV to Regulation (EC) No 1234/2007.

- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 653/2010⁽⁴⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. The products on which the export refunds provided for in Article 164 of Regulation (EC) No 1234/2007 may be paid, subject to the conditions laid down in paragraph 2 of this Article, and the amounts of those refunds are specified in the Annex to this Regulation.
2. The products on which a refund may be paid under paragraph 1 shall meet the requirements under Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004 and those defined in point A of Annex XIV to Regulation (EC) No 1234/2007.

Article 2

Regulation (EU) No 653/2010 is hereby repealed.

Article 3

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁴⁾ OJ L 191, 23.7.2010, p. 13.

ANNEX

Export refunds on eggs applicable from 22 October 2010

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	0,39
0407 00 19 9000	A02	EUR/100 pcs	0,20
0407 00 30 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	22,00
	E19	EUR/100 kg	0,00
0408 11 80 9100	A03	EUR/100 kg	84,72
0408 19 81 9100	A03	EUR/100 kg	42,53
0408 19 89 9100	A03	EUR/100 kg	42,53
0408 91 80 9100	A03	EUR/100 kg	53,67
0408 99 80 9100	A03	EUR/100 kg	9,00

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).

The other destinations are defined as follows:

E09: Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10: South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E19: all destinations except Switzerland and those of E09 and E10.

COMMISSION REGULATION (EU) No 951/2010**of 21 October 2010****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 143 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices for poultrymeat and egg products and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin. The representative prices should therefore be published.

- (3) In view of the situation on the market, this amendment should be applied as soon as possible.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by 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*.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

to the Commission Regulation of 21 October 2010 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	137,2	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	127,2	0	BR
		130,5	0	AR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	217,7	25	BR
		261,7	12	AR
		342,4	0	CL
0207 14 50	Fowls of the species <i>Gallus domesticus</i> , breasts, frozen	188,4	7	BR
0207 14 60	Fowl of the species <i>Gallus domesticus</i> , legs, frozen	137,9	2	BR
0207 27 10	Turkeys, boneless cuts, frozen	298,7	0	BR
		314,5	0	CL
0408 11 80	Egg yolks	318,8	0	AR
0408 91 80	Eggs, not in shell, dried	344,0	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	309,3	0	BR
3502 11 90	Egg albumin, dried	544,8	0	AR

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). The code “ZZ” represents “other origins”.

COMMISSION REGULATION (EU) No 952/2010**of 21 October 2010****not fixing a minimum selling price in response to the ninth individual invitation to tender for the sale of skimmed milk powder within the tendering procedure opened by Regulation (EU) No 447/2010**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 43(j), in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EU) No 447/2010 ⁽²⁾ has opened the sales of skimmed milk powder by a tendering procedure, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽³⁾.
- (2) In the light of the tenders received in response to individual invitations to tender, the Commission should fix a minimum selling price or should decide not to fix a

minimum selling price, in accordance with Article 46(1) of Regulation (EU) No 1272/2009.

- (3) In the light of the tenders received for the ninth individual invitation to tender, no minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the ninth individual invitation to tender for selling of skimmed milk powder within the tendering procedure opened by Regulation (EU) No 447/2010, in respect of which the time limit for the submission of tenders expired on 19 October 2010, no minimum selling price for skimmed milk powder shall be fixed.

Article 2

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 126, 22.5.2010, p. 19.

⁽³⁾ OJ L 349, 29.12.2009, p. 1.

COMMISSION REGULATION (EU) No 953/2010

of 21 October 2010

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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾, and in particular Article 164(2) thereof,

Whereas:

(1) Article 162(1)b of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(p) and listed in Part XVI of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part IV of Annex XX to that Regulation.

(2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 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 ⁽²⁾, 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 Part IV of Annex XX to Regulation (EC) No 1234/2007.

(3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

(4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(5) 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.

(6) Article 15(2) of Regulation (EU) No 578/2010 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the agricultural markets to the basic products listed in Annex I to Regulation (EU) No 578/2010 or to assimilated products.

(7) Article 100(1) of Regulation (EC) No 1234/2007 provides for the payment of aid for Union-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(8) The currently applicable refunds have been fixed by Commission Regulation (EU) No 660/2010 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.

(9) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XVI of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part IV of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Regulation (EU) No 660/2010 is hereby repealed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 191, 23.7.2010, p. 25.

Article 3

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Enterprise and Industry*

ANNEX

Rates of the refunds applicable from 22 October 2010 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(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)	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	0,00	0,00
	(b) on exportation of other goods	0,00	0,00

⁽¹⁾ 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: 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.
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

COMMISSION REGULATION (EU) No 954/2010

of 21 October 2010

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural market and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2) thereof,

Whereas:

- (1) Article 162(1)(b) of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(s) and listed in Part XIX of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part V of Annex XX to that Regulation.
- (2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 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 ⁽²⁾, 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 Part V of Annex XX to Regulation (EC) No 1234/2007.
- (3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.
- (4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 659/2010 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XIX of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Regulation (EU) No 659/2010 is hereby repealed.

Article 3

This Regulation shall enter into force on 22 October 2010.

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

Done at Brussels, 21 October 2010.

*For the Commission,
On behalf of the President,*

Heinz ZOUREK

Director-General for Enterprise and Industry

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 191, 23.7.2010, p. 23.

ANNEX

Rates of the refunds applicable from 22 October 2010 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	22,00
		04	0,00
	(b) On exportation of other goods	01	0,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption: not sweetened	01	84,72
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid: not sweetened	01	42,53
ex 0408 19 89	– – – – Frozen: not sweetened	01	42,53
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption: not sweetened	01	53,67
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption: not sweetened	01	9,00

⁽¹⁾ The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates 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,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 all destinations except Switzerland and those of 02 and 03.

DECISIONS

COUNCIL DECISION

of 15 October 2010

appointing a Member of the Court of Auditors

(2010/628/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 286(2) thereof,

Mr Lazaros LAZAROU is hereby appointed Member of the Court of Auditors for the period from 2 November 2010 to 1 November 2016.

Article 2

Having regard to the opinion of the European Parliament ⁽¹⁾,

This Decision shall enter into force on the date of its adoption.

Whereas:

Done at Luxembourg, 15 October 2010.

(1) The term of office of Mr Kikis KAZAMIAS expires on 1 November 2010.

For the Council

The President

(2) A new appointment should therefore be made,

E. SCHOUPPE

⁽¹⁾ Opinion of 7 October 2010 (not yet published in the Official Journal).

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES**of 20 October 2010****appointing a Judge to the General Court**

(2010/629/EU)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Whereas:

- (1) In accordance with the provisions of the Treaties, every three years there should be a partial replacement of the Judges of the General Court. For the period from 1 September 2010 to 31 August 2016, fourteen Judges had to be appointed to the General Court.
- (2) By Decisions 2010/362/EU ⁽¹⁾ and 2010/400/EU ⁽²⁾, the Conference of the Representatives of the Governments of the Member States appointed twelve Judges to the General Court for the above period.
- (3) Pending completion of the process of appointment of Judges to the two posts remaining to be filled, in accordance with the provisions of the Treaty on the Functioning of the European Union, Mr Mihalis VILARAS and Mr Valeriu CIUCĂ, appointed as Judges on 1 September 2004 and 1 January 2007 respectively, remained in office after 31 August 2010.
- (4) The Government of Greece has nominated Mr Dimitrios GRATSIAS for the post of Judge of the General Court. The

panel set up by Article 255 of the Treaty on the Functioning of the European Union has given an opinion on the suitability of that candidate to perform the duties of Judge of the General Court.

- (5) A member of the General Court should therefore be appointed for the period from 25 October 2010 to 31 August 2016; a Judge for the vacancy still to be filled will be appointed at a later date,

HAVE ADOPTED THIS DECISION:

Article 1

Mr Dimitrios GRATSIAS is hereby appointed a Judge of the General Court for the period from 25 October 2010 to 31 August 2016.

Article 2

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

Done at Brussels, 20 October 2010.

For the Council
The President
J. De RUYT

⁽¹⁾ OJ L 163, 30.6.2010, p. 41.

⁽²⁾ OJ L 186, 20.7.2010, p. 29.

COMMISSION DECISION

of 5 October 2010

on the Union financial contribution to national programmes of France, the Netherlands, Sweden and the United Kingdom for the collection, management and use of data in the fisheries sector in the year 2010

(notified under document C(2010) 6744)

(2010/630/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 24(1) thereof,

Whereas:

- (1) Regulation (EC) No 861/2006 lays down the conditions whereby Member States may receive a contribution from the European Union for expenditure incurred in their national programmes for the collection, management and use of data in the fisheries sector.
- (2) Those programmes are to be drawn up in accordance with Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy ⁽²⁾ and Commission Regulation (EC) No 665/2008 ⁽³⁾ laying down detailed rules for the application of Regulation (EC) No 199/2008.
- (3) Belgium, Bulgaria, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Finland, Sweden and the United Kingdom submitted national programmes for the collection, management and use of data in the fisheries sector in the years 2009-10 as provided for in Article 4(4) and (5) of Regulation (EC) No 199/2008. Those programmes were approved in 2009 in accordance with Article 6(3) of Regulation (EC) No 199/2008.
- (4) By Commission Decision 2010/369/EU ⁽⁴⁾, the Commission decided on the Union financial contribution to those national programmes for the year 2010, except for France, the Netherlands, Sweden and the United Kingdom.
- (5) France, the Netherlands, Sweden and the United Kingdom submitted amendments to their national

programmes for the year 2010, pursuant to Article 5(2) of Regulation (EC) No 199/2008. Those amendments were approved by the Commission in 2010 in accordance with Article 6(3) of Regulation (EC) No 199/2008.

- (6) Those Member States also submitted annual budget forecasts for the year 2010 pursuant to Article 2 of Commission Regulation (EC) No 1078/2008 of 3 November 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States for the collection and management of the basic fisheries data ⁽⁵⁾. The Commission has evaluated the annual budget forecasts in accordance with Article 4 of Regulation (EC) No 1078/2008, by taking into account the approved amendments to the national programmes.
- (7) Article 5 of Regulation (EC) No 1078/2008 establishes that the Commission is to approve the annual budget forecasts and is to decide on the annual Union financial contribution to each national programme in accordance with the procedure laid down in Article 24 of Regulation (EC) No 861/2006 and on the basis of the outcome of the evaluation of the annual budget forecasts as referred to in Article 4 of Regulation (EC) No 1078/2008.
- (8) Article 24(3)(b) of Regulation (EC) No 861/2006 establishes that a Commission Decision is to fix the rate of the financial contribution. Article 16 of that Regulation provides that Union financial measures in the area of basic data collection are not to exceed 50 % of the costs incurred by Member States in carrying out the programme of collection, management and use of data in the fisheries sector. Article 24(2) provides that priority shall be given to the actions which are most appropriate in order to improve the collection of data necessary for the Common Fisheries Policy.
- (9) This Decision is to constitute the financing decision within the meaning of Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁶⁾.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 60, 5.3.2008, p. 1.

⁽³⁾ OJ L 186, 15.7.2008, p. 3.

⁽⁴⁾ OJ L 168, 2.7.2010, p. 19.

⁽⁵⁾ OJ L 295, 4.11.2008, p. 24.

⁽⁶⁾ OJ L 248, 16.9.2002, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The maximum global amounts of the Union financial contribution to be granted to France, the Netherlands, Sweden and the United Kingdom for the collection, management and use of data in the fisheries sector for 2010, and the rate of the Union financial contribution, are established in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 October 2010.

For the Commission
 Maria DAMANAKI
 Member of the Commission

ANNEX

NATIONAL PROGRAMMES 2009-2010

ELIGIBLE EXPENDITURE AND MAXIMUM COMMUNITY CONTRIBUTION FOR 2010

(in EUR)

Member State	Eligible expenditure	Maximum Community contribution (Rate of 50 %)
FRANCE	12 068 727,00	6 034 363,50
SWEDEN	4 924 763,00	2 462 381,50
NETHERLANDS	4 569 446,00	2 284 723,00
UNITED KINGDOM	9 458 117,00	4 729 058,50
TOTAL	31 021 053,00	15 510 526,50

CORRIGENDA

Corrigendum to Council Decision 2010/621/EU of 8 October 2010 on the signing, on behalf of the European Union, of the Agreement between the European Union and the Federative Republic of Brazil on short-stay visa waiver for holders of diplomatic, service or official passports

(Official Journal of the European Union L 273 of 19 October 2010)

On the cover, and on pages 2 and 3, in the title and the concluding formula:

for: '8 October 2010',

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