

# Official Journal

## of the European Union

L 34



English edition

Legislation

Volume 53

5 February 2010

Contents

II *Non-legislative acts*

## REGULATIONS

- ★ **Commission Regulation (EU) No 96/2010 of 4 February 2010 amending Regulation (EC) No 1982/2004 implementing Regulation (EC) No 638/2004 of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States, as regards the simplification threshold, trade by business characteristics, specific goods and movements and nature of transaction codes** ..... 1
- ★ **Commission Regulation (EU) No 97/2010 of 4 February 2010 entering a name in the register of traditional specialities guaranteed [Pizza Napoletana (TSG)]** ..... 7
- Commission Regulation (EU) No 98/2010 of 4 February 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables ..... 17
- Commission Regulation (EU) No 99/2010 of 4 February 2010 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year ..... 19
- Commission Regulation (EU) No 100/2010 of 4 February 2010 granting no export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 619/2008 ..... 21

Price: EUR 3

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EU) No 101/2010 of 4 February 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.....	22
--	----

Commission Regulation (EU) No 102/2010 of 4 February 2010 fixing the allocation coefficient to be applied to applications for import licences for olive oil lodged from 1 to 2 February 2010 under the Tunisian tariff quota and suspending the issue of import licences for the month of February 2010	23
---	----

## DECISIONS

2010/58/EU:

★ <b>Commission Decision of 1 February 2010 on the clearance of the accounts of certain paying agencies in Greece, Portugal and Finland concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) for the 2007 financial year</b> ( <i>notified under document C(2010) 425</i> ) .....	24
--	----

2010/59/EU:

★ <b>Commission Decision of 1 February 2010 on the clearance of the accounts of certain paying agencies in Belgium, Germany, Spain, Portugal and Slovakia concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) for the 2008 financial year</b> ( <i>notified under document C(2010) 426</i> ).....	26
---	----

2010/60/EU:

★ <b>Commission Decision of 2 February 2010 on the clearance of the accounts of the paying agencies of Malta concerning expenditure in the field of rural development measures financed by the European Agricultural Guarantee Fund (EAGF) for the 2007 financial year</b> ( <i>notified under document C(2010) 459</i> ).....	30
--	----

2010/61/EU:

★ <b>Commission Decision of 2 February 2010 on the clearance of the accounts of certain paying agencies in Germany and Portugal concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 2006 financial year</b> ( <i>notified under document C(2010) 470</i> ) .....	33
---	----

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 96/2010

of 4 February 2010

**amending Regulation (EC) No 1982/2004 implementing Regulation (EC) No 638/2004 of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States, as regards the simplification threshold, trade by business characteristics, specific goods and movements and nature of transaction codes**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community statistics relating to the trading of goods between Member States and repealing Council Regulation (EEC) No 3330/91 <sup>(1)</sup>, and in particular Articles 3(4), 9(1), 10(4), 12(1), 12(2), 12(4) and 13(4) thereof,

Whereas:

(1) Regulation (EC) No 638/2004 was implemented by Commission Regulation (EC) No 1982/2004 <sup>(2)</sup>.

(2) A simplification threshold below which parties may benefit from providing a limited data set should be defined in order to reduce the reporting burden on providers of statistical information.

(3) In order to ensure harmonised compilation of statistics on trade by business characteristics, the methodology for production of these statistics should be defined.

(4) Provisions for specific goods and movements should be adjusted for methodological reasons.

(5) In order to ensure completeness of data in terms of quantity, the statistical results transmitted to the Commission (Eurostat) should contain estimates of the net mass where data are not collected.

(6) Revised nature of transaction codes should be established in order to identify goods for processing under contract returning to the initial Member State of dispatch.

(7) Regulation (EC) No 1982/2004 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the statistics on the trading of goods between Member States,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1982/2004 is amended as follows:

1. In Article 13, the following paragraph 3a is inserted:

‘3a. Member States applying the thresholds in accordance with the simplified rules of Article 10(4) of Regulation (EC) No 638/2004 shall ensure that the value of the trade of the parties benefiting from the simplification shall amount to a maximum of 6 % of the value of their total trade.’

<sup>(1)</sup> OJ L 102, 7.4.2004, p. 1.

<sup>(2)</sup> OJ L 343, 19.11.2004, p. 3.

2. The following Chapter 4a is inserted:

‘CHAPTER 4a

**TRADE BY BUSINESS CHARACTERISTICS**

*Article 13a*

**Compilation of statistics on trade by business characteristics**

1. National authorities shall compile annual statistics on trade by business characteristics.

2. The statistical units shall be enterprises as defined in the Annex to Council Regulation (EEC) No 696/93 (\*).

3. Statistical units are constructed by linking the identification number allocated to the party responsible for providing information pursuant to Article 9(1)(a) of Regulation (EC) No 638/2004 with the legal unit of the Business Register in accordance with the variable 1.7a referred to in the Annex to Regulation (EC) No 177/2008 of the European Parliament and of the Council (\*\*).

4. The following characteristics shall be compiled:

- (a) trade flow;
- (b) statistical value;
- (c) partner Member State;
- (d) commodity code, according to the section or two-digit level as defined in the Annex to Regulation (EC) No 451/2008 of the European Parliament and of the Council (\*\*);
- (e) number of enterprises;
- (f) activity carried out by the enterprise according to the section or two-digit level of the statistical classification of economic activity (NACE) as laid down in Annex I to Regulation (EC) No 1893/2006 of the European Parliament and of the Council (\*\*\*\*);
- (g) size class, measured in terms of the number of employees according to the definitions of characteristics for structural business statistics as laid down in Annex I to Commission Regulation (EC) No 250/2009 (\*\*\*\*\*).

5. The following datasets shall be compiled:

- (a) matching rates between trade and business registers;
- (b) trade by activity and enterprise size class;

(c) share of largest enterprises in terms of value of trade by activity;

(d) trade by partner Member State and activity;

(e) trade by number of partner Member States and activity;

(f) trade by commodity and activity.

6. The first reference year for which annual statistics are to be compiled shall be 2009. Member States shall provide data for every calendar year thereafter.

7. Statistics shall be transmitted within 18 months of the end of the reference year.

8. Member States shall ensure that statistics are provided in such a way that dissemination by the Commission (Eurostat) does not make it possible to identify an enterprise or trader. National authorities shall specify what data are affected by confidentiality provisions.

(\*) OJ L 76, 30.3.1993, p. 1.

(\*\*) OJ L 61, 5.3.2008, p. 6.

(\*\*\*) OJ L 145, 4.6.2008, p. 65.

(\*\*\*\*) OJ L 393, 30.12.2006, p. 1.

(\*\*\*\*\*) OJ L 86, 31.3.2009, p. 1.’

3. In Article 16, paragraph 2 is replaced by the following:

‘2. The reference period for arrivals or dispatches of staggered consignments may be adjusted so that data are reported only once, in the month when the last consignment is received or dispatched.’

4. Article 17 is replaced by the following:

‘Article 17

**Vessels and aircraft**

1. For the purposes of this Article:

(a) “vessel” means vessels considered as seagoing in accordance with CN Chapter 89, tugs, warships and floating structures;

(b) “aircraft” means aeroplanes falling within CN codes 8802 30 and 8802 40;

(c) “economic ownership” means the right of a taxable person to claim the benefits associated with the use of a vessel or aircraft in the course of an economic activity by virtue of accepting the associated risks.

2. Statistics relating to the trading of goods between Member States on vessels and aircraft shall cover only the following dispatches and arrivals:

(a) the transfer of economic ownership of a vessel or aircraft from a taxable person established in another Member State to a taxable person established in the reporting Member State. This transaction shall be treated as an arrival;

(b) the transfer of economic ownership of a vessel or aircraft from a taxable person established in the reporting Member State to a taxable person established in another Member State. This transaction shall be treated as a dispatch. Where the vessel or aircraft is new the dispatch is recorded in the Member State of construction;

(c) the arrivals and dispatches of vessels or aircraft before or following processing under contract as defined in Annex III, footnote 2.

3. Member States shall apply the following specific provisions on statistics relating to the trading of goods between Member States on vessels and aircraft:

(a) the quantity shall be expressed in number of items and any other supplementary units laid down in the CN, for vessels, and in net mass and supplementary units, for aircraft;

(b) the statistical value shall be the total amount that would be invoiced – transport and insurance costs excluded – in the event of sale or purchase of the whole vessel or aircraft;

(c) the partner Member State shall be:

(i) the Member State where the taxable person transferring the economic ownership of the vessel or aircraft is established, on arrival, or the taxable person to whom the economic ownership of the vessel or aircraft is transferred, on dispatch, for the movements referred to in paragraphs 2(a) and (b);

(ii) the Member State of construction, on arrival in the case of new vessels or aircraft;

(iii) the Member State where the taxable person who exercises economic ownership of the vessel or aircraft is established, on arrival, or the Member State undertaking the processing under contract, on dispatch, for movements referred to in paragraph 2(c);

(d) the reference period for arrivals and dispatches referred to in paragraphs 2(a) and (b) shall be the month when the transfer of economic ownership takes place.

4. At the request of the national authorities, the authorities responsible for managing the ships and aircraft registers shall provide all the information available to identify a change of economic ownership of a vessel or aircraft between taxable persons established in Member States of arrival and dispatch.'

5. In Article 19(1), point (b) is replaced by the following:

'(b) a vessel or aircraft shall be deemed to belong to the Member State where the taxable person who exercises economic ownership of the vessel or aircraft as defined in Article 17(1)(c) is established.'

6. Article 20 is replaced by the following:

*'Article 20*

#### **Goods delivered to and from offshore installations**

1. For the purposes of this Article:

(a) "offshore installation" means equipment and devices installed and stationary in the sea outside the statistical territory of any Member State;

(b) "goods delivered to offshore installations" means the delivery of products for the crew and for the operation of engines, machines and other equipment of offshore installation;

(c) "goods obtained from or produced by offshore installations" means products extracted from the seabed or subsoil, or manufactured by the offshore installation.

2. Statistics relating to the trading of goods between Member States shall record:

(a) an arrival, where goods are delivered from:

(i) another Member State to an offshore installation established in an area where the reporting Member State has exclusive rights to exploit that seabed or subsoil;

(ii) an offshore installation established in an area where another Member State has exclusive rights to exploit that seabed or subsoil to the reporting Member State;

(iii) an offshore installation established in an area where another Member State has exclusive rights to exploit that seabed or subsoil to an offshore installation in an area where the receiving Member State has exclusive rights to exploit that seabed or subsoil;

(b) a dispatch, where goods are delivered to:

(i) another Member State from an offshore installation established in an area where the reporting Member State has exclusive rights to exploit that seabed or subsoil;

(ii) an offshore installation established in an area where another Member State has exclusive rights to exploit that seabed or subsoil from the reporting Member State;

(iii) an offshore installation established in an area where another Member State has exclusive rights to exploit that seabed or subsoil from an offshore installation established in an area where the dispatching Member State has exclusive rights to exploit that seabed or subsoil.

3. Member States shall use the following commodity codes for goods delivered to offshore installations:

— 9931 24 00: goods from CN chapters 1 to 24,

— 9931 27 00: goods from CN chapter 27,

— 9931 99 00: goods classified elsewhere.

For those deliveries, except for goods belonging to CN chapter 27, the transmission of data on quantity is optional and the simplified partner Member State code "QV" may be used.

7. Article 21 is replaced by the following:

*'Article 21*

#### **Sea products**

1. For the purposes of this Article:

(a) "sea products" means fishery products, minerals, salvage and all other products which have not yet been landed by seagoing vessels;

(b) a vessel shall be deemed to belong to the Member State where the taxable person who exercises the economic ownership of the vessel defined in Article 17(1)(c) is established.

2. Statistics relating to the trading of goods between Member States on sea products shall cover the following arrivals and dispatches:

(a) the landing of sea products in the reporting Member State's ports, or their acquisition by vessels belonging to the reporting Member State from vessels belonging to another Member State. These transactions shall be treated as arrivals;

(b) the landing of sea products in another Member State's ports from a vessel belonging to the reporting Member State, or their acquisition by vessels belonging to another Member State from vessels belonging to the reporting Member State. These transactions shall be treated as dispatches.

3. On arrival, the partner Member State shall be a Member State where the taxable person who exercises the economic ownership of the vessel, which is carrying out the capturing, is established and, on dispatch, another Member State where the sea products are landed or where the taxable person who exercises the economic ownership of the vessel, acquiring the sea products, is established.

4. Provided that there is no conflict with other acts of Union law, national authorities shall have access to all available data sources that they may need to apply this Article, in addition to those of the Intrastat system or customs declaration.'

8. Article 22 is replaced by the following:

*'Article 22*

#### **Spacecraft**

1. For the purposes of this Article:

(a) "spacecraft" means vehicles which are able to travel outside the earth's atmosphere;

(b) "economic ownership" means the right of a taxable person to claim the benefits associated with the use of a spacecraft in the course of an economic activity by virtue of accepting the associated risks.

2. The launching of a spacecraft for which economic ownership has been transferred between two taxable persons established in different Member States shall be recorded:

(a) as a dispatch in the Member State of construction of the finished spacecraft;

(b) as an arrival in the Member State where the new owner is established.

3. The following specific provisions shall apply to the statistics referred to in paragraph 2:

- (a) the data on the statistical value shall be defined as the value of the spacecraft, excluding transport and insurance costs;
- (b) the data on the partner Member State shall be the Member State of construction of the finished spacecraft, on arrival, and the Member State where the new owner is established, on dispatch.

4. Provided that there is no conflict with other acts of Union law, national authorities shall have access to all available data sources that they may need to apply this Article, in addition to those of the Intrastat system or customs declarations.'

9. Article 25 is replaced by the following:

*'Article 25*

1. Aggregated results referred to in Article 12(1)(a) of Regulation (EC) No 638/2004 are defined, for each flow, as the total value of trade with other Member States. In addition, Member States belonging to the euro area shall provide a breakdown by products of their trade outside the euro area according to sections of the Standard International Trade Classification in force.

2. Member States shall take all the necessary measures to ensure that the trade data collected from companies above the established thresholds according to Article 13 are exhaustive and comply with the quality criteria specified in Article 13 of Regulation (EC) No 638/2004.

3. Adjustments made in application of Article 12 of Regulation (EC) No 638/2004 shall be transmitted to

Eurostat with at least a breakdown by partner Member State and commodity code at chapter level of the CN.

4. Where statistical value not collected, Member States shall estimate the statistical value of the goods.

5. Member States shall estimate the net mass whenever it is not collected from the parties responsible for providing information pursuant to Article 9(1). The Commission (Eurostat) shall provide Member States with the coefficients needed to estimate the net mass.

6. Member States that have adjusted the reference period in accordance with Article 3(1) shall ensure that monthly results are transmitted to the Commission (Eurostat), using estimates if necessary, where the reference period for fiscal purposes does not correspond to a calendar month.

7. Member States shall transmit data declared confidential to the Commission (Eurostat) so that they may be published at least at chapter level of the CN provided confidentiality is thereby ensured.

8. Where monthly results already transmitted to the Commission (Eurostat) are subject to revision, Member States shall transmit the revised results no later than the month following availability of the revised data.'

10. Annex III to Regulation (EC) No 1982/2004 is replaced by the text of the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall apply from 1 January 2010.

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

Done at Brussels, 4 February 2010.

*For the Commission*

*The President*

José Manuel BARROSO



## ANNEX

## 'ANNEX III

## LIST OF NATURE OF TRANSACTIONS CODES

A	B
1. Transactions involving actual or intended transfer of ownership from residents to non-residents against financial or other compensation (except the transactions listed under 2, 7 and 8)	1. Outright purchase/sale 2. Supply for sale on approval or after trial, for consignment or with the intermediation of a commission agent 3. Barter trade (compensation in kind) 4. Financial leasing (hire-purchase) <sup>(1)</sup> 9. Other
2. Return and replacement of goods free of charge after registration of the original transaction	1. Return of goods 2. Replacement for returned goods 3. Replacement (e.g. under warranty) for goods not being returned 9. Other
3. Transactions involving transfer of ownership without financial or in kind compensation (e.g. aid shipments)	
4. Operations with a view to processing <sup>(2)</sup> under contract (no transfer of ownership to the processor)	1. Goods expected to return to the initial Member State of dispatch 2. Goods not expected to return to the initial Member State of dispatch
5. Operations following processing under contract (no transfer of ownership to the processor)	1. Goods returning to the initial Member State of dispatch 2. Goods not returning to the initial Member State of dispatch
6. Particular transactions recorded for national purposes	
7. Operations under joint defence projects or other joint intergovernmental production programs	
8. Transactions involving the supply of building materials and technical equipment under a general construction or civil engineering contract for which no separate invoicing of the goods is required and an invoice for the total contract is issued	
9. Other transactions which cannot be classified under other codes	1. Hire, loan, and operational leasing longer than 24 months 9. Other

<sup>(1)</sup> Financial leasing covers operations where the lease instalments are calculated in such a way as to cover all or virtually all of the value of the goods. The risks and rewards of ownership are transferred to the lessee. At the end of the contract the lessee becomes the legal owner of the goods.

<sup>(2)</sup> Processing covers operations (transformation, construction, assembling, enhancement, renovation ...) with the objective of producing a new or really improved item. This does not necessarily involve a change in the product classification. Processing activities on a processor's own account are not covered by this item and should be registered under item 1 of column A.



**COMMISSION REGULATION (EU) No 97/2010****of 4 February 2010****entering a name in the register of traditional specialities guaranteed [Pizza Napoletana (TSG)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed <sup>(1)</sup>, and in particular the third subparagraph of Article 9(5) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, and pursuant to Article 19(3) of the same Regulation, the application by Italy for registration of the name 'Pizza Napoletana' was published in the *Official Journal of the European Union* <sup>(2)</sup>.
- (2) Germany and Poland lodged statements of objection to the registration under Article 9(1) of Regulation (EC) No 509/2006. Those objections were deemed admissible under Article 9(3)(a) of that Regulation.
- (3) Germany's statement of objection concerned, inter alia, the fear that German wheat flour is put at a disadvantage, considering that only one type of wheat flour, available in one Member State, namely Italy, is authorised pursuant to the product specification.
- (4) Poland's statement of objection concerned, inter alia, the fact that the name is not specific in itself and the application for registration as published does not contain appropriate explanations.
- (5) By letters dated 17 September 2008, the Commission asked the Member States concerned to seek agreement among themselves in accordance with their internal procedures.
- (6) An agreement, notified to the Commission on 24 February 2009 and endorsed by it, was concluded

between Italy and Germany within six months. Under that agreement, the restrictions associated with the use of certain wheat flour were lifted.

- (7) Given that no agreement was reached between Italy and Poland within the prescribed period, however, the Commission is required to take a decision in accordance with the procedure referred to in Article 18(2) of Regulation (EC) No 509/2006.
- (8) In that context and as a result of Poland's objection, explanations to show that the name for which registration is sought is specific in itself were added to the product specification.
- (9) In the light of those considerations, the name 'Pizza Napoletana' must therefore be entered in the 'Register of traditional specialities guaranteed'. The protection referred to in Article 13(2) of Regulation (EC) No 509/2006 has not been requested.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Traditional Specialities Guaranteed,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name referred to in Annex I to this Regulation shall be entered in the register.

*Article 2*

The consolidated product specification is set out in Annex II to this Regulation.

*Article 3*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 4 February 2010.

*For the Commission*

*The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 1.

<sup>(2)</sup> OJ C 40, 14.2.2008, p. 17.

## ANNEX I

Foodstuffs referred to in Annex I to Regulation (EC) No 509/2006:

**Classe 2.3. Confectionery, bread, pastry, cakes, biscuits and other baker's wares**

ITALY

Pizza Napoletana (TSG)

---

## ANNEX II

## APPLICATION FOR REGISTRATION OF A TSG

Council Regulation (EC) No 509/2006 on agricultural products and foodstuffs as traditional specialities guaranteed

## 'PIZZA NAPOLETANA'

EC No: IT/TSG/007/0031/09.02.2005

## 1. NAME AND ADDRESS OF THE APPLICANT GROUP:

Name: Associazione Verace Pizza Napoletana

Address: Via S. Maria La Nova 49, Napoli

Tel.: 0814201205

Fax: 0814201205

E-mail: info@pizzanapoletana.org

Name: Associazione Pizzaiuoli Napoletani

Address: Corso S. Giovanni a Teduccio 55, Napoli

Tel.: 0815590781

Fax: 0815590781

E-mail: info@pizzaiuolinapoletani.it  
direttivo@pizzaiuolinapoletani.it

## 2. MEMBER STATE OR THIRD COUNTRY

Italy

## 3. PRODUCT SPECIFICATION

## 3.1. Name to be registered

'Pizza Napoletana'

Registration is applied for solely in the Italian language.

The words 'Prodotta secondo la Tradizione napoletana' (Produced in the Neapolitan tradition) and the acronym STG (TSG) which feature in/on the logo/label of 'Pizza Napoletana' TSG are translated into the language of the country where production took place.

## 3.2. Whether the name

☒ is specific in itself

☐ expresses the specific character of the agricultural product or foodstuff

The name 'Pizza Napoletana' is traditionally used to designate this product, as attested to by the various sources stated in point 3.8.

## 3.3. Whether reservation of the name is sought under Article 13(2) of Regulation (EC) No 509/2006

☐ Registration with reservation of the name

☒ Registration without reservation of the name

### 3.4. Type of product

Class 2.3 Confectionery, bread, pastry, cakes, biscuits and other baker's wares

### 3.5. Description of the agricultural product or foodstuff to which the name under point 3.1 applies

'Pizza Napoletana' TSG is a round product baked in the oven with a variable diameter not exceeding 35 cm and a raised rim and the central part is garnished. The central part is 0,4 cm thick, with a tolerance of  $\pm 10\%$ , and the rim is 1-2 cm thick. The overall pizza must be tender, elastic and easily foldable into four.

'Pizza Napoletana' TSG is distinguished by a raised rim, a golden colour characteristic of products baked in the oven, and a tenderness to touch and to taste; by a garnished centre dominated by the red of the tomatoes, perfectly mixed with oil and, depending on the ingredients used, the green of the oregano and the white of the garlic; by the white of the mozzarella slabs which are laid either closer together or further apart, and the green of the basil leaves, which are lighter or darker depending on the baking.

The consistency of 'Pizza Napoletana' must be tender, elastic and easily foldable; the product is easy to cut; it has a characteristic, savoury taste given by the raised rim, which has a taste typical of bread which has risen and been baked well, mixed with the acidic flavour of the tomatoes and the aroma of the oregano, garlic and basil and the flavour of baked mozzarella.

At the end of the baking process the pizza emits a characteristic aroma which is deliciously fragrant; the tomatoes, which have lost only their excess water, remain compact and solid; the 'Mozzarella di Bufala Campana AOP' or 'Mozzarella STG' are melted on the surface of the pizza; the basil, garlic and oregano develop an intense aroma and do not look burnt.

### 3.6. Description of the production method of the agricultural product or foodstuff to which the name under point 3.1 applies

The basic raw materials distinguishing 'Pizza Napoletana' are: common wheat flour, brewer's yeast, drinkable natural water, peeled tomatoes and/or small fresh tomatoes ('pomodorini'), sea salt or kitchen salt and extra virgin olive oil. Other ingredients which may be used in the preparation of 'Pizza Napoletana' are: garlic and oregano; 'Mozzarella di Bufala Campana AOP', fresh basil and 'Mozzarella STG'.

The characteristics of the flour are:

— W:	220-380
— P/L:	0,50-0,70
— Absorption:	55-62
— Stability:	4-12
— Value index E10:	max. 60
— Falling number:	300-400
— Dry gluten:	9,5-11 g %
— Protein:	11-12,5 g %

The preparation of 'Pizza Napoletana' exclusively comprises the phases of work described below, to be carried out in a continuous cycle on the same commercial premises.

#### *Preparation of the dough*

Blend the flour, water, salt and yeast. Pour a litre of water into the dough kneader, dissolve in a quantity of between 50 and 55 g of sea salt, add 10 % of the prescribed total quantity of flour, then add 3 g of brewer's yeast. Start up the dough kneader and gradually add 1,8 kg of W 220-380 flour until the desired consistency is reached, which is defined as the 'dough point'. This operation should take 10 minutes.

The dough must be worked in a dough kneader, preferably one with a dough hook, for 20 minutes at low speed, until a single compact mass is obtained. The quantity of water that flour is capable of absorbing is very important in obtaining an optimum dough consistency. The dough must not be sticky to the touch and must be soft and elastic.

The characteristics of the dough are as follows, with a tolerance for each of  $\pm 10\%$ :

- Fermentation temperature: 25 °C
- Final pH: 5,87
- Total titratable acidity: 0,14
- Density: 0,79 g/cm<sup>3</sup> (+ 34 %)

#### *Dough rising process*

First stage: once it has been removed from the dough kneader, the dough is placed on a work surface in the pizzeria where it must be left for two hours, covered with a damp cloth, to prevent its surface from hardening and a type of crust from forming as a result of the evaporation of the internal moisture. Once the two hours for rising have passed, the next stage is the shaping of the dough balls, which must be carried out exclusively by hand by the pizza chef. Using a spatula, a portion of the risen dough is cut off on the work surface before being shaped into a ball. For 'Pizza Napoletana', the dough balls must weigh between 180 and 250 g.

Second stage: once the dough balls have been shaped, a second rising phase lasting four to six hours takes place inside food containers. This dough, which is kept at room temperature, is ready to be used within the next six hours.

#### *Shaping the dough balls*

Once the dough has risen, the dough ball is taken out of the box using a spatula and is placed on the counter of the pizzeria on a light layer of flour to stop it sticking to the work surface. Working from the centre outwards, and by exerting pressure with the fingers of both hands on the dough ball, which is turned over several times, the pizza chef shapes a disc of dough whose thickness must not exceed 0,4 cm in the centre, with a tolerance of  $\pm 10\%$ , and 1 to 2 cm on the edges, thus forming a raised rim.

No other type of preparation is authorised for the preparation of 'Pizza Napoletana' TSG, in particular the use of a rolling pin and/or a mechanical press-type disc machine.

#### *Garnish*

The 'Pizza Napoletana' is seasoned as follows:

- using a spoon, place 70 to 100 g of crushed, peeled tomatoes in the centre of the disc of dough,
- using a spiralling motion, spread the tomato over the whole central surface,
- using a spiralling motion, add the salt to the surface of the tomato,
- in the same manner, sprinkle with a pinch of oregano,
- chop a peeled clove of garlic into thin slices and place them on top of the tomato,
- using an oil dispenser with a spout and a spiralling motion, distribute over the surface area, from the centre outwards, 4 to 5 g of extra virgin olive oil, with a tolerance of + 20 %.

Or:

- using a spoon, place 60 to 80 g of crushed, peeled tomatoes and/or chopped small fresh tomatoes at the centre of the disc of dough,
- using a spiralling motion, spread the tomato over the whole central surface,
- using a spiralling motion, add the salt to the surface of the tomato,
- place 80 to 100 g of sliced 'Mozzarella di Bufala Campana AOP' on the surface of the tomato,

- place several fresh basil leaves on the pizza,
- using an oil dispenser with a spout and a spiralling motion, distribute over the surface area, from the centre outwards, 4 to 5 g of extra virgin olive oil, with a tolerance of + 20 %.

Or:

- using a spoon, place 60 to 80g of crushed, peeled tomatoes at the centre of the disc of dough,
- using a spiralling motion, spread the tomato over the whole central surface,
- using a spiralling motion, add the salt to the surface of the tomato,
- place 80 to 100 g of sliced 'Mozzarella STG' on the surface of the tomato,
- place several fresh basil leaves on the pizza,
- using an oil dispenser with a spout and a spiralling motion, distribute over the surface area, from the centre outwards, 4 to 5 g of extra virgin olive oil, with a tolerance of + 20 %.

#### *Baking*

Using a little flour and a rotating movement, the 'pizzaiolo' (pizza chef) transfers the garnished pizza onto a wooden (or aluminium) baker's peel and slides it onto the cooking floor of the oven with a quick flick of the wrist, which prevents the garnish from running. The 'Pizza Napoletana' TSG is baked exclusively in wood-fired ovens with a baking temperature of 485 °C, which is essential for producing the 'Pizza Napoletana' TSG.

The pizza chef must monitor the baking of the pizza by lifting its side using a metal peel and rotating the pizza towards the fire, taking care always to use the same initial area of the cooking floor to ensure that the pizza does not burn due to differences in temperatures. It is important that the pizza is baked uniformly across its entire circumference.

Still using the metal peel, when baking is finished, the pizza chef removes the pizza from the oven and places it on the plate. The baking time must not exceed 60 to 90 seconds.

After baking, the pizza has the following characteristics: the tomatoes, having lost only their excess water, remain compact and solid; the 'Mozzarella di Bufala Campana AOP' or 'Mozzarella STG' are melted on the surface of the pizza; the basil, garlic and oregano emit an intense aroma and do not look burnt.

- Baking temperature on the cooking floor of the oven: approximately 485 °C
- Temperature at the oven dome: approximately 430 °C
- Baking time: 60-90 seconds
- Temperature reached by the dough: 60-65 °C
- Temperature reached by the tomatoes: 75-80 °C
- Temperature reached by the oil: 75-85 °C
- Temperature reached by the mozzarella: 65-70 °C

#### *Conservation*

The 'Pizza Napoletana' should preferably be consumed immediately, as soon as it comes out of the oven, in the same location as it was produced. However, if it is not consumed at the place of its production, it cannot be frozen or deep frozen or vacuum packed for later sale.

### 3.7. Specific character of the agricultural product or foodstuff

There are numerous key elements defining the specific character of the product in question and they are directly linked to the duration and methods used in the operations, and also to the skill and experience of the artisan.

In particular, the preparation process for the 'Pizza Napoletana' is characterised by: kneading, the consistency and elasticity of the dough ('reologia') and the specific nature of the rising process (in two phases with specific conditions regarding temperature and duration); preparation and shaping of the dough balls; the handling and preparation of the risen disc of dough; the preparation of the oven and the baking characteristics (duration/temperatures) and the specific characteristics of the oven which must be fired exclusively by wood.

For example, the importance should be stressed of the second rising, handling and work equipment, i.e. the oven, which must be a wood-fired oven, and the peels.

After the second rising, the dough ball has grown in volume and moisture in comparison with the previous period. The pressure exerted by the fingers of both hands causes the air contained in the pockets of the dough to move from the centre to the edges of the disc of dough, where it starts to form the raised rim of the pizza. This technique constitutes a fundamental characteristic of the 'Pizza Napoletana' TSG, with the rising of the rims of the disc ensuring that all the ingredients in the garnish are retained. In order to increase the diameter of the dough ball, preparation is continued by throwing the dough between the hands, holding the right hand at an angle of 45-60° to the work surface, placing the disc of dough on it and turning it with a synchronised movement of the left hand.

In contrast, other types of preparation, in particular those carried out using a rolling pin or a disc machine (mechanical press-type) do not succeed in homogenously displacing the air in the pockets present in the mass towards the edges, and this is necessary to produce a disc of dough which is uniform across all its parts. They lead to the formation of an area of dough in the centre of the disc which is layered and divided by the air in the void. Consequently, if these instruments are used, after baking the pizza will not have its typical raised rim, which is one of the main characteristics of the 'Pizza Napoletana' TSG.

Furthermore, the Neapolitan technique requires the pizza chef, after having prepared a series of three to six discs of garnished dough, to skilfully slide the pizza from the work surface to the peel using precise and rapid hand movements, and ensuring that the pizza does not lose its initial round shape (the pizza is taken in both hands by the pizza chef who, by turning it round approximately 90°, places it on a suitable peel). The pizza chef sprinkles a little flour on the peel going into the oven to enable the pizza to slide easily from the peel into the oven. This operation is carried out with a rapid flick of the wrist, by holding the peel at an angle of 20-25° to the oven surface, and by ensuring that the garnish does not fall from the surface of the pizza.

The use of techniques other than those described above is not appropriate, since taking the pizza directly from the work surface using the peel risks spoiling the pizza which is ready to go into the oven.

The wood-fired oven is a key element in the baking and the quality of the 'Pizza Napoletana'. Its technical characteristics are essential to the success of the traditional 'Pizza Napoletana'. The 'Pizza Napoletana' oven consists of a base of tuff bricks surmounted by a circular surface known as a 'sole' (cooking floor), on top of which is built a dome. The dome of the oven is made of refractory material to prevent the heat from dispersing. Indeed, the ratios between the different parts of the oven are essential for ensuring that the pizza is baked well. The particular characteristic of this oven is the size of the cooking floor, which is made up of four refractory circular areas. The pizza chef picks up the pizza with the steel and/or aluminium peel and puts it in the mouth of the oven, where he deposits it and turns it around 180°. The pizza is then placed back in its initial position, the temperature of the base having been reduced as the pizza absorbs the heat as it cooks.

Positioning the pizza in a different place would have the effect of obtaining the same initial temperature, which would burn the base of the pizza.

All these specific characteristics create the phenomena of the air chamber and the appearance of the final product, the 'Pizza Napoletana', which is indeed soft and compact; has a raised rim, is raised in the centre, is particularly soft and easily foldable into four. It is important to stress that all other similar products obtained using preparation processes different to that described cannot obtain the same visual and organoleptic characteristics as those of the 'Pizza Napoletana'.



### 3.8. Traditional character of the agricultural product or foodstuff

The first appearance of the 'Pizza Napoletana' may be dated back to the period between 1715 and 1725. Vincenzo Corrado, a native of the town of Oria, and chief cook for Prince Emanuele di Francavilla, in a treatise on the foodstuffs most commonly used in Naples, stated that the tomato was used to season pizza and macaroni, thereby associating two products which have been the source of the fame of the city of Naples and the reason for its inclusion in the history of gastronomy. This quotation marks the official birth of the 'Pizza Napoletana', a disc of dough seasoned with tomato.

A great number of historical documents attest to the Neapolitan origin of this culinary speciality. The writer Franco Salerno claimed that this product was one of the greatest inventions of Neapolitan cooking.

Even Italian-language dictionaries and the encyclopaedia Treccani expressly mention the 'Pizza Napoletana'. The expression 'Pizza Napoletana' is also quoted in numerous literary texts.

There is no doubt that the first 'pizzeria' (pizzerias) appeared in Naples where, until the middle of the twentieth century, this product was exclusive to the city and its pizzerias. In the eighteenth century, the city already had several shops known as 'pizzerias'. The King of Naples, Ferdinand of Bourbon, heard of their reputation and, in order to taste this dish in the typical Neapolitan tradition, breached court etiquette and visited one of the most renowned pizzerias. Since then the 'pizzeria' has become a fashionable location, a place devoted to the exclusive preparation of the 'pizza'. The most popular and famous pizzas from Naples were the 'Marinara', created in 1734, and the 'Margherita', which dates from 1796-1810. The latter was presented to the Queen of Italy upon her visit to Naples in 1889, specifically on account of the colour of its seasoning (tomato, mozzarella and basil) which are reminiscent of the colours of the Italian flag.

Over time pizzerias appeared in every town in Italy and even abroad. However each of them, despite being located in a town other than Naples, has always linked its existence with the words 'pizzeria napoletana', or used a term which in some way evokes its link with Naples, where for more than 300 years this product has retained its authenticity.

In May 1984 the 'pizzaioli napoletani' drew up a brief product specification which was signed by the whole profession and registered by means of an official document witnessed by the notary Antonio Carannante of Naples.

Over the centuries the term 'Pizza Napoletana' has become so widespread that everywhere, including outside Europe in Central and South America (e.g. Mexico and Guatemala) and Asia (e.g. Thailand and Malaysia), the product in question is known by its name 'Pizza Napoletana', although the inhabitants sometimes do not have the slightest idea of the geographical location of the city of Naples.

### 3.9. Minimum requirements and procedures to check the specific character

The checks specified for 'Pizza Napoletana' TSG relate to the following aspects:

In businesses, during the kneading, rising and preparation phase of the dough, checking the correct execution of the phases described; carefully monitoring the critical points of the business; checking the compliance of the raw materials with the product specification; checking the perfect conservation and storage of the raw materials to be used and ensuring that the characteristics of the final product are compliant with the specifications contained in the product specification.

### 3.10. Logo

The acronym 'STG' (TSG) and the words 'Specialità Tradizionale Garantita' (Traditional Speciality Guaranteed) and 'Prodotta secondo la Tradizione napoletana' (Produced in the Neapolitan tradition) are translated into the official languages of the country where production took place.

The logo which distinguishes the 'Pizza Napoletana' is as follows: a horizontal white oval image with a light grey border, which represents the plate on which the pizza is presented, reproduced in a realistic but stylised manner, fully respecting the tradition and illustrating the classic ingredients, tomato, mozzarella, basil leaves and a trickle of olive oil.

Under the plate there is an offset green shadow, which, in combination with the other colours, emphasizes the Italian colours of the product.

Slightly superimposed above the plate containing the pizza, there is a red rectangular window with very rounded corners containing the words in white surrounded by black, with an offset green shadow with a white border: 'PIZZA NAPOLETANA STG'. Above this caption, and slightly to the right, in smaller white characters of a different type, features the caption 'Traditional Speciality Guaranteed' (Specialità Tradizionale Garantita). Below, in the centre, in the same characters as the logo, PIZZA NAPOLETANA STG, in small capital letters in white with a black border, is superimposed the caption: 'Produced in the Neapolitan tradition' (Prodotta secondo la Tradizione napoletana).

Words	Characters
PIZZA NAPOLETANA STG	Varga
Traditional Speciality Guaranteed	Alternate Gothic
Produced in the Neapolitan tradition	Varga

Colours of the pizza	PantoneProSim	C	M	Y	K
Deep beige of the rim	466	11	24	43	0 %
Red background of the tomato sauce	703	0 %	83	65	18
Basil leaves	362	76	0 %	100	11
Veining on the basil leaves	562	76	0 %	100	11
Red of the tomatoes	032	0 %	91	87	0 %
Trickle of olive oil	123	0 %	31	94	0 %
Mozzarella	600	0 %	0 %	11	0 %
Reflections on the mozzarella	5 807	0 %	0%	11	9

Colours of the graphic and characters	PantoneProSim	C	M	Y	K
Grey on the rim of the oval plate	P.Grey — 3CV	0 %	0 %	0 %	18
Green on the shadow of the oval plate	362	76	0 %	100	11
Red on the rectangle with rounded corners	032	0 %	91	87	0 %
White with black border of the words 'PIZZA NAPOLETANA STG'		0 %	0 %	0 %	0 %
White with black border of the words 'Produced in the Neapolitan tradition'		0 %	0 %	0 %	0 %
In white the caption 'Traditional Speciality Guaranteed'		0 %	0 %	0 %	0 %



#### 4. AUTHORITIES OR BODIES VERIFYING COMPLIANCE WITH THE PRODUCT SPECIFICATION

##### 4.1. Name and address

Name: Certiquality SRL  
Address: Via Gaetano Giardino, 4 – 20123 Milano  
Tel.: 028069171  
Fax: 0286465295  
e-mail: certiquality@certiquality.it

☐ Public      ☒ Private

Name: DNV Det Norske Veritas Italia  
Address: Centro Direzionale Colleoni Viale Colleoni, 9 Palazzo Sirio 2 – 20041 Agrate Brianza (MI)  
Tel.: +39 0396899905  
Fax: +39 0396899930  
e-mail: —

☐ Public      ☒ Private

Name: ISMECERT  
Address: Corso Meridionale, 6 - 80143 NAPOLI  
Tel.: 0815636647  
Fax: 0815534019  
e-mail: info@ismecert.com

☐ Public      ☒ Private

##### 4.2. Specific tasks of the authority or body

The three inspection bodies above are responsible for carrying out checks on various subjects in different parts of the national territory.

---

**COMMISSION REGULATION (EU) No 98/2010****of 4 February 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) <sup>(1)</sup>,

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 <sup>(2)</sup>, 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 5 February 2010.

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

Done at Brussels, 4 February 2010.

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

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

---

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> 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 <sup>(1)</sup>	Standard import value
0702 00 00	IL	106,9
	JO	75,8
	MA	63,8
	TN	122,7
	TR	96,1
	ZZ	93,1
0707 00 05	MA	71,3
	TR	132,6
	ZZ	102,0
0709 90 70	MA	137,6
	TR	139,0
	ZZ	138,3
0709 90 80	EG	85,3
	ZZ	85,3
0805 10 20	EG	52,6
	IL	56,7
	MA	52,4
	TN	44,6
	TR	49,6
	ZZ	51,2
0805 20 10	IL	163,0
	MA	85,4
	TR	62,0
	ZZ	103,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	56,4
	EG	61,9
	IL	68,9
	JM	92,4
	MA	126,2
	PK	45,1
	TR	68,7
	ZZ	74,2
0805 50 10	EG	82,4
	IL	89,4
	TR	73,7
	ZZ	81,8
0808 10 80	CA	95,3
	CL	60,1
	CN	66,9
	MK	24,7
	US	124,9
0808 20 50	ZZ	74,4
	CN	46,8
	TR	84,8
	US	134,5
	ZA	105,0
	ZZ	92,8

<sup>(1)</sup> 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 99/2010****of 4 February 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

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) <sup>(1)</sup>,

Having regard 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>, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 <sup>(3)</sup>. These prices and duties have been last amended by Commission Regulation (EU) No 90/2010 <sup>(4)</sup>.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 5 February 2010.

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

Done at Brussels, 4 February 2010.

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

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.

<sup>(3)</sup> OJ L 253, 25.9.2009, p. 3.

<sup>(4)</sup> OJ L 29, 2.2.2010, p. 3.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 5 February 2010**

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 <sup>(1)</sup>	48,11	0,00
1701 11 90 <sup>(1)</sup>	48,11	0,47
1701 12 10 <sup>(1)</sup>	48,11	0,00
1701 12 90 <sup>(1)</sup>	48,11	0,17
1701 91 00 <sup>(2)</sup>	53,29	1,48
1701 99 10 <sup>(2)</sup>	53,29	0,00
1701 99 90 <sup>(2)</sup>	53,29	0,00
1702 90 95 <sup>(3)</sup>	0,53	0,20

<sup>(1)</sup> For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.<sup>(2)</sup> For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.<sup>(3)</sup> Per 1 % sucrose content.



**COMMISSION REGULATION (EU) No 100/2010****of 4 February 2010****granting no export refund for butter 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) <sup>(1)</sup>, 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 <sup>(2)</sup> provides for a permanent tender.

(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 <sup>(3)</sup> 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 2 February 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 2 February 2010, no export refund shall be granted for the products and destinations referred to in points (a) and (b) of Article 1 and in Article 2 of that Regulation.

*Article 2*

This Regulation shall enter into force on 5 February 2010.

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

Done at Brussels, 4 February 2010.

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

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 168, 28.6.2008, p. 20.

<sup>(3)</sup> OJ L 325, 11.12.2007, p. 69.

**COMMISSION REGULATION (EU) No 101/2010****of 4 February 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) <sup>(1)</sup>, 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 <sup>(2)</sup> 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 <sup>(3)</sup> 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 2 February 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 2 February 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 5 February 2010.

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

Done at Brussels, 4 February 2010.

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

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 168, 28.6.2008, p. 20.

<sup>(3)</sup> OJ L 325, 11.12.2007, p. 69.

**COMMISSION REGULATION (EU) No 102/2010****of 4 February 2010****fixing the allocation coefficient to be applied to applications for import licences for olive oil lodged from 1 to 2 February 2010 under the Tunisian tariff quota and suspending the issue of import licences for the month of February 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) <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,

Whereas:

- (1) Article 3(1) and (2) of Protocol No 1 <sup>(3)</sup> to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part <sup>(4)</sup>, opens a tariff quota at a zero rate of duty for imports of untreated olive oil falling within CN codes 1509 10 10 and 1509 10 90, wholly obtained in Tunisia and transported direct from that country to the European Union, up to the limit laid down for each year.
- (2) Article 2(2) of Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for

olive oil originating in Tunisia <sup>(5)</sup> lays down monthly quantitative limits for the issue of import licences.

- (3) Import licence applications have been submitted to the competent authorities under Article 3(1) of Regulation (EC) No 1918/2006 in respect of a total quantity exceeding the limit laid down for the month of February in Article 2(2) of that Regulation.
- (4) In these circumstances, the Commission must set an allocation coefficient allowing import licences to be issued in proportion to the quantity available.
- (5) Since the limit for the month of February has been reached, no more import licences can be issued for that month,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications were lodged for 1 and 2 February 2010 under Article 3(1) of Regulation (EC) No 1918/2006 shall be multiplied by an allocation coefficient of 77,509766 %.

The issue of import licences in respect of amounts applied for as from 8 February 2010 shall be suspended for February 2010.

*Article 2*

This Regulation shall enter into force on 5 February 2010.

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

Done at Brussels, 4 February 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 97, 30.3.1998, p. 57.

<sup>(4)</sup> OJ L 97, 30.3.1998, p. 2.

<sup>(5)</sup> OJ L 365, 21.12.2006, p. 84.

# DECISIONS

## COMMISSION DECISION

of 1 February 2010

**on the clearance of the accounts of certain paying agencies in Greece, Portugal and Finland concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) for the 2007 financial year**

(notified under document C(2010) 425)

(Only the Finnish, Greek, Portuguese and Swedish texts are authentic)

(2010/58/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Articles 30 and 33 thereof,

After consulting the Fund Committee,

Whereas:

- (1) Commission Decision 2008/397/EC <sup>(2)</sup> and Commission Decision 2009/86/EC <sup>(3)</sup> cleared, for the 2007 financial year, the accounts of all the paying agencies except for the Greek paying agency 'OPEKEPE', the Portuguese paying agency 'IFAP' and the Finnish paying agency 'MAVI'.
- (2) Following the transmission of new information and after additional checks, the Commission can now take a decision concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) on the integrality, accuracy and veracity of the accounts submitted by the Greek paying agency 'OPEKEPE', the Portuguese paying agency 'IFAP' and the Finnish paying agency 'MAVI'.
- (3) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions

taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

### Article 1

The accounts of the Greek paying agency 'OPEKEPE', the Portuguese paying agency 'IFAP' and the Finnish paying agency 'MAVI' concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD), in respect of the 2007 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State under each rural development programme pursuant to this Decision, including those resulting from the application of Article 33(8) of Regulation (EC) No 1290/2005, are set out in Annex.

### Article 2

This Decision is addressed to the Hellenic Republic, the Portuguese Republic and the Republic of Finland.

Done at Brussels, 1 February 2010.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(2)</sup> OJ L 139, 29.5.2008, p. 40.

<sup>(3)</sup> OJ L 33, 3.2.2009, p. 35.

## ANNEX

**Clearance of disjoined EAFRD expenditure by rural development programme and measure for financial year 2007**

**Amount to be recovered from or paid to the Member State per programme**

(in EUR)

Measure	Expenditure 2007	Corrections	Total	Non-reusable amounts	Accepted amount cleared for FY 2007	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (-) of paid to (+) the Member State in the next declaration
GR: 2007GR06RPO001	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
211	83 342 228,55	0,00	83 342 228,55	0,00	83 342 228,55	83 342 228,55	0,00
212	32 123 903,36	0,00	32 123 903,36	0,00	32 123 903,36	32 123 903,36	0,00
214	61 783 222,40	0,00	61 783 222,40	0,00	61 783 222,40	61 783 222,40	0,00
221	16 765 452,61	0,00	16 765 452,61	0,00	16 765 452,61	16 765 452,61	0,00
Total	194 014 806,92	0,00	194 014 806,92	0,00	194 014 806,92	194 014 806,92	0,00
PT: 2007PT06RPO001	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
113	1 429 348,64	0,00	1 429 348,64	0,00	1 429 348,64	1 429 348,64	0,00
212	483 629,57	0,00	483 629,57	0,00	483 629,57	483 629,57	0,00
213	4 360 765,91	0,00	4 360 765,91	0,00	4 360 765,91	4 360 765,91	0,00
221	730 820,23	0,00	730 820,23	0,00	730 820,23	730 820,23	0,00
Total	7 004 564,35	0,00	7 004 564,35	0,00	7 004 564,35	7 004 564,35	0,00
PT: 2007PT06RPO002	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
113	3 266 789,56	0,00	3 266 789,56	0,00	3 266 789,56	3 266 789,56	0,00
211	4 097 213,53	0,00	4 097 213,53	0,00	4 097 213,53	4 097 213,53	0,00
212	1 723 170,65	0,00	1 723 170,65	0,00	1 723 170,65	1 723 170,65	0,00
214	48 341 911,66	0,00	48 341 911,66	0,00	48 341 911,66	48 341 911,66	0,00
221	25 542 706,82	0,00	25 542 706,82	0,00	25 542 706,82	25 542 706,82	0,00
511	285 000,00	0,00	285 000,00	0,00	285 000,00	285 000,00	0,00
Total	83 256 792,22	0,00	83 256 792,22	0,00	83 256 792,22	83 256 792,22	0,00
FI: 2007FI06RPO001	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
111	83 036,13	0,00	83 036,13	0,00	83 036,13	83 036,13	0,00
113	9 302 896,89	0,00	9 302 896,89	0,00	9 302 896,89	9 240 576,62	62 320,27
123	48 210,89	0,00	48 210,89	0,00	48 210,89	48 210,89	0,00
211	65 633 160,53	12 860,21	65 620 300,32	0,00	65 620 300,32	65 620 300,32	0,00
212	52 090 453,86	- 8 927,92	52 099 381,78	0,00	52 099 381,78	52 099 381,78	0,00
214	87 503 613,64	201 327,95	87 302 285,69	0,00	87 302 285,69	87 302 285,69	0,00
221	1 097 959,60	0,00	1 097 959,60	0,00	1 097 959,60	1 097 959,60	0,00
311	345 766,76	0,00	345 766,76	0,00	345 766,76	345 766,76	0,00
313	62 252,31	0,00	62 252,31	0,00	62 252,31	62 252,31	0,00
321	175 571,99	0,00	175 571,99	0,00	175 571,99	175 571,99	0,00
322	13 200,31	0,00	13 200,31	0,00	13 200,31	13 200,31	0,00
411	10 253,00	0,00	10 253,00	0,00	10 253,00	10 253,00	0,00
413	243 625,99	0,00	243 625,99	0,00	243 625,99	242 561,41	1 064,58
Total	216 610 001,90	205 260,24	216 404 741,66	0,00	216 404 741,66	216 341 356,81	63 384,85
FI: 2007FI06RPO002	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
212	773,68	0,00	773,68	0,00	773,68	773,68	0,00
214	4 010,84	0,00	4 010,84	0,00	4 010,84	4 010,84	0,00
Total	4 784,52	0,00	4 784,52	0,00	4 784,52	4 784,52	0,00

## COMMISSION DECISION

of 1 February 2010

**on the clearance of the accounts of certain paying agencies in Belgium, Germany, Spain, Portugal and Slovakia concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) for the 2008 financial year**

*(notified under document C(2010) 426)***(Only the Dutch, French, German, Portuguese, Slovakian and Spanish texts are authentic)**

(2010/59/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Articles 30 and 33 thereof,

After consulting the Fund Committee,

Whereas:

- (1) Commission Decision 2009/373/EC <sup>(2)</sup> cleared, for the 2008 financial year, the accounts of all the paying agencies except for the Belgian paying agency 'ALV', the German paying agencies 'Bayern', 'Brandenburg', 'Niedersachsen' and 'Schleswig-Holstein', the Greek paying agency 'OPEKEPE', the Spanish paying agency 'Galicia', the French paying agency 'ODARC', the Italian paying agency 'ARBEA' the Portuguese paying agency 'IFAP' and the Slovakian paying agency 'APA'.
- (2) Following the transmission of new information and after additional checks, the Commission can now take a decision concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) on the integrality, accuracy and veracity of the accounts submitted by the Belgian paying agency 'ALV', the German paying agencies 'Brandenburg', 'Niedersachsen' and 'Schleswig-Holstein', the Spanish paying agency 'Galicia', the Portuguese paying agency 'IFAP' and the Slovakian paying agency 'APA'.

- (3) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

*Article 1*

The accounts of the Belgian paying agency 'ALV', the German paying agencies 'Brandenburg', 'Niedersachsen' and 'Schleswig-Holstein', the Spanish paying agency 'Galicia', the Portuguese paying agency 'IFAP' and the Slovakian paying agency 'APA' concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD), in respect of the 2008 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State under each rural development programme pursuant to this Decision, including those resulting from the application of Article 33(8) of Regulation (EC) No 1290/2005, are set out in the Annex.

*Article 2*

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the Portuguese Republic and the Slovak Republic.

Done at Brussels, 1 February 2010.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

<sup>(1)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(2)</sup> OJ L 116, 9.5.2009, p. 21.

## ANNEX

**CLEARANCE OF DISJOINED EXPENDITURE BY RURAL DEVELOPMENT PROGRAMME AND MEASURE FOR  
FINANCIAL YEAR 2008**

**AMOUNT TO BE RECOVERED FROM OR PAID TO THE MEMBER STATE PER PROGRAMME**

(in Euro)

CCI: programme/ measure	Expenditure 2008	Corrections	Total	Non-reusable amounts	Accepted amount cleared for FY 2008	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (-) of paid to (+) the Member State in the next declaration
BE: 2007BE06RPO001	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
111	1 597 041,76	0,00	1 597 041,76	0,00	1 597 041,76	1 597 041,67	0,09
112	2 710 657,12	0,00	2 710 657,12	0,00	2 710 657,12	2 710 657,12	0,00
114	575 329,00	0,00	575 329,00	0,00	575 329,00	575 328,99	0,01
121	12 825 365,38	0,00	12 825 365,38	0,00	12 825 365,38	12 825 361,81	3,57
123	124 643,21	0,00	124 643,21	0,00	124 643,21	124 643,20	0,01
125	23 547,15	0,00	23 547,15	0,00	23 547,15	23 547,15	0,00
213	26 188,00	0,00	26 188,00	0,00	26 188,00	26 188,00	0,00
214	8 665 113,41	0,00	8 665 113,41	0,00	8 665 113,41	8 665 102,34	11,07
221	145 606,16	0,00	145 606,16	0,00	145 606,16	145 605,16	1,00
227	132 869,36	0,00	132 869,36	0,00	132 869,36	132 869,29	0,07
311	628 265,92	0,00	628 265,92	0,00	628 265,92	628 265,72	0,20
313	544 626,92	0,00	544 626,92	0,00	544 626,92	544 626,88	0,04
321	105 664,47	0,00	105 664,47	0,00	105 664,47	105 664,48	- 0,01
322	210 076,67	0,00	210 076,67	0,00	210 076,67	210 076,69	- 0,02
323	184 432,86	0,00	184 432,86	0,00	184 432,86	184 432,85	0,01
331	134 385,93	0,00	134 385,93	0,00	134 385,93	134 385,92	0,01
431	152 947,76	0,00	152 947,76	0,00	152 947,76	152 947,75	0,01
511	172 698,36	0,00	172 698,36	0,00	172 698,36	172 698,27	0,09
Total	28 959 459,44	0,00	28 959 459,44	0,00	28 959 459,44	28 959 443,29	16,15
DE: 2007DE06RPO007	i	ii	iii = i + ii	iv	v = iii - iv	vi	vii = v - vi
111	157 797,77	0,00	157 797,77	0,00	157 797,77	157 797,77	0,00
121	4 501 551,97	0,00	4 501 551,97	0,00	4 501 551,97	4 501 551,97	0,00
125	7 619 684,31	0,00	7 619 684,31	0,00	7 619 684,31	7 619 684,32	- 0,01
213	2 179 031,99	0,00	2 179 031,99	0,00	2 179 031,99	2 179 031,98	0,01
214	28 674 920,38	0,00	28 674 920,38	0,00	28 674 920,38	28 674 980,61	- 60,23
226	33 360,00	0,00	33 360,00	0,00	33 360,00	33 360,00	0,00
311	208 321,39	0,00	208 321,39	0,00	208 321,39	208 321,19	0,20
312	386 419,72	0,00	386 419,72	0,00	386 419,72	386 419,72	0,00
313	868 451,26	0,00	868 451,26	0,00	868 451,26	868 451,26	0,00
322	165 495,71	0,00	165 495,71	0,00	165 495,71	165 495,71	0,00
323	884 937,57	0,00	884 937,57	0,00	884 937,57	884 937,57	0,00
331	147 099,50	0,00	147 099,50	0,00	147 099,50	147 099,50	0,00
412	28 793,54	0,00	28 793,54	0,00	28 793,54	28 793,54	0,00
413	791 191,26	0,00	791 191,26	0,00	791 191,26	791 191,26	0,00
431	409 078,08	0,00	409 078,08	0,00	409 078,08	409 078,08	0,00
511	78 954,86	0,00	78 954,86	0,00	78 954,86	78 954,86	0,00
Total	47 135 089,31	0,00	47 135 089,31	0,00	47 135 089,31	47 135 149,34	- 60,03



(in Euro)

CCI: programme/ measure	Expenditure 2008	Corrections	Total	Non-reusable amounts	Accepted amount cleared for FY 2008	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (–) of paid to (+) the Member State in the next declaration
DE: 2007DE06RPO012	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
111	460 830,04	0,00	460 830,04	0,00	460 830,04	460 830,04	0,00
114	775 059,50	0,00	775 059,50	0,00	775 059,50	775 059,50	0,00
121	20 043 827,24	0,00	20 043 827,24	0,00	20 043 827,24	20 043 827,24	0,00
123	5 570 699,64	0,00	5 570 699,64	0,00	5 570 699,64	5 570 699,64	0,00
125	11 805 894,52	0,00	11 805 894,52	0,00	11 805 894,52	11 805 894,51	0,01
126	4 869 388,43	0,00	4 869 388,43	0,00	4 869 388,43	4 869 388,43	0,00
213	1 193 318,68	0,00	1 193 318,68	0,00	1 193 318,68	1 193 318,68	0,00
214	17 132 919,63	0,00	17 132 919,63	0,00	17 132 919,63	17 132 919,62	0,01
221	380 164,52	0,00	380 164,52	0,00	380 164,52	380 164,52	0,00
223	1 701,15	0,00	1 701,15	0,00	1 701,15	1 701,15	0,00
225	– 10 222,50	0,00	– 10 222,50	0,00	– 10 222,50	– 10 222,50	0,00
227	4 272 821,30	0,00	4 272 821,30	0,00	4 272 821,30	4 272 821,30	0,00
313	11 065,50	0,00	11 065,50	0,00	11 065,50	11 065,50	0,00
322	652 879,51	0,00	652 879,51	0,00	652 879,51	652 879,51	0,00
323	1 910 623,38	0,00	1 910 623,38	0,00	1 910 623,38	1 910 623,37	0,01
331	34 513,45	0,00	34 513,45	0,00	34 513,45	34 513,45	0,00
341	14 250,00	0,00	14 250,00	0,00	14 250,00	14 250,00	0,00
413	263 116,00	0,00	263 116,00	0,00	263 116,00	263 116,00	0,00
431	28 150,00	0,00	28 150,00	0,00	28 150,00	28 150,00	0,00
511	359 491,01	0,00	359 491,01	0,00	359 491,01	359 491,00	0,01
Total	69 770 491,00	0,00	69 770 491,00	0,00	69 770 491,00	69 770 490,96	0,04
DE: 2007DE06RPO021	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
111	113 768,17	0,00	113 768,17	0,00	113 768,17	113 768,18	– 0,01
121	2 177 500,00	0,00	2 177 500,00	0,00	2 177 500,00	2 177 500,00	0,00
123	1 262 577,50	0,00	1 262 577,50	0,00	1 262 577,50	1 262 577,50	0,00
125	1 139 103,86	0,00	1 139 103,86	0,00	1 139 103,86	1 139 103,89	– 0,03
126	5 030 000,00	0,00	5 030 000,00	0,00	5 030 000,00	5 030 000,04	– 0,04
212	635 866,57	0,00	635 866,57	0,00	635 866,57	635 868,26	– 1,69
213	363 677,09	0,00	363 677,09	0,00	363 677,09	363 680,13	– 3,04
214	8 620 523,50	0,00	8 620 523,50	0,00	8 620 523,50	8 620 572,16	– 48,66
221	428 197,36	0,00	428 197,36	0,00	428 197,36	428 198,99	– 1,63
313	1 351 218,17	0,00	1 351 218,17	0,00	1 351 218,17	1 351 218,20	– 0,03
321	2 393 791,15	0,00	2 393 791,15	0,00	2 393 791,15	2 393 791,16	– 0,01
322	1 308 239,92	0,00	1 308 239,92	0,00	1 308 239,92	1 308 239,95	– 0,03
323	3 718 261,01	0,00	3 718 261,01	0,00	3 718 261,01	3 718 261,19	– 0,18
341	152 637,26	0,00	152 637,26	0,00	152 637,26	152 637,29	– 0,03
511	108 883,85	0,00	108 883,85	0,00	108 883,85	108 883,88	– 0,03
Total	28 804 245,41	0,00	28 804 245,41	0,00	28 804 245,41	28 804 300,82	– 55,41

(in Euro)

CCI: programme/ measure	Expenditure 2008	Corrections	Total	Non-reusable amounts	Accepted amount cleared for FY 2008	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (–) of paid to (+) the Member State in the next declaration
ES: 2007ES06RPO011	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
112	532 913,94	0,00	532 913,94	0,00	532 913,94	532 913,94	0,00
113	14 053 064,08	0,00	14 053 064,08	0,00	14 053 064,08	14 053 106,99	– 42,91
121	1 931 683,50	0,00	1 931 683,50	0,00	1 931 683,50	1 931 683,46	0,04
124	318 885,95	0,00	318 885,95	0,00	318 885,95	318 885,97	– 0,02
133	642 735,46	0,00	642 735,46	0,00	642 735,46	642 735,45	0,01
211	4 204 390,32	0,00	4 204 390,32	0,00	4 204 390,32	4 204 390,47	– 0,15
212	3 393 059,43	0,00	3 393 059,43	0,00	3 393 059,43	3 393 059,01	0,42
214	3 017 633,62	0,00	3 017 633,62	0,00	3 017 633,62	3 017 631,67	1,95
221	1 024 794,25	0,00	1 024 794,25	0,00	1 024 794,25	1 024 794,26	– 0,01
223	1 092 653,11	0,00	1 092 653,11	0,00	1 092 653,11	1 092 653,10	0,01
226	5 919 058,83	0,00	5 919 058,83	0,00	5 919 058,83	5 919 076,00	– 17,17
311	10 845,72	0,00	10 845,72	0,00	10 845,72	10 845,72	0,00
312	2 202 494,09	0,00	2 202 494,09	0,00	2 202 494,09	2 202 494,08	0,01
321	1 202 567,16	0,00	1 202 567,16	0,00	1 202 567,16	1 202 567,14	0,02
323	401 805,62	0,00	401 805,62	0,00	401 805,62	401 805,63	– 0,01
Total	39 948 585,08	0,00	39 948 585,08	0,00	39 948 585,08	39 948 642,89	– 57,81
PT: 2007PT06RPO001	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
113	1 522 534,84	0,00	1 522 534,84	0,00	1 522 534,84	1 522 533,98	0,86
212	14 517 046,43	0,00	14 517 046,43	0,00	14 517 046,43	14 517 041,11	5,32
214	6 973 557,48	0,00	6 973 557,48	0,00	6 973 557,48	6 973 555,89	1,59
221	623 710,55	0,00	623 710,55	0,00	623 710,55	623 799,88	– 89,33
Total	23 636 849,30	0,00	23 636 849,30	0,00	23 636 849,30	23 636 930,86	– 81,56
PT: 2007PT06RPO002	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
113	4 361 413,63	0,00	4 361 413,63	0,00	4 361 413,63	4 361 413,63	0,00
211	91 079 593,39	0,00	91 079 593,39	0,00	91 079 593,39	91 079 593,39	0,00
212	14 706 382,90	0,00	14 706 382,90	0,00	14 706 382,90	14 706 382,90	0,00
214	81 764 281,33	0,00	81 764 281,33	0,00	81 764 281,33	81 764 281,33	0,00
221	34 827 903,60	0,00	34 827 903,60	0,00	34 827 903,60	34 827 903,60	0,00
225	116 377,00	0,00	116 377,00	0,00	116 377,00	116 377,00	0,00
511	1 617 408,55	0,00	1 617 408,55	0,00	1 617 408,55	2 693 094,53	– 1 075 685,98
Total	228 473 360,40	0,00	228 473 360,40	0,00	228 473 360,40	229 549 046,38	– 1 075 685,98
PT: 2007PT06RPO003	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
113	9 496,90	0,00	9 496,90	0,00	9 496,90	9 496,92	– 0,02
212	6 900,32	0,00	6 900,32	0,00	6 900,32	6 900,26	0,06
214	1 411 149,58	0,00	1 411 149,58	0,00	1 411 149,58	1 411 149,34	0,24
221	130,87	0,00	130,87	0,00	130,87	130,87	0,00
Total	1 427 677,67	0,00	1 427 677,67	0,00	1 427 677,67	1 427 677,39	0,28
SK: 2007SK06RPO001	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
211	44 391 735,28	0,00	44 391 735,28	0,00	44 391 735,28	44 391 735,18	0,10
212	31 308 747,96	0,00	31 308 747,96	0,00	31 308 747,96	31 312 565,46	– 3 817,50
214	22 085 790,81	0,00	22 085 790,81	0,00	22 085 790,81	22 085 792,09	– 1,28
Total	97 786 274,05	0,00	97 786 274,05	0,00	97 786 274,05	97 790 092,73	– 3 818,68

## COMMISSION DECISION

of 2 February 2010

**on the clearance of the accounts of the paying agencies of Malta concerning expenditure in the field of rural development measures financed by the European Agricultural Guarantee Fund (EAGF) for the 2007 financial year**

*(notified under document C(2010) 459)***(Only the Maltese text is authentic)**

(2010/60/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Articles 30 and 39 thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) Commission Decisions 2008/395/EC <sup>(2)</sup> and 2009/85/EC <sup>(3)</sup> cleared, for the 2007 financial year, the accounts of all the paying agencies except for the Maltese paying agency 'MRAE'.

(2) Following the transmission of new information and after additional checks, the Commission can now take a decision concerning expenditure in the field of rural development measures on the integrality, accuracy and veracity of the accounts submitted by the Maltese paying agency 'MRAE'.

(3) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

*Article 1*

The accounts of the Maltese paying agency 'MRAE' concerning expenditure in the field of rural development measures financed by the European Agricultural Guarantee Fund (EAGF), in respect of the 2007 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, the Member State pursuant to this Decision in the field of rural development measures applicable in Malta are set out in Annex I and Annex II.

*Article 2*

This Decision is addressed to the Republic of Malta.

Done at Brussels, 2 February 2010.

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

<sup>(1)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(2)</sup> OJ L 139, 29.5.2008, p. 25.

<sup>(3)</sup> OJ L 33, 3.2.2009, p. 31.

**CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS**  
**FINANCIAL YEAR 2007 — EAGF RURAL DEVELOPMENT EXPENDITURE IN NEW MEMBER STATES**

AMOUNT TO BE RECOVERED FROM OR PAID TO THE MEMBER STATE

MS		2007 — Expenditure for the Paying Agencies for which the accounts are		Total a + b	Reductions	Total	Interim Payments reimbursed to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State
		cleared	disjoined					
		= expenditure declared in the annual declaration	= total of Interim Payments reimbursed to the Member State for the financial year					
		a	b	c = a + b	d	e = c + d	f	g = e – f
MT	EUR	4 148 025,92	0,00	4 148 025,92	0,00	4 148 025,92	4 148 025,00	0,92

## ANNEX II

**CLEARED EXPENDITURE BY EAGF RURAL DEVELOPMENT MEASURE FOR EXERCISE 2007 IN NEW MEMBER STATES**

## DIFFERENCES BETWEEN ANNUAL ACCOUNTS AND DECLARATIONS OF EXPENDITURE

MS	No	Measures	Expenditure 2007 Annex I column 'a'	Reductions Annex I column 'd'	Amount cleared for 2007 Annex I column 'e'
MT	No	Measures	i	ii	iii = i + ii
	1	Less favoured areas	1 720 811,99	0,00	1 720 811,99
	2	Agri-environment	602 487,79	0,00	602 487,79
	3	Meeting Standards	151 000,30	0,00	151 000,30
	4	Producers group	0,00	0,00	0,00
	5	Technical Assistance	101 978,48	0,00	101 978,48
	6	State Aid Complement	0,00	0,00	0,00
	7	Ad hoc measure	1 571 747,36	0,00	1 571 747,36
		Total	4 148 025,92	0,00	4 148 025,92

## COMMISSION DECISION

of 2 February 2010

**on the clearance of the accounts of certain paying agencies in Germany and Portugal concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 2006 financial year**

*(notified under document C(2010) 470)***(Only the German and Portuguese texts are authentic)**

(2010/61/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(2)</sup>, and in particular Article 32 thereof,

After consulting the Fund Committee,

Whereas:

- (1) Commission Decisions 2007/327/EC <sup>(3)</sup> and 2008/394/EC <sup>(4)</sup> cleared, for the 2006 financial year, the accounts of all the paying agencies except for the German paying agency 'Bayern-Umwelt', the Italian paying agency 'ARBEA' and the Portuguese paying agency 'IFADAP'.
- (2) Following the transmission of new information and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the German paying agency 'Bayern-Umwelt' and the Portuguese paying agency 'IFADAP'.

- (3) The second subparagraph of Article 7(1) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section <sup>(5)</sup> lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph, shall be determined by deducting advances paid during the financial year in question, i.e. 2006, from expenditure recognised for that year in accordance with the first subparagraph. Such amounts are to be deducted from, or added to, advances against expenditure from the second month following that in which the accounts clearance decision is taken.

- (4) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the Community budget if the recovery of those irregularities has not taken place within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD <sup>(6)</sup>. Annex III to the said Regulation provides the model tables 1 and 2 that had to be provided in 2007 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than four or eight years respectively. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 103.

<sup>(2)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(3)</sup> OJ L 122, 11.5.2007, p. 51.

<sup>(4)</sup> OJ L 139, 29.5.2008, p. 22.

<sup>(5)</sup> OJ L 158, 8.7.1995, p. 6.

<sup>(6)</sup> OJ L 171, 23.6.2006, p. 90.

- (5) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the Community budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the Community budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.
- (6) In clearing the accounts of the paying agencies concerned, the Commission must take account of the amounts already withheld from the Member States concerned on the basis of Decision 2007/327/EC and Decision 2008/394/EC.
- (7) In accordance with the second subparagraph of Article 7(3) of Regulation (EC) No 1258/1999 and Article 7(1) of Regulation (EC) No 1663/95, this Decision does not prejudice decisions taken subsequently

by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

*Article 1*

The accounts of the German paying agency 'Bayern-Umwelt' and the Portuguese paying agency 'IFADAP' concerning expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, in respect of the 2006 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State concerned pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in the Annex.

*Article 2*

This Decision is addressed to the Federal Republic of Germany and the Portuguese Republic.

Done at Brussels, 2 February 2010.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*



## CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

## FINANCIAL YEAR 2006

## Amount to be recovered from or paid to the Member State

MS		2006 — Expenditure/assigned revenue for the paying agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year <sup>(1)</sup>	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State	Amount recovered from (–) or paid to (+) the Member State under Decision 2007/327/EC	Amount recovered from (–) or paid to (+) the Member State under Decision 2008/394/EC	Amount to be recovered from (–) or paid to (+) the Member State under this decision <sup>(2)</sup>
		cleared	disjoined									
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations									
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g	i	i'	j = h – i – i'
DE	EUR	6 543 354 057,67	0,00	6 543 354 057,67	– 15 751,26	– 22 076 833,17	6 521 261 473,24	6 543 392 477,21	– 22 131 003,97	– 22 062 685,96	– 68 318,01	0,00
PT	EUR	948 006 804,65	0,00	948 006 804,65	– 79 408,17	– 1 169 114,34	946 758 282,14	946 441 751,51	316 530,63	704 425,08	0,00	– 387 894,45

MS		Expenditure <sup>(3)</sup>	Assigned revenue <sup>(3)</sup>	Sugar Fund		Article 32 (=e)	Total (=j)
				Expenditure <sup>(4)</sup>	Assigned revenue <sup>(4)</sup>		
		05 07 01 06	67 01	05 02 16 02	68 03	67 02	
		k	l	m	n	o	p = k + l + m + n + o
DE	EUR	0,00	0,00	0,00	0,00	0,00	0,00
PT	EUR	– 279 281,98	0,00	0,00	0,00	– 108 612,47	– 387 894,45

<sup>(1)</sup> The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2006.

<sup>(2)</sup> For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (col. a) or, the total of the monthly declarations for the expenditure disjoined (col. b).

Applicable exchange rate: Article 7(2) of Regulation (EC) No 883/2006.

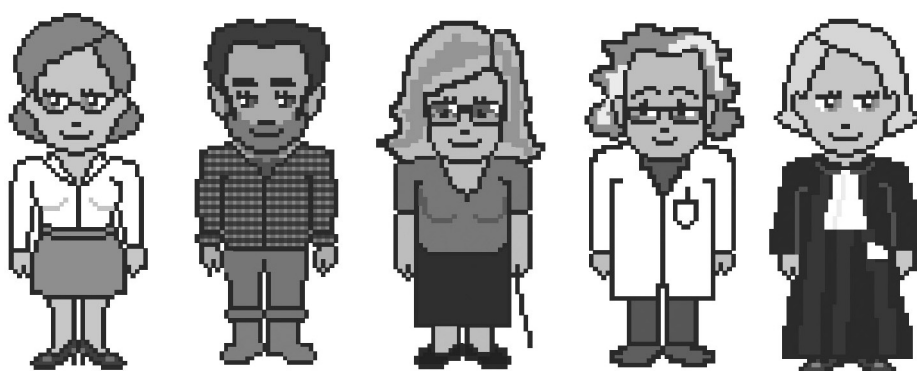
<sup>(3)</sup> If the assigned revenue part would be in advantage of Member State, it has to be declared under 05 07 01 06.

<sup>(4)</sup> If the assigned revenue part of the Sugar Fund would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2010: 05 07 01 06, 05 02 16 02, 67 01, 67 02, 68 03.

# EU Book shop

All the EU publications  
YOU are looking for!



bookshop.europa.eu



## 2010 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual CD-ROM.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

CD-Rom formats will be replaced by DVD formats during 2010.

### Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our commercial distributors. The list of commercial distributors is available at:

[http://publications.europa.eu/others/agents/index\\_en.htm](http://publications.europa.eu/others/agents/index_en.htm)

**EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.**

**For further information on the European Union, see: <http://europa.eu>**



Publications Office of the European Union  
2985 Luxembourg  
LUXEMBOURG

EN