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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 758/2009**of 19 August 2009****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 August 2009.

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

Done at Brussels, 19 August 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	29,6
	XS	27,8
	ZZ	28,7
0707 00 05	MK	39,3
	TR	99,7
	ZZ	69,5
0709 90 70	TR	105,4
	ZZ	105,4
0805 50 10	AR	64,0
	UY	41,2
	ZA	72,1
	ZZ	59,1
0806 10 10	EG	162,3
	IL	133,8
	TR	109,4
	US	170,2
	ZA	151,7
	ZZ	145,5
0808 10 80	AR	114,7
	BR	71,3
	CL	83,1
	NZ	90,9
	ZA	79,8
	ZZ	88,0
0808 20 50	AR	104,5
	CN	60,3
	TR	132,4
	ZA	82,8
	ZZ	95,0
0809 30	TR	143,4
	ZZ	143,4
0809 40 05	IL	107,7
	ZZ	107,7

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

COMMISSION REGULATION (EC) No 759/2009**of 19 August 2009****amending the Annex to Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC ⁽¹⁾, and in particular the first subparagraph of Article 10(1) thereof,

Whereas:

(1) Regulation (EC) No 21/2004 provides that each Member State is to establish a system for the identification and registration of ovine and caprine animals in accordance with the provisions of that Regulation.

(2) That system comprises four elements, namely: means of identification to identify each animal; up-to-date registers kept on each holding; movement documents; and a central register or a computer database. The Annex to that Regulation sets out the requirements for those elements.

(3) Article 4(3) of Regulation (EC) No 21/2004 currently provides that animals intended for slaughter before the age of 12 months and not intended for intra-Community trade or export to third countries may be identified with a method complying with the conditions set out in Section A.7 of the Annex to that Regulation. However, in some cases animals which were originally intended for slaughter are nevertheless used for breeding later in holdings other than that of birth. It should therefore be permitted to allow such animals to be individually identified after they have left their holding of birth provided that the individual animal can be traced back to its holding of birth.

(4) Section C of the Annex to Regulation (EC) No 21/2004 sets out the information which should be contained in

the movement document. In order to record the individual identification code of each animal on the movement document, animals are to be individually read at departure. Animals are read again in the holding of destination. In order to reduce the administrative burden, it should be permitted to allow the identification codes of animals to be recorded at the holding of destination, instead of at the holding of departure subject to certain conditions.

(5) Article 7(2) of Regulation (EC) No 21/2004 provides for certain keepers to keep an inventory of animals at least annually. Part D of the Annex to that Regulation provides for certain information to be contained in the computer database. The results of the inventory are part of that information. In order to reduce the administrative burden, it should be permissible not to record such results in those Member States where the computer database contains, in addition to the information required pursuant to Part D of that Annex, the individual identification codes of each animal on holdings.

(6) Regulation (EC) No 21/2004 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 21/2004 is amended in accordance with 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*.

⁽¹⁾ OJ L 5, 9.1.2004, p. 8.

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

Done at Brussels, 19 August 2009.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

The Annex to Regulation (EC) No 21/2004 is amended as follows:

1. in Section A, point 7, the third subparagraph is replaced by the following:

‘Animals identified in accordance with this point intended to be kept beyond the age of 12 months or intended for intra-Community trade or export to third countries, must be identified in accordance with points 1 to 4 to ensure complete traceability of each animal to the holding of birth.’;

2. in Section C, point 2 is replaced by the following:

‘2. From 1 January 2011, the keeper of the holding of departure shall record on the movement document the individual identification code of each animal identified in accordance with points 1 to 6 of Section A before the movement takes place.

By way of derogation from the first subparagraph, the competent authority may authorise for movements not involving intra-Community trade the recording of the individual identification code of each animal at destination on behalf of the keeper of the holding of departure subject to the following conditions:

- (a) the animals are not transported in the same means of transport as animals from other holdings, unless the batches of animals are physically separated from each other;
- (b) the holding of destination is approved by the competent authority for the purpose of recording individual animal codes on behalf of the keeper of the holding of departure;
- (c) procedures are in place to ensure that within 48 hours of the time of departure:
 - (i) the individual identification code of each animal is recorded in accordance with point 2(a) of Section B in the holding register of the holding of departure;
 - (ii) the information relating to the movement is provided to the competent authority to update the computer database in accordance with point 2 of Section D.’;

3. in Section D, point 1(f) is replaced by the following:

‘(f) the result of the inventory of animals provided for in Article 7(2), and the date when that inventory was carried out, except in Member States where the centralised computer database contains the individual identification code of each animal kept on a holding’.

COMMISSION REGULATION (EC) No 760/2009**of 19 August 2009****amending Regulation (EC) No 1741/2006 laying down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1741/2006 ⁽²⁾ establishes that boned meat of adult male bovine animals for which a declaration into storage is accepted has to be subject to a physical check relating to a representative selection of at least 5 % of accepted declarations of entry into storage.
- (2) For the sake of equal treatment between operators exporting under Regulation (EC) No 1741/2006 and those exporting directly, it should be guaranteed that the quantities removed for carrying out physical checks are taken into account in the calculation of the payments for export refunds.
- (3) Commission Regulation (EC) No 612/2009 of 7 July 2009 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾ already establishes the principle that

quantities of products taken as samples at the time of the completion of customs export formalities and not returned subsequently have to be regarded as not having been removed for the purposes of the calculation of the payments for export refunds.

- (4) Regulation (EC) No 1741/2006 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 10 of Regulation (EC) No 1741/2006 the following paragraph 4 is added:

‘4. For the purposes of the calculation of the payments for export refunds, the quantities of products taken as samples for the physical check referred to in Article 4(8) and not returned subsequently shall be regarded as not having been removed from the exported quantity.’

Article 2

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

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

Done at Brussels, 19 August 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 329, 25.11.2006, p. 7.

⁽³⁾ OJ L 186, 17.7.2009, p. 1.

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