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EN

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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COUNCIL REGULATION (EC) No 880/2009

of 7 September 2009

concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EEC) No 2658/87 ⁽¹⁾ established a goods nomenclature, hereinafter referred to as the 'Combined Nomenclature', and set out the conventional duty rates of the Common Customs Tariff.
- (2) By its Decision 2009/718/EC of 7 September 2009 ⁽²⁾ on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Brazil, the Council approved, on behalf of the Community, the abovementioned Agreement with a view to closing negotiations initiated pursuant to Article XXIV:6 of GATT 1994.
- (3) Pursuant to Article 153(3) of 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 ⁽³⁾, full-time refiners in the Community enjoy a privileged access to sugar for refining during the first three months of the

marketing year 2009/2010, i.e. from 1 October to 31 December 2009. In case that this Regulation should apply from a date later than 1 October 2009 and in order to guarantee the priority to full-time refiners in the marketing year 2009/2010, the start of the three-month period should be postponed until the first day of application of this Regulation.

- (4) Regulation (EEC) No 2658/87 should therefore be amended and supplemented accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 2658/87, Annex 7 entitled 'WTO tariff quotas to be opened by the competent Community authorities', to Section III of Part Three of Annex I, the quotas with Order Numbers 10, 14, 28, 31, 101 and 103 shall be replaced by the quotas with the same Order Numbers shown in the Annex to this Regulation.

Article 2

By way of derogation from Article 153(3) of Council Regulation (EC) No 1234/2007, for the quotas with the Order Numbers 101 and 103 as set out in the Annex to this Regulation, the three-month period for the marketing year 2009/2010 shall start from 1 October 2009, or from the first day of application of this Regulation, whichever is the later.

Article 3

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

This Regulation shall apply as from 1 October 2009.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ See page 104 of this Official Journal.

⁽³⁾ OJ L 299, 16.11.2007, p. 1.

However, should the signed letter from Brazil referred to in the Agreement in the form of an Exchange of Letters approved by Decision 2009/718/EC not be received before that date, the Commission shall publish a notice in the C series of the *Official Journal of the European Union* to that effect. In that

case, this Regulation shall apply from the day following the publication in the *Official Journal of the European Union* of the detailed rules to be adopted by the Commission for the implementation of the tariff quotas referred to in Article 1 of this Regulation pursuant to Article 2 of Decision 2009/718/EC.

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

Done at Brussels, 7 September 2009.

For the Council

The President

E. ERLANDSSON

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the concessions being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the present Regulation. Where ex CN codes are indicated, the concessions are to be determined by application of the CN code and corresponding description taken together.

In Regulation (EEC) No 2658/87, Annex 7 entitled 'WTO tariff quotas to be opened by the competent Community authorities', of Section III of Part Three of Annex I, the quotas with the Order numbers 10, 14, 28, 31, 103 and 101 are replaced by the following:

'Order No	CN Code	Description	Quota quantity	Rate of duty (%)	Other terms and conditions
1	2	3	4	5	6
10	0201 30 00, 0202 30 90, 0206 10 95, 0206 29 91	Boneless high-quality meat of bovine animals, fresh, chilled or frozen, meeting the following definition: "Selected cuts obtained from steers or heifers having been exclusively fed with pasture grass since their weaning. The carcasses shall be classified as 'B' with fat cover '2' or '3', in accordance with the official beef carcass classification established by the Ministry of Agriculture, Livestock and Supply in Brazil (Ministério da Agricultura, Pecuária e Abastecimento)"	10 000 t	20	Supplying country: Brazil
14	0202 20 30 0202 30 10 0202 30 50 0202 30 90 0206 29 91	Unseparated or separated fore-quarters of bovine animals, frozen Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece Crop, chuck and blade and brisket cuts Other Thick skirt and thin skirt, frozen	63 703 t (bone-in weight)	20 (*) 20 + 994,5 EUR/1 000 kg/net (**) 20 (*) 20 + 1 554,3 EUR/1 000 kg/net (**) 20 (*) 20 + 1 554,3 EUR/1 000 kg/net (**) 20 (*) 20 + 2 138,4 EUR/1 000 kg/net (**) 20 (*) 20 + 2 138,4 EUR/1 000 kg/net (**)	The meat imported shall be used for processing (*) When the meat is intended for the manufacture of preserved food which does not contain characteristic components other than beef and jelly (**) When the meat is intended for the manufacture of products other than the preserved food referred to above The quantity may according to Community provisions be converted into an equivalent quantity of high quality meat

1	2	3	4	5	6
28	0207 14 10 0207 14 50 0207 14 70	Cuts of fowls of the species <i>Gallus domesticus</i> , frozen: Boneless Breasts and cuts thereof Other	18 000 t	0	Allocated to supplying countries as follows: — Brazil 9 600 t — Thailand 5 100 t — Other 3 300 t
31	0207 27 10 0207 27 20 0207 27 80	Cuts of turkey, frozen Boneless Halves or quarters Other	7 485 t	0	Allocated to supplying countries as follows: — Brazil 4 300 t — Other 3 185 t
103	1701 11 10	Raw cane sugar, for refining	310 124 t	9,8 EUR/100 kg/net (*)	(*) This rate applies to raw sugar with a yield of 92 % Allocated to Brazil
101	1701 11 10	Raw cane sugar, for refining	336 876 t	9,8 EUR/100 kg/net (*)	(*) This rate applies to raw sugar with a yield of 92 % See also additional Note 2 to Chapter 17'

COMMISSION REGULATION (EC) No 881/2009**of 25 September 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 26 September 2009.

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

Done at Brussels, 25 September 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	31,4
	ZZ	31,4
0707 00 05	TR	119,3
	ZZ	119,3
0709 90 70	TR	108,7
	ZZ	108,7
0805 50 10	AR	113,8
	CL	106,0
	TR	96,9
	UY	117,8
	ZA	66,6
	ZZ	100,2
0806 10 10	EG	104,8
	IL	111,8
	TR	94,9
	US	190,3
	ZZ	125,5
0808 10 80	AR	62,2
	BR	83,8
	CL	84,7
	NZ	82,7
	US	79,8
	ZA	78,1
0808 20 50	ZZ	78,6
	AR	81,8
	CN	48,1
	TR	107,7
	US	161,5
	ZA	72,0
0809 30	ZZ	94,2
	TR	114,8
0809 40 05	ZZ	114,8
	IL	118,7
	TR	99,1
	ZZ	108,9

⁽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 882/2009

of 21 September 2009

amending Regulation (EC) No 412/2008 opening and providing for the administration of an import tariff quota for frozen beef intended for processing and derogating from that Regulation

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 144 (1), in conjunction with Article 4 thereof,

Whereas:

- (1) Article 1 of Commission Regulation (EC) No 412/2008 of 8 May 2008 opening and providing for the administration of an import tariff quota for frozen beef intended for processing ⁽²⁾, opened a yearly import tariff quota of 54 703 tonnes bone-in equivalent of frozen beef falling within CN codes 0202 20 30, 0202 30 10, 0202 30 50, 0202 30 90 or 0206 29 91 intended for processing into A-products and B-products as defined in Article 2 and respecting a certain distribution established in Article 3 of that Regulation.
- (2) The Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ⁽³⁾ (hereinafter referred to as the Agreement), approved by Council Decision 2009/718/EC ⁽⁴⁾, provides for an addition of 9 000 tonnes of frozen beef falling within CN code 0202 30 90 to the quota opened by Article 1 of Regulation (EC) No 412/2008. The Agreement will enter into force on 1 October 2009.
- (3) Regulation (EC) No 412/2008 should be amended accordingly.
- (4) Article 6(2) of Commission Regulation (EC) No 412/2008 provides that applications for import rights of frozen beef for production of A-products or B-products shall be lodged no later than 13.00, Brussels time, on 8 June preceding the yearly import tariff quota period. For the import period 2009/2010 a second time limit for the application for import rights should be opened for the additional quantities added by the Agreement. Taking into consideration the current

supply conditions in external markets, the result of the allocation of the available quantities in June 2009 and the need of the processing industry to program its work, it is opportune to fix this second time limit in the first trimester 2010.

- (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

Regulation (EC) No 412/2008 is amended as follows:

1. In Article 1, the number of tonnes '54 703' is replaced by '63 703'.
2. Article 3(1) is replaced by the following:
 - '1. The overall quantity referred to in Article 1 shall be divided into two quantities:
 - (a) 50 000 tonnes of frozen beef intended for the manufacture of A-products;
 - (b) 13 703 tonnes of frozen beef intended for the manufacture of B-products.'

Article 2

1. By way of derogation from Article 6(2) of Regulation (EC) No 412/2008 and for the import period 2009/2010, new or additional applications for import rights for production of either A-products or B-Products may be lodged no later than 13.00, Brussels time, on 8 January 2010.
2. The available import quantities for the new or additional applications referred to in paragraph 1 shall be:
 - (a) 7 000 tonnes of frozen beef intended for the manufacture of A-products;
 - (b) 2 000 tonnes of frozen beef intended for the manufacture of B-products.
3. Paragraphs (1), (3) and (4) of Article 6 as well as Article 7 of Regulation (EC) No 412/2008 shall apply, *mutatis mutandis*, to the applications for import rights referred to in paragraph 1 of this Article.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 125, 9.5.2008, p. 7.⁽³⁾ See page 104 of this Official Journal.⁽⁴⁾ See page 104 of this Official Journal.

However, operators who provided evidence of compliance with the conditions laid down in Article 5(1) of Regulation No 412/2008 for the period of application of import rights ending on 8 June 2009 at the satisfaction of the competent national authority, are exempted from the obligation to provide such evidence in case of application for additional import rights in relation to the quantities referred to in paragraph 2.

Article 3

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

It shall apply from 1 October 2009.

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

Done at Brussels, 21 September 2009.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 883/2009**of 21 September 2009****amending Regulation (EC) No 810/2008 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

- (1) Article 2(d) of Commission Regulation (EC) No 810/2008 ⁽²⁾ allocates 5 000 tonnes of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 to high quality beef cuts meeting a precise definition.
- (2) The Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ⁽³⁾ (hereinafter referred to as the 'Agreement'), approved by Council Decision 2009/718/EC ⁽⁴⁾, provides for an addition of 5 000 tonnes to and the inclusion of CN codes 0202 30 90

and 0206 29 91 in the quota allocated in accordance with Article 2(d) of Regulation (EC) No 810/2008. The Agreement will enter into force on 1 October 2009.

- (3) Regulation (EC) No 810/2008 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2(d) of Regulation (EC) No 810/2008 the introductory words are replaced by the following:

'10 000 tonnes of boneless beef covered by CN codes 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and meeting the following definitions:'

Article 2

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

It shall apply from 1 October 2009.

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

Done at Brussels, 21 September 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 219, 14.8.2008, p. 3.

⁽³⁾ See page 104 of this Official Journal.

⁽⁴⁾ See page 104 of this Official Journal.

COMMISSION REGULATION (EC) No 884/2009**of 23 September 2009****laying down form and content of the accounting information to be submitted to the Commission for the purpose of the clearance of the accounts of the EAGF and EAFRD as well as for monitoring and forecasting purposes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 42 thereof,

Whereas:

- (1) Article 8(1) of 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 ⁽²⁾ provides that the form and content of the accounting information referred to in Article 7(1)(c) of that Regulation and the way it is to be forwarded to the Commission are to be established.
- (2) The form and content of the accounting information to be submitted to the Commission for the purpose of the clearance of the accounts of the European Agricultural Guarantee Fund (EAGF) and of the European Agricultural Fund for Rural Development (EAFRD) as well as for monitoring and forecasting purposes are presently laid down in Commission Regulation (EC) No 941/2008 ⁽³⁾.
- (3) The Annexes to Regulation (EC) No 941/2008 cannot be used for their intended purposes in the financial year

2010. Regulation (EC) No 941/2008 should therefore be repealed and replaced by a new regulation setting out the form and content of the accounting information for that financial year.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Agricultural Funds Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The form and content of the accounting information referred to in Article 7(1)(c) of Regulation (EC) No 885/2006 and the way it is to be forwarded to the Commission shall be as set out in Annexes I (X Table), II (Technical specifications for the transfer of computer files to the EAGF and EAFRD), III (Aide-mémoire) and IV (Structure of EAFRD budget codes [F109]) to this Regulation.

Article 2

Regulation (EC) No 941/2008 is repealed with effect from 16 October 2009.

Article 3

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

It shall apply from 16 October 2009.

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

Done at Brussels, 23 September 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 171, 23.6.2006, p. 90.

⁽³⁾ OJ L 258, 26.9.2008, p. 3.

ANNEX I

X-TABLE

Financial year 2010

2009	2010	A ↓	F100	F101	F103	F105	F105B	F105C	F106	F106A	F106B	F107	F108	F109	F110	F200	F201	F202A	F202B	F202C	F205	F207	F211	F212	F213	F214	F217	F218	F220	F221	F222B	F222C	F300	F300B	F301	F304
05020101	05020101	1000	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020101	05020101	1001	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020101	05020101	1003	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020102	05020102	1011																																		
05020102	05020102	1012																																		
05020102	05020102	1013																																		
05020102	05020102	1014																																		
05020103	05020103	1021	X	X	X				X			X	X	X	X	X	X	X	X	X		X										X			X	
05020103	05020103	1022	X	X	X				X			X	X	X		X	X	X	X	X		X										X			X	
05020199	05020199	1090	X	X					X			X	X	X		X	X	X	X	X												X	X			
05020201	05020201	1850	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020202	05020202	1851																																		
05020202	05020202	1852																																		
05020202	05020202	1853																																		
05020202	05020202	1854																																		
05020299	05020299	0000	X	X	X				X			X	X	X		X	X	X	X	X												X	X			
05020299	05020299	1890	X	X					X			X	X	X		X	X	X	X	X												X	X			
05020300	05020300	3000	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020300	05020300	3010	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020300	05020300	3011	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020300	05020300	3012	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020300	05020300	3013	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020300	05020300	3014	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020401	05020401	3100	X	X	X				X			X	X	X		X	X	X	X	X												X			X	
05020402	05020499	3110	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020402	05020499	3112	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020402	05020499	3113	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020402	05020499	3119	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05020499	05020499	0000	X	X		X		A	X			X	X	X		X	X	X	X	X																
05020501	05020501	1100	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				

2009	2010	A ↓	F305	F306	F307	F402	F500	F502	F503	F508A	F508B	F509A	F510	F511	F515	F517	F518	F519	F519B	F519C	F520	F521	F522	F523	F531	F532	F533	F600	F601	F602	F602B	F603	F700	F701	F702	F703
05020101	05020101	1000	X	X			X							X														X		X		X				
05020101	05020101	1001	X	X			X							X														X		X		X				
05020101	05020101	1003	X	X			X							X														X		X		X				
05020102	05020102	1011																																		
05020102	05020102	1012																																		
05020102	05020102	1013																																		
05020102	05020102	1014																																		
05020103	05020103	1021			X			X					X																							
05020103	05020103	1022	X	X	X	X	X	X	X				X	X																						
05020199	05020199	1090					X	X																												
05020201	05020201	1850	X	X			X							X														X		X		X				
05020202	05020202	1851																																		
05020202	05020202	1852																																		
05020202	05020202	1853																																		
05020202	05020202	1854																																		
05020299	05020299	0000					X	X																												
05020299	05020299	1890					X	X																												
05020300	05020300	3000	X	X			X							X															X		X		X			
05020300	05020300	3010	X	X			X							X															X		X		X			
05020300	05020300	3011	X	X			X							X															X		X		X			
05020300	05020300	3012	X	X			X							X															X		X		X			
05020300	05020300	3013	X	X			X							X															X		X		X			
05020300	05020300	3014	X	X			X							X															X		X		X			
05020401	05020401	3100			X			X					X																							
05020402	05020499	3110	X	X			X							X															X		X		X			
05020402	05020499	3112	X	X			X							X															X		X		X			
05020402	05020499	3113	X	X			X							X															X		X		X			
05020402	05020499	3119	X	X			X							X															X		X		X			
05020499	05020499	0000					X	X																												
05020501	05020501	1100	X	X			X							X															X		X		X			

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05020101	05020101	1000																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020101	05020101	1001																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020101	05020101	1003																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020102	05020102	1011																																
05020102	05020102	1012																																
05020102	05020102	1013																																
05020102	05020102	1014																																
05020103	05020103	1021																																
05020103	05020103	1022																																
05020199	05020199	1090																																
05020201	05020201	1850																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020202	05020202	1851																																
05020202	05020202	1852																																
05020202	05020202	1853																																
05020202	05020202	1854																																
05020299	05020299	0000																																
05020299	05020299	1890																																
05020300	05020300	3000																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020300	05020300	3010																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020300	05020300	3011																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020300	05020300	3012																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020300	05020300	3013																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020300	05020300	3014																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020401	05020401	3100																																
05020402	05020499	3110																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020402	05020499	3112																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020402	05020499	3113																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020402	05020499	3119																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020499	05020499	0000																																
05020501	05020501	1100																				X	X	X	X	X	X	X	X	X	X	X	X	X

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05020503	05020503	1112																																
05020508	05020508	0000																																
05020599	05020599	0000																																
05020599	05020599	1113																																
05020599	05020599	1119																																
05020603	05020603																																	
05020605	05020605	1211																																
05020699	05020699	0000																																
05020699	05020699	1210																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020699	05020699	1240																																
05020701	05020701	1401																																
05020701	05020701	1403																																
05020701	05020701	1409																																
05020702	05020702	1410																																
	05020703	0000																																
05020801	05020801	1500																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020801	05020801	1510																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020802	05020802	1501																																
05020803	05020803	0000																																
05020803	05020803	1502																																
05020806	05020806	1511																																
05020807	05020807	1512																																
05020808	05020808	1512																																
05020808	05020808	1513																																
05020809	05020809	1515																																
05020810	05020810	3140																																
05020811	05020811	0000																																
05020811	05020811	1509																																
	05020812	0000																																
05020899	05020899	0000																																

2009	2010	A ↓	F100	F101	F103	F105	F105B	F105C	F106	F106A	F106B	F107	F108	F109	F110	F200	F201	F202A	F202B	F202C	F205	F207	F211	F212	F213	F214	F217	F218	F220	F221	F222B	F222C	F300	F300B	F301	F304
05020899	05020899	1507	X	X	X	X		A	X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020901	05020901	1600	X	X	X	X		A	X			X	X	X		X	X	X	X	X													X			
05020902	05020902	1610	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X	X	X
05020903	05020903	1611	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X	X	X
05020903	05020903	1612	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X	X	X
05020904	05020904	1620																																		
05020904	05020904	1621																																		
05020904	05020904	1622																																		
05020904	05020904	1623																																		
05020904	05020904	1625	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X			X
05020905	05020905	1630	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020906	05020906	1640	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020907	05020907	1650	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020908	05020908	0000	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020909	05020909	0000	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05020999	05020999	1690	X	X					X			X	X	X		X	X	X	X	X																
05021001	05021001	3800	X	X	X				X			X	X	X	X	X	X	X	X	X																
05021001	05021001	3801	X	X	X				X			X	X	X	X	X	X	X	X	X																
05021099	05021099	0000	X	X					X			X	X	X		X	X	X	X	X																
05021101	05021101	1300	X	X		X		A	X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	0000	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3200	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3201	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3210	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3211	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3220	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3221	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3230	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021104	05021104	3231	X	X	X				X			X	X	X	X	X	X	X	X	X		X											X	X		X
05021105	05021105	1751	X	X	X	X		A	X			X	X	X	X	X	X	X	X	X		X											X	X		X

2009	2010	A ↓	F305	F306	F307	F402	F500	F502	F503	F508A	F508B	F509A	F510	F511	F515	F517	F518	F519	F519B	F519C	F520	F521	F522	F523	F531	F532	F533	F600	F601	F602	F602B	F603	F700	F701	F702	F703
05020899	05020899	1507			X	X	X	X	X					X														X	X	X		X				
05020901	05020901	1600	X	X			X							X														X		X		X				
05020902	05020902	1610			X		X	X					X														X									
05020903	05020903	1611			X		X	X					X	X													X									
05020903	05020903	1612			X		X	X					X	X													X									
05020904	05020904	1620																																		
05020904	05020904	1621																																		
05020904	05020904	1622																																		
05020904	05020904	1623																																		
05020904	05020904	1625			X		X	X	X				X	X																						
05020905	05020905	1630			X		X	X					X	X											X	X	X	X	X	X	X		X			
05020906	05020906	1640			X		X			X	X	X	X	X													X	X	X	X		X				
05020907	05020907	1650			X		X			X	X	X	X	X													X									
05020908	05020908	0000			X	X	X	X		X	X	X	X	X											X	X	X	X	X	X		X				
05020909	05020909	0000			X		X	X		X	X	X	X	X														X	X	X		X				
05020999	05020999	1690					X	X																												
05021001	05021001	3800											X																							
05021001	05021001	3801											X	D																						
05021099	05021099	0000					X	X																												
05021101	05021101	1300			X		X	X						X														X	X	X		X				
05021104	05021104	0000	X		X		X	X					X	X																						
05021104	05021104	3200	X		X		X	X					X	X																						
05021104	05021104	3201	X		X		X	X					X	X																						
05021104	05021104	3210	X		X		X	X					X	X																						
05021104	05021104	3211	X		X		X	X					X	X																						
05021104	05021104	3220	X		X		X	X					X	X																						
05021104	05021104	3221	X		X		X	X					X	X																						
05021104	05021104	3230	X		X		X	X					X	X																						
05021104	05021104	3231	X		X		X	X					X	X																						
05021105	05021105	1751			X		X																					X	X	X		X				

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05020899	05020899	1507																																
05020901	05020901	1600																				X	X	X	X	X	X	X	X	X	X	X	X	X
05020902	05020902	1610																																
05020903	05020903	1611																																
05020903	05020903	1612																																
05020904	05020904	1620																																
05020904	05020904	1621																																
05020904	05020904	1622																																
05020904	05020904	1623																																
05020904	05020904	1625																																
05020905	05020905	1630																																
05020906	05020906	1640																																
05020907	05020907	1650																																
05020908	05020908	0000																																
05020909	05020909	0000																																
05020999	05020999	1690																																
05021001	05021001	3800																																
05021001	05021001	3801																																
05021099	05021099	0000																																
05021101	05021101	1300																																
05021104	05021104	0000																																
05021104	05021104	3200																																
05021104	05021104	3201																																
05021104	05021104	3210																																
05021104	05021104	3211																																
05021104	05021104	3220																																
05021104	05021104	3221																																
05021104	05021104	3230																																
05021104	05021104	3231																																
05021105	05021105	1751																																

2009	2010	A ↓	F100	F101	F103	F105	F105B	F105C	F106	F106A	F106B	F107	F108	F109	F110	F200	F201	F202A	F202B	F202C	F205	F207	F211	F212	F213	F214	F217	F218	F220	F221	F222B	F222C	F300	F300B	F301	F304
05021199	05021199	0000	X	X					X			X	X	X		X	X	X	X	X												X	X			
05021199	05021199	1710	X	X	X				X			X	X	X	X	X	X	X	X	X		X										X			X	
05021201	05021201	2000	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021201	05021201	2001	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021201	05021201	2002	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021201	05021201	2003	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021202	05021202	2011																																		
05021202	05021202	2012																																		
05021202	05021202	2013																																		
05021202	05021202	2014																																		
05021203	05021203	2020	X	X		X		A	X			X	X	X		X	X	X	X	X		X										X			X	
05021203	05021203	2024	X	X		X		A	X			X	X	X		X	X	X	X	X		X										X			X	
05021204	05021204	2030	X	X	X				X			X	X	X		X	X	X	X	X							X	X							X	
05021204	05021204	2031																																		
05021204	05021204	2032																																		
05021204	05021204	2033																																		
05021204	05021204	2034																																		
05021205	05021205	2040	X	X					X			X	X	X		X	X	X	X	X		X										X		X	X	
05021206	05021206	2050	X	X	X				X			X	X	X		X	X	X	X	X		X					X	X							X	
05021208	05021208	3120	X	X	X				X			X	X	X	X	X	X	X	X	X		X										X			X	
05021299	05021299	2099	X	X					X			X	X	X		X	X	X	X	X																
05021301	05021301	2100	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021302	05021302	2110	X	X	X				X			X	X	X	X	X	X	X	X	X		X										X			X	
05021303	05021303	2126	X	X	X				X			X	X	X		X	X	X	X	X		X										X			X	
05021304	05021304	2101	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021399	05021399	2129	X	X					X			X	X	X		X	X	X	X	X															X	
05021399	05021399	2190	X	X					X			X	X	X		X	X	X	X	X												X	X			
05021401	05021401	2210	X	X	X				X			X	X	X		X	X	X	X	X		X										X		X	X	
05021499	05021499	2290	X	X					X			X	X	X		X	X	X	X	X												X	X			
05021501	05021501	2300	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				

2009	2010	A ↓	F305	F306	F307	F402	F500	F502	F503	F508A	F508B	F509A	F510	F511	F515	F517	F518	F519	F519B	F519C	F520	F521	F522	F523	F531	F532	F533	F600	F601	F602	F602B	F603	F700	F701	F702	F703
05021199	05021199	0000					X	X																												
05021199	05021199	1710			X		X	X					X	X														X	X	X		X				
05021201	05021201	2000	X	X			X							X														X		X		X				
05021201	05021201	2001	X	X			X							X														X		X		X				
05021201	05021201	2002	X	X			X							X														X		X		X				
05021201	05021201	2003	X	X			X							X														X		X		X				
05021202	05021202	2011																																		
05021202	05021202	2012																																		
05021202	05021202	2013																																		
05021202	05021202	2014																																		
05021203	05021203	2020			X		X	X	X				X	X																						
05021203	05021203	2024			X		X	X	X				X	X																						
05021204	05021204	2030					X	X	X				X																							
05021204	05021204	2031																																		
05021204	05021204	2032																																		
05021204	05021204	2033																																		
05021204	05021204	2034																																		
05021205	05021205	2040			X		X	X	X				X	X																						
05021206	05021206	2050					X	X	X				X																							
05021208	05021208	3120			X		X	X	X				X	X																						
05021299	05021299	2099					X	X																												
05021301	05021301	2100	X	X			X							X														X		X		X				
05021302	05021302	2110			X		X	X	X				X																							
05021303	05021303	2126			X			X	X				X	X																						
05021304	05021304	2101	X	X			X							X														X		X		X				
05021399	05021399	2129			X		X	X																												
05021399	05021399	2190					X	X																												
05021401	05021401	2210			X		X	X	X				X																							
05021499	05021499	2290					X	X																												
05021501	05021501	2300	X	X			X							X														X		X		X				

2009	2010	A ↓	F100	F101	F103	F105	F105B	F105C	F106	F106A	F106B	F107	F108	F109	F110	F200	F201	F202A	F202B	F202C	F205	F207	F211	F212	F213	F214	F217	F218	F220	F221	F222B	F222C	F300	F300B	F301	F304
05021502	05021502	2301	X	X	X				X			X	X	X	X	X	X	X	X	X		X										X			X	
05021503	05021503	2302	X	X					X			X	X	X		X	X	X	X	X		X										X			X	
05021504	05021504	2310	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021505	05021505	2311	X	X	X	X		A	X			X	X	X		X	X	X	X	X												X				
05021506	05021506	2320	X	X					X			X	X	X		X	X	X	X	X		X										X			X	
05021507	05021507		X	X					X			X	X	X		X	X	X	X	X		X										X			X	
05021599	05021599	2390	X	X					X			X	X	X		X	X	X	X	X																
05021601	05021601	0000	X	X	X	X		A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05021602	05021602																																			
05030101	05030101	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030102	05030102	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030103	05030103	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030104	05030104	0000	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030199	05030199		A	A	A	A	A	A	A			A	A	A		A	A	A	A	A		A										A	A		A	
05030201	05030201	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030201	05030201	1060	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030201	05030201	1062	X	X	X	X		A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030204	05030204	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030205	05030205	1800	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X	X	X	
05030206	05030206	2120	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030207	05030207	2121	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030208	05030208	2122	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030209	05030209	2124	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030210	05030210	2124	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030213	05030213	2220	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030214	05030214	2221	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030218	05030218	0000	X	X	X	A	X	A	X			X	X	X		X	X	X	X	X		X										X	X	X	X	
05030219	05030219	1858	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030221	05030221	1210	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X						X	X	X	X	X	X		X	

2009	2010	A ↓	F305	F306	F307	F402	F500	F502	F503	F508A	F508B	F509A	F510	F511	F515	F517	F518	F519	F519B	F519C	F520	F521	F522	F523	F531	F532	F533	F600	F601	F602	F602B	F603	F700	F701	F702	F703	
05021502	05021502	2301			X		X	X	X				X																								
05021503	05021503	2302			X			X	X																												
05021504	05021504	2310	X	X			X							X															X		X		X				
05021505	05021505	2311	X	X			X							X															X		X		X				
05021506	05021506	2320			X																																
05021507	05021507				X																																
05021599	05021599	2390					X	X																													
05021601	05021601	0000			X		X	X	X					X															X	X	X		X				
05021602	05021602																																				
05030101	05030101	0000			X					X	X	X																	X	X	X		X	X	D	X	X
05030102	05030102	0000			X					X	X	X																	X	X	X		X				
05030103	05030103	0000						X	X																				X	X	X		X				
05030104	05030104	0000			X		D	X	X	X	X	X		X															X	X	X		X				
05030199	05030199				A		A	A	A	A	A	A		A														A	A	A		A					
05030201	05030201	0000								X	X	X																	X	X	X		X				
05030201	05030201	1060								X	X	X																	X	X	X		X				
05030201	05030201	1062								X	X	X																	X	X	X		X				
05030204	05030204	0000								X	X	X		X															X	X	X		X				
05030205	05030205	1800			X		X	X	X	X	X	X		X															X	X	X		X				
05030206	05030206	2120			X			X	X																				X	X	X		X				
05030207	05030207	2121			X			X	X																												
05030208	05030208	2122			X			X	X																				X	X	X		X				
05030209	05030209	2124			X			X	X																				X	X	X		X				
05030210	05030210	2124			X			X	X																				X	X	X		X				
05030213	05030213	2220			X			X	X																				X	X	X		X				
05030214	05030214	2221			X			X	X																												
05030218	05030218	0000			X			X	X					X															X	X	X		X				
05030219	05030219	1858								X	X	X		X															X	X	X		X				
05030221	05030221	1210			X		X	X	X	X	X	X		X															X	X	X		X				

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05021502	05021502	2301																																
05021503	05021503	2302																																
05021504	05021504	2310																				X	X	X	X	X	X	X	X	X	X	X	X	X
05021505	05021505	2311																				X	X	X	X	X	X	X	X	X	X	X	X	X
05021506	05021506	2320																																
05021507	05021507																																	
05021599	05021599	2390																																
05021601	05021601	0000																																
05021602	05021602																																	
05030101	05030101	0000	X	X	X	X	X	X	X	D	D	D	D	X	X	X	X	X	X	X	X													
05030102	05030102	0000																																
05030103	05030103	0000																																
05030104	05030104	0000																																
05030199	05030199																																	
05030201	05030201	0000																																
05030201	05030201	1060																																
05030201	05030201	1062																																
05030204	05030204	0000																																
05030205	05030205	1800																																
05030206	05030206	2120																																
05030207	05030207	2121																																
05030208	05030208	2122																																
05030209	05030209	2124																																
05030210	05030210	2124																																
05030213	05030213	2220																																
05030214	05030214	2221																																
05030218	05030218	0000																																
05030219	05030219	1858																																
05030221	05030221	1210																																

2009	2010	A ↓	F100	F101	F103	F105	F105B	F105C	F106	F106A	F106B	F107	F108	F109	F110	F200	F201	F202A	F202B	F202C	F205	F207	F211	F212	F213	F214	F217	F218	F220	F221	F222B	F222C	F300	F300B	F301	F304
05030222	05030222	1710	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X							X	X	X	X	X	X		X
05030223	05030223	1810	X	X	X	A	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030224	05030224	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030225	05030225	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030226	05030226	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030227	05030227	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030228	05030228	1420	X	X	X	A	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030229	05030299	1513	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030236	05030236	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030239	05030239	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030240	05030240	0000	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X							X	X	X	X	X	X		X
05030241	05030241	0000	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030242	05030242	0000	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030243	05030243	0000	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
	05030250	0000	A	A	A	A	A	A	A			A	A	A		A	A	A	A	A		A										A	A		A	
05030250	05030250	3201	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030250	05030250	3211	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030250	05030250	3221	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030251	05030251	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
	05030252	0000	A	A	A	A	A	A	A			A	A	A		A	A	A	A	A		A										A	A		A	
05030252	05030252	3231	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	0000	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	1310	X	X	X	X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	1508	X	X	X	X	X	A	X			X	X	X	X	X	X	X	X	X		X										X	X		X	
05030299	05030299	2123	X	X		X		A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	2125	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X			X	
05030299	05030299	2128	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	2222	X	X		X	X	A	X			X	X	X		X	X	X	X	X		X										X	X		X	
05030299	05030299	3900	X	X					X			X	X	X		X	X	X	X	X		X										X	X		X	

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05030222	05030222	1710																																
05030223	05030223	1810																																
05030224	05030224	0000																																
05030225	05030225	0000																																
05030226	05030226	0000																																
05030227	05030227	0000																																
05030228	05030228	1420																																
05030229	05030299	1513																																
05030236	05030236	0000																																
05030239	05030239	0000																																
05030240	05030240	0000																																
05030241	05030241	0000																																
05030242	05030242	0000																																
05030243	05030243	0000																																
	05030250	0000																																
05030250	05030250	3201																																
05030250	05030250	3211																																
05030250	05030250	3221																																
05030251	05030251	0000																																
	05030252	0000																																
05030252	05030252	3231																																
05030299	05030299	0000																																
05030299	05030299	1310																																
05030299	05030299	1508																																
05030299	05030299	2123																																
05030299	05030299	2125																																
05030299	05030299	2128																																
05030299	05030299	2222																																
05030299	05030299	3900																																

[illegible]

2009	2010	A ↓	F703A	F703B	F703C	F704	F704A	F704B	F704C	F705	F705A	F705B	F705C	F706	F706A	F706B	F706C	F707	F707A	F707B	F707C	F800	F800B	F801	F802	F802B	F804	F805	F808	F809	F812	F814	F816	F816B
05030299	05030299	3910																																
05030300	05030300	0000																																
05040114	05040114	0000																																
05040400	05040400	0000																																
05040501	05040501																																	
05070106	05070106	0000																																
05070106	05070106	3701																																
05070107	05070107																																	
05070200	05070200																																	
67010000	6701																																	
67020000	67020000	0000																																
67030000	67030000	2071																																
68010000	68010000	0000																																
68020000	68020000	0000																																
6803	6803																																	

ANNEX II

Technical specifications for the transfer of computer files to the EAGF and EAFRD from 16 October 2009

INTRODUCTION

These technical specifications apply in respect of the financial year 2009, which commenced on 16 October 2008.

1. Transfer medium

The coordinating body of the Member State must transfer the computer files and the relating documentation to the Commission through STATEL/eDAMIS. The Commission will only support one installation of STATEL/eDAMIS per Member State. The latest eDAMIS client and more information on the use of STATEL/eDAMIS shall be downloaded from the CIRCA web-site of the agricultural funds.

2. Computer file structure

- 2.1. The Member State must create a computer record for each individual component of the EAGF/EAFRD payments and receipts. These components are the individual items of which the payment (receipt) to (from) the beneficiary consists.
- 2.2. The records must have a flat file structure. If fields have more than one value, separate records containing all data fields are required. Make sure that no double counting occurs ⁽¹⁾.
- 2.3. All information for the same category of payments or receipts must be contained in the same computer file. Separate files relating to the same payments (e.g. for traders or inspections, or for basic and measure data) are not allowed.
- 2.4. The computer files must have the following characteristics:
 1. The first record in the file (header row) contains the file description. The field names comprise an 'F' followed by the field number used in Annex I (the 'X-table'). Only field names existing in this Annex are allowed.
 2. The following records in the file are data (data rows), in the order indicated by the first record describing the file structure.
 3. The fields are separated by a semicolon (;). The header row and data rows shall all contain the same number of semicolons. In the data rows, empty fields appear as a double semicolon (;;) within the record, or as a single semicolon (;) at the end of the record.
 4. Records vary in length. Each record ends with a code 'CR LF' or 'Carriage Return — Line Feed' (in hexadecimal: '0D 0A'). The header row never ends on a ';'. Data rows only end on a ';' if the last field is empty.
 5. The file is in ASCII coding according to following table. Other codes (such as EBCDIC, TAR, ZIP, etc.) are not accepted:

Code	Member State
ISO 8859-1	BE, DK, DE, ES, FR, IE, IT, LU, NL, AT, PT, FI, SE and GB
ISO 8859-2	CZ, HU, PL, RO, SI and SK
ISO 8859-3	MT
ISO 8859-5	BG
ISO 8859-7	GR and CY
ISO 8859-13	EE, LV and LT

⁽¹⁾ Note: You should first read the preliminary remark concerning 'quantities' in chapter 5 of Annex III.

6. Numeric fields:

- (a) Decimal separator: ‘.’
- (b) The symbol (+’ or -’) appears on the far left, followed immediately by the figures. For positive numbers, the ‘+’ sign is optional.
- (c) Fixed number of decimals (the details are set out in the Annex III hereto).
- (d) No spaces between digits. No spaces or other signs between thousands.

7. Date field: ‘YYYYMMDD’ (year in four digits, month in two digits, day in two digits).

8. Budget code (field F109) required format without spaces: ‘99999999999999’ (where ‘9’ stands for any figure between 0 and 9).

9. Quotation marks (‘ ’) are not allowed at the beginning or at the end of the records. The semicolon field separator ‘;’ must not be used in data in text format.

10. All fields: no spaces at the beginning or end of a field.

11. Files satisfying these rules will look like the following (example for financial year 2004):

```
F100;F101;F106;F107;F108;F109
BE01;154678;+152.50;EUR;20030715;050201011000001
BE01;024578;-1000.00;EUR;20030905;050208031502002
BE01;154985;9999.20;EUR;20030101;050205011100001
BE01;100078;+152.75;EUR;20030331;050208091515002
BE01;215452;+0.50;EUR;20030615;050201011000002 (Please note +0.50 and not +.50)
BE01;123456;21550.15;EUR;20030101;050805013810001
etc.
(other data rows with the fields in the same order).
```

2.5. Data files with the characteristics as described under 2.4 shall be sent with consignment type ‘X-TABLE-DATA’ (see ‘eDAMIS client’).

2.6. The computer program for checking the format of computer files before sending them to the Commission (‘WinCheckCsv’) is included in the data transfer program (‘eDAMIS client’). The paying agencies are invited to download the check program from CIRCA separately for offline validation purposes.

3. Annual declaration

3.1. The coordinating body of the Member State must send either one annual declaration file for all paying agencies or separate annual declaration files for each paying agency. An annual declaration file should contain the total amounts by paying agency together with the budget and currency codes, for both EAGF and EAFRD measures ⁽¹⁾.

3.2. The files should have the characteristics as described under 2.4. Each line should contain the following fields (in this order):

- (a) F100: paying agency code
- (b) F109: budget code
- (c) F106: amount expressed in the currency code F107
- (d) F107: currency code

⁽¹⁾ See Article 6(b) and (c) of Regulation (EC) No 885/2006.

3.3. Files satisfying the rules will look like the following (example for financial year 2007):

F100;F109;F106;F107
 BE01;050205011100014;218483644.90;EUR
 BE01;050212012003012;29721588.82;EUR
 BE01;050212012000022;26099931.75;EUR
 BE01;050208031502013;20778423.44;EUR
 BE01;050212052040001;16403776.45;EUR
 BE01;050405011132001;8123456.45;EUR
 etc. ⁽¹⁾

3.4. Annual declaration files shall be sent through STATEL/eDAMIS with consignment type 'ANNUAL-DECLARATION'.

4. Explanation of differences

4.1. In the case of differences between the annual declaration and monthly or quarterly declaration or X-table data the coordinating body of the Member State should send either one 'difference-explanation' file for all paying agencies or separate 'difference-explanation' files for each paying agency. Such file(s) should explain, through standard codes, the difference by budget code between the annual declaration and monthly declaration (T104) or between annual declaration and quarterly declaration (SFC2007) or between annual declaration and the sum of the records (Σ F106) of the X-table data.

4.2. The files should have the characteristics as described under 2.4. Each line should contain the following fields (in this order):

- (a) F100: paying agency code
- (b) F109: budget code
- (c) Reco: reconciliation code
- (d) F106: amount of the explained difference in EUR

4.3. The reconciliation code must be expressed by a three-character code corresponding to the following code list:

Code EAGF	A) Type of difference [Annual Declaration to (=MINUS) Monthly Declaration (T104)]
A01	Administrative error (outstanding amounts to be recovered at the end of the financial year and credited to the EAGF via the Annual Declaration)
A02	Rounding error
A03	Misposting error (data input on wrong budget code)
A04	Cut-off error (amount in Annual Declaration but not reported in T104)
A05	Cut-off error (amount in T104 but not declared in Annual Declaration)
A06	Payment error (payment pending in the bank)
A07	Late payment correction
A08	Ceiling error (correction because expenditure passed ceiling)
A09	Off-set of irrecoverable amount
A10	Off-set of irrecoverable amount (50/50 rule)
A11	Correction due to recovery of outstanding debts
A12	Correction due to double entry of expenditure

⁽¹⁾ Budget codes, for which no expenditure is declared, should not be included in the Annual Declaration file.

A13	Reallocation of expenditure by Fund (national or community)
A20	Conformity corrections
A21	Adjustments on entitlements
A22	Modulation not declared
A23	Exchange rate corrections
A99	Other error
Code EAFRD	B) Type of difference [Annual Declaration to (=MINUS) Quarterly Declaration (SFC2007)]
B02	Rounding error
B03	Misposting error (data input on wrong budget code)
B04	Cut-off error (amount in Annual Declaration but not reported in Quarterly Declaration)
B05	Cut-off error (amount in Quarterly Declaration but not declared in Annual Declaration)
B06	Payment error (payment pending in the bank)
B11	Correction due to recovery of outstanding debts
B12	Correction due to double entry of expenditure
B13	Reallocation of expenditure by Fund (national or community)
B14	Co-financing rate error (amount with wrong co-financing rate in Annual Declaration)
B15	Co-financing rate error (amount with wrong co-financing rate in Quarterly Declaration)
B16	Difference due to co-financing rate in Quarterly Declaration
B99	Other error
Code X-table	C) Type of difference [Annual Declaration to (=MINUS) X-table (EAGF and EAFRD)]
C01	Administrative error (outstanding amounts to be recovered at the end of the financial year and credited to the EAGF via the Annual Declaration)
C02	Rounding error
C03	Misposting error (data input on wrong budget code)
C04	Cut-off error (amount in Annual Declaration but not reported in X-table)
C05	Cut-off error (amount in X-table but not declared in Annual Declaration)
C06	Payment error (payment pending in the bank)
C07	Late payment correction in AD
C08	Ceiling error (correction in AD because expenditure passed ceiling)
C09	Off-set of irrecoverable amount

C10	Off-set of irrecoverable amount (50/50 rule)
C11	Correction due to recovery of outstanding debts
C12	Correction due to double entry of expenditure
C13	Reallocation of expenditure by Fund (national or community)
C14	EAFRD: Co-financing rate error (amount with wrong co-financing rate in Annual Declaration)
C15	EAFRD: Co-financing rate error (amount with wrong co-financing rate in X-table)
C20	Conformity corrections
C21	Adjustments on entitlements
C22	Modulation not declared
C23	Exchange rate corrections
C24	EAGF — 25 % retention on amounts resulting from cross-compliance (R1782/2003, Art. 9)
C25	EAGF — 20 % retention on amounts recovered following irregularities (R1290/2005, Art. 32)
C98	Not required X-table data
C99	Other error

4.4. Files satisfying the rules will look like the following (example for financial year 2008):

F100;F109;Reco;F106

AT01;050207011401006;A03;+505.90

The amount declared in the Annual Declaration is EUR 505,90 higher than the amount (wrongly) declared in the monthly declarations [Tables 104].

AT01;050207011403006;A03;-505.90

The amount declared in the Annual Declaration is EUR 505,90 smaller than the amount (wrongly) declared in the monthly declarations [Tables 104].

AT01;050302180000004;A01;-125.80

The amount declared in the Annual Declaration is EUR 125,80 lower than the amount declared in the monthly declarations [Tables 104] due to the correction on 'administrative errors'.

AT01;050302270000001;C04;+31.05

The amount declared in the Annual Declaration is EUR 31,05 higher than the amount reported in the X-table due to a cut-off problem.

AT01;050302270000001;C05;-81.00

AT01;050405011321001;B02;+3.04

AT01;050405013211001;C15;+3075.07

AT01;050405013211001;B02;-0.80

AT01;050405013211001;C14;-688.23

etc.

- 4.5. The 'difference-explanation' files shall be sent through STATEL/eDAMIS with consignment type 'DIFFERENCE-EXPLANATION'.

5. Documentation (Code list)

- 5.1 In case where codes are used for fields, for which Annex III does not enforce standard codes, the coordinating body of the Member State must transfer a code list for each paying agency through STATEL/eDAMIS in order to explain all these used codes.
- 5.2 This code list can have the look and feel of an ordinary letter. The identity of the paying agency and the name or administrative unit of the addressee shall be clearly marked.
- 5.3 The eDAMIS client includes a specific consignment type for this kind of tabular transfer i.e. 'CODE-LIST'.

6. Data transfer

The coordinating body must send the computer files completely and only once.

If the coordinating body notices that false data were transmitted or a problem occurred with the data transfer, the Commission has to be informed immediately. All files, which contain incorrect information, are to be indicated. Therefore, the Commission is to be asked to delete these files. Thereafter, in order to avoid an overlapping of computer records or data files, the coordinating body must send the corrected computer files to replace entirely the previous incorrect information.

ANNEX III

'AIDE-MÉMOIRE'

Financial year 2010

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General remark: significance of the X, A and D codes used in Annex I

All the information marked 'X' or 'A' is obligatory.

'X' = data element already included in the previous version of this Regulation.

'A' = data element to be added compared to the previous version of this Regulation.

'D' = data element to be deleted compared to the previous version of this Regulation.

Where a data request makes no sense under particular circumstances or is not applicable for the Member States concerned, then put NULL value, which shall be represented by two consecutive semicolons (;) in the CSV format data file.

1. DATA RELATING TO PAYMENTS:

Preliminary remark: In this section, the term 'payment' refers to both the EAGF and EAFRD payments and the receipts.

1.1. **F100: name of paying agency**

Required format: to be expressed by a code (see the code list F100 kept up-to-date on CAP-ED):

<https://webgate.ec.europa.eu/agriportal/awaiportal/>

1.2. **F101: reference number of payment**

The reference number identifying the payment clearly in the paying agency's accounts. Removals relating to food aid shall not be considered as sales of intervention products. In this particular case field F101 can be ignored.

1.3. **F103: type of payment**

Required format: to be expressed by a one-character code corresponding to the following code list:

Code	Significance
0	Food Aid
1	Advance or partial payment
2	Final payment (first and single payment, or settlement of the balance after advance payment, or normal export refund payment)
3	Recovery/reimbursement (following a sanction)/correction
4	Receipt of amounts (not preceded by an advance or final payment)
5	Pre-financing payment export refund
6	No financial transaction

1.4. **F105: payment with sanction**

Required format: yes = 'Y'; no = 'N'.

1.5. **F105B: Cross-Compliance: reduction or exclusion from payments pursuant to Article 23 of Council Regulation (EC) No 73/2009**

The field F105B must be used to indicate the amount reduced or excluded (negative amount) on the basis of Article 23 of Council Regulation (EC) No 73/2009⁽¹⁾. This negative amount (in EUR) resulting from cross-compliance must only be shown once per beneficiary under direct aids. It concerns the 100 % reduction to the farmer i.e. without the 25 % retention provided for in Article 25 of Regulation (EC) No 73/2009.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for any number from 0 to 9 inclusive.

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

1.6. F105C: amount (EUR) not paid: reduction or exclusion from payments as a result of administrative and/or on-the-spot checks

The field must be used to indicate the amount reduced or excluded on the basis of administrative and/or on-the-spot checks pursuant to the sector relevant regulation. This (negative) amount resulting from administrative and/or on-the-spot checks must be reported in field F105C for each budget post for which a reduction or exclusion has been made.

For EAGF, the amount resulting from Cross-Compliance should be reported in field F105B and consequently, should not form part of the (negative) amount to be reported in field F105C.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for any number from 0 to 9 inclusive.

1.7. F106: amount in EUR

Amount of each individual item of payment in EUR.

The amounts in field F106 relate to the EAGF and EAFRD expenditure only. National expenditure shall not appear under this heading.

For EAGF, the sum of these amounts (F106) by budget code (F109) shall in principle correspond with the amounts declared in table 104.

For EAFRD, the sum of these amounts (F106) by budget code (F109) shall in principle correspond with the amounts calculated in the quarterly declarations of expenditure for the same period.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

1.8. F106A: public expenditure in EUR

Amount of any public contribution to the financing of operations whose origin is the budget of the State, of regional and local authorities, of the European Communities and any similar expenditure.

The sum of these amounts (F106A) by budget code (F109) shall in principle correspond with the certified public expenditure declared in the EAFRD table.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

1.9. F107: currency unit

Required format: EUR

1.10. F108: date of payment

The date determining the month of declaration to the EAGF/EAFRD.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

1.11. F109: budget code

For EAGF, the full code of the Activity Based Budgeting structure must be given, including the title, chapter, Article, item and sub-item.

For EAFRD budget line 05040501, the budget sub-items must be given according to Annex IV.

Required ABB-format without spaces: '9999999999999999', where 9 stands for a digit from 0 to 9. Missing positions shall be filled with zeroes (e.g. 05020901160 becomes 050209011600000).

1.12. F110: marketing year or period

For intervention products the Commission needs to know the marketing year to which the product corresponds or the quota period it is to be set off against.

2. DATA RELATING TO BENEFICIARY (APPLICANT):

Preliminary remark: The fields F200, F201, F202A, F202B and F202C must always be used to identify the beneficiary of a payment i.e. the final beneficiary. The fields F220, F221, F222B and F222C may only be used if a payment is made to the beneficiary through an intermediate organisation.

The field F207 is only related to the field F200.

2.1. **F200: identification code**

The individual unique identifier allocated to each applicant at Member State level.

2.2. **F201: name**

The applicant's last name and first name, or the business name.

2.3. **F202A: applicant's address (street and number)**

2.4. **F202B: applicant's address (international post code)**

2.5. **F202C: applicant's address (municipality or city)**

2.6. **F205: holding in less-favoured region**

In the case of support for a holding in a less-favoured area, this must be indicated here.

Required format: yes = 'Y'; no = 'N'.

2.7. **F207: region and sub-region in the Member State**

Region and sub-region code (NUTS 3) is defined by the main activities of the holding of the beneficiary to which the payment is assigned.

The code 'Extra Region' (MSZZZ) should only be indicated in cases e.g. where no NUTS 3 code exists.

Required format: NUTS 3 code as specified in the code list F207 on CAP-ED: <https://webgate.ec.europa.eu/agriportal/awaitportal/>

2.8. **F211: delivery reference quantity**

This relates to the milk quota scheme.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9.

2.9. **F212: direct sales reference quantity**

This relates to the milk quota scheme.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9.

2.10. **F213: reference fat content**

This relates to the milk quota scheme.

Required format: 9 ... 9.99, where 9 stands for a digit from 0 to 9.

2.11. **F214: purchaser of milk**

In accordance with Article 65 of Council Regulation (EC) No 1234/2007 ⁽¹⁾. This relates to the milk quota scheme.

2.12. **F217: date of entry private storage**

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

2.13. F218: end date of private storage

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

2.14. F220: identification code of the intermediate organisation

The individual unique identifier allocated to intermediate organisations at Member State level.

The payment is made to the beneficiary via the intermediate organisation i.e. via each intermediate institution or directly to this organisation.

2.15. F221: name of the intermediate organisation

The organisation's name.

2.16. F222B: organisation's address (international post code)**2.17. F222C: organisation's address (municipality or city)****3. DATA RELATING TO DECLARATION/APPLICATION:****3.1. F300: number of declaration/application**

This must enable the declaration/application to be traced through the Member States' files.

3.2. F300B: date of application

The date of receipt of the application by the paying agency (including any divisional or regional offices thereof).

In the case of payments under the national support programmes in the wine sector, the date of application shall be the one specified in article 37(b) of Commission Regulation (EC) No 555/2008 ⁽¹⁾.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

3.3. F301: number of contract/project (where applicable)

For EAFRD measures and programmes, a unique identification number must be allocated to each project.

3.4. F304: authorising office

This is the office responsible for administrative control and authorisation, e.g. the region. The more decentralised the management of the scheme is, the more important this information becomes.

3.5. F305: number of certificate/licence

'N'= no, if not applicable.

3.6. F306: date of issue of the certificate/licence

This field must be completed when a number of certificate/license is indicated in field F305.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

3.7. F307: office holding supporting documents

Only where this is not the same as that specified in field F304.

⁽¹⁾ OJ L 170, 30.6.2008, p. 1.

4. DATA RELATING TO SECURITY:

4.1. **F402: amount of processing security (others than tender securities) in EUR**

In the case of advance payments in the wine sector (budget post 05020908) the amount of the security lodged must be indicated.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5. DATA RELATING TO PRODUCTS:

Preliminary remark concerning quantities: as a basic rule, quantities, areas and numbers of animals must only be shown once. In the case of an advance payment followed by a balance payment, the quantity must be shown in the record of the advance payment. This is also true for cases where the advance payment and balance payment are booked on different budget sub-posts (advances and balance). Adjustments to quantities, areas and numbers of animals must be shown in the records covering the balance or subsequent payments. In the case of sums recovered, if the amount applied for is reduced because of incorrect quantities, areas or numbers of animals, the adjustments to the quantities must be indicated by a minus sign.

5.1. **F500: product code/rural development sub-measure code**

The Member States must draw up their own lists of codes, to be detailed in the explanatory note to the payment file(s).

In the case of rural development measures under EAFRD budget post 05040501, indicate where applicable, a code per sub-measure implemented (e.g. type of agri-environmental measure).

In the case of rural development expenditure in the new Member States (budget post 050404000000) a one-character or two-character code corresponding to the following list must be expressed:

Code	Significance
A	Investment in farms
B	Start-up assistance for young farmers
C	Training
D	Early retirement
E	Less-favoured areas and areas with environmental restrictions
F	Agri-environment and animal welfare
G	Improving the processing and marketing of agricultural products
H	Afforestation of agricultural land
I	Other forestry measures
J	Land improvement
K	Reparcelling
L	Setting up farm relief and farm management services, setting-up consulting services in farms and agricultural vulgarisation
M	Marketing of quality agricultural products
N	Basic services for the rural economy and population
O	Renovation and development of villages and protection and conservation of the rural heritage
P	Diversifying agricultural activities and activities close to agriculture to provide multiple activities or alternative sources of income
Q	Managing agricultural water resources

Code	Significance
R	Developing and improving infrastructure connected with the development of agriculture
S	Encouraging tourist and craft activities
T	Protecting the environment in connection with agriculture, forestry and landscape management and improving animal welfare
U	Restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention instruments
V	Financial engineering
X	Respect of standards
Y	Recourse of consulting services regarding respect of standards
Z	Voluntary participation of farmers in food quality systems
AA	Measures of producer groups in the area of food quality
AB	Semi-subsistence farms in the restructuring process
AC	Producer groups
AD	Technical assistance
AE	Complements to direct payments
AF	Complements to State aid in Malta
AG	Full-time farmers in Malta
SA	Financing of Sapard projects

In the case of the restructuring and conversion of vineyard (budget post 050209071650) measures codes must be expressed. These codes refer to the definitions of the measures defined by the competent authorities of the Member States in accordance with Article 13(2)(a) of Commission Regulation (EC) No 1227/2000 ⁽¹⁾.

In the case of export refunds: F500 is only required if F804 contains ingredients for which export refund is fixed. Then in F500, the code of the goods (in principle the CN code declared in box 33 of the SAD; 8 digits) must be indicated for non-Annex 1 goods, or the product code for the final processed agricultural products.

5.2. F502: quantity paid (number of animals, hectares, etc.)

See preliminary remarks in heading 5 (data relating to products).

For the wine sector, the products obtained after distillation shall be expressed by alcoholic strength.

For all other sectors, the quantity paid shall be expressed in the unit which is laid down in the Regulation as the basis for the premium payment.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant. (max 6).

⁽¹⁾ OJ L 143, 16.6.2000, p. 1.

5.3. **F503: quantity covered by payment application lodged (quantity claimed)**

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant. (max. 6).

5.4. **F508A: area covered by payment application lodged**

The area covered by the application.

See preliminary remark in heading 5 (data relating to products).

For budget post 050404000000 (Rural Development in the new Member States) this field is required only for the measures E, F and H.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5.5. **F508B: area covered by payment made**

The area on which the payment is made.

For budget post 050404000000 (Rural Development in the new Member States) this field is required only for the measures E, F and H.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5.6. **F509A: area wrongly declared**

The difference between the area declared and that found. Overstatement being the area declared exceeding the area found and reported with a positive figure. Understatement being the area found exceeding the area declared and reported with a negative figure.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5.7. **F510: Community regulation and article number**

In the case of intervention goods, the ad hoc instrument published in the *Official Journal of the European Union* is required.

5.8. **F511: EAGF rate of aid (EUR) per unit of measurement**

The field F511 must be used if data is reported in one of the required quantity fields F502, F508B and F800. The rate of aid must be expressed in the same unit of measurement as the reported quantity.

Required format: 9 ... 9.999999, where 9 stands for a digit from 0 to 9.

The use of six decimal places may seem odd but some regulations like Council Regulation (EC) No 660/1999 ⁽¹⁾ fix the premium with up to five decimals even when using EUR. To cover all possibilities the number of decimals has been raised to six.

5.9. **F515: gross deliveries**

'Gross deliveries' covers all quantities of milk and milk products delivered as defined in Article 65 of Regulation (EC) No 1234/2007, without any adjustment for the fat content.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.10. **F517: actual fat content**

As shown by the laboratory analysis findings, expressed as a percentage rather than in grams or kilograms.

Required format: 9 ... 9.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.11. **F518: adjusted deliveries**

Quantities delivered, adjusted for the fat content in accordance with Article 10(1) of Commission Regulation (EC) No 595/2004 ⁽²⁾.

⁽¹⁾ OJ L 83, 27.3.1999, p. 10.

⁽²⁾ OJ L 94, 31.3.2004, p. 22.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.12. F519: direct sales

Milk and milk equivalent as defined in Article 65 of Regulation (EC) No 1234/2007.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.13. F519B: deliveries after administrative corrections (if any)

Milk sector: 'administrative corrections' means adjustments made by the paying agency to the quantities declared by purchasers. Such changes must always be shown separately from the quantities declared by the purchasers. Corrections may be positive or negative. The net changes must be shown as compared with the situation before the correction. There is no provision for including flat-rate corrections here.

Corrections following on-the-spot checks, required under Article 21 of Regulation (EC) No 595/2004, must be recorded in fields F600 to F603.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.14. F519C: direct sales after administrative corrections (if any)

For the definition of administrative corrections, see field F519B.

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.15. F520: quantities delivered over or under quotas

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9.

5.16. F521: direct sales over or under quotas

Required format: +99 ... 99.999 or -99 ... 99.999, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max. 6).

5.17. F522: additional levy due

For deliveries or direct sales (a distinction is to be made through the budget code (field F109)).

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5.18. F523: interest due for late payment

For deliveries or direct sales (to be distinguished by means of the budget code in field F109).

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

5.19. F531: total alcoholic strength by volume

Expressed in % vol/hl.

Required format: 99.99, where 9 stands for a digit from 0 to 9.

5.20. F532: natural alcoholic strength by volume

Expressed in % vol/hl.

Required format: 99.99, where 9 stands for a digit from 0 to 9.

5.21. **F533: wine growing zone**

Wine growing zone as defined in Annex IX to Council Regulation (EC) No 479/2008 ⁽¹⁾.

Required format: to be expressed by one of the following codes: A, B, CI, CII, CIIIA, CIIIB.

6. DATA RELATING TO INSPECTIONS:

The Commission needs to know the number of inspections carried out and the number of cases where penalties have been applied as a result. Where the premium is withheld or recovered in full, zero payments must be indicated with the date of the decision in F108.

6.1. **F600: on-the-spot inspection**

The 'on-the-spot checks' mentioned here are those referred to in the relevant regulations ⁽²⁾. They include the physical visits of the farm (code 'F' or code 'C') and/or checks by remote sensing (code 'T') and, the physical spot checks of goods (code 'G'), the substitution checks (code 'S') and the specific substitution checks (code 'U') for export refunds.

Field F601 needs to be completed only if an on-farm inspection or control on cross-compliance ('F' or 'C') is indicated in field F600.

Field F602 needs to be completed where an on-the-spot check ('F', 'C', 'T', 'G', 'S' or 'U') is indicated in field F600.

Field F602B needs to be completed only if the additional levy payable has been recalculated.

In the case of multiple visits concerning the same measure and the same producer only report once. Every record, be it the advance or balance payment or other, that can be related to a particular inspection, shall have the appropriate code (see below) in field F600.

Administrative checks, within the meaning of the above-mentioned regulations (see footnote below), shall not be mentioned in F600. Nevertheless, sanctioned claims shall be identified in field F105 (code 'Y') and reduced or excluded amounts shall be reported in field F105C (negative amount), whether they originate from an administrative check or on-the-spot check.

Required format: 'N' = no inspection, 'F' = on-farm inspection, 'C' = controls on cross-compliance, 'T' = inspection by remote sensing, 'G' = on-the-spot check of goods, 'S' = substitution check and 'U' = specific substitution check.

In case of a combination of on-farm inspection and cross-compliance and/or inspection by remote sensing one of the corresponding codes 'FT', 'CT', 'CF' or 'FTC' must be shown.

In the case of a combination of checks for export refunds one of the corresponding codes 'GS', 'GSU', 'GU' or 'SU' must be reported.

6.2. **F601: date of inspection**

This field must be completed when an on-farm inspection or control on cross-compliance ('F' or 'C') is indicated in field F600. The date of inspection is not required for remote sensing checks.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

6.3. **F602: application reduced**

If the application has been reduced as a result of an inspection, this must be indicated here. This field must be completed when an on-the-spot inspection is indicated in field F600.

Required format: yes = 'Y'; no = 'N'.

⁽¹⁾ OJ L 148, 6.6.2008, p. 1.

⁽²⁾ Commission Regulation (EC) No 1975/2006 (rural development) (OJ L 368, 23.12.2006, p. 74),
Council Regulation (EC) No 73/2009 (direct support schemes),
Commission Regulation (EC) No 796/2004 (direct support schemes) (OJ L 141, 30.4.2004, p. 18),
Commission Regulation (EEC) No 2159/89 (nuts) (OJ L 207, 19.7.1989, p. 19),
Commission Regulation (EC) No 1621/1999 (dried grapes) (OJ L 192, 24.7.1999, p. 21),
Council Regulation (EEC) No 386/90 (export refunds) (OJ L 42, 16.2.1990, p. 6),
Commission Regulation (EC) No 2090/2002 (export refunds) (OJ L 322, 27.11.2002, p. 4).

6.4. **F602B: recalculation of additional levy payable**

For instance, after on-the-spot inspections.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

6.5. **F603: reason for reduction**

Where there is more than one reason indicate the one justifying the highest penalty. This field must be completed when the application has been reduced as a result of an on-the-spot inspection.

Required format: to be expressed by a code; the codes must be explained in the accompanying letter.

7. DATA RELATING TO PAYMENT ENTITLEMENTS:

Preliminary remark:

The Commission needs to know the total amount for each kind of entitlement as defined in Title III of Regulation (EC) No 73/2009.

Furthermore, the Commission needs to know financial information on the amounts not paid following administrative or on-the-spot-checks (IACS controls).

7.1. **F700: amount of payment entitlement in EUR**

Amount of payment entitlement in EUR i.e. the total amount to be paid in respect of the payment entitlements as defined in Title III of Regulation (EC) No 73/2009 after performing the IACS controls.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.2. **F702: area covered by payment made**

For payment entitlements based on areas: The area on which the payment is made.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

If a payment is composed of more than one kind of entitlement then the requested information under section A) to E) has to be filled in as appropriate. If a section is not applicable, then put NULL value in that section.

Payment entitlements mentioned below are those referred to in Title III of Regulation (EC) No 73/2009:

7.3. **A) Payment entitlements based on areas (normal entitlements)**

7.4. **F703: amount in EUR of payment entitlement**

The total amount in EUR of the payment entitlement as lodged in the claim.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.5. **F703A: area covered by payment application lodged**

The 'activated' area covered by the aid application: For payment entitlements based on areas, this is the area 'activated' i.e. maximum area subject to payment (see also Article 50(2) of Regulation (EC) No 796/2004).

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.6. **F703B: area determined**

The area determined as a result of administrative or on-the-spot checks.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.7. **F703C: area not found**

The difference between the 'activated' area declared in the aid application and the one found as a result of administrative or on-the-spot checks.

Overstatement being the area declared exceeding the area found and reported as a positive figure. Understatement being the area found exceeding the area declared and reported as a negative figure.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.8. B) **Set-aside entitlement**

7.9. **F704: amount in EUR of payment entitlement**

The total amount in EUR of the payment entitlement as lodged in the claim.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.10. **F704A: area covered by payment application lodged**

The 'activated' area covered by the aid application.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.11. **F704B: area determined**

The area determined as a result of administrative or on-the-spot checks.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.12. **F704C: area not found**

The difference between the 'activated' area declared in the aid application and the one found as a result of administrative or on-the-spot checks.

Overstatement being the area declared exceeding the area found and reported as a positive figure. Understatement being the area found exceeding the area declared and reported as a negative figure.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.13. C) **Other entitlements like national reserve**

7.14. **F706: amount in EUR of payment entitlement**

The total amount in EUR of the payment entitlement as lodged in the claim.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.15. **F706A: area covered by payment application lodged**

The 'activated' area covered by the aid application.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.16. **F706B: area determined**

The area determined as a result of administrative or on-the-spot checks.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.17. **F706C: area not found**

The difference between the 'activated' area declared in the aid application and the one found as a result of administrative or on-the-spot checks.

Overstatement being the area declared exceeding the area found and reported as a positive figure. Understatement being the area found exceeding the area declared and reported as a negative figure.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.18. D) **Payment entitlements subject to special conditions**7.19. **F707: amount in EUR of payment entitlement**

The total amount in EUR of the payment entitlement as lodged in the claim.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.20. **F707A: number of livestock units (LU) in the reference period**

This number represents the agricultural activity exercised in the reference period expressed in LU according to Article 44(2) of Regulation (EC) No 73/2009.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.21. **F707B: number of livestock units (LU) declared**

This field must indicate the exact number of LU declared for the calendar year concerned (Article 44(2) of Regulation (EC) No 73/2009).

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

7.22. **F707C: number of livestock units (LU) determined**

The number of LU determined as a result of administrative or on-the-spot checks, in order to check the compliance with Article 44(2) of Regulation (EC) No 73/2009.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9.

8. ADDITIONAL DATA RELATING TO EXPORT REFUNDS:

8.1. **F800: net weight/quantity**

See preliminary remark in heading 5 (data relating to products).

The weight or the quantity shall be expressed in the unit of measurement

In the case of processed products (non-Annex I goods or processed agricultural products): the quantity of the ingredient eligible for funding. If the code of the goods (F500) contains more than one ingredient eligible for funding (F804), then multiple records with corresponding amounts (F106) and quantities (F800) must be created.

Required format: +99 ... 99.99 or -99 ... 99.99, where 9 stands for a digit from 0 to 9. With a possibility to increase the number of decimals if significant (max.6).

8.2. **F800B: unit of measurement for field F800**

Required format: to be expressed by a one-character code corresponding to the following table:

Code	Meaning
K	Kilogram
L	Litre
P	Piece (item)

8.3. **F801: application number (export refunds: SAD)**

The more detailed the application number is given, the more important this information becomes. For instance, an extension to the application number such as the indication of the ingredient number will allow more precise identification of export refund data.

8.4. F802: customs office of placing under customs supervision

The Member States must use the Transit Customs Office List (COL) ⁽¹⁾. This is the list of authorised customs offices for Community/common transit operations. It may be that due to its objective of 'transit operations' some of the customs offices might be missing although this will be the exception. In that case the Member State shall provide the name of the customs office in full.

Required format: The format of the COL code consists of two positions to denote the country (ISO code of a Member State) followed by a six-character code that define the customs office. For instance 'EE1000EE'.

8.5. F802B: customs office of exit

Indicate the customs office, which certifies that products covered by refund applications have left the customs territory of the Community. The Member States must use the Transit Customs Office List (COL) ⁽²⁾. This is the list of authorised customs offices for Community/common transit operations. It may be that due to its objective of 'transit operations' some of the customs offices might be missing although this will be the exception. In that case the Member State shall provide the name of the customs office in full.

This information is vital for the auditors in connection with the application of Council Regulation (EEC) No 386/90 concerning substitution checks. The information is available in T5 or equivalent documents.

Required format: The format of the COL code consists of two positions to denote the country (ISO code of a Member State) followed by a six-character code that define the customs office. For instance 'GB000392'.

8.6. F804: export refund code

In the case of non-processed agricultural products: The 12 digit product code, for which export refund is fixed.

In cases of processed products (non-Annex I goods or processed agricultural products): the CN code(s) of the ingredient(s) for which export refund is fixed. In this case, F500 must be completed with the code of the final product. See also the explanatory note to F800 for the procedure to follow where more than one ingredient of a processed product is eligible for refund.

8.7. F805: code for destination

Required format: 'XX', where X stands for a letter between A and Z (codes of the nomenclature of countries and territories for the external trade statistics of the Community. See Commission Regulation (EC) No 2020/2001 ⁽³⁾ of 15 October 2001 and subsequent updates).

In view of harmonisation, the Member States shall also use the miscellaneous category (codes Q*) of the nomenclature of countries and territories for the external trade statistics. It is known that that nomenclature does not cover all special export refund cases but the Commission does not require that kind of detail. Member States shall therefore convert their special national codes to the broader categories of the nomenclature of countries and territories for the external trade statistics before sending their data to the Commission.

8.8. F808: date of advance fixing

If fixed in advance, the date on which the rate of refund was set.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

8.9. F809: last day of validity (advance fixing)

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

8.10. F812: reference of the invitation to tender if applicable (advance fixing)

The procedure stipulated in Article 5 of Commission Regulation (EC) No 1501/95 ⁽⁴⁾ or similar procedure for other sectors. The Commission needs the reference of the invitation to tender.

⁽¹⁾ http://ec.europa.eu/taxation_customs/dds/csrdhome_en.htm

⁽²⁾ http://ec.europa.eu/taxation_customs/dds/csrdhome_en.htm

⁽³⁾ OJ L 273, 16.10.2001, p. 6.

⁽⁴⁾ OJ L 147, 30.6.1995, p. 7.

8.11. F814: day of acceptance of payment declaration (COM-7)

For the beef sector: in the case of pre-financing, complete field F814 only (disregarding fields F816 and F816B); if pre-financing is not involved, complete fields F816 and F816B (disregarding field F814).

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

8.12. F816: date of acceptance of export declaration

Date within the meaning of Article 5 paragraph 1 of Commission Regulation (EC) No 800/1999 ⁽¹⁾.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

8.13. F816B: date of export from the EU territory

Date of export as indicated on the export declaration or on the T5. See also Article 7 paragraph 1 of Regulation (EC) No 800/1999.

Required format: 'YYYYMMDD' (year in four digits, month in two digits, day in two digits).

9. (Not used)

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

ANNEX IV

Structure of EAFRD budget codes (F109)**INTRODUCTION**

For EAFRD, there is only one budget heading defined in the budget nomenclature: '05040501'.

As the budget codes can be up to 15 figures long, the remaining 7 figures can be used for identifying the programs and measures. This will allow reconciliation of the data from the different sources on financial year, paying agency, measure and program level.

1. Budget code structure

The budget codes must have the following structure:

- The first 8 figures are constant: '05040501'.
- The following 3 figures indicate the measure, according to the attached list.
- The next 1 digit can have the following values (increasing with increasing co-financing rate:
 - 1 non-convergence region
 - 2 convergence region
 - 3 outermost region
 - 4 voluntary modulation
 - 5 additional contribution for Portugal
 - 6 additional funds from Article 69(5a) of Council Regulation (EC) No 1698/2005 ⁽¹⁾, non-convergence region
 - 7 additional funds from Article 69(5a) of Regulation (EC) No 1698/2005, convergence region
- The next digit indicates 0 = Operational Program or 1 = Network Program.
- The last 2 figures indicate the program number: figures between '01' and '99' are allowed.

2. Example

F109 = '050405011132001' means: budget heading '05040501' (EAFRD), measure '113' (early retirement), convergence region ('2'), Operational program ('0') and program number '01'.

3. List of the EAFRD measures

AXIS 1 IMPROVING THE COMPETITIVENESS OF THE AGRICULTURAL AND FORESTRY SECTOR	
Code	Measure
111	Vocational training and information actions
112	Setting up of young farmers
113	Early retirement
114	Use of advisory services
115	Setting up of management, relief and advisory services
121	Modernisation of agricultural holdings
122	Improvement of the economic value of forests
123	Adding value to agricultural and forestry products
124	Cooperation for development of new products, processes and technologies in the agriculture and food sector and the forestry sector
125	Infrastructure related to the development and adaptation of agriculture and forestry

⁽¹⁾ OJ L 277, 21.10.2005, p. 1.

AXIS 1 IMPROVING THE COMPETITIVENESS OF THE AGRICULTURAL AND FORESTRY SECTOR	
Code	Measure
126	Restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention actions
131	Meeting standards based on Community legislation
132	Participation of farmers in food quality schemes
133	Information and promotion activities
141	Semi-subsistence farming
142	Producer groups
143	Provision of farm advisory and extension services in Bulgaria and Romania
144	Holdings undergoing restructuring due to a reform of a common market organisation

AXIS 2 IMPROVING THE ENVIRONMENT AND THE COUNTRYSIDE THROUGH LAND MANAGEMENT	
Code	Measure
211	Natural handicap payments to farmers in mountain areas
212	Payments to farmers in areas with handicaps, other than mountain areas
213	Natura 2000 payments and payments linked to Directive 2000/60/EC (WFD)
214	Agri-environment payments
215	Animal welfare payments
216	Non-productive investments
221	First afforestation of agricultural land
222	First establishment of agroforestry systems on agricultural land
223	First afforestation of non-agricultural land
224	Natura 2000 payments
225	Forest-environment payments
226	Restoring forestry potential and introducing prevention actions
227	Non-productive investments

AXIS 3 IMPROVING THE QUALITY OF LIFE IN RURAL AREAS AND ENCOURAGING DIVERSIFICATION OF ECONOMIC ACTIVITY	
Code	Measure
311	Diversification into non-agricultural activities
312	Business creation and development
313	Encouragement of tourism activities
321	Basic services for the economy and rural population
322	Village renewal and development
323	Conservation and upgrading of the rural heritage
331	Training and information
341	Skills acquisition, animation and implementation of local development strategies

AXIS 4 LEADER	
Code	Measure
411	Implementing local development strategies. Competitiveness
412	Implementing local development strategies. Environment/land management
413	Implementing local development strategies. Quality of life/diversification
421	Implementing cooperation projects
431	Running the local action group, acquiring skills and animating the territory as referred to in Article 59

5 TECHNICAL ASSISTANCE	
Code	Measure
511	Technical assistance

6 COMPLEMENT TO DIRECT PAYMENT FOR BULGARIA AND ROMANIA	
Code	Measure
611	Complement to direct payment

COMMISSION REGULATION (EC) No 885/2009
of 25 September 2009
amending Regulation (EC) No 378/2005 as regards reference samples, fees and the laboratories listed
in Annex II

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular the first subparagraph of Article 7(4) and the third paragraph of Article 21 thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 of the European Parliament and of the Council establishes a Community procedure for authorising the placing on the market and use of feed additives in animal nutrition. It provides that any person seeking authorisation for a feed additive or a new use of a feed additive is to submit an application for authorisation in accordance with that Regulation.
- (2) Commission Regulation (EC) No 378/2005⁽²⁾ lays down detailed rules for the implementation of Regulation (EC) No 1831/2003 as regards applications for authorisation of a feed additive or for a new use of a feed additive and the duties and tasks of the Community Reference Laboratory (CRL).
- (3) It provides that any person making an application is to send reference samples in a form in which the feed additive is intended to be placed on the market by the applicant or that are suitable to be converted easily in a form in which the feed additive is intended to be placed on the market by the applicant.
- (4) Regulation (EC) No 378/2005 also provides that the CRL is to charge applicants a fee of EUR 6 000 for each application. In addition, Annex II to that Regulation sets out a list of the consortium of national reference laboratories assisting the CRL in its duties and tasks.
- (5) The experience gained during the operation of Regulation (EC) No 378/2005 shows that it is desirable to clarify certain details of the existing requirements for the reference samples to be submitted by applicants in some cases and to simplify them in the cases of a) applications for new uses of already authorised additives and b) applications for changing the terms of authorisations

when the proposed change is not related to the characteristics of the feed additive previously sent to the CRL as reference sample of the feed additive concerned.

- (6) Experience has shown that different rates should be established for the fee depending on the different types of applications, in particular taking into account the need for new reference samples and new evaluations of the method of analysis for feed additives already authorised.
- (7) In addition, there are multi-analyte methods based on a defined principle applicable for the single or simultaneous determination of one or more substance(s)/agent(s) in the specific matrices defined in the scope of the method. Experience has shown that it is possible to carry out the evaluations of the methods of analysis for similar feed additives in groups when the methods of analysis are similar and particularly in the case of these multi-analyte methods.
- (8) A number of already authorised feed additives subject to the re-evaluation process provided for in Article 10(2) of Regulation (EC) No 1831/2003 may be subject to applications submitted simultaneously in homogeneous groups when they belong to the same category of feed additives, functional group and sub classification, if applicable, and when the methods of analysis used for them are of the type multi-analyte methods.
- (9) The substances classified in the group 'chemically defined flavourings' appearing in the Community Register of Feed Additives, belonging to the category sensory additives and allocated within the functional group flavouring compounds, are a group of feed additives representing nearly two thirds of the entries of the Community Register of Feed Additives at present. Those chemically defined flavourings are subject to the re-evaluation process provided for in Article 10(2) of Regulation (EC) No 1831/2003 and therefore may represent a significant workload in the process. These chemically defined flavourings also represent an homogeneous group of feed additives in terms of their conditions of authorisation and their safety assessment to be carried out following the specific requirements for them laid down in Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives⁽³⁾. The methods of analysis used for many of these chemically defined flavourings may be of the type of multi-analyte methods.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 59, 5.3.2005, p. 8.

⁽³⁾ OJ L 133, 22.5.2008, p. 1.

- (10) It is therefore appropriate to establish a system of reduced fees for groups of applications for authorisations concerning already authorised feed additives such as the chemically defined flavourings when the applications are submitted simultaneously and contain similar methods of analysis, particularly of the type multi-analyte methods.
- (11) For the purpose of the calculation of the different fees, the fee is considered to be composed of two components. The first component is intended to support the CRL administrative costs and the costs related to the handling of the reference samples. The second component is intended to support the costs of the Rapporteur Laboratory for the scientific evaluation and preparation of the evaluation report.
- (12) It is also appropriate to adapt the scope of the guidance to applicants prepared by the CRL following the adoption of Regulation (EC) No 429/2008 and also to introduce other minor amendments to Regulation (EC) No 378/2005, taking into account the experience gained.
- (13) Belgium has submitted a request to the Commission for the designation of Centre wallon de recherches agronomiques (CRA-W) in Gembloux, as a new national reference laboratory to take part in the consortium. Since that laboratory complies with the requirements set out in Annex I to Regulation (EC) No 378/2005 it should be inserted in the list of laboratories set out in Annex II to that Regulation. Lithuania has informed the Commission that it wishes to withdraw Klaipėdos apskrities VMVT laboratorija, in Klaipėda, from the consortium of national reference laboratories. That laboratory should therefore be deleted from that list of laboratories. In addition several Member States have informed the Commission that certain details of their national reference laboratories taking part in the consortium have changed. The list in Annex II to Regulation (EC) No 378/2005 should be amended accordingly. In the interests of clarity of Community legislation, it should be replaced in its entirety by the list in the Annex I to this Regulation.
- (14) Regulation (EC) No 378/2005 should therefore be amended accordingly.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 378/2005 is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

Subject matter and scope

This Regulation lays down detailed rules for the implementation of Regulation (EC) No 1831/2003 as regards the duties and tasks of the Community Reference Laboratory (the CRL).'

2. In Article 2, the following points (h) and (i) are added:

'(h) "multi-analyte methods" are methods based on a defined principle applicable for the single or simultaneous determination of one or more substance(s)/agent(s) in the specific matrices defined in the scope of the method.

(i) "reference standard" is a sample of a pure active agent used for calibration purposes.'

3. Article 3 is replaced by the following:

'Article 3

Reference samples

1. Any person submitting an application for an authorisation for a feed additive or for a new use of a feed additive, as provided for in Article 4(1) of Regulation (EC) No 1831/2003, shall send three reference samples in a form in which the feed additive is intended to be placed on the market by the applicant.

In addition, the applicant shall provide to the CRL:

(a) reference standards of the pure active agents in the case of feed additives:

- belonging to the category zootechnical additives referred to in Article 6(1)(d) of Regulation (EC) No 1831/2003, except feed additives consisting of or containing micro-organisms;
- belonging to the category coccidiostats and histomonostats referred to in Article 6(1)(e) of Regulation (EC) No 1831/2003;
- falling within the scope of Community legislation relating to the marketing of products consisting of, containing or produced from genetically modified organisms (GMOs);
- for which Maximum Residue Limits have been established in Annex I or III of Council Regulation (EEC) No 2377/90 (*) or following Regulation (EC) No 1831/2003.

- (b) where the application concerns a feed additive consisting of or containing micro-organisms, an authorisation to the CRL to access the microbial strain deposited at the internationally recognised culture collection mentioned in point 2.2.1.2. of Annex II of Commission Regulation (EC) No 429/2008 (**), if requested by the CRL.

Where the application concerns a feed additive belonging to the category sensory additives and allocated within the functional group flavouring compounds referred to at point 2(b) of Annex I to Regulation (EC) No 1831/2003, subject to Article 10(2) of that Regulation, which forms part of a group of applications, the reference samples must be representative of all the compounds/substances in the group.

2. The three reference samples of the feed additive shall be accompanied by a written statement by the applicant that the fee provided for in Article 4(1) has been paid.

3. The applicant shall maintain the reference samples valid for the entire period of the authorisation of the feed additive by supplying new reference samples to the CRL to replace those expired.

The applicant shall supply additional reference samples, reference standards, feed and/or food test materials, as defined in Article 2, if requested by the CRL. Upon justified request of the national reference laboratories of the consortium and without prejudice of Articles 11, 32 and 33 of Regulation (EC) No 882/2004, the CRL may request to the applicant additional reference samples, reference standards, feed and/or food test materials.

4. Reference samples shall not be required for:

- (a) an application for a new use of a feed additive, already authorised for another use, submitted in accordance with Article 4(1) of Regulation (EC) No 1831/2003, when reference samples have been previously sent to the CRL for that other use;
- (b) an application for changing the terms of an existing authorisation submitted in accordance with Article 13(3) of Regulation (EC) No 1831/2003, when the proposed change is not related to the characteristics of the feed additive previously sent to the CRL as reference sample of the feed additive concerned.

(*) OJ L 224, 18.8.1990, p. 1.

(**) OJ L 133, 22.5.2008, p. 1.

4. In Article 4, paragraph 1 is replaced by the following:

‘1. The CRL shall charge the applicant a fee in accordance with the rates set out in Annex IV (“the fee”).’

5. Article 5 is amended as follows:

- (a) Paragraph 1 is replaced by the following:

‘1. The CRL shall submit a full evaluation report to the European Food Safety Authority (the Authority) for each application, or for each group of applications, within three months from the date of receipt of a valid application as referred to in Article 8(1) of Regulation (EC) No 1831/2003 and the payment of the fee.

However, if the CRL considers the application to be very complex, it may extend that period by an additional month. The CRL shall inform the Commission, the Authority, and the applicant when the period is extended.

The time limits provided for in this paragraph may be further extended with the agreement of the Authority, whenever the CRL requests supplementary information which cannot be provided by the applicant and/or cannot be evaluated by the CRL within those time limits.

However, the time limit for the CRL to submit the evaluation report to the Authority shall not exceed the time limit for Authority to provide its opinion, as provided for in Article 8(1) of Regulation (EC) No 1831/2003.’

- (b) The following paragraphs 3 and 4 are added:

‘3. The evaluation report provided for in paragraph 1 may be amended by the CRL at the request of the Commission or the Authority where:

- (a) the conditions for placing the feed additive on the market resulting from the Authority’s opinion in accordance with Article 8(3)(a) of Regulation (EC) No 1831/2003 differ from those originally proposed by the applicant;
- (b) supplementary information relevant to the method of analysis have been provided by the applicant to the Authority.

4. An evaluation report shall not be required for:

- (a) applications for a new use of a feed additive submitted in accordance with Article 4(1) of Regulation (EC) No 1831/2003, when the proposed conditions for placing the feed additive on the market for the new use fall within the scope of the method of analysis previously submitted in accordance with paragraph 2.6 of Annex II to Regulation (EC) No 429/2008 and already evaluated by the CRL;

(b) applications for changing the terms of an existing authorisation submitted in accordance with Article 13(3) of Regulation (EC) No 1831/2003, when the proposed change or the new conditions for placing the feed additive on the market fall within the scope of the method of analysis previously submitted in accordance with paragraph 2.6 of Annex II to Regulation (EC) No 429/2008 and already evaluated by the CRL.

Notwithstanding paragraph 4, the Commission, the CRL or the Authority may, on the basis of legitimate factors relevant to the application, consider that a new evaluation of the methods of analysis is necessary. In such cases the applicant shall be informed by the CRL.'

6. In Article 8, the following point (d) is added:

'(d) if requested by the CRL, submitting an amendment to the evaluation report concerning the supplementary data

submitted by the applicant to the CRL or to the Authority.'

7. In Article 12, paragraph 1, the following point (d) is added:

'(d) requirements concerning methods of analysis submitted in accordance with paragraph 2.6. of Annex II to Regulation (EC) No 429/2008;'

8. Annex II is replaced by the text in Annex I to this Regulation.

9. A new Annex IV, the text of which is set out in Annex II to the present Regulation, is added.

Article 2

This Regulation shall enter into force on the twentieth 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, 25 September 2009.

For the Commission

Androulla VASSILIOU

Member of the Commission

ANNEX I

‘ANNEX II

Community Reference Laboratory and consortium of national reference laboratories, as referred to in Article 6(2)

COMMUNITY REFERENCE LABORATORY

Joint Research Centre of the European Commission. Institute for Reference Materials and Measurements. Geel, Belgium.

NATIONAL REFERENCE LABORATORIES OF THE MEMBER STATES

Belgique/België

- Federaal Laboratorium voor de Voedselveiligheid Tervuren (FLVVT – FAVV).
- Vlaamse Instelling voor Technologisch Onderzoek (VITO), Mol.
- Centre wallon de Recherches agronomiques (CRA-W), Gembloux.

Česká republika

- Ústřední kontrolní a zkušební ústav zemědělský (ÚKZÚZ), Praha.

Danmark

- Plantedirektoratet, Laboratorium for Foder og Gødning, Lyngby.

Deutschland

- Schwerpunktlabor Futtermittel des Bayerischen Landesamtes für Gesundheit und Lebensmittelsicherheit (LGL), Oberschleißheim.
- Landwirtschaftliches Untersuchungs- und Forschungsanstalt (LUFA) Speyer, Speyer.
- Sächsische Landesanstalt für Landwirtschaft. Fachbereich 8 – Landwirtschaftliches Untersuchungswesen, Leipzig.
- Thüringer Landesanstalt für Landwirtschaft (TLL). Abteilung Untersuchungswesen, Jena.

Eesti

- Põllumajandusuuringute Keskus (PMK). Jäädikide ja saasteainete labor, Saku, Harjumaa.
- Põllumajandusuuringute Keskus (PMK), Taimse materjali labor, Saku, Harjumaa.

España

- Laboratorio Arbitral Agroalimentario, Ministerio de Agricultura, Pesca y Alimentación, Madrid.
- Laboratori Agroalimentari, Departament d'Agricultura, Ramaderia i Pesca, Generalitat de Catalunya, Cabriels.

France

- Laboratoire de Rennes, SCL L35, Service Commun des Laboratoires, Rennes.

Ireland

- The State Laboratory, Kildare.

Italia

- Istituto Superiore di Sanità. Dipartimento di Sanità alimentare ed animale, Roma.
- Centro di referenza nazionale per la sorveglianza ed il controllo degli alimenti per gli animali (CReAA), Torino.

Kypros

- Feedingstuffs Analytical Laboratory, Department of Agriculture, Nicosia.

Latvija

- Valsts veterinārmedicīnas diagnostikas centrs (VVMDC), Rīga.

Lietuvos

- Nacionalinis maisto ir veterinarijos rizikos vertinimo institutas, Vilnius.

Luxembourg

- Laboratoire de Contrôle et d'essais – ASTA, Ettelbruck.

Magyarország

- Mezőgazdasági Szakigazgatási Hivatal Központ, Élelmiszer- és Takarmány-biztonsági Igazgatóság, Takarmányvizsgáló Nemzeti Referencia Laboratórium, Budapest.

Nederland

- RIKILT- Instituut voor Voedselveiligheid, Wageningen.
- Rijkinstituut voor Volksgezondheid en Milieu (RIVM), Bilthoven.

Österreich

- Österreichische Agentur für Gesundheit und Ernährungssicherheit (AGES), Wien.

Polska

- Instytut Zootechniki w Krakowie. Krajowe Laboratorium Pasz, Lublin.
- Państwowy Instytut Weterynaryjny, Pulawy.

Portugal

- Instituto Nacional dos Recursos Biológicos, I.P./Laboratório Nacional de Investigação Veterinária (INRB, IP/LNIV), Lisboa.

Slovenija

- Univerza v Ljubljani. Veterinarska fakulteta. Nacionalni veterinarski inštitut. Enota za patologijo prehrane in higieno okolja, Ljubljana.
- Kmetijski inštitut Slovenije, Ljubljana.

Slovensko

- Skúšobné laboratórium - Oddelenie analýzy krmív, Ústredný kontrolný a skúšobný ústav poľnohospodársky, Bratislava.

Suomi/Finland

- Elintarviketurvallisuusvirasto/Livsmedelssäkerhetsverket (Evira), Helsinki/Helsingfors.

Sverige

- Foderavdelningen, Statens Veterinärmedicinska Anstalt (SVA), Uppsala.

United Kingdom

- The Laboratory of the Government Chemist, Teddington.

NATIONAL REFERENCE LABORATORIES OF EFTA COUNTRIES**Norway**

- LabNett AS, Agricultural Chemistry Laboratory, Stjørdal.
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ANNEX II

ANNEX IV

RATES FOR FEES AS REFERRED TO IN ARTICLE 4(1)**Composition of the fee**

For the purpose of the calculation of the fee, the fee is composed of the following two components:

1. The first component is intended to support the CRL administrative costs and the costs related to the handling of the reference samples. This first component amounts to EUR 2 000.
2. The second component is intended to support the costs of the Rapporteur Laboratory for the scientific evaluation and preparation of the evaluation report. This second component amounts to EUR 4 000.

The two components are applied as detailed below to calculate the fee rates.

Rates according to the type of application for authorisations of feed additives in accordance with Regulation (EC) No 1831/2003

1. Authorisation of a new feed additive (Article 4(1) of Regulation (EC) No 1831/2003):

$$\text{Fee} = \text{Component 1} + \text{Component 2} = \text{EUR } 6\,000$$

2. Authorisation of a new use of a feed additive (Article 4(1) of Regulation (EC) No 1831/2003):

— when Article 3 (4)(a) and Article 5(4)(a) apply:

$$\text{Fee} = \text{EUR } 0$$

— when only Article 3 (4)(a) applies, only Component 2 is applicable:

$$\text{Fee} = \text{EUR } 4\,000$$

3. Authorisation of an already authorised feed additive (Article 10(2) of Regulation (EC) No 1831/2003):

$$\text{Fee} = \text{Component 1} + \text{Component 2} = \text{EUR } 6\,000$$

— For groups of applications concerning more than one feed additive submitted simultaneously belonging to the same category of feed additives, functional group and sub classification, if applicable, and other than chemically defined flavourings, zootechnical additives, coccidiostats and histomonostats, and when the methods of analysis used for these feed additives are of the multi-analyte type of methods of analysis, the fee shall be calculated as follows:

The first component is multiplied by the number (n) of feed additives in the group:

$$\text{Component 1} = (\text{EUR } 2\,000 \times n) = N$$

The second component is multiplied by the number (m) of methods of analysis to be evaluated by the CRL:

$$\text{Component 2} = (\text{EUR } 4\,000 \times m) = M$$

The fee shall be the sum of the two components:

$$\text{Fee} = N + M$$

- For groups of applications concerning more than one chemically defined flavouring submitted simultaneously and when the methods of analysis used for these feed additives are of the multi-analyte type of methods of analysis, the fee shall be calculated as follows:

The first component is multiplied by the number (n) of reference samples, as specified in Article 3 paragraph 1, submitted to the CRL:

$$\text{Component 1} = (\text{EUR } 2\,000 \times n) = N$$

The second component is multiplied by the number (m) of methods of analysis to be evaluated by the CRL:

$$\text{Component 2} = (\text{EUR } 4\,000 \times m) = M$$

The fee shall be the sum of the two components:

$$\text{Fee} = N + M$$

4. Applications for changing the terms of an existing authorisation (Article 13(3) of Regulation (EC) No 1831/2003):

- when Article 3(4)(b) and Article 5(4)(b) apply:

$$\text{Fee} = \text{EUR } 0$$

- when only Article 3(4)(b) applies, only Component 2 applies:

$$\text{Fee} = \text{EUR } 4\,000$$

5. Renewal of an authorisation of a feed additive (Article 14 of Regulation (EC) No 1831/2003):

$$\text{Fee} = \text{EUR } 4\,000'$$

COMMISSION REGULATION (EC) No 886/2009

of 25 September 2009

concerning the authorisation of the preparation of *Saccharomyces cerevisiae* CBS 493.94 as a feed additive for horses (holder of authorisation Alltech France)

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of the preparation *Saccharomyces cerevisiae* CBS 493.94 as a feed additive for horses, to be classified in the additive category 'zootechnical additives'.
- (4) The use of that preparation was provisionally authorised for horses by Commission Regulation (EC) No 1812/2005⁽²⁾.
- (5) The European Food Safety Authority (the Authority) concluded in its opinion of 4 March 2009 that the

preparation of *Saccharomyces cerevisiae* CBS 493.94 does not have an adverse effect on animal health, human health or the environment and that the use of that preparation can have a significant benefit on fibre digestion⁽³⁾. The Authority did not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (6) The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'digestibility enhancers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

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

Done at Brussels, 25 September 2009.

For the Commission

Androulla VASSILOU

Member of the Commission

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 291, 5.11.2005, p. 18.

⁽³⁾ *The EFSA Journal* (2009) 991, pp. 1-14.

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: digestibility enhancers									
4a1704	Alltech France	<i>Saccharomyces cerevisiae</i> CBS 493.94	Additive composition: Preparation of <i>Saccharomyces cerevisiae</i> CBS 493.94 containing a minimum of: solid form 1 × 10 ⁹ CFU/g additive Characterisation of the active substance: <i>Saccharomyces cerevisiae</i> CBS 493.94 Analytical method ⁽¹⁾ : Enumeration: pour plate method using chloramphenicol glucose yeast extract agar Identification: polymerase chain reaction (PCR) method	Horses	—	1,6 × 10 ⁹	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose: 4,7 × 10 ⁹ CFU/kg of complete feedingstuff.	16 October 2019

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EC) No 887/2009**of 25 September 2009****concerning the authorisation of a stabilised form of 25-hydroxycholecalciferol as a feed additive for chickens for fattening, turkeys for fattening, other poultry and pigs****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾.

(2) A stabilised form of 25-hydroxycholecalciferol, CAS number 63283-36-3, was authorised without a time limit in accordance with Directive 70/524/EEC as a feed additive for use on chickens for fattening, laying hens and turkeys by Commission Regulation (EC) No 1443/2006⁽³⁾. That additive was subsequently entered in the Community Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.

(3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 of that Regulation, an application was submitted for the re-evaluation of that additive and, in accordance with Article 7 of that Regulation, for a new use on other poultry and pigs, requesting that additive to be classified in the additive category 'nutritional additives'. That application was

(4) The European Food Safety Authority (the Authority) concluded in its opinion of 5 February 2009 that that additive does not have an adverse effect on animal health, consumer health or the environment and that its use is efficacious as a substitute for vitamin D₃⁽⁴⁾. The Authority recommends appropriate measures for user safety. It does not consider that there is a need for specific requirements of post-market monitoring. The Authority also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

(5) The assessment of that additive shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.

(6) As a consequence of the granting of a new authorisation under Regulation (EC) No 1831/2003, the provisions on that preparation in Regulation (EC) No 1443/2006 should be deleted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'nutritional additives' and to the functional group 'vitamins, pro-vitamins and chemically well-defined substances having similar effect', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 270, 14.12.1970, p. 1.

⁽³⁾ OJ L 271, 30.9.2006, p. 12.

⁽⁴⁾ *The EFSA Journal* (2009) 969, pp. 1-32.

Article 2

In Regulation (EC) No 1443/2006, Article 3 and Annex III are deleted.

Article 3

This Regulation shall enter into force on the 20th 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, 25 September 2009.

For the Commission

Androulla VASSILIOU

Member of the Commission

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feedingstuff with a moisture content of 12 %			

Category: nutritional additives. Functional group: vitamins, pro-vitamins and chemically well-defined substances having similar effect

Sub classification: vitamin D

3a670a	—	25-hydroxy cholecalciferol	Additive composition: Stabilised form of 25-hydroxycholecalciferol Characterisation of the active substance: 25-hydroxycholecalciferol, $C_{27}H_{44}O_2.H_2O$ CAS number: 63283-36-3 Purity criteria: 25-hydroxycholecalciferol > 94 % other related sterols < 1 % each erythrosine < 5 mg/kg Analytical method ⁽¹⁾ Determination of 25-hydroxycholecalciferol: high performance liquid chromatography coupled to a mass spectrometer (HPLC-MS) Determination of vitamin D ₃ in complete feedingstuff: reverse phase HPLC method with ultraviolet (UV) detection at 265 nm [EN 12821:2000]	Chickens for fattening	—		0,100	1. The additive shall be incorporated in feedingstuffs via the use of a premixture. 2. Maximum content of the combination of 25-hydroxycholecalciferol with vitamin D ₃ (cholecalciferol) per kg of complete feedingstuff: — ≤ 0,125 mg ⁽²⁾ (equivalent to 5 000 IU of vitamin D ₃) for chickens for fattening and turkeys for fattening, — ≤ 0,080 mg for other poultry, — ≤ 0,050 mg for pigs. 3. Simultaneous use of vitamin D ₂ is not allowed. 4. The content of ethoxyquin shall be indicated in the label. 5. For safety: breathing protection shall be used.	16 October 2019
				Turkeys for fattening	—		0,100		
				Other poultry	—		0,080		
				Pigs	—		0,050		

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

⁽²⁾ 40 IU cholecalciferol (vitamin D₃)= 0,001 mg cholecalciferol (vitamin D₃).

COMMISSION REGULATION (EC) No 888/2009**of 25 September 2009****concerning the authorisation of Zinc chelate of hydroxy analogue of methionine as a feed additive for chickens for fattening****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of the preparation of Zinc chelate of hydroxy analogue of methionine as a feed additive for chickens for fattening, to be classified in the additive category 'nutritional additives'.
- (4) From the opinion of the European Food Safety Authority (the Authority) of 2 April 2009 it results that Zinc chelate of hydroxy analogue of methionine does not have an adverse effect on animal health, human health or the environment for chickens for fattening ⁽²⁾. The Authority further concluded that that product used as a feed additive for chickens for fattening does not present any other risk which would, in accordance with

Article 5(2) of Regulation (EC) No 1831/2003, exclude authorisation. According to that opinion in combination with the one of 16 April 2008 ⁽³⁾, the use of that preparation may be considered as a source of available Zinc and fulfils the criteria of a nutritional additive for chickens for fattening. The Authority recommends appropriate measures for user safety. It does not consider that there is a need for specific requirements of post market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (5) The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'nutritional additives' and to the functional group 'compounds of trace elements', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

This Regulation shall enter into force on the twentieth 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, 25 September 2009.

For the Commission

Androulla VASSILIOU

Member of the Commission

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ *The EFSA Journal* (2009) 1042, 1-8.

⁽³⁾ *The EFSA Journal* (2008) 694, 1-16.

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Content of element (Zn) in mg/kg of complete feedingstuff with a moisture content of 12 %			
Category of nutritional additives. Functional group: compounds of trace elements									
3b6.10	—	Zinc chelate of hydroxy analogue of methionine	Characterisation of the additive: Zinc chelate of hydroxy analogue of methionine containing a minimum of 16 % zinc and 80 % (2-hydroxy-4-methylthio) butanoic acid Mineral oil: ≤ 1 % Analytical method ⁽¹⁾ : Inductively coupled plasma atomic emission spectrometry (ICP-AES) according to EN 15510:2007	Chickens for fattening	—		150 (total)	1. The additive shall be incorporated into feed in form of a premixture. 2. For user safety: breathing protection, safety glasses and gloves should be worn during handling.	16 October 2019

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: <http://irmm.jrc.ec.europa.eu/crl-feed-additives>

COMMISSION REGULATION (EC) No 889/2009**of 25 September 2009**

amending Council Regulation (EC) No 73/2009 and establishing budgetary ceilings for 2009 for the partial or optional implementation of the Single Payment Scheme, provided for in Council Regulation (EC) No 1782/2003, the annual financial envelopes for the Single Area Payment Scheme and the budgetary ceilings applicable to transitional payments for fruit and vegetables and for specific support, provided for in Regulation (EC) No 73/2009

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

1 January 2009. However, some of its provisions continue to apply with regard to 2009.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 ⁽¹⁾, and in particular Articles 64(2) and 70(2) thereof,

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006 and (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ⁽²⁾, and in particular Article 8(2), Article 69(3), Article 87(3), Article 123(1), the second subparagraph of Article 128(1) and the second subparagraph of Article 128(2) thereof,

Whereas:

- (1) Annex IV to Regulation (EC) No 73/2009 establishes, for each Member State, the ceilings which may not be exceeded by the total amounts of direct payments which may be awarded during a calendar year in the Member State concerned.
- (2) In 2009, due to the reduction in its sugar quota, Spain requested the application of the support scheme for beetroot and sugar cane producers provided for in Section 7 of Chapter 1 of Title IV of Regulation (EC) No 73/2009. The ceilings established in Annex IV to that Regulation should therefore be amended with regard to Spain.
- (3) In accordance with the first subparagraph of Article 146(1) of Regulation (EC) No 73/2009, Regulation (EC) No 1782/2003 was repealed as of

- (4) For Member States implementing, in 2009, the Single Payment Scheme provided for under Title III of Regulation (EC) No 1782/2003, the budgetary ceilings for each of the payments referred to in Articles 66 to 69 of that Regulation should be established for 2009 under the conditions laid down in Section 2 of Chapter 5 of Title III of Regulation (EC) No 1782/2003.
- (5) For the Member States making use, in 2009, of the option provided for in Article 70 of Regulation (EC) No 1782/2003 and Article 87 of Regulation (EC) No 73/2009, the budgetary ceilings applicable to the direct payments excluded from the Single Payment Scheme should be fixed for 2009.
- (6) For the sake of clarity, the 2009 budgetary ceilings for the Single Payment Scheme, after deduction of the ceilings established for the payments referred to in Articles 66 to 70 of Regulation (EC) No 1782/2003 and Article 87 of Regulation (EC) No 73/2009 from the ceilings given in Annex VIII to Regulation (EC) No 73/2009, should be published.
- (7) For Member States implementing, in 2009, the Single Area Payment Scheme provided for in Chapter 2 of Title V of Regulation (EC) No 73/2009, the annual financial envelopes for 2009 should be established in accordance with Article 123(1) of that Regulation.
- (8) For the sake of clarity, the maximum amount of funds available to Member States applying the Single Area Payment Scheme for granting separate sugar payments in 2009 under Article 126 of Regulation (EC) No 73/2009, established on the basis of their notification, should be published.
- (9) For the sake of clarity, the maximum amount of funds available to Member States applying the Single Area Payment Scheme for granting separate fruit and vegetable payments in 2009 under Article 127 of Regulation (EC) No 73/2009, established on the basis of their notification, should be published.

⁽¹⁾ OJ L 270, 21.10.2003, p. 1.

⁽²⁾ OJ L 30, 31.1.2009, p. 16.

- (10) For Member States applying the Single Area Payment Scheme, the 2009 budgetary ceilings applicable to transitional payments for fruit and vegetables in accordance with Article 128(1) and (2) of Regulation (EC) No 73/2009, should be established on the basis of their notification.
- (11) The 2009 budgetary ceilings applicable to the specific support provided for in Chapter 5 of Title III of Regulation (EC) No 73/2009 should be established, in accordance with Article 69(3) of that Regulation in respect of those Member States granting such support on the basis of Article 72(4) of that Regulation, as established on the basis of their notification.
- (12) Regulation (EC) No 73/2009 should be amended accordingly.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to Regulation (EC) No 73/2009, the sums relating to Spain for 2009 and subsequent years shall be replaced as follows:

‘2009: 5 043,7

2010: 5 038,4

2011: 5 021,0

2012: 5 032,8’.

Article 2

1. The budgetary ceilings for 2009 referred to in Articles 66 to 69 of Regulation (EC) No 1782/2003 are set out in Annex I to this Regulation.

2. The budgetary ceilings for 2009 referred to in Article 70(2) of Regulation (EC) No 1782/2003 and Article 87(3) of Regulation (EC) No 73/2009 are set out in Annex II to this Regulation.

3. The budgetary ceilings for the Single Payment Scheme for 2009 referred to in Title III of Regulation (EC) No 73/2009 are set out in Annex III to this Regulation.

4. The annual financial envelopes for 2009 referred to in Article 123(1) of Regulation (EC) No 73/2009 are set out in Annex IV to this Regulation.

5. The maximum amounts of funding available to the Czech Republic, Latvia, Lithuania, Hungary, Poland, Romania and Slovakia for granting the separate sugar payment for 2009, as referred to in Article 126(1) of Regulation (EC) No 73/2009, are set out in Annex V to this Regulation.

6. The maximum amounts of funding available to the Czech Republic, Hungary, Poland and Slovakia for granting the separate fruit and vegetable payment in 2009, as referred to in Article 127(1) of Regulation (EC) No 73/2009, are set out in Annex VI to this Regulation.

7. The budgetary ceilings for 2009 referred to in the second subparagraph of Article 128(1) and (2) of Regulation (EC) No 73/2009 are set out in Annex VII to this Regulation.

8. The budgetary ceilings for 2009 referred to in Article 69(3) of Regulation (EC) No 73/2009 are set out in Annex VIII to this Regulation.

Article 3

This Regulation shall enter into force on the seventh 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, 25 September 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

**BUDGETARY CEILINGS FOR DIRECT PAYMENTS TO BE GRANTED IN ACCORDANCE WITH ARTICLES 66
TO 69 OF REGULATION (EC) No 1782/2003**

2009 calendar year

(thousand EUR)

	BE	DK	DE	EL	ES	FR	IT	NL	AT	PT	SI	FI	SE	UK
Arable crops area payments					372 670	1 154 046								
Durum wheat supplementary payment					42 025	14 820								
Suckler cow premium	77 565				261 153	734 416			70 578	78 695				
Additional suckler cow premium	19 389				26 000				99	9 462				
Special beef premium		33 085									7 557	24 420	37 446	
Slaughter premium, adults					47 175	101 248		62 200	17 348	8 657				
Slaughter premium, calves	6 384				560	79 472		40 300	5 085	946				
Sheep and goat premium		855			183 499					21 892	519	600		
Sheep premium						66 455								
Sheep and goat supplementary premium					55 795					7 184	178	200		
Sheep supplementary premium						19 572								
Aid for area under hops			2 277			98			27		149			
Tomatoes — Article 68b(1)				10 720	28 117	4 017	91 984			16 667				
Fruit and vegetables other than tomatoes — Article 68b(2)				17 920	93 733	43 152	9 700							
Article 69, all sectors													3 434	
Article 69, arable crops				47 323			141 712			1 878		5 840		
Article 69, rice										150				
Article 69, beef and veal				8 810	54 966		28 674			1 681	4 455	10 118		29 800
Article 69, sheep and goat meat				12 615			8 665			616				
Article 69, cotton					13 432									
Article 69, olive oil				22 196						5 658				
Article 69, tobacco				7 578	2 353									
Article 69, sugar				2 938	19 743		10 880			1 256				
Article 69, dairy products					19 763									

ANNEX II

**BUDGETARY CEILINGS FOR DIRECT PAYMENTS TO BE GRANTED IN ACCORDANCE WITH ARTICLE 70
OF REGULATION (EC) No 1782/2003 AND ARTICLE 87 OF REGULATION (EC) No 73/2009**

2009 calendar year

(thousand EUR)

	Belgium	Greece	Spain	France	Italy	Netherlands	Portugal	Finland
Article 87 of Regulation (EC) No 73/2009:								
— Aid for seeds	1 397	1 400	10 347	2 310	13 321	726	272	1 150
Article 70(1)(b) of Regulation (EC) No 1782/2003:								
— Arable crops payments			23					
— Grain legumes aid			1					
— Specific aid for rice				3 053				
— Tobacco aid							166	
— Dairy premiums							12 608	
— Additional payments to dairy producers							6 254	

ANNEX III

BUDGETARY CEILINGS FOR THE SINGLE PAYMENT SCHEME

2009 calendar year

Member State	(thousand EUR)
Belgium	509 444
Denmark	996 538
Germany	5 767 977
Ireland	1 335 268
Greece	2 249 213
Spain	3 626 688
France	6 184 896
Italy	3 838 239
Luxembourg	37 518
Malta	3 752
Netherlands	749 864
Austria	652 424
Portugal	434 709
Slovenia	75 084
Finland	524 473
Sweden	722 202
United Kingdom	3 956 095

ANNEX IV

ANNUAL FINANCIAL ENVELOPES FOR THE SINGLE AREA PAYMENT SCHEME

2009 calendar year

Member State	(thousand EUR)
Bulgaria	289 797
Czech Republic	517 895
Estonia	60 655
Cyprus	29 482
Latvia	83 723
Lithuania	221 622
Hungary	768 875
Poland	1 718 551
Romania	619 883
Slovakia	227 613

ANNEX V

MAXIMUM AMOUNT OF FUNDING AVAILABLE TO MEMBER STATES FOR GRANTING THE SEPARATE SUGAR PAYMENTS REFERRED TO IN ARTICLE 126 OF REGULATION (EC) No 73/2009

2009 calendar year

Member State	(thousand EUR)
Czech Republic	44 245
Latvia	6 616
Lithuania	10 260
Hungary	41 010
Poland	159 392
Romania	3 536
Slovakia	17 712

ANNEX VI

MAXIMUM AMOUNT OF FUNDING AVAILABLE TO MEMBER STATES FOR GRANTING THE SEPARATE FRUIT AND VEGETABLE PAYMENTS REFERRED TO IN ARTICLE 127 OF REGULATION (EC) No 73/2009**2009 calendar year**

Member State	(thousand EUR)
Czech Republic	414
Hungary	4 756
Poland	6 715
Slovakia	516

ANNEX VII

BUDGETARY CEILINGS FOR TRANSITIONAL PAYMENTS IN THE FRUIT AND VEGETABLE SECTOR REFERRED TO IN ARTICLE 128 OF REGULATION (EC) No 73/2009**2009 calendar year**

(thousand EUR)			
Member State	Cyprus	Romania	Slovakia
Tomatoes — Article 128(1)		869	509
Fruit and vegetables other than tomatoes — Article 128(2)	4 478		

ANNEX VIII

BUDGETARY CEILINGS FOR SPECIFIC SUPPORT REFERRED TO IN ARTICLE 69(3) OF REGULATION (EC) No 73/2009**2009 calendar year**

Member State	(thousand EUR)
Ireland	7 000

COMMISSION REGULATION (EC) No 890/2009

of 25 September 2009

amending Regulation (EC) No 1385/2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat and derogating from that Regulation

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 144(1) in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues ⁽²⁾, and in particular Article 7 thereof,

Having regard to Council Decision 2009/718/EC ⁽³⁾ on the signing and conclusion of the Agreement in the form of an Exchange of Letters between the European Community and Brazil, and in particular Article 2 thereof,

Whereas:

- (1) The tariff quotas for group No 1 and group No 4 provided for in Annex I to Commission Regulation (EC) No 1385/2007 ⁽⁴⁾, bearing order numbers 09.4410 and 09.4420 respectively and coming under CN codes 0207 14 10 (frozen chicken cuts) and 0207 27 10 (frozen turkey cuts) are specifically allocated to Brazil.
- (2) The Agreement in the form of an Exchange of Letters between the European Community and Brazil reached during negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 ⁽⁵⁾, approved by Decision 2009/718/EC, provides for an annual import tariff quota for poultrymeat of 2 500 tonnes for certain frozen chicken cuts (CN code 0207 14 10) and an annual import tariff quota for turkey meat of 2 500 tonnes for certain frozen turkey cuts (CN code 0207 27 10), at a rate of 0 %. The Agreement will enter into force on 1 October 2009.
- (3) These quantities should be added to the quotas for groups Nos 1 and 4.

(4) Regulation (EC) No 1385/2007 should be amended accordingly.

(5) Given that the usual deadline for submitting applications for the fourth tariff subperiod of 2009 will already have passed when the agreement comes into force, an additional period for submitting applications for quantities added to the current quotas should be provided for.

(6) This Regulation must apply from the date of entry into force of the Agreement with Brazil.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1385/2007 is replaced by the text set out in the Annex to this Regulation.

Article 2

Article 5 of Regulation (EC) No 1385/2007 relating to the fourth subperiod of 2009 notwithstanding, a second application period shall be opened from 1 to 5 October for groups Nos 1 and 4.

For each of the groups, a quantity of 625 tonnes shall be added to the amount available after the first application period for the fourth subperiod of 2009.

Licence applications shall be for a minimum of 10 tonnes and a maximum of 298,3 tonnes for group No 1 and a minimum of 10 tonnes and a maximum of 107,5 tonnes for group No 4.

Article 3

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

It shall apply from 1 October 2009.

However, Article 1 shall apply from the 2010 quota year.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 91, 8.4.1994, p. 1.

⁽³⁾ See page 104 of this Official Journal.

⁽⁴⁾ OJ L 309, 27.11.2007, p. 47.

⁽⁵⁾ See page 104 of this Official Journal.

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

Done at Brussels, 25 September 2009.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

'ANNEX I

REDUCTION IN CUSTOMS DUTY SET AT 100 %

Chicken

(tonnes)				
Country	Group number	Order number	CN Code	Annual quantities
Brazil	1	09.4410	0207 14 10 0207 14 50 0207 14 70	11 932
Thailand	2	09.4411	0207 14 10 0207 14 50 0207 14 70	5 100
Other	3	09.4412	0207 14 10 0207 14 50 0207 14 70	3 300

Turkey

(tonnes)				
Country	Group number	Order number	CN Code	Annual quantities
Brazil	4	09.4420	0207 27 10 0207 27 20 0207 27 80	4 300
Other	5	09.4421	0207 27 10 0207 27 20 0207 27 80	700
Erga omnes	6	09.4422	0207 27 10 0207 27 20 0207 27 80	2 485'

COMMISSION REGULATION (EC) No 891/2009**of 25 September 2009****opening and providing for the administration of certain Community tariff quotas in the sugar sector**

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 Articles 143, 144(1), 148, 156 and 188(2) in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽²⁾ expires on 1 October 2009. However, certain Community tariff quotas in the sugar sector continue to exist after that date. It is therefore necessary to lay down rules on the opening and administration of those tariff quotas.
- (2) Pursuant to Article 1 of Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽³⁾, the Commission is to adopt the measures for the implementation in agriculture of the concessions set out in schedule CXL (European Communities) forwarded to the World Trade Organisation. Under this schedule, the Community undertook to import from India a quantity of 10 000 tonnes at zero duty of sugar products falling within CN codes 1701. In the wake of the accession of Austria, Finland and Sweden and then of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and then of Bulgaria and Romania to the European Union, and in the context of the conclusion of the negotiations under Article XXIV of the GATT, the Community further undertook to import from third countries a quantity of raw cane sugar for refining at a rate of duty of EUR 98 per tonne.
- (3) Under Article 4(4) of Council Regulation (EC) No 2007/2000 of 18 September 2000 introducing exceptional trade measures for countries and territories

participating in or linked to the European Union's Stabilisation and Association process, amending Regulation (EC) No 2820/98 and repealing Regulations (EC) No 1763/1999 and (EC) No 6/2000 ⁽⁴⁾, imports of sugar products falling within CN codes 1701 and 1702 originating in Bosnia and Herzegovina, Serbia and Kosovo ⁽⁵⁾ are subject to annual duty-free tariff quotas.

- (4) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, was signed in Luxembourg on 12 June 2006. Pending the completion of the procedures necessary for its entry into force, an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part ⁽⁶⁾, was signed and concluded, which entered into force on 1 December 2006.
- (5) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, was signed in Luxembourg on 16 June 2008. Pending the completion of the procedures necessary for its entry into force, an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part ⁽⁷⁾, was signed and concluded, which entered into force on 1 July 2008.
- (6) Pursuant to Article 27(5) of and Annex IV(h) to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part ⁽⁸⁾, as amended by the Protocol approved by Council Decision (EC) No 2006/882/EC ⁽⁹⁾, the Community is to allow duty-free access for imports into the Community of products originating in Croatia falling within CN codes 1701 and 1702, within the limit of an annual quantity of 180 000 tonnes (net weight).
- (7) Under Article 27(2) of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ⁽¹⁰⁾, which entered into force on 1 January 2006, the Community

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 1.

⁽³⁾ OJ L 146, 20.6.1996, p. 1.

⁽⁴⁾ OJ L 240, 23.9.2000, p. 1.

⁽⁵⁾ As defined in UN Security Council Resolution 1244.

⁽⁶⁾ OJ L 239, 1.9.2006, p. 2.

⁽⁷⁾ OJ L 169, 30.6.2008, p. 10.

⁽⁸⁾ OJ L 26, 28.1.2005, p. 3.

⁽⁹⁾ OJ L 341, 7.12.2006, p. 31.

⁽¹⁰⁾ OJ L 84, 20.3.2004, p. 13.

is to allow duty-free access for imports into the Community of products originating in the former Yugoslav Republic of Macedonia falling within CN codes 1701 and 1702, within the limit of an annual tariff quota of 7 000 tonnes (net weight).

(8) Pursuant Article 142 of Regulation (EC) No 1234/2007, the Commission may suspend import duties to guarantee the supply necessary for the manufacturing of products referred to in Article 62(2) Regulation (EC) No 1234/2007. Rules for the administration of the resulting quotas should be laid down.

(9) In addition, rules should be laid down for the administration of the quotas based on the application of Articles 186(a) and 187 of Regulation (EC) No 1234/2007, pursuant to which the Commission may suspend the import duties in whole or in part for certain quantities where sugar prices on the Community market rise or fall significantly or where sugar prices on the world market reach a level that disrupts or threaten to disrupt the availability of supply on the Community market.

(10) Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽¹⁾ and 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 ⁽²⁾ should apply to import licences issued under this Regulation, except as otherwise provided by this Regulation.

(11) To ensure uniform and equitable treatment for all operators, the period in which licence applications may be submitted and licences issued should be determined.

(12) Import licence applications for industrial sugar should be restricted to processors of industrial sugar. Such processors are not necessarily involved in trade with third countries. It is therefore necessary to provide for a corresponding derogation from Article 5 of Regulation (EC) No 1301/2006.

(13) According to Article 5 of Regulation (EC) No 1301/2006, operators should submit, to the Member States in which they are registered for VAT purposes, proof that they have been trading sugar during a certain period. Nevertheless, operators approved in

accordance with Article 7 of Commission Regulation (EC) No 952/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards the management of the Community market in sugar and the quota system ⁽³⁾ should be able to apply for import licences for tariff quotas, irrespective of whether or not they have been involved in trade with third countries.

(14) Article 6(1) of Regulation (EC) No 1301/2006 provides that applicants for import licence should not lodge more than one import licence application for the same quota order number in respect of an import tariff quota period. For sugar, the marketing year is the import tariff quota period. In order to reduce the financial burden for the importers and to ensure fluid supply to the Community market, the intervals at which import licence applications are to be submitted should be monthly.

(15) Sugar imported for refining needs specific monitoring by the Member States. Therefore, operators should specify as from the import licence application if the imported sugar is intended for refining or not.

(16) To ensure efficient management of sugar imports under this Regulation, Member States should keep records of the relevant data, and report them to the Commission. To improve checks, it should be laid down that imports of the products falling under the annual tariff quota should be monitored in accordance with Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁴⁾.

(17) Article 153(3) of Regulation (EC) No 1234/2007 restricts, during the first three months of each marketing year and within the limit referred to in Article 153(1) of that Regulation, the issuing of import licences to full-time refiners. During that period, only full-time refiners should be able to apply for import licences for sugar for refining.

(18) The obligation to refine sugar should be verified by the Member States. If the original holder of the import licence is not able to provide the proof, a penalty should be paid.

(19) All imported sugar refined by an approved operator should be based on an import licence for sugar for refining. Quantities for which such proof cannot be given should be charged a penalty.

⁽¹⁾ OJ L 114, 26.4.2008, p. 3.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 178, 1.7.2006, p. 39.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

- (20) Given that industrial import sugar may only be used for the purposes of production of the products referred to in the Annex to Commission Regulation (EC) No 967/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards sugar production in excess of the quota ⁽¹⁾, the provisions on the management of the industrial raw material and the obligations on processors laid down by that Regulation should apply to the quantities imported.
- (21) Regulation (EC) No 950/2006 should be repealed as from 1 October 2009. However, import licences issued in accordance with that Regulation with an expiry date after 1 October 2009 should remain valid.
- (22) 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:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

This Regulation opens and provides for the administration of the tariff quotas set out in Parts I and II of Annex I for the imports of the sugar products referred to in:

- (a) Schedule CXL (European Communities) referred to in Article 1(1) of Regulation (EC) No 1095/96;
- (b) Article 4(4) of Regulation (EC) No 2007/2000;
- (c) Article 27(2) of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part;
- (d) Article 27(5) of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part;
- (e) Article 14(2) of the Interim agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part;
- (f) Article 12(3) of the Interim agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part.
- In addition, this Regulation provides for the administration of certain tariff quotas, as set out in Part III of Annex I, for imports of sugar products under:
- (a) Articles 186(a) and 187 of Regulation (EC) No 1234/2007;
- (b) Article 142 of Regulation (EC) No 1234/2007.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'CXL concessions sugar' means the sugar set out in Schedule CXL (European Communities) referred to in point (a) of the first subparagraph of Article 1;
- (b) 'Balkans sugar' means sugar products falling within CN codes 1701 and 1702 originating in Albania, Bosnia and Herzegovina, Serbia, Kosovo ⁽²⁾, the former Yugoslav Republic of Macedonia or Croatia and imported into the Community under the Acts referred to in points (b) to (f) of the first paragraph of Article 1;
- (c) 'exceptional import sugar' means the products of the sugar sector referred to in point (a) of the second paragraph of Article 1;
- (d) 'industrial import sugar' means the products of the sugar sector referred to in point (b) of the second paragraph of Article 1;
- (e) '*tel quel* weight' means the weight of the sugar in the natural state;
- (f) 'refining' means the processing of raw sugars into white sugars as defined in points 1 and 2 of Part II of Annex III to Regulation (EC) No 1234/2007, and any equivalent technical operation applied to bulk white sugar.

Article 3

Opening and administration

1. The tariff quotas shall be opened on an annual basis for the period from 1 October to 30 September.

The quantity of the products, the order number and the customs duty rate shall be as set in Annex I.

⁽¹⁾ OJ L 176, 30.6.2006, p. 22.

⁽²⁾ Under United Nations Security Council Resolution 1244/1999.

2. The tariff quota period shall be divided into subperiods of 1 month each. The quantities for the subperiods shall be as follows:

- 100 % for the first subperiod,
- 0 % for the remaining subperiods.

3. The tariff quotas shall be administered in accordance with the simultaneous examination method referred to in Chapter II of Regulation (EC) No 1301/2006.

Article 4

Applicability of Regulations (EC) No 1301/2006 and (EC) No 376/2008

Regulations (EC) No 1301/2006 and (EC) No 376/2008 shall apply, save as otherwise provided for in this Regulation.

Article 5

Import licence applications

1. Licence applications shall be submitted the first seven days of each subperiod referred to in Article 3(2).
2. The Commission shall suspend the submission of applications for licences until the end of the marketing year for the order numbers for which the available quantities are exhausted. However, the Commission shall withdraw the suspension and readmit applications when quantities become available again according to the notifications referred to in Article 9(2)(ii).

Article 6

Information to be filled in on the import licence applications and the import licences

The import licence applications and the import licences shall contain the following entries:

- (a) in box 8, the country of origin.

For CXL concession sugar with order numbers 09.4317, 09.4318, 09.4319 and 09.4321 and for Balkan sugar, the word 'yes' in box 8 shall be marked by a cross. Those licences shall give rise to an obligation to import from the specified country;

- (b) in box 16, a single eight digit CN code;

- (c) in boxes 17 and 18, the quantity in kilograms in *tel quel* weight;

- (d) in box 20:

(i) either 'sugar intended for refining' or 'sugar not intended for refining'; and

(ii) one of the following entries:

- for CXL concession sugar, one of the entries listed in Part A of Annex III,
- for Balkan sugar, one of the entries listed in Part B of Annex III,
- for exceptional import sugar, one of the entries listed in Part C of Annex III,
- for industrial import sugar, one of the entries listed in Part D of Annex III,

(iii) the marketing year to which they relate;

(e) in box 24, the customs duty concerned.

Article 7

Obligations linked to the submission of an import licence application

1. By way of derogation from Article 5 of Regulation (EC) No 1301/2006, the submission of the proof provided for in that Article may not be required for operators approved in accordance with Article 7 of Regulation (EC) No 952/2006.

2. The amount of the security referred to in Article 14(2) of Regulation (EC) No 376/2008 shall be EUR 20 per tonne.

3. For CXL concession sugar with order numbers 09.4317, 09.4318, 09.4319 and 09.4320, import licence applications shall be accompanied by the undertaking by the applicant to refine the quantities of sugar in question before the end of the third month following that in which the import licence concerned expires.

4. For CXL concession sugar with order numbers 09.4317, 09.4318, 09.4319 and 09.4321 and for Balkan sugar, import licence applications shall be accompanied by the original of the export licences, in accordance with the model in Annex II, issued by the competent authorities of the third country concerned. The quantity mentioned in the import licence applications may not exceed the quantity shown on the export licences.

Article 8

Issuance and validity of import licences

Import licences shall be issued as of the 23rd and at the latest by the end of the month of submission of the applications.

They shall be valid until the end of the third month following that in which they are issued without exceeding 30 September, except for exceptional import sugar and industrial import sugar, which shall be valid until the end of the marketing year for which they are issued.

Article 9

Notifications to the Commission

1. Member States shall notify the Commission, at the latest on the 14th of the month of submission of the applications, of the total quantities covered by import license applications as referred to in Article 11(1)(a) of Regulation (EC) No 1301/2006.

2. By way of derogation from Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission at the latest on the 10th of each month of:

(i) the quantities as referred to in Article 11(1)(b) of that Regulation and concerning licences issued during the preceding month;

(ii) the quantities as referred to in Article 11(1)(c) of that Regulation and concerning licences returned during the preceding month.

3. The quantities referred to in paragraphs 1 and 2 shall be broken down by quota order number, the eight-digit CN code and whether or not they involve applications for a licence for sugar intended for refining. They shall be expressed in kilograms *tel quel* weight.

4. Member States shall notify the Commission before 1 March of each year of the following quantities concerning the previous marketing year:

(i) the total quantity actually imported, broken down by order number, country of origin, the eight-digit CN code and expressed in kilograms *tel quel* weight;

(ii) the quantity of sugar, by *tel quel* weight and in white sugar equivalent, that has actually been refined.

Article 10

Release for free circulation

Release for free circulation for the quotas of CXL concession sugar with order numbers 09.4317, 09.4318, 09.4319 and 09.4321 shall be subject to the presentation of a certificate of origin issued by the competent authorities of the third country concerned in accordance with Articles 55 to 65 of Regulation (EEC) No 2454/93.

For CXL concession sugar with order numbers 09.4317, 09.4318, 09.4319 and 09.4320, where the polarimetric reading of the imported raw sugar departs from 96 degrees, the rate of EUR 98 per tonne shall be increased or reduced, as appropriate, by 0,14 % per tenth of a degree difference established.

CHAPTER II

SPECIFIC PROVISIONS FOR EXCEPTIONAL IMPORT SUGAR AND INDUSTRIAL IMPORT SUGAR

Article 11

Opening and quantities

By way of derogation from Article 3(1), for exceptional import sugar and industrial import sugar, the opening of the tariff quota, the tariff quota period and the quantities of the products for which the application of all or part of the import duties is suspended shall be determined in accordance with the procedure referred to in Article 195 of Regulation (EC) No 1234/2007.

Article 12

Processors of industrial import sugar

By way of derogation from Article 5 of Regulation (EC) No 1301/2006, applications for import licences for industrial import sugar shall only be submitted by processors within the meaning of Article 2(d) of Regulation (EC) No 967/2006, even if such processors have not been involved in trade with third countries.

Article 13

Use of import licences for industrial sugar

1. Import licences for industrial import sugar issued for CN codes 1701 99 10 or 1701 99 90 may be used for the import of CN codes 1701 11 90, 1701 12 90, 1701 91 00, 1701 99 10 or 1701 99 90.

2. Industrial import sugar shall be used for the purposes of production of the products referred to in the Annex to Regulation (EC) No 967/2006.

3. Articles 11, 12 and 13 of Regulation (EC) No 967/2006 shall apply to industrial import sugar.

4. A processor shall supply proof, to the satisfaction of the competent authorities of the Member State, that the quantities imported as industrial import sugar have been used for the purposes of production of the products referred to in the Annex to Regulation (EC) No 967/2006 and in accordance with the approval referred to in Article 5 of that Regulation. This proof shall consist of the computerised recording in the records during or at the end of the production process of the quantities of the products concerned.

5. If processors have not supplied the proof referred to in paragraph 4 by the end of the seventh month following the month of import they shall pay, for each day of delay, a sum of EUR 5 per tonne of the quantity concerned.

6. If processors have not supplied the proof referred to in paragraph 4 by the end of the ninth month following the month of import, the quantity concerned shall be considered to be over declared within the meaning of Article 13 of Regulation (EC) No 967/2006.

CHAPTER III

TRADITIONAL SUPPLY NEEDS

Article 14

Full-time refiners' regime

1. Only full-time refiners may apply for import licences for sugar intended for refining with a start validity date during the first three months of each marketing year. By way of derogation from the second subparagraph of Article 8 such licences shall be valid to the end of the marketing year for which they are issued.

2. If, before the 1 January of each marketing year, applications for import licences for sugar for refining for that marketing year are equal or superior to the total of the quantities referred to in Article 153(1) of Regulation (EC) No 1234/2007, the Commission shall inform the Member States that the limit of the traditional supply needs for that marketing year has been reached at Community level.

From the date of that notification, paragraph 1 shall not apply for the marketing year concerned.

Article 15

Proof of refining and penalties

1. Each original holder of an import licence for sugar for refining shall, within six months following the expiry of the import licence concerned, provide the Member State which issued it with proof acceptable to it that refining has taken place within the period set in Article 7(3).

Where such a proof is not provided, the applicant shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the quantities of sugar concerned, except for exceptional reasons of force majeure.

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

Done at Brussels, 25 September 2009.

2. Sugar producers approved in accordance with Article 57 of Regulation (EC) No 1234/2007 shall declare to the competent authority in the Member State before 1 March following the marketing year concerned the quantities of sugar which they have refined in that marketing year, stating:

- (a) the quantities of sugar corresponding to import licences for sugar for refining;
- (b) the quantities of sugar produced in the Community, giving the references of the approved undertaking which produced that sugar;
- (c) other quantities of sugar, stating their origin.

Producers shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the quantities of sugar referred to in point (c) of the first subparagraph for which they cannot provide proof acceptable to the Member State that they were refined, except for exceptional reasons of force majeure.

CHAPTER IV

REPEAL AND FINAL PROVISION

Article 16

Repeal

Regulation (EC) No 950/2006 is repealed with effect from 1 October 2009.

However, licences issued in accordance with that Regulation shall be valid until their expiry date.

Article 17

Entry into force and application

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

It shall apply from 1 October 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Part I: CXL concessions sugar

Third country	Order number	CN code	Quantities (tonnes)	In quota rate (EUR/ton)
Australia	09.4317	1701 11 10	9 925	98
Brazil	09.4318	1701 11 10	334 054	98
Cuba	09.4319	1701 11 10	68 969	98
Any third country	09.4320	1701 11 10	253 977	98
India	09.4321	1701	10 000	0

Part II: Balkans sugar

Third country or Custom Territories	Order number	CN code	Quantities (tonnes)	In quota rate (EUR/ton)
Albania	09.4324	1701 and 1702	1 000	0
Bosnia and Herzegovina	09.4325	1701 and 1702	12 000	0
Serbia or Kosovo ⁽¹⁾	09.4326	1701 and 1702	180 000	0
Former Yugoslav Republic of Macedonia	09.4327	1701 and 1702	7 000	0
Croatia	09.4328	1701 and 1702	180 000	0

⁽¹⁾ Kosovo under United Nations Security Council Resolution 1244 (1999).

Part III: Exceptional import sugar and industrial import sugar

Import sugar	Order number	CN code	Quantities (tonnes)	In quota rate (EUR/ton)
Exceptional	09.4380	To be determined by the opening regulation	To be determined by the opening regulation	To be determined by the opening regulation
Industrial	09.4390	To be determined by the opening regulation	To be determined by the opening regulation	To be determined by the opening regulation

ANNEX II

Model export licence referred to in Article 7(4)

1. Exporter (name, full address, country)	ORIGINAL	2. No	
	3. Marketing year		
4. Importer (name, full address, country) (optional)	LICENCE FOR PREFERENTIAL SUGAR EXPORT TO THE EU		
5. Place and date of loading — means of transport (optional)	6. Country of origin	7. Country/group of countries or territory of destination	
	8. Additional details		
9. Description of goods		10. CN code (8-digit)	11. Quantity (kg)
12. CERTIFICATION BY COMPETENT AUTHORITY			
13. Competent authority (name, full address, country)	At: on:		
	(signature) (stamp)		

ANNEX III

A. Entries referred to in the first indent of Article 6(d)(ii):

- *in Bulgarian:* Захар по CXL отстъпките, внасяна в съответствие с Регламент (ЕО) № 891/2009. Пореден номер (вписва се поредният номер в съответствие с приложение I)
- *in Spanish:* Azúcar concesiones CXL importado de acuerdo con el Reglamento (CE) nº 891/2009. Número de orden [insértese con arreglo al anexo I]
- *in Czech:* Koncesní cukr CXL dovezený v souladu s nařízením (ES) č. 891/2009. Pořadové číslo [vloží se pořadové číslo v souladu s přílohou I]
- *in Danish:* CXL-indrømmelsessukker importeret i overensstemmelse med forordning (EF) nr. 891/2009. Løbenummer [løbenummer skal indsættes i overensstemmelse med bilag I]
- *in German:* Zucker Zugeständnisse CXL, eingeführt gemäß der Verordnung (EG) Nr. 891/2009. Laufende Nummer [laufende Nummer gemäß Anhang I einfügen]
- *in Estonian:* CXL kontsessioonisuhkur, imporditud kooskõlas määrusega (EÜ) nr 891/2009. Seerianumber (märgitakse vastavalt I lisale)
- *in Greek:* Ζάχαρη παραχωρήσεων CXL, εισαγόμενη σύμφωνα με τον κανονισμό (ΕΚ) αριθ. 891/2009. Αύξων αριθμός [να προστεθεί ο αύξων αριθμός σύμφωνα με το παράρτημα I]
- *in English:* CXL concessions sugar imported in accordance with Regulation (EC) No 891/2009. Order No [order number to be inserted in accordance with Annex I]
- *in French:* Sucre concessions CXL importé conformément au règlement (CE) n° 891/2009. Numéro d'ordre [numéro d'ordre à insérer conformément à l'annexe I]
- *in Italian:* Zuccheri concessioni CXL importato a norma del regolamento (CE) n. 891/2009. Numero d'ordine [inserire in base all'allegato I]
- *in Latvian:* CXL koncesiju cukurs, kas importēts saskaņā ar Regulu (EK) Nr. 891/2009. Kārtas Nr. [kārtas numurs ierakstāms saskaņā ar I pielikumu]
- *in Lithuanian:* CXL lengvatinis cukrus, importuotas pagal Reglamentą (EB) Nr. 891/2009. Eilės Nr. (eilės numeris įrašytinas pagal I priedą)
- *in Hungarian:* A 891/2009/EK rendelettel összhangban behozott CXL engedményes cukor. Tételszám (tételszám az I. melléklet szerint)
- *in Maltese:* Il-koncessjonijiet taz-zokkor tas-CXL, iz-zokkor, impurtat skont ir-Regolament (KE) Nru 891/2009. In-numru tal-ordni [in-numru tal-ordni għandu jiddaħħal skont l-Anness I]
- *in Dutch:* Suiker CXL-concessies ingevoerd overeenkomstig Verordening (EG) nr. 891/2009. Volgnummer (zie bijlage I)
- *in Polish:* Cukier wymieniony na liście koncesyjnej CXL przywieziony zgodnie z rozporządzeniem (WE) nr 891/2009. Numer porządkowy [numer porządkowy należy wstawić zgodnie z załącznikiem I]
- *in Portuguese:* Açúcar «Concessões CXL» importado em conformidade com o Regulamento (CE) n.º 891/2009. Número de ordem [número de ordem a inserir de acordo com o anexo I]
- *in Romanian:* Zahăr concesi CXL importat în conformitate cu Regulamentul (CE) nr. 891/2009. Nr. de ordine [a se introduce numărul de ordine în conformitate cu anexa I]
- *in Slovak:* Koncesný cukor CXL dovezený v súlade s nariadením (ES) č. 891/2009. Poradové číslo (uviesť poradové číslo podľa prílohy I)
- *in Slovenian:* Sladkor iz koncesij CXL, uvožen v skladu z Uredbo (ES) št. 891/2009. Zaporedna številka [vstaviti zaporedno številko v skladu s Prilogo I]
- *in Finnish:* CXL-myönnytyksiin oikeutettu sokeri, joka on tuotu asetuksen (EY) N:o 891/2009 mukaisesti. Järjestysnumero [järjestysnumero lisätään liitteen I mukaisesti]
- *in Swedish:* Socker enligt CXL-medgivanden importerat i enlighet med förordning (EG) nr 891/2009. Löpnummer (löpnumret ska anges i enlighet med bilaga I)

B. Entries referred to in the second indent of Article 6(d)(ii):

- *in Bulgarian:* Прилагане на Регламент (ЕО) № 891/2009, захар от Балканите. Пореден номер (вписва се поредният номер в съответствие с приложение I)
- *in Spanish:* Aplicación del Reglamento (CE) nº 891/2009, azúcar Balcanes. Número de orden [insértese con arreglo al anexo I]
- *in Czech:* Použití nařízení (ES) č. 891/2009, cukr z balkánských zemí. Pořadové číslo [vloží se pořadové číslo v souladu s přílohou I]
- *in Danish:* Anvendelse af forordning (EF) nr. 891/2009, balkansk sukker. Løbenummer [løbenummer skal indsættes i overensstemmelse med bilag I]
- *in German:* Anwendung der Verordnung (EG) Nr. 891/2009, Balkan-Zucker. Laufende Nummer [laufende Nummer gemäß Anhang I einfügen]
- *in Estonian:* Kohaldatakse määrust (EÜ) nr 891/2009, Balkani suhkur. Seerianumber (märgitakse vastavalt I lisale)
- *in Greek:* Εφαρμογή του κανονισμού (ΕΚ) αριθ. 891/2009, ζάχαρη Βαλκανίων. Αύξων αριθμός [να προστεθεί ο αύξων αριθμός σύμφωνα με το παράρτημα I]
- *in English:* Application of Regulation (EC) No 891/2009, Balkans sugar. Order No [order number to be inserted in accordance with Annex I]
- *in French:* Application du règlement (CE) nº 891/2009, sucre Balkans. Numéro d'ordre [numéro d'ordre à insérer conformément à l'annexe I]
- *in Italian:* Applicazione del regolamento (CE) n. 891/2009, zucchero Balcani. Numero d'ordine (inserire in base all'allegato I)
- *in Latvian:* Regulas (EK) Nr. 891/2009 piemērošana, Balkānu cukurs. Kārtas Nr. [kārtas numurs ierakstāms saskaņā ar I pielikumu]
- *in Lithuanian:* Taikomas Reglamentas (EB) Nr. 891/2009, Balkanų cukrus. Eilės Nr. (eilės numeris įrašytinas pagal I priedą)
- *in Hungarian:* A 891/2009/EK rendelet alkalmazása, balkáni cukor. Tételszám (tételszám az I. melléklet szerint)
- *in Maltese:* Applikazzjoni tar-Regolament (KE) Nru 891/2009, iz-zokkor mill-Balkani. In-numru tal-ordni [in-numru tal-ordni għandu jiddahhal skont l-Anness I]
- *in Dutch:* Toepassing van Verordening (EG) nr. 891/2009, Balkansuiker. Volgnummer (zie bijlage I)
- *in Polish:* Zastosowanie rozporządzenia (WE) nr 891/2009, cukier z krajów bałkańskich. Numer porządkowy [numer porządkowy należy wstawić zgodnie z załącznikiem I]
- *in Portuguese:* Aplicação do Regulamento (CE) n.º 891/2009, açúcar dos Balcãs. Número de ordem [número de ordem a inserir de acordo com o anexo I]
- *in Romanian:* Aplicarea Regulamentului (CE) nr. 891/2009, zahăr din Balcani. Nr. de ordine [a se introduce numărul de ordine în conformitate cu anexa I]
- *in Slovak:* Uplatňovanie nariadenia (ES) č. 891/2009, cukor z Balkánu. Poradové číslo (uviest' poradové číslo podľa prílohy I)
- *in Slovenian:* Uporaba Uredbe (ES) št. 891/2009, balkanski sladkor. Zaporedna številka [vstaviti zaporedno številko v skladu s Prilogo I]
- *in Finnish:* Asetuksen (EY) N:o 891/2009 soveltaminen, Balkanin maista peräisin oleva sokeri. Järjestysnumero [järjestysnumero lisätään liitteen I mukaisesti]
- *in Swedish:* Tillämpning av förordning (EG) nr 891/2009, Balkansocker. Löpnummer (löpnumret ska anges i enlighet med bilaga I).

C. Entries referred to in the third indent of Article 6(d)(ii):

- *in Bulgarian:* Прилагане на Регламент (ЕО) № 891/2009, захар от извънреден внос. Пореден номер 09.4380
- *in Spanish:* Aplicación del Reglamento (CE) nº 891/2009, azúcar importación excepcional. Número de orden 09.4380
- *in Czech:* Použití nařízení (ES) č. 891/2009, cukr výjimečného dovozu. Pořadové číslo 09.4380
- *in Danish:* Anvendelse af forordning (EF) nr. 891/2009, ekstraordinær import af sukker. Løbenummer 09.4380
- *in German:* Anwendung der Verordnung (EG) Nr. 891/2009, Zucker zur industriellen Einfuhr. Laufende Nummer 09.4380
- *in Estonian:* Kohaldatakse määrust (EÜ) nr 891/2009, erakorraline importsuhkur. Seerianumber 09.4380
- *in Greek:* Εφαρμογή του κανονισμού (ΕΚ) αριθ. 891/2009, ζάχαρη εξαιρετικής εισαγωγής της ΕΕ. Αύξων αριθμός 09.4380
- *in English:* Application of Regulation (EC) No 891/2009, exceptional import sugar. Order No 09.4380
- *in French:* Application du règlement (CE) n° 891/2009, sucre importation exceptionnelle. Numéro d'ordre 09.4380
- *in Italian:* Applicazione del regolamento (CE) n. 891/2009, zucchero di importazione eccezionale. Numero d'ordine: 09.4380
- *in Latvian:* Regulas (EK) Nr. 891/2009 piemērošana, īpašais importa cukurs. Kārtas Nr. 09.4380
- *in Lithuanian:* Taikomas Reglamentas (EB) Nr. 891/2009, išskirtinis cukraus importas. Eilės Nr. 09.4380
- *in Hungarian:* A 891/2009/EK rendelet alkalmazása, kivételes behozatalból származó cukor. Tételszám 09.4380
- *in Maltese:* Applikazzjoni tar-Regolament (KE) Nru 891/2009, iz-zokkor għall-importazzjoni eċċezzjonali. In-numru tal-ordni 09.4380
- *in Dutch:* Toepassing van Verordening (EG) nr. 891/2009, suiker voor uitzonderlijke invoer. Volgnummer 09.4380
- *in Polish:* Zastosowanie rozporządzenia (WE) nr 891/2009, cukier pozakwotowy z przywozu. Numer porządkowy 09.4380
- *in Portuguese:* Aplicação do Regulamento (CE) n.º 891/2009, açúcar importado a título excepcional. Número de ordem: 09.4380
- *in Romanian:* Aplicarea Regulamentului (CE) nr. 891/2009, zahăr import excepțional. Nr. de ordine 09.4380
- *in Slovak:* Uplatňovanie nariadenia (ES) č. 891/2009, mimoriadne dovezený cukor. Poradové číslo 09.4380
- *in Slovenian:* Uporaba Uredbe (ES) št. 891/2009, sladkor iz posebnega uvoza. Zaporedna št. 09.4380
- *in Finnish:* Asetuksen (EY) N:o 891/2009 soveltaminen, poikkeustuonnin alainen sokeri. Järjestysnumero 09.4380.
- *in Swedish:* Tillämpning av förordning (EG) nr 891/2009, socker för exceptionell import. Löpnummer 09.4380.

D. Entries referred to in the fourth indent of Article 6(d)(ii):

- *in Bulgarian:* Прилагане на Регламент (ЕО) № 891/2009, индустриална вносна захар. Пореден номер 09.4390
- *in Spanish:* Aplicación del Reglamento (CE) nº 891/2009, azúcar importación excepcional. Número de orden 09.4380
- *in Czech:* Použití nařízení (ES) č. 891/2009, cukr průmyslového dovozu. Pořadové číslo 09.4390
- *in Danish:* Anvendelse af forordning (EF) nr. 891/2009, import af industrisukker. Løbenummer 09.4390
- *in German:* Anwendung der Verordnung (EG) Nr. 891/2009, Zucker — industrielle Einfuhr. Laufende Nummer 09.4390
- *in Estonian:* Kohaldatakse määrust (EÜ) nr 891/2009, tööstuslik importsuhkur. Seerianumber 09.4390
- *in Greek:* Εφαρμογή του κανονισμού (ΕΚ) αριθ. 891/2009, βιομηχανική ζάχαρη εισαγωγής. Αύξων αριθμός 09.4390
- *in English:* Application of Regulation (EC) No 891/2009, industrial import sugar. Order No 09.4390
- *in French:* Application du règlement (CE) n° 891/2009, sucre industriel importé. Numéro d'ordre 09.4390
- *in Italian:* Applicazione del regolamento (CE) n. 891/2009, zucchero di importazione industriale. Numero d'ordine: 09.4390
- *in Latvian:* Regulas (EK) Nr. 891/2009 piemērošana, rūpnieciska importa cukurs. Kārtas Nr. 09.4390
- *in Lithuanian:* Taikomas Reglamentas (EB) Nr. 891/2009, pramoninio cukraus importas. Eilės Nr. 09.4390
- *in Hungarian:* A 891/2009/EK rendelet alkalmazása, kivételes behozatalból származó cukor. Tételszám 09.4380
- *in Maltese:* Applikazzjoni tar-Regolament (KE) Nru 891/2009, iz-zokkor għall-importazzjoni industrijali. In-numru tal-ordni 09.4390
- *in Dutch:* Toepassing van Verordening (EG) nr. 891/2009, suiker voor industriële invoer. Volgnummer 09.4390
- *in Polish:* Zastosowanie rozporządzenia (WE) nr 891/2009, cukier przemysłowy z przywozu. Numer porządkowy 09.4390
- *in Portuguese:* Aplicação do Regulamento (CE) n.º 891/2009, açúcar importado para fins industriais. Número de ordem: 09.4390
- *in Romanian:* Aplicarea Regulamentului (CE) nr. 891/2009, zahăr industrial de import. Nr. de ordine 09.4390
- *in Slovak:* Uplatňovanie nariadenia (ES) č. 891/2009, cukor na priemyselné spracovanie. Poradové číslo 09.4390
- *in Slovenian:* Uporaba Uredbe (ES) št. 891/2009, sladkor iz industrijskega uvoza. Zaporedna št. 09.4390
- *in Finnish:* Asetuksen (EY) N:o 891/2009 soveltaminen, teollisuuden tarpeisiin tuotava sokeri. Järjestysnumero 09.4390
- *in Swedish:* Tillämpning av förordning (EG) nr 891/2009, socker som importeras för industriändamål. Löpnummer 09.4390.
-

COMMISSION REGULATION (EC) No 892/2009**of 25 September 2009****on the issue of licences for importing rice under the tariff quotas opened for the September 2009 subperiod by Regulation (EC) No 327/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 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 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 ⁽²⁾, and in particular Article 7(2) thereof,

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

Whereas:

- (1) Regulation (EC) No 327/98 opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex IX to that Regulation.
- (2) September is the fourth subperiod for the quotas laid down in Article 1(1)(a) of Regulation (EC) No 327/98, the third subperiod for the quotas laid down in Article 1(1)(d) and the first subperiod for the quota laid down in Article 1(1)(e).
- (3) The notifications presented under Article 8(a) of Regulation (EC) No 327/98 show that, for the quotas with order numbers 09.4117 – 09.4168, the applications lodged in the first ten working days of September 2009 under Article 4(1) of the Regulation cover a quantity greater than that available. The extent to which import licences may be issued should therefore

be determined by establishing the allocation coefficient to be applied to the quantities requested under the quotas in question.

- (4) It is also clear from the notifications that, for the quotas with order numbers 09.4127 – 09.4128 – 09.4129, the applications lodged in the first ten working days of September 2009 under Article 4(1) of the Regulation cover a quantity less than that available
- (5) The quantities not used for the September subperiod of the quotas with order numbers 09.4127 – 09.4128 – 09.4129 – 09.4130 are transferred to the quota bearing the order number 09.4138 for the following subperiod under Article 2 of Regulation (EC) No 327/98.
- (6) The total quantities available for the following subperiod should therefore be fixed for the quotas with order numbers 09.4138 and 09.4168, in accordance with the first paragraph of Article 5 of Regulation (EC) No 327/98,

HAS ADOPTED THIS REGULATION:

Article 1

1. For import licence applications for rice under the quotas with order numbers 09.4117 – 09.4168 as referred to in Regulation (EC) No 327/98 lodged in the first ten working days of September 2009, licences shall be issued for the quantities requested, multiplied by the allocation coefficients set out in the Annex to this Regulation.

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

Article 2

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 37, 11.2.1998, p. 5.

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

Done at Brussels, 25 September 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX

to be allocated for the September 2009 subperiod and quantities available for the following subperiod under Regulation (EC) No 327/98

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

Origin	Order number	Allocation coefficient for the September 2009 subperiod	Total quantities available for the October 2009 subperiod (kg)
United States of America	09.4127	— ⁽¹⁾	
Thailand	09.4128	— ⁽¹⁾	
Australia	09.4129	— ⁽¹⁾	
Other origins	09.4130	— ⁽²⁾	
All countries	09.4138		1 740 236

⁽¹⁾ Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.

⁽²⁾ No quantity remaining available for this subperiod.

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

Origin	Order number	Allocation coefficient for the September 2009 subperiod
Thailand	09.4112	— ⁽¹⁾
United States of America	09.4116	— ⁽¹⁾
India	09.4117	9,352543 %
Pakistan	09.4118	— ⁽¹⁾
Other origins	09.4119	— ⁽¹⁾
All countries	09.4166	— ⁽¹⁾

⁽¹⁾ No quantity remaining available for this subperiod.

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

Origin	Order number	Allocation coefficient for the September 2009 subperiod	Total quantities available for the October 2009 subperiod (kg)
All countries	09.4168	1,305472 %	0

COMMISSION REGULATION (EC) No 893/2009**of 25 September 2009****amending Regulation (EC) No 838/2009 fixing the import duties in the cereals sector applicable from 16 September 2009**

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector applicable from 16 September 2009 were fixed by Commission Regulation (EC) No 838/2009 ⁽³⁾.

- (2) As the average of the import duties calculated differs by more than EUR 5/tonne from that fixed, a corresponding adjustment must be made to the import duties fixed by Regulation (EC) No 838/2009.

- (3) Regulation (EC) No 838/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 838/2009 are hereby replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 26 September 2009.

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

Done at Brussels, 25 September 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 161, 29.6.1996, p. 125.

⁽³⁾ OJ L 244, 16.9.2009, p. 3.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 26 September 2009

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	2,04
	medium quality	12,04
	low quality	32,04
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	77,87
1005 10 90	Maize seed other than hybrid	35,69
1005 90 00	Maize, other than seed ⁽²⁾	35,69
1007 00 90	Grain sorghum other than hybrids for sowing	82,86

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.9.2009-24.9.2009

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	141,57	91,80	—	—	—	—
Fob price USA	—	—	131,20	121,20	101,20	58,65
Gulf of Mexico premium	—	16,44	—	—	—	—
Great Lakes premium	6,92	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).⁽²⁾ Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).⁽³⁾ Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 18,10 EUR/t

Freight costs: Great Lakes–Rotterdam: 23,79 EUR/t

DIRECTIVES

COMMISSION DIRECTIVE 2009/124/EC

of 25 September 2009

amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels for arsenic, theobromine, *Datura* sp., *Ricinus communis* L., *Croton tiglium* L. and *Abrus precatorius* L.

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed⁽¹⁾, and in particular Article 8(1) thereof,

Whereas:

- (1) Directive 2002/32/EC provides that the use of products intended for animal feed which contain levels of undesirable substances exceeding the maximum levels laid down in Annex I to that Directive is prohibited.
- (2) As regards feedingstuffs obtained from the processing of fish or other marine animals, recent information provided by competent authorities of the Member States on the presence of total arsenic (sum of organic and inorganic arsenic) indicates that it is necessary to increase certain maximum levels for total arsenic. By-products of the fish filleting industry are valuable raw materials for the production of fish meal and fish oil for use in compound feed, in particular fish feed.
- (3) The increase of the maximum levels for total arsenic in feedingstuffs obtained from the processing of fish or other marine animals and feedingstuffs for fish entails no change in the maximum levels for inorganic arsenic. Since the potential adverse effects of arsenic to animal and human health are determined by the inorganic fraction in a given feed or food product and the organic arsenic compounds exhibit a very low toxic potential⁽²⁾, the increased levels for total arsenic do not affect the protection of animal and public health.

- (4) In Annex I to Directive 2002/32/EC, arsenic refers to total arsenic for the purpose of setting maximum levels, since there is no standardised routine method for the analysis of inorganic arsenic. But for cases in which the competent authorities request an analysis of the content of inorganic arsenic, that Annex sets out a maximum level for inorganic arsenic.
- (5) As the extraction method has in some cases a significant influence on the analytical result on total arsenic, it is appropriate to specify an extraction procedure for reference to be used for official control.
- (6) Information provided by competent authorities and stakeholder organisations indicate significant levels of arsenic in additives belonging to the functional group of compounds of trace elements, authorised in application of Regulation (EC) No 1831/2003 of the European Parliament and of the Council⁽³⁾. It is appropriate to establish maximum levels for arsenic in these additives to protect animal and public health.
- (7) As regards theobromine, the European Food Safety Authority (EFSA) concluded in its opinion of 10 June 2008⁽⁴⁾ that the current maximum levels for theobromine may not fully protect some animal species. It pointed out possible adverse effects on pigs, dogs and horses and on milk production in dairy cows. It is therefore appropriate to establish lower maximum levels.
- (8) As regards alkaloids in *Datura* sp., EFSA concluded in its opinion of 9 April 2008⁽⁵⁾ that, since tropane alkaloids are present in all *Datura* sp., it is appropriate for the protection of animal health, in particular for pigs, to extend the maximum levels for *Datura stramonium* L., as set out in Annex I to Directive 2002/32/EC, to all *Datura* sp.

⁽¹⁾ OJ L 140, 30.5.2002, p. 10.

⁽²⁾ Scientific Opinion of the Panel on contaminants in the Food Chain of the European Food Safety Authority (EFSA) on a request from the European Commission related to arsenic as undesirable substances in animal feed, *The EFSA Journal* (2005) 180, 1-35.

⁽³⁾ OJ L 268, 18.10.2003, p. 29.

⁽⁴⁾ Scientific Opinion of the Panel on Contaminants in the Food Chain on a request from the European Commission on theobromine as undesirable substances in animal feed. *The EFSA Journal* (2008) 725, 1-66.

⁽⁵⁾ Scientific Opinion of the Panel on Contaminants in the Food Chain on a request from the European Commission on tropane alkaloids (from *Datura* sp.) as undesirable substances in animal feed. *The EFSA Journal* (2008) 691, 1-55.

- (9) As regards ricin (from *Ricinus communis* L.), EFSA concluded in its opinion of 10 June 2008 ⁽¹⁾ that, given the similar toxic effects of the toxins from *Ricinus communis* L. (ricin), *Croton tiglium* L. (croton) and *Abrus precatorius* L. (abrin), it is appropriate to apply the maximum levels for *Ricinus communis* L., as set out in Annex I to Directive 2002/32/EC, also to *Croton tiglium* L. and *Abrus precatorius* L., separately or in combination.
- (10) Directive 2002/32/EC should therefore be amended accordingly.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 2002/32/EC is amended in accordance with the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this

Directive by 1 July 2010 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 September 2009.

For the Commission

Androulla VASSILIOU

Member of the Commission

⁽¹⁾ Scientific Opinion of the Panel on Contaminants in the Food Chain on a request from the European Commission on ricin (from *Ricinus communis*) as undesirable substances in animal feed. *The EFSA Journal* (2008) 726, 1-38.

ANNEX

Annex I to Directive 2002/32/EC is amended as follows:

1. row 1, Arsenic, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'1. Arsenic (*) (**)	Feed materials with the exception of:	2
	— meal made from grass, from dried lucerne and from dried clover, and dried sugar beet pulp and dried molasses sugar beet pulp	4
	— palm kernel expeller	4 (***)
	— phosphates and calcareous marine algae	10
	— calcium carbonate	15
	— magnesium oxide	20
	— feedingstuffs obtained from the processing of fish or other marine animals, including fish	25 (***)
	— seaweed meal and feed materials derived from seaweed	40 (***)
	Iron particles used as tracer	50
	Additives belonging to the functional group of compounds of trace elements except:	30
	— copper sulphate pentahydrate and copper carbonate	50
	— zinc oxide, manganese oxide and copper oxide	100
	Complete feedingstuffs with the exception of:	2
	— complete feedingstuffs for fish and complete feedingstuffs for fur animals	10 (***)
	Complementary feedingstuffs with the exception of:	4
	— mineral feedingstuffs	12

(*) The maximum levels refer to total arsenic.

(**) Maximum levels refer to an analytical determination of arsenic, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

(***) Upon request of the competent authorities, the responsible operator must perform an analysis to demonstrate that the content of inorganic arsenic is lower than 2 ppm. This analysis is of particular importance for the seaweed species *Hizikia fusiforme*;

2. row 10, Theobromine, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'10. Theobromine	Complete feedingstuffs with the exception of:	300
	— complete feedingstuffs for pigs	200
	— complete feedingstuffs for dogs, rabbits, horses and fur animals	50;

3. row 14, Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances, is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'14. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination, including <i>Datura</i> sp.	All feedingstuffs	3 000 1 000';

4. row 15, Castor oil plant — *Ricinus communis* L., is replaced by the following:

Undesirable substances	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
'15. Seeds and husks from <i>Ricinus communis</i> L., <i>Croton tiglium</i> L. and <i>Abrus precatorius</i> L. as well as their processed derivatives (****), separately or in combination.	All feedingstuffs	10

(****) In so far determinable by analytical microscopy.;

5. row 34, Croton — *Croton tiglium* L., is deleted.

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 7 September 2009

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

(2009/718/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 29 January 2007, the Council authorised the Commission to open negotiations with certain other Members of the WTO under Article XXIV:6 of GATT 1994, in the course of the accessions to the European Union of the Republic of Bulgaria and Romania.
- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.
- (3) The Commission has finalised negotiations for an Agreement in the form of an Exchange of Letters between the European Community and Brazil. The Agreement should be approved.

- (4) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The detailed rules for implementing the Agreement shall be adopted in accordance with the procedure referred to in Article 195(2) of 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) ⁽²⁾.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 299, 16.11.2007, p. 1.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters referred to in Article 1 in order to bind the Community.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 7 September 2009.

For the Council
The President
E. ERLANDSSON

AGREEMENT

in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

A. Letter from the European Community

Geneva, 16 September 2009

Sir,

Following negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade 1994 (GATT) relating to the modification of the Schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union, the European Community and Brazil have agreed as follows:

The European Community will incorporate in its schedule, for the customs territory of EC 27, the following modifications:

To incorporate in the schedule of the EC 27 the concessions contained in the schedule of the EC 25.

On tariff lines 0201 3000, 0202 3090, 0206 1095 and 0206 2991 add 5 000 tonnes to the allocation of Brazil under the EC tariff rate quota 'boneless high quality meat of bovine animals, fresh, chilled or frozen', maintaining the present in quota rate of 20 %.

On tariff line 0202 3090, add 9 000 tonnes (*erga omnes*) under the EC tariff rate quota 'meat of bovine animals, frozen' maintaining the present in quota rate of 20 % or 20 % + 45 % of the specific rate of duty.

On tariff line 0207 1410, add 2 500 tonnes to the allocation of Brazil under the EC tariff rate quota 'cuts of fowls of the species *Gallus domesticus*', maintaining the present in quota rate of 0 %.

On tariff line 0207 2710, create a country allocation (Brazil) of 2 500 tonnes under the EC tariff rate quota 'cuts of turkey, frozen', maintaining the present in quota rate of 0 %.

On tariff line 1701 1110, add 300 000 tonnes to the allocation of Brazil under the EC tariff rate quota 'raw cane sugar, for refining', maintaining the present in quota rate of EUR 98/t.

On tariff line 1701 1110 add 250 000 tonnes (*erga omnes*) under the EC tariff rate quota 'raw cane sugar, for refining', maintaining the present in quota rate of EUR 98/t.

This Agreement will enter into force no later than two months after the date of the signed letter from Brazil.

On behalf of the European Community



B. Letter from Brazil

Geneva, 16 September 2009

Sir,

With reference to your letter stating:

'Following negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade 1994 (GATT) relating to the modification of the Schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union, the European Community and Brazil have agreed as follows:

The European Community will incorporate in its schedule, for the customs territory of EC 27, the following modifications:

To incorporate in the schedule of the EC 27 the concessions contained in the schedule of the EC 25.

On tariff lines 0201 3000, 0202 3090, 0206 1095 and 0206 2991 add 5 000 tonnes to the allocation of Brazil under the EC tariff rate quota "boneless high quality meat of bovine animals, fresh, chilled or frozen", maintaining the present in quota rate of 20 %.

On tariff line 0202 3090, add 9 000 tonnes (*erga omnes*) under the EC tariff rate quota "meat of bovine animals, frozen" maintaining the present in quota rate of 20 % or 20 % + 45 % of the specific rate of duty.

On tariff line 0207 1410, add 2 500 tonnes to the allocation of Brazil under the EC tariff rate quota "cuts of fowls of the species *Gallus domesticus*", maintaining the present in quota rate of 0 %.

On tariff line 0207 2710, create a country allocation (Brazil) of 2 500 tonnes under the EC tariff rate quota "cuts of turkey, frozen", maintaining the present in quota rate of 0 %.

On tariff line 1701 1110, add 300 000 tonnes to the allocation of Brazil under the EC tariff rate quota "raw cane sugar, for refining", maintaining the present in quota rate of EUR 98/t.

On tariff line 1701 1110 add 250 000 tonnes (*erga omnes*) under the EC tariff rate quota "raw cane sugar, for refining", maintaining the present in quota rate of EUR 98/t.

This Agreement will enter into force no later than two months after the date of the signed letter from Brazil.'

I hereby have the honour to express my government's agreement.

On behalf of Brazil



II *Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory*

DECISIONS

Council

2009/718/EC:

★ **Council Decision of 7 September 2009 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union 104**

Agreement in the form of an Exchange of Letters between the European Community and Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union 106

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