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Price: EUR 3

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EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 730/2010

of 13 August 2010

correcting Regulation (EC) No 1120/2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers

THE EUROPEAN COMMISSION,

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

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, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ⁽¹⁾, and in particular Article 142(d) thereof,

Whereas:

- (1) The second subparagraph of Article 19(2) of Commission Regulation (EC) No 1120/2009 ⁽²⁾ specifies an upper limit for the allocation of payment entitlements from the national reserve to farmers in a special situation, which should be set at the maximum number of payment entitlements that a farmer can receive in accordance with Article 17 of that Regulation. However, reference was erroneously made to Article 22 of that Regulation instead. That error needs to be corrected, with effect from the date of application of Regulation (EC) No 1120/2009.

- (2) Regulation (EC) No 1120/2009 should therefore be corrected accordingly.

- (3) 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 the second subparagraph of Article 19(2) of Regulation (EC) No 1120/2009, 'Article 22' is replaced by 'Article 17'.

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 January 2010.

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

Done at Brussels, 13 August 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ OJ L 316, 2.12.2009, p. 1.

COMMISSION REGULATION (EU) No 731/2010**of 11 August 2010****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3 of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, pursuant to Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN codes indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months pursuant to Article 12(6) of Regulation (EEC) No 2913/92.

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, 11 August 2010.

*For the Commission,
On behalf of the President,
Štefan FÜLE
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. A video-sound installation consisting essentially of the following components: — 10 video reproducing apparatus of the digital versatile disc (DVD) type, — 10 projectors using matrix liquid crystal display (LCD) technology, of a kind also capable of displaying digital information generated by an automatic data-processing machine, — 10 single self-powered loudspeakers, mounted in their enclosures, and — 20 digital versatile discs (DVDs) containing recorded works of 'modern art' in the form of images accompanied by sound. The appearance of the video reproducing apparatus, the projectors and the loudspeakers has been modified by an artist with a view to appear as a work of 'modern art' without altering their function. The installation is presented disassembled.	8521 90 00 8528 69 10 8518 21 00 8523 40 51	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8521 and 8521 90 00, 8528, 8528 69 and 8528 69 10, 8518 and 8518 21 00 and 8523, 8523 40 and 8523 40 51. Classification under heading 9703 00 00 as a sculpture is excluded, as none of the individual components or the whole installation, when assembled, can be considered as a sculpture. The components have been slightly modified by the artist, but these modifications do not alter their preliminary function of goods of Section XVI. It is the content recorded on the DVD which, together with the components of the installation, provides for the 'modern art'. The video-sound installation is neither composite goods, as it rather consists of individual components, nor goods put up in sets for retail sale within the meaning of General Rule 3(b). Consequently, the components of the installation are to be classified separately. The video reproducing apparatus are therefore to be classified under CN code 8521 90 00, the projectors under CN code 8528 69 10, the loudspeakers under CN code 8518 21 00 and the DVDs under CN code 8523 40 51.
2. A so-called 'light installation' consisting of six circular fluorescent lighting tubes and six lighting fittings of plastics. It has been designed by an artist and operates in accordance with instructions provided by the artist. It is intended to be displayed in a gallery, fixed to the wall. The fittings are separate from each other and are intended to be mounted vertically. The tubes are to be placed into the fittings, providing two alternating shades of white. The product is presented disassembled.	9405 10 28	Classification is determined by General Rules 1, 2(a) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9405, 9405 10 and 9405 10 28. Classification under heading 9703 00 00 as a sculpture is excluded, as it is not the installation that constitutes a 'work of art' but the result of the operations (the light effect) carried out by it. Classification under heading 9705 00 00 is excluded, as the installation is not a collector's piece of historical interest. It has the characteristics of lighting fittings of heading 9405. The product is therefore to be classified under CN code 9405 10 28 as wall lighting fittings.

COMMISSION REGULATION (EU) No 732/2010**of 11 August 2010****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column 1 of the table set out in the Annex should be classified under the CN code indicated in column 2, by virtue of the reasons set out in column 3 of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, pursuant to Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months pursuant to Article 12(6) of Regulation (EEC) No 2913/92.

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, 11 August 2010.

*For the Commission,
On behalf of the President,
Štefan FÜLE
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A product in the form of a steel disc, cut from a flat hot-rolled plate, with a diameter of approximately 187 cm and a thickness of approximately 1,5 cm, with a stamped small hole and larger oval-shaped hole. After presentation, it is to be further processed (milling and drilling of additional holes, mounting of a steel rim and a surface treatment and coating) prior to being used. It is to be used together with a similar disc of a thickness of approximately 2,5 cm to connect one blade to the blade bearing in the nacelle of a so-called 'wind turbine' (a wind engine integrated with a generator). See image (*).	7326 90 98	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 7326, 7326 90 and 7326 90 98. Classification under heading 7308 as a part of a structure or under Section XVI as a part of a machine is excluded because, as presented, the product cannot be identified as a 'part' given that it requires further processing. It is therefore to be classified according to its constituent material under CN code 7326 90 98 as other articles of steel.

(*) The image is purely for information.



COMMISSION REGULATION (EU) No 733/2010**of 13 August 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 August 2010.

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

Done at Brussels, 13 August 2010.

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

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	50,2
	TR	85,0
	ZZ	67,6
0707 00 05	MK	41,0
	TR	53,5
	ZZ	47,3
0709 90 70	TR	97,5
	ZZ	97,5
0805 50 10	AR	113,1
	CL	139,4
	TR	151,1
	UY	73,2
	ZA	111,5
	ZZ	117,7
0806 10 10	CL	129,8
	EG	153,7
	IL	202,2
	MA	129,1
	PE	77,2
	TR	129,9
	ZZ	137,0
0808 10 80	AR	79,8
	BR	72,6
	CL	100,8
	CN	65,6
	NZ	109,3
	US	87,8
	UY	100,6
	ZA	94,8
	ZZ	88,9
0808 20 50	AR	108,6
	CL	150,5
	CN	55,7
	TR	153,1
	ZA	102,2
	ZZ	114,0
0809 30	TR	152,4
	ZZ	152,4
0809 40 05	BA	62,8
	IL	144,5
	ZZ	103,7

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

COMMISSION REGULATION (EU) No 734/2010**of 13 August 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

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

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 729/2010 ⁽⁴⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 August 2010.

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

Done at Brussels, 13 August 2010.

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

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 213, 13.8.2010, p. 35.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 14 August 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	44,61	0,00
1701 11 90 ⁽¹⁾	44,61	1,52
1701 12 10 ⁽¹⁾	44,61	0,00
1701 12 90 ⁽¹⁾	44,61	1,22
1701 91 00 ⁽²⁾	43,06	4,55
1701 99 10 ⁽²⁾	43,06	1,42
1701 99 90 ⁽²⁾	43,06	1,42
1702 90 95 ⁽³⁾	0,43	0,26

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

COMMISSION REGULATION (EU) No 735/2010**of 13 August 2010****fixing the import duties in the cereals sector applicable from 16 August 2010**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

- (2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

- (4) Import duties should be fixed for the period from 16 August 2010 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 August 2010, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 August 2010.

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

Done at Brussels, 13 August 2010.

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

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 August 2010

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
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	21,76
1005 10 90	Maize seed other than hybrid	4,01
1005 90 00	Maize, other than seed ⁽²⁾	4,01
1007 00 90	Grain sorghum other than hybrids for sowing	21,76

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 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 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

30.7.2010-12.8.2010

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(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	215,07	119,54	—	—	—	—
Fob price USA	—	—	151,30	141,30	121,30	85,14
Gulf of Mexico premium	—	12,00	—	—	—	—
Great Lakes premium	11,84	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 21,48 EUR/t

Freight costs: Great Lakes–Rotterdam: 50,13 EUR/t

COMMISSION REGULATION (EU) No 736/2010**of 13 August 2010****correcting the Latvian version of Regulation (EC) No 1121/2009 laying down detailed rules for the application of Council Regulation (EC) No 73/2009 as regards the support schemes for farmers provided for in Titles IV and V thereof**

THE EUROPEAN COMMISSION,

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

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, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ⁽¹⁾ and in particular Article 142(c) thereof,

Whereas:

- (1) Several errors appear in the Latvian language version of the text of Articles 31, 32 and 33 of Commission Regulation (EC) No 1121/2009 ⁽²⁾.

- (2) Regulation (EC) No 1121/2009 should therefore be corrected accordingly.

- (3) 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

Concerns only the Latvian language version.

Article 2

This Regulation shall enter into force on the 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, 13 August 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ OJ L 316, 2.12.2009, p. 27.

CORRIGENDA

Corrigendum to Council Decision 2007/512/EC of 15 February 2007 on the signing, on behalf of the Community, and on the provisional application of the Arrangement between the European Community and the Republic of Iceland and the Kingdom of Norway on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

(Official Journal of the European Union L 188 of 20 July 2007)

In the title of the Decision, both on the cover page and on page 17, and also in the closing formula on page 18:

for: '15 February 2007',

read: '17 October 2006'.

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