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Legislation

Contents

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

REGULATIONS

Commission Regulation (EC) No 1058/2007 of 14 September 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 1059/2007 of 14 September 2007 opening a standing invitation to tender for the resale on the Community market of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden** 3

★ **Commission Regulation (EC) No 1060/2007 of 14 September 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden** 8

Commission Regulation (EC) No 1061/2007 of 14 September 2007 fixing the import duties in the cereals sector applicable from 16 September 2007 16

Commission Regulation (EC) No 1062/2007 of 14 September 2007 providing for the rejection of applications for export licences in relation to certain processed products and cereal-based compound feedingstuffs 19

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

DECISIONS

Commission

2007/609/EC:

★ **Commission Decision of 10 September 2007 on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants and plant products in the French overseas departments, in the Azores and in Madeira (notified under document number C(2007) 4140)** 20

(Continued overleaf)

1

EN

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

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

★ **Commission Decision of 11 September 2007 on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the French overseas departments for 2007** (*notified under document number C(2007) 4147*) 24

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 1058/2007

of 14 September 2007

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 Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 September 2007.

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

Done at Brussels, 14 September 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 14 September 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	50,3
	XS	40,3
	ZZ	45,3
0707 00 05	JO	175,0
	TR	142,2
	ZZ	158,6
0709 90 70	TR	108,2
	ZZ	108,2
0805 50 10	AR	76,6
	UY	75,8
	ZA	66,6
	ZZ	73,0
0806 10 10	EG	177,6
	MK	28,3
	TR	97,9
	ZZ	101,3
0808 10 80	AR	62,4
	AU	215,7
	BR	117,4
	CL	91,4
	CN	79,8
	NZ	96,8
	US	98,6
	ZA	88,3
	ZZ	106,3
	0808 20 50	CN
TR		126,1
ZA		108,8
ZZ		105,0
0809 30 10, 0809 30 90	TR	156,1
	US	189,2
	ZZ	172,7
0809 40 05	BA	49,8
	IL	124,7
	MK	49,8
	TR	113,5
	ZZ	84,5

⁽¹⁾ Country nomenclature as fixed 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 1059/2007

of 14 September 2007

opening a standing invitation to tender for the resale on the Community market of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 40(2)(d) thereof,

Whereas:

- (1) Article 39(1) 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 ⁽²⁾ provides that the intervention agencies may sell sugar only after a decision to that effect has been adopted by the Commission.
- (2) Such a decision was taken by Commission Regulation (EC) No 1039/2006 of 7 July 2006 opening a standing invitation to tender for the resale on the Community market of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovenia, Slovakia and Sweden ⁽³⁾. Under that Regulation, tenders may be submitted for the last time between 13 and 26 September 2007.
- (3) It is foreseeable that intervention stocks of sugar will continue to exist in most of the Member States concerned after expiry of that last possibility to submit tenders. In order to respond to the continued market needs, it is therefore appropriate to open a further standing invitation to tender to make these stocks available on the internal market.
- (4) To allow comparison of tender prices for sugar of different qualities, the tender price should refer to sugar of the standard quality as defined in Annex I to Regulation (EC) No 318/2006.
- (5) Pursuant to Article 42(2)(c) of Regulation (EC) No 952/2006, it is appropriate to fix a minimum quantity per tenderer or per lot.
- (6) To take account of the situation on the Community market, provision should be made for the Commission to fix a minimum selling price for each partial invitation to tender.
- (7) The minimum selling price refers to sugar of the standard quality. Provision should be made to adjust the selling price.
- (8) The intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden should communicate the tenders to the Commission. The tenderers should remain anonymous.
- (9) In order to ensure proper management of sugar in storage, provision should be made for a communication from the Member States on the quantities actually sold.
- (10) The second paragraph of Article 59 of Regulation (EC) No 952/2006 provides that Commission Regulation (EC) No 1262/2001 ⁽⁴⁾ continues to apply to sugar accepted into intervention before 10 February 2006. However, for the resale of intervention sugar, this distinction is unnecessary and its implementation would create administrative difficulties for the Member States. It is therefore appropriate to exclude the application of Regulation (EC) No 1262/2001 to the resale of intervention sugar.
- (11) The measures provided for in this Regulation [are in accordance with the opinion of the Management Committee for Sugar],

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden shall offer for sale by standing invitation to tender on the Community internal market a maximum total quantity of 601 981 tonnes of sugar accepted into intervention and available for sale on the internal market.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 178, 1.7.2006, p. 39. Regulation as amended by Regulation (EC) No 551/2007 (OJ L 131, 23.5.2007, p. 7).

⁽³⁾ OJ L 187, 8.7.2006, p. 3. Regulation as amended by Regulation (EC) No 1555/2006 (OJ L 288, 19.10.2006, p. 3).

⁽⁴⁾ OJ L 178, 30.6.2001, p. 48. Regulation repealed by Regulation (EC) No 952/2006.

The maximum quantities involved per Member State are set out in Annex I.

Article 2

1. The period during which tenders may be submitted in response to the first partial invitation to tender shall begin on 1 October 2007 and shall end on 10 October 2007 at 15.00, Brussels time.

The periods during which tenders may be submitted in response to the second and subsequent partial invitations shall begin on the first working day following the end of the preceding period. They shall end at 15.00, Brussels time on:

- 24 October 2007,
- 7 and 21 November 2007,
- 5 and 19 December 2007,
- 9 and 30 January 2008,
- 13 and 27 February 2008,
- 12 and 26 March 2008,
- 9 and 23 April 2008,
- 7 and 28 May 2008,
- 11 and 25 June 2008,
- 9 and 23 July 2008,
- 6 and 27 August 2008,
- 10 and 24 September 2008.

2. The tender price shall refer to white sugar and raw sugar of the standard quality as defined in Annex I to Regulation (EC) No 318/2006.

3. The minimum quantity of the tender per lot in accordance with article 42(2)(c) of Regulation (EC) No 952/2006 shall be 250 tonnes unless the available quantity for that lot is less than 250 tonnes. In such cases the available quantity must be tendered.

4. Tenders shall be lodged with the intervention agency holding the sugar as set out in Annex I.

Article 3

The intervention agencies concerned shall communicate to the Commission tenders submitted within two hours after the

expiry of the deadline for the submissions laid down in Article 2(1).

The tenderers shall not be identified.

Tenders submitted shall be communicated in electronic form according to the model laid down in Annex II.

When no tenders are submitted, the Member State shall communicate this to the Commission within the same time limit.

Article 4

1. The Commission shall fix per Member State concerned the minimum sale price or decide not to accept the tenders in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006.

2. For intervention sugar which is not of the standard quality, Member States shall adjust the actual sale price by way of application *mutatis mutandis* of, respectively, Article 32(6) and Article 33 of Regulation (EC) No 952/2006.

3. Where an award at a minimum price set pursuant to paragraph 1 would result in the available quantity for the Member State concerned being exceeded, that award shall be limited to such quantity as is still available.

Where awards for a Member State to all tenderers offering the same price would result in the quantity for that Member State being exceeded, then the quantity available shall be awarded as follows:

- (a) by division among the tenderers concerned in proportion of the total quantities in each of their tenders; or
- (b) by apportionment among the tenderers concerned by reference to a maximum tonnage fixed for each of them; or
- (c) by drawing of lots.

4. On the fifth working day at the latest after the Commission fixes the minimum sale price, the intervention agencies involved shall communicate to the Commission, in the form laid down in Annex III, the quantity actually sold by partial invitation to tender.

Article 5

By way of derogation from the second paragraph of Article 59 of Regulation (EC) No 952/2006, that Regulation shall apply to the resale, as referred to in Article 1 of this Regulation, of sugar accepted into intervention before 10 February 2006.

Article 6

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

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

Done at Brussels, 14 September 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

Member States holding intervention sugar

Member State	Intervention agency	Quantities held by the intervention agency and available for the sale on the internal market (in tonnes)
Belgium	Bureau d'intervention et de restitution belge Rue de Trèves, 82 B-1040 Bruxelles Tél. (32-2) 287 24 11 Fax (32-2) 287 25 24	21 409
Czech Republic	Státní zemědělský intervenční fond Oddělení pro cukr a škrob Ve Smečkách 33 CZ-110 00 PRAHA 1 Tel.: (420) 222 87 14 27 Fax: (420) 222 87 18 75	30 754
Ireland	Intervention Section on Farm Investment Subsidies and storage Division Department of Agriculture & Food Johnstown Castle Estate Wexford Tel. (00 353) 536 34 37 Fax (00 353) 914 28 43	12 000
Spain	Fondo Español de Garantía Agraria C/Beneficencia, 8 E-28004 Madrid Tel. (34) 913 47 64 66 Fax (34) 913 47 63 97	24 084
Italy	AGEA — Agenzia per le erogazioni in agricoltura Ufficio ammassi pubblici e privati e alcool Via Torino, 45 I-00185 Roma Tel. (39) 06 49 49 95 58 Fax (39) 06 49 49 97 61	322 915
Hungary	Mezőgazdasági és Vidékfejlesztési Hivatal Soroksári út 22-24. H-1095 Budapest Tel.: (36-1) 219 45 76 Fax: (36-1) 219 89 05 vagy (36-1) 219 62 59	100 462
Slovakia	Pôdohospodárska platobná agentúra Oddelenie cukru a ostatných komodít Dobrovičova 12 815 26 Bratislava Slovenská republika Tel.: (421-2) 58 24 32 55 Fax: (421-2) 53 41 26 65	34 000
Sweden	Statens jordbruksverk Vallgatan 8 S-551 82 Jönköping Tfn (46-36) 15 50 00 Fax (46-36) 19 05 46	56 357

ANNEX II

Model for the communication to the Commission as referred to in Article 3

Form (*)

Partial invitation to tender of ... for the resale of sugar held by the intervention agencies

Regulation (EC) No 1059/2007

1	2	3	4	5
Member State selling intervention sugar	Numbering of tenderers	Lot No	Quantity (tonnes)	Tender price EUR/100 kg
	1			
	2			
	3			
	etc.			

(*) To be faxed to the following number: (32-2) 292 10 34.

ANNEX III

Model for the notification to the Commission as referred to in Article 4(4)

Form (*)

Partial invitation to tender of ... for the resale of sugar held by the intervention agencies

Regulation (EC) No 1059/2007

1	2
Member State selling intervention sugar	Quantity actually sold (in tonnes)

(*) To be faxed to the following number: (32 2) 292 10 34.

COMMISSION REGULATION (EC) No 1060/2007**of 14 September 2007****opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular Articles 40(1)(g) and 40(2)(d) thereof,

Whereas:

- (1) Article 39(1) 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⁽²⁾ provides that the intervention agencies may sell sugar only after a decision to that effect has been adopted by the Commission.
- (2) Such a decision was taken by Commission Regulation (EC) No 38/2007 of 17 January 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden⁽³⁾. Under that Regulation, tenders may be submitted for the last time between 13 and 26 September 2007.
- (3) It is foreseeable that intervention stocks of sugar will continue to exist in most of the Member States concerned after expiry of that last possibility to submit tenders. In order to respond to the continued market needs, it is, therefore, appropriate to open a further standing invitation to tender to make these stocks available for export.
- (4) Export refunds may be fixed in accordance with Articles 32 and 33 of Regulation (EC) No 318/2006. Community exports to certain close destinations and to third countries granting Community products a preferential import treatment are currently in a particularly favourable competitive position. Therefore, refunds for exports to those destinations should be abolished. Given the link between the granting of refunds and the resale for export of sugar held by the intervention agencies, a resale under this Regulation should neither be foreseen for export to those destinations.
- (5) In order to prevent any abuse associated with the re-import or re-introduction into the Community of sugar sector products that have qualified for export refunds, no export refund should be fixed for the countries of the western Balkans.
- (6) Pursuant to Article 42(2)(c) of Regulation (EC) No 952/2006, it is appropriate to fix a minimum quantity per tenderer or per lot.
- (7) To take account of the situation on the Community market, provision should be made for the Commission to fix a maximum export refund for each partial invitation to tender.
- (8) The intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden should communicate the tenders to the Commission. The tenderers should remain anonymous.
- (9) Pursuant to Article 42(1)(d) of Regulation (EC) No 952/2006, the price to be paid by the successful tenderer should be determined by the invitation to tender.
- (10) To take account of the different qualities of intervention sugar, this price should refer to sugar of the standard quality and provision should be made to adjust this price.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 178, 1.7.2006, p. 39. Regulation as amended by Regulation (EC) No 551/2007 (OJ L 131, 23.5.2007, p. 7).

⁽³⁾ OJ L 11, 18.1.2007, p. 4. Regulation as amended by Regulation (EC) 203/2007 (OJ L 61, 28.2.2007, p. 3).

- (11) Pursuant to Article 42(2)(e) of Regulation (EC) No 952/2006, it is appropriate to determine the period of validity of the export licences.
- (12) In order to ensure proper management of sugar in storage, provision should be made for a communication from the Member States to the Commission on the quantities actually sold and exported.
- (13) The second paragraph of Article 59 of Regulation (EC) No 952/2006 provides that Commission Regulation (EC) No 1262/2001 ⁽¹⁾ continues to apply to sugar accepted into intervention before 10 February 2006. However, for the resale of intervention sugar, this distinction is unnecessary and its implementation would create administrative difficulties for the Member States. It is therefore appropriate to exclude the application of Regulation (EC) No 1262/2001 to the resale of intervention sugar pursuant to this Regulation.
- (14) The quantities available for a Member State that can be awarded when the Commission fixes the maximum export refund should take into account the quantities awarded pursuant to Commission Regulation (EC) No 1059/2007 of 14 September 2007 opening a standing invitation to tender for the resale on the Community market of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden ⁽²⁾.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden shall offer for sale by standing invitation to tender for export to all destinations, excluding the destinations listed in the third subparagraph, a total quantity of 601 981 tonnes of sugar accepted into intervention and available for export.

The maximum quantities involved per Member State are set out in Annex I.

⁽¹⁾ OJ L 178, 30.6.2001, p. 48. Regulation repealed by Regulation (EC) No 952/2006.

⁽²⁾ See page 3 of this Official Journal.

The destinations referred to in the first subparagraph shall be:

- (a) third countries: Andorra, the Holy See (Vatican City State), Liechtenstein, Albania, Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia ⁽³⁾ and Montenegro;
- (b) territories of EU Member States not forming part of the customs territory of the Community: Gibraltar, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

Article 2

1. The period during which tenders may be submitted in response to the first partial invitation to tender shall begin on 1 October 2007 and shall end on 10 October 2007 at 15.00, Brussels time.

The periods during which tenders may be submitted in response to the second and subsequent partial invitations shall begin on the first working day following the end of the preceding period. They shall end at 15.00, Brussels time on:

- 24 October 2007,
- 7 and 21 November 2007,
- 5 and 19 December 2007,
- 9 and 30 January 2008,
- 13 and 27 February 2008,
- 12 and 26 March 2008,
- 9 and 23 April 2008,
- 7 and 28 May 2008,
- 11 and 25 June 2008,
- 9 and 23 July 2008,
- 6 and 27 August 2008,
- 10 and 24 September 2008.

⁽³⁾ Including Kosovo, under the auspices of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.

2. The minimum quantity of the tender per lot in accordance with Article 42(2)(c) of Regulation (EC) No 952/2006 shall be 250 tonnes unless the available quantity for that lot is less than 250 tonnes. In such cases the available quantity must be tendered.

3. Tenders shall be lodged with the intervention agency holding the sugar as set out in Annex I.

Article 3

The intervention agencies concerned shall communicate to the Commission tenders submitted within two hours after the expiry of the deadline for the submissions laid down in Article 2(1).

The tenderers shall not be identified.

Tenders submitted shall be communicated in electronic form according to the model laid down in Annex II.

When no tenders are submitted, the Member State shall communicate this to the Commission within the same time limit.

Article 4

1. The Commission shall fix a maximum export refund for white sugar and for raw sugar or decide not to accept the tenders in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006.

2. The available quantity for a lot shall be reduced by the quantities awarded the same day for that lot by Regulation (EC) No 1059/2007.

Where an award at a maximum export refund set pursuant to paragraph 1 would result in that reduced available quantity for a lot being exceeded, that award shall be limited to that reduced available quantity.

Where awards for a Member State to all tenderers offering the same export refund for one lot would result in that reduced available quantity for that lot being exceeded, that reduced available quantity shall be awarded as follows:

(a) by division among the tenderers concerned in proportion of the total quantities in each of their tenders; or

(b) by apportionment among the tenderers concerned by reference to a maximum tonnage fixed for each of them; or

(c) by drawing of lots.

3. The price to be paid by the successful tenderer in accordance with article 42(1)(d) of Regulation (EC) No 952/2006 shall be EUR 632 per tonne for white sugar and EUR 497 per tonne for raw sugar. The prices shall apply to white sugar and raw sugar of the standard quality described in Annex I to Regulation (EC) No 318/2006.

For intervention sugar which is not of the standard quality, Member States shall adjust the price by way of application *mutatis mutandis* of, respectively, Article 32(6) and Article 33 of Regulation (EC) No 952/2006.

Article 5

1. Export licence applications and licences shall contain in Box 20 one of the entries listed in Annex III.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

Article 6

1. On the fifth working day at the latest after the Commission fixes the maximum export refund, the intervention agencies involved shall communicate to the Commission, in the form laid down in Annex IV, the exact quantity sold by partial invitation to tender.

2. Not later than the end of each calendar month in respect of the preceding calendar month, Member States shall notify to the Commission the quantities of sugar of the export licences returned to the competent authorities and the corresponding quantities of sugar exported, taking account of the tolerances permitted by Article 8(4) and (5) of Commission Regulation (EC) No 1291/2000 ⁽¹⁾.

Article 7

By way of derogation from the second paragraph of Article 59 of Regulation (EC) No 952/2006, that Regulation shall apply to the resale, as referred to in Article 1 of this Regulation, of sugar accepted into intervention before 10 February 2006.

Article 8

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

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

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

Done at Brussels, 14 September 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

Member States holding intervention sugar

Member State	Intervention agency	Quantities held by the intervention agency and available for sale for export (in tonnes)
Belgium	Bureau d'intervention et de restitution belge Rue de Trèves, 82 B-1040 Bruxelles Tél. (32-2) 287 24 11 Fax (32-2) 287 25 24	21 409
Czech Republic	Státní zemědělský intervenční fond Oddělení pro cukr a škrob Ve Smečkách 33 CZ-110 00 PRAHA 1 Tel.: (420) 222 87 14 27 Fax: (420) 222 87 18 75	30 754
Ireland	Intervention Section on Farm Investment Subsidies and storage Division Department of Agriculture & Food Johnstown Castle Estate Wexford Tel. (00 353) 536 34 37 Fax (00 353) 914 28 43	12 000
Spain	Fondo Español de Garantía Agraria C/Beneficencia, 8 E-28004 Madrid Tel. (34) 913 47 64 66 Fax (34) 913 47 63 97	24 084
Italy	AGEA — Agenzia per le erogazioni in agricoltura Ufficio ammassi pubblici e privati e alcool Via Torino, 45 I-00185 Roma Tel. (39) 06 49 49 95 58 Fax (39) 06 49 49 97 61	322 915
Hungary	Mezőgazdasági és Vidékfejlesztési Hivatal Soroksári út 22–24. H-1095 Budapest Tel.: (36-1) 219 45 76 Fax: (36-1) 219 89 05 vagy (36-1) 219 62 59	100 462
Slovakia	Pôdohospodárska platobná agentúra Oddelenie cukru a ostatných komodít Dobrovičova 12 815 26 Bratislava Slovenská republika Tel.: (421-2) 58 24 32 55 Fax: (421-2) 53 41 26 65	34 000
Sweden	Statens jordbruksverk Vallgatan 8 S-551 82 Jönköping Tfn (46-36) 15 50 00 Fax (46-36) 19 05 46	56 357

ANNEX II

Model for the communication to the Commission as referred to in Article 3

Form (*)

Standing invitation to tender for the resale of sugar held by the intervention agencies

Regulation (EC) No 1060/2007

1	2	3	4	5
Member State selling intervention sugar	Numbering of tenderers	Lot No	Quantity (tonnes)	Export refund EUR/100 kg
	1			
	2			
	3			
	etc.			

(*) To be faxed to the following number: (32-2) 292 10 34.

ANNEX III

Entries referred to in Article 5(1):

- in Bulgarian:* Изнесено с възстановяване съгласно Регламент (ЕО) № 1060/2007
- in Spanish:* Exportado con restitución en virtud del Reglamento (CE) nº 1060/2007
- in Czech:* Vyvezeno s náhradou podle nařízení (ES) č. 1060/2007
- in Danish:* Eksporteret med restitution i henhold til forordning (EF) nr. 1060/2007
- in German:* Mit Erstattung ausgeführt gemäß der Verordnung (EG) Nr. 1060/2007
- in Estonian:* Eksporditud toetusega vastavalt määrusele (EÜ) nr 1060/2007
- in Greek:* Εξαγωγή με επιστροφή σύμφωνα με τον κανονισμό (ΕΚ) αριθ. 1060/2007
- in English:* Exported with refund pursuant to Regulation (EC) No 1060/2007
- in French:* Exporté avec restitution conformément au règlement (CE) n° 1060/2007
- in Italian:* Esportato con restituzione ai sensi del regolamento (CE) n. 1060/2007
- in Latvian:* Saskaņā ar Regulu (EK) Nr. 1060/2007 eksportēts, saņemot kompensāciju
- in Lithuanian:* Eksportuota su grąžinamąja išmoka, remiantis Reglamentu (EB) Nr. 1060/2007
- in Hungarian:* Visszatérítéssel exportálva a 1060/2007/EK rendelet szerint
- in Maltese:* Esportat b'rifużjoni skond ir-Regolament (KE) Nru 1060/2007
- in Dutch:* Uitgevoerd met restitutie overeenkomstig Verordening (EG) nr. 1060/2007
- in Polish:* Wywóz objęty refundacją zgodnie z rozporządzeniem (WE) nr 1060/2007
- in Portuguese:* Exportado com restituição, nos termos do Regulamento (CE) n.º 1060/2007
- in Romanian:* Exportat cu restituire în baza Regulamentului (CE) nr. 1060/2007
- in Slovak:* Vyvezené s náhradou podľa nariadenia (ES) č. 1060/2007
- in Slovenian:* Izvoženo z nadomestilom v skladu z Uredbo (ES) št. 1060/2007
- in Finnish:* Viety asetuksen (EY) N:o 1060/2007 mukaisella vientituella
- in Swedish:* Exporterat med exportbidrag enligt förordning (EG) nr 1060/2007

ANNEX IV

Model for the notification to the Commission as referred to in Article 6(1)

Form (*)

Partial invitation to tender of ... for the resale of sugar held by the intervention agencies

Regulation (EC) No 1060/2007

1	2
Member State selling intervention sugar	Quantity actually sold (in tonnes)

(*) To be faxed to the following number: (32-2) 292 10 34.

COMMISSION REGULATION (EC) No 1061/2007**of 14 September 2007****fixing the import duties in the cereals sector applicable from 16 September 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 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 and 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 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import

duty referred to in paragraph 2 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 (EC) No 1249/96, 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 4 of that Regulation.
- (4) Import duties should be fixed for the period from 16 September 2007, and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 September 2007, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 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 September 2007.

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

Done at Brussels, 14 September 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 16 September 2007

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	0,00
1005 10 90	Maize seed other than hybrid	1,93
1005 90 00	Maize, other than seed ⁽²⁾	1,93
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽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

31.8.2007-13.9.2007

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

(EUR/t)

	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	221,27	99,23	—	—	—	—
Fob price USA	—	—	244,47	234,47	214,47	142,56
Gulf of Mexico premium	—	17,25	—	—	—	—
Great Lakes premium	1,59	—	—	—	—	—

(*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(**) Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) 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: 43,61 EUR/tonne

Freight costs: Great Lakes–Rotterdam: 43,35 EUR/tonne

COMMISSION REGULATION (EC) No 1062/2007**of 14 September 2007****providing for the rejection of applications for export licences in relation to certain processed products and cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽²⁾, and in particular Article 8(1) thereof,

Whereas:

The quantity covered by applications for advance fixing of refunds on potato starch and maize-based products is of great importance and could give rise to speculation. It has therefore

been decided to reject all applications for export licences of such products made on 13 September 2007,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 8(1) of Regulation (EC) No 1342/2003, applications for export licences with advance fixing of refunds for products falling within CN code 1108 12 00 made on 13 September 2007 shall be rejected.

Article 2

This Regulation shall enter into force on 15 September 2007.

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

Done at Brussels, 14 September 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6).

⁽²⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 1996/2006 (OJ L 398, 30.12.2006, p. 1).

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 10 September 2007

on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants and plant products in the French overseas departments, in the Azores and in Madeira

(notified under document number C(2007) 4140)

(Only the French and Portuguese texts are authentic)

(2007/609/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 247/2006 of 30 January 2006 laying down specific measures for agriculture in the outermost regions of the Union ⁽¹⁾ and in particular the second sentence of the first subparagraph of Article 17(3),

Whereas:

- (1) The plant health of agricultural crops in the French overseas departments, in the Azores and in Madeira is subject to particular problems associated with the climate and the specificity of the harmful organisms present in those regions. The Member States concerned have adopted programs designed to control those organisms.
- (2) New rules for Community contributions to plant health measures in the outermost regions of the Union were adopted by Regulation (EC) No 247/2006. Consequently, as regards the French overseas departments, the Azores and Madeira, the measures for which Community financing is available and the expenditure eligible should be redefined.
- (3) Commission Decision 93/522/EEC of 30 September 1993 on the definition of the measures eligible for

Community financing in the programs for the control of organisms harmful to plants or plant products in the French overseas departments, in the Azores and in Madeira ⁽²⁾ should therefore be replaced.

- (4) Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽³⁾ lays down protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.
- (5) Decision 93/522/EEC should therefore be repealed.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The measures in the programs for the control of harmful organisms in the French overseas departments, in the Azores and in Madeira which are eligible for Community financing, in accordance with Article 17(1) of Regulation (EC) No 247/2006, are defined in the Annex to this Decision.

⁽¹⁾ OJ L 42, 14.2.2006, p. 1. Regulation as amended by Regulation (EC) No 2013/2006 (OJ L 384, 29.12.2006, p. 13).

⁽²⁾ OJ L 251, 8.10.1993, p. 35. Decision as amended by Decision 96/633/EC (OJ L 283, 5.11.1996, p. 58).

⁽³⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2007/41/EC (OJ L 169, 29.6.2007, p. 51).

Such measures shall relate to all or part of the programmes for the control of harmful organisms within the meaning of Article 2(1)(e) of Directive 2000/29/EC.

Article 2

Decision 93/522/EEC is repealed.

References to the repealed Decision shall be construed as references to this Decision.

Article 3

This Decision shall apply from 1 January 2007.

Article 4

This Decision is addressed to the French Republic and the Portuguese Republic.

Done at Brussels, 10 September 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

ELIGIBLE MEASURES AND EXPENDITURE**PART A****Eligible Measures**

- (1) Measures concerning knowledge of the local phytosanitary situation:
 - (a) official studies and surveys in order to have a better knowledge of the local situation as regards harmful organisms:
 - (i) mapping of harmful organisms,
 - (ii) evaluation of the economic impact of harmful organisms,
 - (iii) evaluation of the risk of evolution of harmful organisms;
 - (b) studies and surveys in order to maintain surveillance of zones which are to be protected against the introduction of harmful organisms;
- (2) preventive measures against organisms harmful to plant or plant products:
 - (a) preventive measures taken in respect of plants, plant products and other objects suspected of being contaminated;
 - (b) inspections on farms intended to ensure compliance of plants or plant products with the phytosanitary requirements;
 - (c) organization of official phytosanitary survey and alert networks against the contamination of crops by harmful organisms;
 - (d) official laboratory or field experiments in order to look for means to avoid or limit the damage caused by harmful organisms:
 - (i) research on resistant varieties,
 - (ii) research on methods of chemical or biological control or prophylactic methods,
 - (iii) studies on biology of harmful organisms;
 - (e) studies on improving diagnosis methods for harmful organisms;
- (3) curative measures against organisms harmful to plants or plant products:
 - (a) implementation of official programs for collective control of organisms harmful to crops and natural flora, including forests;
 - (b) curative measures taken in respect of plants and plant products:
 - (i) destruction,
 - (ii) fumigation, treatment,
 - (iii) laboratory tests;
- (4) measures of technical support to programs for the control of organisms harmful to plants and plant products:
 - (a) equipment and functioning of laboratories carrying out diagnosis or determination of harmful organisms for the official authorities of the Community's outermost regions;
 - (b) contribution to the setting up and functioning of production units for biological control;
 - (c) contribution to the setting up and functioning of installations for fumigation and storage of plants and plant products submitted to plant health checks;

- (d) technical training of the staff in charge of carrying out the control programs;
- (e) carrying out of official information campaigns for farmers or public people on collective and individual methods of control of harmful organisms, including:
 - (i) setting up and development of phytosanitary information networks (any form),
 - (ii) organization of training sessions for farmers,
 - (iii) organization of official information meetings with farmers, public people and organizations affected by the control programs.

PART B

Eligible Expenditure

- (1) personnel costs involved in the provision of specific services as part of contracts on the provision of services;
 - (2) consumables and equipment used for the execution of the measures;
 - (3) purchases of services or hire of means of transport insofar they are necessary for the execution of the measures.
-

COMMISSION DECISION

of 11 September 2007

on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the French overseas departments for 2007*(notified under document number C(2007) 4147)***(Only the French text is authentic)**

(2007/610/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 247/2006 of 30 January 2006 laying down specific measures for agriculture in the outermost regions of the Union ⁽¹⁾ and in particular the first sentence of the first subparagraph of Article 17(3),

Whereas:

- (1) Growing conditions in the French overseas departments require special measures concerning crop production. Those measures include expensive plant health measures.
- (2) Commission Decision 2007/609/EC of 10 September 2007 on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants and plant products in the French overseas departments, in the Azores and in Madeira ⁽²⁾ defines the measures eligible for Community financing under programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira.
- (3) The French authorities have submitted to the Commission a programme providing for plant health measures. That programme specifies the objectives to be achieved, the expected deliverables, the measures to be carried out, their duration and their cost with a view to a possible Community financial contribution. The measures provided for in that programme fulfill the requirements of Commission Decision 2007/609/EC.
- (4) In accordance with Article 3(2)(a) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of

the common agricultural policy ⁽³⁾, plant-health measures are to be financed from the European Agricultural Guarantee Fund. For the purposes of financial control of those measures Articles 9, 36 and 37 of that Regulation apply.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

A Community financial contribution to France for the official programme for the control of organisms harmful to plants and plant products in the French overseas departments for 2007, as specified in Part A of the Annex, is approved.

It shall be limited to 60 % of the total eligible expenditure, as specified in Part B of the Annex, with a maximum of EUR 224 700 (VAT excluded).

Article 2

1. An advance of EUR 100 000 shall be paid within 60 days after receipt of a request for payment by France.

2. The balance of the financial contribution shall be paid provided that a final implementation report on the programme is submitted to the Commission in electronic form by 15 March 2008 at the latest.

That report shall contain:

- (a) a concise technical evaluation of the entire programme, including the degree of achievement of physical and qualitative objectives and of progress accomplished, and an assessment of the immediate phytosanitary and economic impact, and

⁽¹⁾ OJ L 42, 14.2.2006, p. 1. Regulation as amended by Regulation (EC) No 2013/2006 (OJ L 384, 29.12.2006, p. 13).

⁽²⁾ See page 20 of this Official Journal.

⁽³⁾ OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 378/2007 (OJ L 95, 5.4.2007, p. 1).

(b) a financial cost statement indicating the actual expenditure broken down by sub-programme and by measure.

3. With respect to the indicative budget breakdown specified in Part B of the Annex, France may adjust the financing between different measures in the same sub-programme within a limit of 15 % of the Community contribution to this sub-programme, provided that the total amount of eligible costs scheduled in the programme is not exceeded and that the main objectives of the programme are not thereby compromised.

It shall inform the Commission of any adjustments made.

Article 3

This Decision shall apply from 1 January 2007.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 11 September 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

Programme and indicative budget breakdown for 2007**PART A****Programme**

The programme shall consist of three sub-programmes:

(1) sub-programme for the department of Martinique:

(a) Measure 1.1: plant health evaluation and diagnostics by use of the regional laboratory and its mobile unit ('labo vert');

(b) Measure 1.2: study of the biodiversity in fruit or vegetable farms;

(2) sub-programme for the department of Guyana:

(a) Measure 2.1: set up of an agricultural phytosanitary warning system for rice production;

(b) Measure 2.2: strengthening of the diagnosis capacity by the use of the regional laboratory and its mobile unit ('labo vert');

(3) sub-programme for the department of Guadeloupe:

(a) Measure 3.1: set up of an survey network for fruit flies;

(b) Measure 3.2: survey and follow-up of the coconut lethal yellowing disease;

(c) Measure 3.3: management of the risk of introduction of harmful organisms by the touristic activity;

(d) Measure 3.4: set up of a method for bio-depollution of soils contaminated by chlordecone and HCH;

(e) Measure 3.5: targeted control of the manioc ant.

PART B

Indicative budget breakdown

(in euro), with indication of the various expected deliverables

Sub-programmes	Nature of deliverable (S: provision of services, R: research or study work)	Eligible expenditure	National contribution	EC contribution
Martinique				
Measure 1.1	On-site phytosanitary diagnostics (S)	75 000		
Measure 1.2	Study on the biodiversity and beneficial auxiliaries (R)	40 500		
Sub-total		115 500	46 200	69 300
Guyane				
Measure 2.1	Modelized phytosanitary warning system (R)	110 000		
Measure 2.2	On-site phytosanitary diagnostics (S)	25 000		
Sub-total		135 000	54 000	81 000
Guadeloupe				
Measure 3.1	Setting-on of a survey network for fruit flies (R)	28 000		
Measure 3.2	Report of survey for a disease and communication to the producers on phytosanitary risks (S)	12 000		
Measure 3.3	Actions of communication to the public on the risks of introduction of harmful organisms (S)	28 000		
Measure 3.4	Setting-on of a bio-depollution method for contaminated soils (R)	15 000		
Measure 3.5	Study on the possible integrated control of a harmful organism (R)	41 000		
Sub-total		124 000	49 600	74 400
Total		374 500	149 800	224 700