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Price: EUR 3

(¹) Text with EEA relevance

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 IMPLEMENTING REGULATION (EU) No 532/2012

of 21 June 2012

amending Annex II to Decision 2007/777/EC and Annex I to Regulation (EC) No 798/2008 as regards entries for Israel in the lists of third countries or parts thereof with respect to highly pathogenic avian influenza

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽¹⁾ and in particular the introductory phrase of Article 8, the first paragraph of point 1 of Article 8 and point 4 of Article 8 thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁽²⁾, and in particular Articles 23(1) and 24(2) thereof,

Whereas:

(1) Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC⁽³⁾ lays down rules on imports into the Union and the transit and storage in the Union of consignments of meat products, treated stomachs, bladders and intestines, as defined in Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽⁴⁾.

(2) Part 2 of Annex II to that Decision sets out a list of third countries or parts thereof from which the introduction into the Union of those commodities, which are subject to different treatments listed in Part 4 of that Annex, are authorised.

(3) Israel is listed in Part 2 of Annex II to Decision 2007/777/EC as authorised for the introduction into the Union of meat products and treated stomachs, bladders and intestines for human consumption obtained from meat of poultry, farmed ratites and wild game birds, which have undergone a non-specific treatment, for which no minimum temperature is specified ('treatment A').

(4) Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements⁽⁵⁾ provides that the commodities covered by it are only to be imported into and transited through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.

(5) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment to be considered as free from highly pathogenic avian influenza (HPAI) and the requirements for the veterinary certification in that respect for commodities destined for importation into the Union.

(6) Israel is listed in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which all poultry commodities covered by that Regulation may be imported into the Union.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 343, 22.12.2009, p. 74.

⁽³⁾ OJ L 312, 30.11.2007, p. 49.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁵⁾ OJ L 226, 23.8.2008, p. 1.

- (7) On 8 and 9 March 2012 Israel notified the Commission of two outbreaks of HPAI of the H5N1 subtype on its territory. Due to those confirmed outbreaks of HPAI, the territory of Israel should no longer be considered as free from that disease. As a consequence, the veterinary authorities of Israel have suspended issuing veterinary certificates for consignments of certain poultry commodities from its whole territory destined for imports into the Union.
- (8) As a consequence of those HPAI outbreaks, Israel no longer complies with the animal health conditions for applying 'treatment A' to meat products and treated stomachs, bladders and intestines for human consumption obtained from meat of poultry, farmed ratites and wild game birds as listed in Part 2 of Annex II to Decision 2007/777/EC. The current 'treatment A' is insufficient to eliminate animal health risks linked to those commodities and upon confirmation of HPAI, the veterinary authorities of Israel therefore immediately suspended certification for products having undergone such treatment.
- (9) Israel informed the Commission of the control measures taken in relation to the recent outbreaks of HPAI. That information and the epidemiological situation in Israel have been evaluated by the Commission.
- (10) Israel has implemented a stamping out policy in order to control that disease and limit its spread. Israel is also carrying out avian influenza surveillance activities which appear to meet the requirements set out in Part II of Annex IV to Regulation (EC) No 798/2008.
- (11) The positive outcome of the Commission's evaluation of the control measures taken by Israel and the epidemiological situation in that third country allow limiting the restrictions on imports into the Union for certain poultry commodities to the zone affected by the disease, which the veterinary authorities of Israel have placed under veterinary restrictions. The restrictions on those imports should apply during a three-month period until 22 June 2012, following adequate cleansing and disinfection of the previously infected holdings provided avian influenza surveillance has been carried out during that period by Israel.
- (12) The table in Part 1 of Annex II to Decision 2007/777/EC lists the territories or parts of territories of third countries to which regionalisation for animal health reasons applies. An entry for Israel should therefore be inserted in that table indicating the area in Israel that is affected by the outbreaks of HPAI of 8 and 9 March 2012.
- (13) Part 2 of Annex II to Decision 2007/777/EC should also be amended in order to provide for adequate treatment of meat products and treated stomachs, bladders and intestines for human consumption obtained from meat of poultry, farmed ratites and wild game birds that originate from the area in Israel affected by those outbreaks.
- (14) In addition, the entry for Israel in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 should be amended to add an area with the code IL-4 describing that part of Israel under restrictions for imports into the Union of certain poultry commodities in relation to the recent HPAI outbreaks of 8 and 9 March 2012. The 'closing' and 'opening dates' of 8 March 2012 and 22 June 2012 respectively should be indicated in columns 6A and 6B for the area covered by that code.
- (15) Furthermore, following a previous HPAI outbreak in 2011, imports of certain poultry commodities from Israel to the Union were prohibited by Regulation (EC) No 798/2008, as amended by Commission Implementing Regulation (EU) No 427/2011⁽¹⁾. The 'closing date' of 8 March 2011 indicated in column 6A for the area in Israel covered by code IL-3 in the table in Part 1 of Annex I to Regulation (EC) No 798/2008, relating to that outbreak should be deleted as the period of 90 days during which commodities produced before that date may be imported, has elapsed.
- (16) Decision 2007/777/EC and Regulation (EC) No 798/2008 should therefore be amended accordingly.
- (17) 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

Annex II to Decision 2007/777/EC is amended in accordance with Annex I to this Regulation.

Article 2

Annex I to Regulation (EC) No 798/2008 is amended in accordance with Annex II to this Regulation.

Article 3

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

⁽¹⁾ OJ L 113, 3.5.2011, p. 3.

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

Done at Brussels, 21 June 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Annex II to Decision 2007/777/EC is amended as follows:

(1) in Part 1, the following new entry for Israel is inserted after the entry for China:

Israel	IL		Whole country
	IL-1	01/2012	The whole country of Israel, except the area of IL-2 with respect to highly pathogenic avian influenza.
	IL-2	01/2012	The area of Israel inside the following boundaries with respect to highly pathogenic avian influenza: — Junction of the Israel-Palestinian Authority (Gaza strip) border with the Israel-Egypt border. — South along the Israel-Egypt border until latitude 31° 06' N. — East on latitude 31° 06' N until longitude 34° 26' E. — A straight line north until the Nassi junction (junction of routes 264 and 25). — Route 264 north until the Bet Kama junction (junction of routes 264 and 40). — East on latitude 31° 27' N until longitude 34° 52' E. — North on longitude 34° 52' E until route 353. — Straight line until the meeting of route 40 and latitude 31° 40' N. — West on latitude 31° 40' N until the sea. — South along the Mediterranean coast until the Israel-Palestinian Authority (Gaza strip) border. — South along the Israel-Palestinian Authority (Gaza strip) border.'

(2) in Part 2, the entry for Israel is replaced by the following rows:

IL	Israel IL	B	B	B	B	XXX	XXX	A	B	B	XXX	A	XXX	XXX
	Israel IL-1	XXX	XXX	XXX	XXX	A	A	XXX	XXX	XXX	XXX	XXX	A	XXX
	Israel IL-2	XXX	XXX	XXX	XXX	D	D	XXX	XXX	XXX	XXX	XXX	D	XXX'

ANNEX II

In Part 1 of Annex I to Regulation (EC) No 798/2008, the entry for Israel is replaced by the following:

IL — Israel	IL-0	Whole country	SPF							
			EP, E							S4
	IL-1	Area of Israel excluding IL-2, IL-3 and IL-4	BPR, BPP, DOC, DOR, HEP, HER, SRP		N			A		S5, ST1
			WGM	VIII						
			POU, RAT		N					
	IL-2	Area of Israel inside the following boundaries: — to the west: road number 4, — to the south: road number 5812 connecting to road number 5815, — to the east: the security fence until road number 6513, — to the north: road number 6513 until the junction with road 65. From this point in a straight line to the entrance of Givat Nili and from there in a straight line to the junction of roads 652 and 4.	BPR, BPP, DOC, DOR, HEP, HER, SRP		N, P2		1.5.2010	A		S5, ST1
			WGM	VIII	P2		1.5.2010			
			POU, RAT		N, P2		1.5.2010			
	IL-3	Area of Israel inside the following boundaries: — to the north: road 386 until municipal boundaries of Jerusalem, the Refaim river, the former Israel Jordan border ("green line"), — to the east: road 356, — to the south: roads 8670, 3517 and 354, — to the west: a straight line going north until road 367, following 367 west and then north until road 375 and west of the village of Matta a north- north east line to road 386.	BPR, BPP, DOC, DOR, HEP, HER, SRP		N, P2		14.6.2011	A		S5, ST1
			WGM	VIII	P2		14.6.2011			
			POU, RAT		N, P2		14.6.2011			

IL-4	<p>Area of Israel inside the following boundaries:</p> <ul style="list-style-type: none"> — Junction of the Israel-Palestinian Authority (Gaza strip) border with the Israel-Egypt border. — South along the Israel-Egypt border until latitude 31° 06' N. — East on latitude 31° 06' N until longitude 34° 26' E. — A straight line north until the Nassi junction (junction of routes 264 and 25). — Route 264 north until the Bet Kama junction (junction of routes 264 and 40). — East on latitude 31° 27' N until longitude 34° 52' E. — North on longitude 34° 52' E until route 353. — Straight line until the meeting of route 40 and latitude 31° 40' N. — West on latitude 31° 40' N until the sea. — South along the Mediterranean coast until the Israel-Palestinian Authority (Gaza strip) border. — South along the Israel-Palestinian Authority (Gaza strip) border. 	BPR, BPP, DOC, DOR, HEP, HER, SRP		N, P2	8.3.2012	22.6.2012	A		S5, ST1'
		WGM	VIII	P2	8.3.2012	22.6.2012			
		POU, RAT		N, P2	8.3.2012	22.6.2012			

COMMISSION IMPLEMENTING REGULATION (EU) No 533/2012**of 21 June 2012****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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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 XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed 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*.

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

Done at Brussels, 21 June 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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	TR	41,0
	ZZ	41,0
0707 00 05	MK	18,0
	TR	103,2
	ZZ	60,6
0709 93 10	TR	98,8
	ZZ	98,8
0805 50 10	AR	85,2
	TR	91,2
	UY	109,5
	ZA	100,4
	ZZ	96,6
0808 10 80	AR	118,9
	BR	90,9
	CH	68,9
	CL	99,5
	NZ	121,9
	US	162,8
	UY	61,6
	ZA	101,8
	ZZ	103,3
0809 10 00	IL	705,0
	TR	217,1
	ZZ	461,1
0809 29 00	TR	401,1
	ZZ	401,1
0809 40 05	ZA	249,8
	ZZ	249,8

⁽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 IMPLEMENTING REGULATION (EU) No 534/2012

of 21 June 2012

fixing the export refunds on beef and veal

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⁾, and in particular Article 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XV of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in beef and veal, export refunds should therefore be set in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167, 168 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that the refund may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products that are allowed to move freely in the Union and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾. Those products must also satisfy the requirements laid down in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.
- (5) The third subparagraph of Article 7(2) of Commission Regulation (EC) No 1359/2007 of 21 November 2007 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals ⁽⁵⁾ provides for a reduction of the special refund if the quantity of cuts of boned meat to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning.
- (6) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 343/2012 ⁽⁶⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (7) In order to prevent divergence with the current market situation, to prevent market speculation and to ensure efficient management, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (8) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004, and, in particular, shall be prepared in an approved establishment and comply with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

In the case referred to in the third subparagraph of Article 7(2) of Regulation (EC) No 1359/2007, the rate of the refund on products falling within product code 0201 30 00 9100 shall be reduced by EUR 1,2/100 kg.

Article 3

Regulation (EU) No 343/2012 is hereby repealed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 139, 30.4.2004, p. 55.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁵⁾ OJ L 304, 22.11.2007, p. 21.

⁽⁶⁾ OJ L 108, 20.4.2012, p. 26.

Article 4

This Regulation shall enter into force on the day 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, 21 June 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

ANNEX

Export refunds on beef and veal applicable from 22 June 2012

Product code	Destination	Unit of measurement	Refunds
0102 21 10 9140	B00	EUR/100 kg live weight	4,3
0102 21 30 9140	B00	EUR/100 kg live weight	4,3
0102 31 00 9100	B00	EUR/100 kg live weight	4,3
0102 31 00 9200	B00	EUR/100 kg live weight	4,3
0102 90 20 9100	B00	EUR/100 kg live weight	4,3
0102 90 20 9200	B00	EUR/100 kg live weight	4,3
0201 10 00 9110 ⁽¹⁾	B02	EUR/100 kg net weight	6,1
	B03	EUR/100 kg net weight	3,6
0201 10 00 9130 ⁽¹⁾	B02	EUR/100 kg net weight	8,1
	B03	EUR/100 kg net weight	4,8
0201 20 20 9110 ⁽¹⁾	B02	EUR/100 kg net weight	8,1
	B03	EUR/100 kg net weight	4,8
0201 20 30 9110 ⁽¹⁾	B02	EUR/100 kg net weight	6,1
	B03	EUR/100 kg net weight	3,6
0201 20 50 9110 ⁽¹⁾	B02	EUR/100 kg net weight	10,1
	B03	EUR/100 kg net weight	6,0
0201 20 50 9130 ⁽¹⁾	B02	EUR/100 kg net weight	6,1
	B03	EUR/100 kg net weight	3,6
0201 30 00 9050	US ⁽³⁾	EUR/100 kg net weight	1,1
	CA ⁽⁴⁾	EUR/100 kg net weight	1,1
0201 30 00 9060 ⁽⁶⁾	B02	EUR/100 kg net weight	3,8
	B03	EUR/100 kg net weight	1,3
0201 30 00 9100 ⁽²⁾ ⁽⁶⁾	B04	EUR/100 kg net weight	14,1
	B03	EUR/100 kg net weight	8,3
	EG	EUR/100 kg net weight	17,2
0201 30 00 9120 ⁽²⁾ ⁽⁶⁾	B04	EUR/100 kg net weight	8,4
	B03	EUR/100 kg net weight	5,0
	EG	EUR/100 kg net weight	10,3

Product code	Destination	Unit of measurement	Refunds
0202 10 00 9100	B02	EUR/100 kg net weight	2,7
	B03	EUR/100 kg net weight	0,9
0202 20 30 9000	B02	EUR/100 kg net weight	2,7
	B03	EUR/100 kg net weight	0,9
0202 20 50 9900	B02	EUR/100 kg net weight	2,7
	B03	EUR/100 kg net weight	0,9
0202 20 90 9100	B02	EUR/100 kg net weight	2,7
	B03	EUR/100 kg net weight	0,9
0202 30 90 9100	US ⁽³⁾	EUR/100 kg net weight	1,1
	CA ⁽⁴⁾	EUR/100 kg net weight	1,1
0202 30 90 9200 ⁽⁶⁾	B02	EUR/100 kg net weight	3,8
	B03	EUR/100 kg net weight	1,3
1602 50 31 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	3,9
1602 50 31 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	3,4
1602 50 95 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	3,9
1602 50 95 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	3,4

N.B.: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The destination codes are set out in Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19).

The other destinations are defined as follows:

B00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Union).

B02: B04 and destination EG.

B03: Albania, Croatia, Bosnia-Herzegovina, Serbia, Kosovo ^(*), Montenegro, former Yugoslav Republic of Macedonia, stores and provisions (destinations referred to in Articles 33 and 42, and if appropriate in Article 41, of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

B04: Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Morocco, Algeria, Tunisia, Libya, Lebanon, Syria, Iraq, Iran, Israel, West Bank/Gaza Strip, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Oman, Yemen, Pakistan, Sri Lanka, Myanmar (Burma), Thailand, Vietnam, Indonesia, Philippines, China, North Korea, Hong Kong, Sudan, Mauritania, Mali, Burkina Faso, Niger, Chad, Cape Verde, Senegal, Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Côte-d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroun, Central African Republic, Equatorial Guinea, Sao Tome Principe, Gabon, Congo, Congo (Democratic Republic), Rwanda, Burundi, Saint Helena and dependencies, Angola, Ethiopia, Eritrea, Djibouti, Somalia, Uganda, Tanzania, Seychelles and dependencies, British Indian Ocean Territory, Mozambique, Mauritius, Comoros, Mayotte, Zambia, Malawi, South Africa, Lesotho.

^(*) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

⁽¹⁾ Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EC) No 433/2007 (OJ L 104, 21.4.2007, p. 3).

⁽²⁾ The refund is granted subject to compliance with the conditions laid down in amended Commission Regulation (EC) No 1359/2007 (OJ L 304, 22.11.2007, p. 21), and, if applicable, in Commission Regulation (EC) No 1741/2006 (OJ L 329, 25.11.2006, p. 7).

⁽³⁾ Carried out in accordance with Commission Regulation (EC) No 1643/2006 (OJ L 308, 8.11.2006, p. 7).

⁽⁴⁾ Carried out in accordance with Commission Regulation (EC) No 1041/2008 (OJ L 281, 24.10.2008, p. 3).

⁽⁵⁾ The refund is granted subject to compliance with the conditions laid down in Commission Regulation (EC) No 1731/2006 (OJ L 325, 24.11.2006, p. 12).

⁽⁶⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EC) No 2429/86 (OJ L 210, 1.8.1986, p. 39).

The term 'average content' refers to the sample quantity as defined in Article 2(1) of Commission Regulation (EC) No 765/2002 (OJ L 117, 4.5.2002, p. 6). The sample is to be taken from that part of the consignment presenting the highest risk.

COMMISSION IMPLEMENTING REGULATION (EU) No 535/2012
of 21 June 2012
fixing the export refunds on eggs

THE EUROPEAN COMMISSION,

as well as marking requirements under point A of Annex XIV to Regulation (EC) No 1234/2007.

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

(5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 340/2012 ⁽⁴⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.

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 164(2), and Article 170, in conjunction with Article 4 thereof,

(6) In order to prevent divergence with the current market situation, to prevent market speculation and to ensure efficient management this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.

Whereas:

(7) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

(1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XIX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.

HAS ADOPTED THIS REGULATION:

(2) In view of the current situation on the market in eggs, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

(3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004 and those defined in point A of Annex XIV to Regulation (EC) No 1234/2007.

(4) Refunds should be granted only on products which are authorised to move freely within the Union and comply with requirements under Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽²⁾ and of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽³⁾,

Article 2

Implementing Regulation (EU) No 340/2012 is hereby repealed.

Article 3

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 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁴⁾ OJ L 108, 20.4.2012, p. 18.

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

Done at Brussels, 21 June 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

ANNEX

Export refunds on eggs applicable from 22 June 2012

Product code	Destination	Unit of measurement	Amount of refund
0407 11 00 9000	A02	EUR/100 pcs	0,00
0407 19 11 9000	A02	EUR/100 pcs	0,00
0407 19 19 9000	A02	EUR/100 pcs	0,00
0407 21 00 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	9,50
	E19	EUR/100 kg	0,00
0407 29 10 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	9,50
	E19	EUR/100 kg	0,00
0407 90 10 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	9,50
	E19	EUR/100 kg	0,00
0408 11 80 9100	A03	EUR/100 kg	0,00
0408 19 81 9100	A03	EUR/100 kg	0,00
0408 19 89 9100	A03	EUR/100 kg	0,00
0408 91 80 9100	A03	EUR/100 kg	0,00
0408 99 80 9100	A03	EUR/100 kg	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The other destinations are defined as follows:

E09: Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10: South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E19: All destinations except Switzerland and those of E09 and E10.

COMMISSION IMPLEMENTING REGULATION (EU) No 536/2012**of 21 June 2012****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

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⁾, and in particular Article 164(2) thereof,

Whereas:

- (1) Article 162(1)(b) of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(s) and listed in Part XIX of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part V of Annex XX to that Regulation.
- (2) Commission Regulation (EU) No 578/2010 of 29 June 2010 on the implementation of Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007.
- (3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.
- (4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 346/2012 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) In order to prevent divergence with the current market situation, to prevent market speculation and to ensure efficient management, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (7) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XIX of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 346/2012 is hereby repealed.

Article 3

This Regulation shall enter into force on the day 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, 21 June 2012.

For the Commission,
On behalf of the President,

Daniel CALLEJA
Director-General for Enterprise and Industry

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 108, 20.4.2012, p. 34.

ANNEX

Rates of the refunds applicable from 22 June 2012 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination (1)	Rate of refund
0407	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Other fresh eggs		
0407 21 00	-- Of fowls of the species <i>Gallus domesticus</i>		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	9,50
		04	0,00
	(b) On exportation of other goods	01	0,00
0407 29	-- Other		
0407 29 10	--- Of poultry, other than of fowls of the species <i>Gallus domesticus</i>		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	9,50
		04	0,00
	(b) On exportation of other goods	01	0,00
0407 90	– Other:		
0407 90 10	-- Of poultry		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	9,50
		04	0,00
	(b) On exportation of other goods	01	0,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	-- Dried:		
ex 0408 11 80	--- Suitable for human consumption:		
	not sweetened	01	0,00
0408 19	-- Other:		
	--- Suitable for human consumption:		
ex 0408 19 81	---- Liquid:		
	not sweetened	01	0,00
ex 0408 19 89	---- Frozen:		
	not sweetened	01	0,00
	– Other:		
0408 91	-- Dried:		
ex 0408 91 80	--- Suitable for human consumption:		
	not sweetened	01	0,00

<i>(EUR/100 kg)</i>			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0408 99	-- Other:		
ex 0408 99 80	--- Suitable for human consumption: not sweetened	01	0,00

⁽¹⁾ The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates are not applicable to the goods listed in Tables I and II of Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972.

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia.

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

04 All destinations except Switzerland and those of 02 and 03.

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