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## I

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

## REGULATIONS

**COMMISSION REGULATION (EC) No 604/2008****of 26 June 2008****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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(1)</sup>, and in particular Article 138(1) thereof,

Whereas:

- (1) 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 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

**to Commission Regulation of 26 June 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	36,3
	MK	32,3
	TR	57,8
	ZZ	42,1
0707 00 05	JO	156,8
	MK	22,9
	TR	114,6
	ZZ	98,1
0709 90 70	JO	216,7
	TR	100,3
	ZZ	158,5
0805 50 10	AR	103,2
	TR	135,6
	US	79,1
	ZA	119,7
	ZZ	109,4
0808 10 80	AR	110,2
	BR	85,9
	CL	102,9
	CN	86,8
	NZ	116,8
	US	94,9
	UY	88,3
	ZA	89,9
	ZZ	97,0
0809 10 00	IL	121,6
	TR	187,7
	ZZ	154,7
0809 20 95	TR	393,4
	US	377,8
	ZZ	385,6
0809 30 10, 0809 30 90	IL	144,8
	US	245,1
	ZZ	195,0
0809 40 05	IL	157,4
	ZZ	157,4

<sup>(1)</sup> 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 605/2008

of 20 June 2008

laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs

(Text with EEA relevance)

(Codified version)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs <sup>(1)</sup>, and in particular Article 11(7)(b) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1788/2001 of 7 September 2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs <sup>(2)</sup> has been substantially amended several times <sup>(3)</sup>. In the interests of clarity and rationality the said Regulation should be codified.
- (2) It is necessary to determine a procedure in order to coordinate at Community level certain controls on products imported from third countries which are intended to be marketed with indications referring to the organic production method.
- (3) This Regulation shall apply without prejudice to the inspection system in Articles 8 and 9 of Regulation (EEC) No 2092/91 and in Annex III, Sections B and C, thereto.
- (4) This Regulation shall apply without prejudice to the Community customs provisions and any other provisions governing importation of products referred to in Article 1 of Regulation (EEC) No 2092/91 for marketing in the Community.

<sup>(1)</sup> OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 404/2008 (OJ L 120, 7.5.2008, p. 8).

<sup>(2)</sup> OJ L 243, 13.9.2001, p. 3. Regulation as last amended by Regulation (EC) No 746/2004 (OJ L 122, 26.4.2004, p. 10).

<sup>(3)</sup> See Annex III.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 14 of Regulation (EEC) No 2092/91,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. This Regulation defines detailed rules with regard to the certificate of inspection required pursuant to Article 11(3)(d) and (6) of Regulation (EEC) No 2092/91 and with regard to the submission of such certificate for imports undertaken in accordance with the provisions of Article 11(6) of that Regulation.
2. This Regulation shall not apply to products which:
  - are not intended for release for free circulation in the Community in unaltered state or after processing,
  - are admitted free of import duties in accordance with Council Regulation (EEC) No 918/83 <sup>(4)</sup>. However, this Regulation shall apply to products admitted free of import duties in accordance with Articles 39 and 43 of Regulation (EEC) No 918/83.

*Article 2*

For the purposes of this Regulation:

1. 'certificate of inspection': means the certificate of inspection which is referred to in Article 11(3)(d) and (6) of Regulation (EEC) No 2092/91 and which covers a consignment;
2. 'consignment': means a quantity of products under one or more Combined Nomenclature Codes, covered by a single certificate of inspection, conveyed by the same means of transport and coming from the same third country;
3. 'verification of the consignment': means the verification by the relevant Member States' authorities of the certificate of inspection to satisfy Article 4(2), and, where these authorities consider appropriate, of the products in relation to the requirements of Regulation (EEC) No 2092/91;

<sup>(4)</sup> OJ L 105, 23.4.1983, p. 1.

4. 'release for free circulation in the Community': means the clearance given by the customs authorities to allow a consignment free movement within the Community;
5. 'relevant Member States' authorities': means the customs authorities or other authorities, defined by the Member State.

#### Article 3

Article 11(3)(d) and (6), regarding the requirements of issuing the certificate of inspection, and Article 11(3) of Regulation (EEC) No 2092/91 shall apply for release for free circulation in the Community of products referred to in Article 1 of Regulation (EEC) No 2092/91, whether those products are imported in order to be marketed pursuant to Article 11(3) or (6) of that Regulation.

#### Article 4

1. The release for free circulation in the Community of a consignment of products referred to in Article 1 of Regulation (EEC) No 2092/91 shall be conditional on:

- (a) the submission of an original certificate of inspection to the relevant Member State's authority; and
- (b) the verification of the consignment by the relevant Member State's authority and the endorsement of the certificate of inspection in accordance with paragraph 11 of this Article.

2. The original certificate of inspection shall be established in accordance with paragraphs 3 to 10 and the model and the notes of Annex I.

3. The certificate of inspection shall be issued by:

- (a) the authority or body in the third country mentioned for the third country concerned in the Annex to Commission Regulation (EEC) No 94/92 <sup>(1)</sup>; or
- (b) the authority or body which has been accepted for issuing the certificate of inspection under the procedure laid down in Article 11(6) of Regulation (EEC) No 2092/91.

4. The authority or body issuing the certificate of inspection shall:

- (a) only issue the certificate of inspection and endorse the declaration in box 15, after it has carried out a documentary check on the basis of all relevant inspection documents, including in particular the production plan for the

products concerned, transport documents and commercial documents, and after the authority or body has either made a physical check of the consignment concerned before it is expedited from the third country of dispatch, or has received an explicit declaration of the exporter declaring that the consignment concerned has been produced and/or prepared in accordance with the provisions which are implemented by the authority or body concerned in respect of the import and marketing in the Community of products referred to in Article 1 of Regulation (EEC) No 2092/91 in accordance with Article 11(3) or (6) of that Regulation;

- (b) give a serial number to each issued certificate and keep a register of the delivered certificates.

5. The certificate of inspection shall be drawn up in one of the official languages of the Community and filled in, except for the stamps and signatures, either entirely in capital letters or entirely in typescript.

The certificate of inspection shall preferably be in one of the official languages of the Member State of destination. Where necessary, the relevant Member State's authorities may request a translation of the certificate of inspection in one of its official languages.

Uncertified alterations or erasures shall invalidate the certificate.

6. The certificate of inspection shall be made in one single original.

The first consignee or, where relevant, the importer may make a copy for the purpose of informing the inspection authority or body in accordance with Section C, point 3, of Annex III to Regulation (EEC) No 2092/91. Any such copy shall carry the indication 'COPY' or 'DUPLICATE' printed or stamped thereon.

7. The certificate of inspection referred to in paragraph 3(b) shall, at the time it is submitted in accordance with paragraph 1, include in box 16 the declaration of the competent authority in the Member State which granted the authorisation according to the procedure in Article 11(6) of Regulation (EEC) No 2092/91.

8. The competent authority in the Member State which granted the authorisation may delegate the competence for the declaration in box 16 to the inspection authority or body inspecting the importer in accordance with Articles 8 and 9 of Regulation (EEC) No 2092/91, or to the authorities defined as the Member State's relevant authorities.

<sup>(1)</sup> OJ L 11, 17.1.1992, p. 14.

9. The declaration in box 16 is not required:

- (a) when the importer presents an original document, issued by the competent authority of the Member State which granted the authorisation in accordance with Article 11(6) of Regulation (EEC) No 2092/91, and demonstrating that the consignment is covered by that authorisation; or
- (b) when the Member State's authority, which granted the authorisation referred to in Article 11(6) of Regulation (EEC) No 2092/91, has given satisfactory evidence that the consignment is covered by that authorisation, directly to the authority in charge of the verification of the consignment. This procedure of direct information is optional for the Member State which granted the authorisation.

10. The document giving the evidence required for in subparagraphs 9(a) and (b), shall include:

- (a) the reference number of the import authorisation and the date of expiration of the authorisation;
- (b) the name and address of the importer;
- (c) the third country of origin;
- (d) the details of the issuing body or authority, and, where different, the details of the inspection body or authority in the third country;
- (e) the names of the products concerned.

11. At the verification of a consignment of products referred to in Article 1 of Regulation (EEC) No 2092/91, the original certificate of inspection shall be endorsed by the relevant Member State's authorities in box 17 and returned to the person who submitted the certificate.

12. The first consignee shall, at the reception of the consignment, complete box 18 of the original of the certificate of inspection, to certify that the reception of the consignment has been carried out in accordance with Section C, point 6, of Annex III to Regulation (EEC) No 2092/91.

The first consignee shall then send the original of the certificate to the importer mentioned in box 11 of the certificate, for the purpose of the requirement laid down in the second and third sentences of Article 11(3)(d) and in the fifth sentence of the first subparagraph of Article 11(6) of Regulation (EEC) No 2092/91, unless the certificate has to further accompany the consignment for a preparation referred to in Article 5(1) of this Regulation.

#### Article 5

1. Where a consignment coming from a third country is assigned to customs warehousing or inward processing in the form of a system of suspension as provided for in Council Regulation (EEC) No 2913/92<sup>(1)</sup>, and subject to one or more preparations as defined in Article 4(3) of Regulation (EEC) No 2092/91, the consignment shall be subject, before the first preparation is carried out, to the measures referred to in Article 4(1) of this Regulation.

The preparation may include operations such as:

- packaging or re-packaging, or
- labelling concerning the presentation of the organic production method.

After this preparation, the endorsed original of the certificate of inspection shall accompany the consignment, and shall be presented to the relevant Member State's authority, which shall verify the consignment for the purpose of its release for free circulation.

After this procedure, the original of the certificate of inspection shall, where relevant, be returned to the importer of the consignment, mentioned in box 11 of the certificate to fulfil the requirement laid down in the second and third sentences of Article 11(3)(d) and in the fifth sentence of the first subparagraph of Article 11(6) of Regulation (EEC) No 2092/91.

2. Where, under a suspensive customs procedure pursuant to Regulation (EEC) No 2913/92, a consignment coming from a third country is intended to be submitted in a Member State, before its release for free circulation in the Community, to a splitting into different batches, the consignment shall be subject, before this splitting is carried out, to the measures referred to in Article 4(1) of this Regulation.

For each of the batches which results from the splitting, an extract of the certificate of inspection shall be submitted to the relevant Member State's authority, in accordance with the model and the notes of Annex II to this Regulation. The extract of the certificate of inspection shall be endorsed by the relevant Member State's authorities in box 14.

A copy of each endorsed extract of the certificate of inspection shall be kept together with the original certificate of inspection by the person identified as the original importer of the consignment and mentioned in box 11 of the certificate of inspection. Such copy shall carry the indication 'COPY' or 'DUPLICATE' printed or stamped thereon.

<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1.

After the splitting, the endorsed original of each extract of the certificate of inspection shall accompany the batch concerned, and shall be presented to the relevant Member State's authority, which shall verify the batch concerned for the purpose of its release for free circulation.

The consignee of a batch shall, at the reception thereof complete the original of the extract of the certificate of inspection in box 15, in order to certify that the reception of the batch has been carried out in accordance with point 7a of the General Provisions in Annex III to Regulation (EEC) No 2092/91.

The consignee of a batch shall keep the extract of the certificate of inspection at the disposal of the inspection body and/or inspection authority for not less than two years.

3. The preparation and splitting operations referred to in paragraphs 1 and 2 shall be carried out in accordance with the relevant provisions of Articles 8 and 9 of Regulation (EEC) No 2092/91, the General Provisions set out in Annex III to that Regulation and the Specific Provisions set out in Sections B and C of that Annex, and in particular points 3 and 6 of Section C. The operations shall be carried out in accordance with Article 5 of Regulation (EEC) No 2092/91.

#### Article 6

Without prejudice to any measures or actions taken in accordance with Article 9(9) and/or 10a of Regulation (EEC) No 2092/91, the release for free circulation in the Community of products not complying with the requirements

of that Regulation shall be conditional on the removal of references to the organic production method from the labelling, advertising and accompanying documents.

#### Article 7

1. The relevant Member State's authorities and the authorities in the Member States responsible for the implementation of Regulation (EEC) No 2092/91, as well as the inspection authorities and inspection bodies, shall assist each other in applying this Regulation.

2. Member States shall inform each other and the Commission on the authorities they have defined in the context of Article 2(5), as well as on the delegations they have given for the implementation of Article 4(8) and on the procedures, if any, followed under Article 4(9)(b). This information shall be updated by Member States as and when changes occur.

#### Article 8

Regulation (EC) No 1788/2001 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex IV.

#### Article 9

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, 20 June 2008.

For the Commission  
The President  
José Manuel BARROSO



*ANNEX I***Model of the certificate of inspection for import of products from organic production into the European Community**

The model of the certificate is determined with regard to:

- the text,
- the format, on one single sheet,
- the layout and the dimensions of the boxes.

**CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY**

1. Issuing body or authority (name and address)	2. Council Regulation (EEC) No 2092/91 and Commission Regulation (EC) No 605/2008 Article 11(3) <input type="checkbox"/> or Article 11(6) <input type="checkbox"/>	
3. Serial number of the certificate of inspection	4. Reference No authorisation under Article 11(6)	
5. Exporter (name and address)	6. Inspection body or authority (name and address)	
7. Producer or preparer of the product (name and address)	8. Country of dispatch	
	9. Country of destination	
10. First consignee in the Community (name and address)	11. Name and address of the importer	
12. Marks and numbers. Container No(s). Number and kind. Trade name of the product	13. CN codes	14. Declared quantity
	<p>15. Declaration of body or authority issuing the certificate referred to in box 1.</p> <p>This is to certify that this certificate has been issued on the basis of the checks required under Article 4(4) of Regulation (EC) No 605/2008 and that the products designated above have been obtained in accordance with rules of production and inspection of the organic production method which are considered equivalent in accordance with the provisions of Regulation (EEC) No 2092/91.</p> <p>Date</p> <p>Name and signature of authorised person</p> <p style="text-align: right;">Stamp of issuing authority or body</p>	

<p>16. Declaration of the competent authority of the Member State of the European Union who granted the authorisation or its designate.</p> <p>This is to certify that the products designated above have been authorised for marketing in the European Community in accordance with the procedure of Article 11(6) of Regulation (EEC) No 2092/91, under the authorisation number mentioned in box 4.</p> <p>Date</p> <p>Name and signature of the authorised person <span style="float: right;">Stamp of the competent authority or its designate in the Member State</span></p>	
<p>17. Verification of the consignment by the relevant authority of the Member State.</p> <p>Member State: .....</p> <p>Import registration (type, number, date and office of the customs declaration): .....</p> <p>Date: .....</p> <p>Name and signature of authorised person <span style="float: right;">Stamp</span></p>	
<p>18. Declaration of the first consignee.</p> <p>This is to certify that the reception of the goods has been carried out in accordance with the provisions of Annex III, Section C, point 6 of Regulation (EEC) No 2092/91.</p> <p>Name of the company <span style="float: right;">Date</span></p> <p>Name and signature of the authorised person</p>	

*Notes*

- Box 1: authority or body or other designated authority or body as referred to in Article 4(3) of Regulation (EC) No 605/2008. This body also completes box 3 and box 15.
- Box 2: this box indicates the EC Regulations which are relevant for the issue and use of this certificate; indicate with regard to Article 11 of Regulation (EEC) No 2092/91 the relevant provision: Article 11(3) or Article 11(6).
- Box 3: the serial number of the certificate given by the issuing body or authority in accordance with Article 4(4) of Regulation (EC) No 605/2008.
- Box 4: the authorisation number in case of import under Article 11(6). This box is completed by the issuing body, or when the information is not yet available at the time the issuing body endorses box 15, by the importer.
- Box 5: name and address of the exporter.
- Box 6: inspection authority or body for monitoring compliance of the last operation (production, preparation, including packaging and labelling, as defined in Article 4(2) and (3) of Regulation (EEC) No 2092/91) with the rules of the organic production methods in the third country of dispatch.
- Box 7: operator who carried out the last operation (production, preparation, including packaging and labelling, as defined in Article 4(2) and (3) of Regulation (EEC) No 2092/91) on the consignment in the third country mentioned in box 8.
- Box 9: country of destination means the country of the first consignee in the Community.
- Box 10: name and address of the first consignee of the consignment in the Community. The first consignee shall mean the natural or legal person where the consignment is delivered and where it will be handled for further preparation and/or marketing. The first consignee shall also complete box 18.
- Box 11: name and address of the importer. The importer shall mean the natural or legal person within the European Community who presents the consignment for release for free circulation into the European Community, either on its own, or through a representative.
- Box 13: Combined Nomenclature codes for the products concerned.
- Box 14: declared quantity, expressed in appropriate units (kg of net mass, litre, etc.).
- Box 15: declaration of body or authority issuing the certificate. The signature and the stamp must be in a colour different to that of the printing.
- Box 16: only for imports under the procedure laid down in Article 11(6) of Regulation (EEC) No 2092/91. To be completed by the competent authority in the Member State which granted the authorisation, or by the delegated body or authority in case of delegation in accordance with Article 4(8) of Regulation (EC) No 605/2008. Not to be completed where the derogation of Article 4(9) of Regulation (EC) No 605/2008 applies.
- Box 17: shall be completed by the relevant Member State's authority either at the verification of the consignment in accordance with Article 4(1), or before the preparation or splitting operation in the circumstances referred to in Article 5 of Regulation (EC) No 605/2008.
- Box 18: shall be filled in by the first consignee at the reception of the products, when he has carried out the checks provided for in Annex III, Section C, point 6, to Regulation (EEC) No 2092/91.
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*ANNEX II***Model of the extract of the certificate of inspection**

The model of the extract is determined with regard to:

- the text,
- the format,
- the layout and the dimensions of the boxes.

**EXTRACT No ... OF THE CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY**

1. Body or authority having issued the underlying certificate of inspection (name and address)	2. Council Regulation (EEC) No 2092/91 and Commission Regulation (EC) No 605/2008 Article 11(3) <input type="checkbox"/> or Article 11(6) <input type="checkbox"/>	
3. Serial number of the underlying certificate of inspection	4. Reference No authorisation under Article 11(6)	
5. Operator having split the original consignment into batches (name and address)	6. Inspection body or authority (name and address)	
7. Name and address of the importer of the original consignment	8. Country of dispatch of the original consignment	9. Total declared quantity of the original consignment
10. Consignee of the batch obtained from splitting (name and address)		
11. Marks and numbers. Container No(s), Number and kind. Trade name of the batch.	12. CN code	13. Declared quantity of the batch
<p>14. Declaration of the relevant authority of the Member State endorsing the extract of the certificate.</p> <p>This extract corresponds to the batch described above and obtained by the splitting of a consignment which is covered by an original certificate of inspection with the serial number mentioned in box 3:</p> <p>Member State: .....</p> <p>Date: .....</p> <p>Name and signature of authorised person <span style="float: right;">Stamp</span></p>		
<p>15. Declaration of the consignee of the batch</p> <p>This is to certify that the reception of the batch has been carried out in accordance with point 7(a) of the General Provisions of Annex III of Regulation (EEC) No 2092/91.</p> <p>Name of the company</p> <p>Date:</p> <p>Name and signature of authorised person</p>		

*Notes*

Extract No ...: the extract number corresponds to the number of the batch obtained from the splitting of the original consignment.

Box 1: name of body or authority in the third country having issued the underlying certificate of inspection.

Box 2: this box indicates the EC Regulations which are relevant for the issue of this extract; indicate with regard to Article 11 the regime under which the underlying consignment was imported, see box 2 of the underlying certificate of inspection.

Box 3: the serial number of the underlying certificate which was given by the issuing body or authority in accordance with Article 4(4) of Regulation (EC) No 605/2008.

Box 4: reference No of the authorisation granted under Article 11(6) of Regulation (EEC) No 2092/91, see box 4 of the underlying certificate of inspection.

Box 6: inspection body or authority in charge of inspection of the operator having split the consignment.

Boxes 7, 8, 9: see relevant information on the underlying certificate of inspection.

Box 10: consignee of the batch (obtained from the splitting) in the European Community.

Box 12: Combined Nomenclature codes for the batch of the products concerned.

Box 13: declared quantity, expressed in appropriate units (kg of net mass, litre, etc.).

Box 14: shall be completed by the relevant Member State's authority for each of the batches resulting from the splitting operation referred to in Article 5(2) of Regulation (EC) No 605/2008.

Box 15: shall be filled up at the reception of the batch, when the consignee has carried out the checks provided for in point 7(a) of the General Provisions in Annex III of Regulation (EEC) No 2092/91.

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## ANNEX III

**Repealed Regulation with list of its successive amendments**

Commission Regulation (EC) No 1788/2001  
(OJ L 243, 13.9.2001, p. 3)

Commission Regulation (EC) No 1113/2002  
(OJ L 168, 27.6.2002, p. 31)

Commission Regulation (EC) No 1918/2002  
(OJ L 289, 26.10.2002, p. 15)

Commission Regulation (EC) No 746/2004  
(OJ L 122, 26.4.2004, p. 10)

Only Article 3

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## ANNEX IV

## Correlation Table

Regulation (EC) No 1788/2001	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4(1) to (9)	Article 4(1) to (9)
Article 4(10) introductory sentence	Article 4(10) introductory sentence
Article 4(10) first to fifth indents	Article 4(10)(a) to (e)
Article 4(11) and (12)	Article 4(11) and (12)
Article 5	Article 5
Article 6	Article 6
Article 7 first and second paragraphs	Article 7(1) and (2)
Article 7 third paragraph	—
Article 8	—
—	Article 8
Article 9	Article 9
Annex I	Annex I
Annex II	Annex II
—	Annex III
—	Annex IV

## COMMISSION REGULATION (EC) No 606/2008

of 26 June 2008

## amending Regulation (EC) No 831/2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics <sup>(1)</sup> and in particular Articles 17(2) and 20(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 831/2002 <sup>(2)</sup> establishes, for the purpose of enabling statistical conclusions to be drawn for scientific purposes, the conditions under which access to confidential data transmitted to the Community authority may be granted. It lists the different surveys and data sources to which it applies.

(2) There is growing demand from researchers and the scientific community in general to have access for scientific purposes also to confidential data from the Farm Structure Survey (FSS). Access to the FSS microdata would enable researchers to study the relationships between the different characteristics of individual agricultural holdings, such as the types of crops grown, livestock and labour force. It would also enable researchers to improve regional agri-environmental models and indicators that are currently based on aggregated data. This survey should therefore be added to the list in Regulation (EC) No 831/2002.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Statistical Confidentiality,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 831/2002 is amended as follows:

1. In Article 5, paragraph 1 is replaced by the following:

<sup>(1)</sup> OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

<sup>(2)</sup> OJ L 133, 18.5.2002, p. 7. Regulation as last amended by Regulation (EC) No 1000/2007 (OJ L 226, 30.8.2007, p. 7).

'1. The Community authority may grant access on its premises to confidential data obtained from the following surveys or statistical data sources:

— European Community Household Panel,

— Labour Force Survey,

— Community Innovation Survey,

— Continuing Vocational Training Survey,

— Structure of Earnings Survey,

— European Union Statistics on Income and Living Conditions,

— Adult Education Survey,

— Farm Structure Survey.

However, on the request of the national authority which provided the data, access to data from that national authority shall not be granted for a specific research project.'

2. In Article 6, paragraph 1 is replaced by the following:

'1. The Community authority may release sets of anonymised microdata obtained from the following surveys or statistical data sources:

— European Community Household Panel,

— Labour Force Survey,

— Community Innovation Survey,

— Continuing Vocational Training Survey,

— Structure of Earnings Survey,

— European Union Statistics on Income and Living Conditions,

— Adult Education Survey,

— Farm Structure Survey.

However, on the request of the national authority which provided the data, access to data from that national authority shall not be granted for a specific research project.'

*Article 2*

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

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

Done at Brussels, 26 June 2008.

*For the Commission*  
Joaquín ALMUNIA  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 607/2008**  
**of 26 June 2008**  
**amending Regulation (EC) No 318/2007 laying down animal health conditions for imports of certain**  
**birds into the Community and the quarantine conditions thereof**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC <sup>(1)</sup>, and in particular the second subparagraph of Article 10(3) and the first subparagraph of Article 10(4) thereof,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC <sup>(2)</sup>, and in particular the fourth indent of Article 18(1),

Whereas:

- (1) Commission Regulation (EC) No 318/2007 <sup>(3)</sup> lays down the animal health conditions for imports of certain birds other than poultry into the Community and the quarantine conditions applicable to such birds after import.
- (2) Annex V to that Regulation sets out a list of quarantine facilities and centres approved by the competent authori-

ties of the Member States for import of certain birds other than poultry.

- (3) Portugal has reviewed its approved quarantine facilities and centres and has sent an updated list of those quarantine facilities and centres to the Commission. The list of approved quarantine facilities and centres set out in Annex V to Regulation (EC) No 318/2007 should therefore be amended accordingly.
- (4) Regulation (EC) No 318/2007 should therefore be amended accordingly.
- (5) 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*

In Annex V to Regulation (EC) No 318/2007, the following entry is inserted after the second entry for Portugal:

‘PT PORTUGAL PT 0301 CQAR’.

*Article 2*

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

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

Done at Brussels, 26 June 2008.

For the Commission  
 Androulla VASSILIOU  
 Member of the Commission

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 56. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

<sup>(2)</sup> OJ L 268, 14.9.1992, p. 54. Directive as last amended by Commission Decision 2007/265/EC (OJ L 114, 1.5.2007, p. 17).

<sup>(3)</sup> OJ L 84, 24.3.2007, p. 7. Regulation as last amended by Regulation (EC) No 311/2008 (OJ L 93, 4.4.2008, p. 3).

**COMMISSION REGULATION (EC) No 608/2008****of 26 June 2008****temporarily suspending customs duties on imports of certain cereals for the 2008/2009 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>, and in particular Article 187 in conjunction with Article 4 thereof,

Whereas:

(1) In order to promote the supply of cereals to the Community market during the 2007/2008 marketing year, Council Regulation (EC) No 1/2008 of 20 December 2007 temporarily suspending customs duties on imports of certain cereals for the 2007/2008 marketing year <sup>(2)</sup> suspended those duties until 30 June 2008, whilst providing for the possibility of reintroducing them in the event of disruption or threatened disruption on the Community market. The market situation since that measure was adopted and the likely short-term trends are not expected to result in the duties being reintroduced, given the price situation. The suspension of duties should, on the basis of that text, therefore continue to apply until the end of the 2007/2008 marketing year.

(2) The outlook for the cereals market for the start of the next marketing year (2008/2009) would suggest that prices will remain high, given the low stock levels and current estimates from the Commission regarding the quantities which will actually be available under the 2008 harvest. In order to make it easier to maintain a flow of imports which will help maintain market equilibrium, there is a need to ensure continuity in cereal imports policy by maintaining the temporary suspension of customs duties on imports during the 2008/2009 marketing year for cereals to which this measure currently applies. Furthermore, in order to apply equivalent conditions to the supply of certain other

cereals to the Community market, the measure should be extended to products falling under CN codes 1008 10 00 and 1008 20 00.

(3) However, it must be possible to lift this suspension of duties without delay in the event of disruption or threatened disruption on the Community market, notably due to imported quantities or if cereals from the new harvest are available on the Community market in sufficient quantities to ensure market equilibrium. To this end, provision should be made for the Commission to take appropriate steps to reintroduce customs duties immediately should the market situation so warrant, and to lay down the criteria whereby this situation should be considered as such.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The application of customs duties on imports of products falling under CN codes 1001 90 99, 1001 10, 1002 00 00, 1003 00, 1005 90 00, 1007 00 90, 1008 10 00 and 1008 20 00 is hereby suspended in respect of the 2008/2009 marketing year, for all imports at the normal rate carried out in accordance with Article 130 of Regulation (EC) No 1234/2007 or within the context of tariff quotas at reduced rate opened in accordance with Article 144 of that Regulation.

2. The customs duties may be reintroduced by a Commission Decision under the procedure provided for in Article 195(2) of Regulation (EC) No 1234/2007 at the levels and under the conditions provided for in Article 136 of that Regulation, notably in one of the following cases:

(a) where, for one or more of the products referred to in Article 1(1) above, the fob price recorded in Community ports is below 180 % of the reference price given in Article 8(1)(a) of Regulation (EC) No 1234/2007;

(b) where the quantities available on the Community market are sufficient to ensure market equilibrium.

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

<sup>(2)</sup> OJ L 1, 4.1.2008, p. 1.

*Article 2*

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

It shall apply from 1 July 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*  
Mariann FISCHER BOEL  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 609/2008****of 26 June 2008****fixing the export refunds on white and raw sugar exported without further processing**

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 market in the sugar sector<sup>(1)</sup>, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.
- (5) 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*

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

## ANNEX

**Export refunds on white and raw sugar exported without further processing applicable from 27 June 2008**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	23,64 <sup>(1)</sup>
1701 11 90 9910	S00	EUR/100 kg	23,64 <sup>(1)</sup>
1701 12 90 9100	S00	EUR/100 kg	23,64 <sup>(1)</sup>
1701 12 90 9910	S00	EUR/100 kg	23,64 <sup>(1)</sup>
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2570
1701 99 10 9100	S00	EUR/100 kg	25,70
1701 99 10 9910	S00	EUR/100 kg	25,70
1701 99 10 9950	S00	EUR/100 kg	25,70
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,2570

NB: The destinations are defined as follows:

S00 — All destinations with the exception of:

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

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

<sup>(1)</sup> This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) No 318/2006.



**COMMISSION REGULATION (EC) No 610/2008****of 26 June 2008****fixing the export refunds on syrups and certain other sugar products exported without further processing**

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 market in the sugar sector<sup>(1)</sup>, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(c), (d) and (g) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed

rules for the implementation of Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector<sup>(2)</sup>.

- (5) Export refunds may be set to cover the competitive gap between Community and third country's exports. Community exports to certain close destinations and to third countries granting Community products a preferential import treatment are currently in a particular favourable competitive position. Therefore, refunds for exports to those destinations should be abolished.
- (6) 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*

1. Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 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. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24. Regulation as last amended by Regulation (EC) No 1568/2007 (OJ L 340, 22.12.2007, p. 62).

## ANNEX

**Export refunds on syrups and certain other sugar products exported without further processing applicable from 27 June 2008**

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	25,70
1702 60 10 9000	S00	EUR/100 kg dry matter	25,70
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2570
1702 90 30 9000	S00	EUR/100 kg dry matter	25,70
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2570
1702 90 95 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,2570
1702 90 95 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,2570 <sup>(1)</sup>
2106 90 30 9000	S00	EUR/100 kg dry matter	25,70
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2570

NB: The destinations are defined as follows:

S00 — All destinations with the exception of:

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

(\* Including Kosovo, under the aegis of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.

(<sup>1</sup>) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

**COMMISSION REGULATION (EC) No 611/2008****of 26 June 2008****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 900/2007**

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<sup>(1)</sup>, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 900/2007 of 27 July 2007 on a standing invitation to tender to determine refunds on exports of white sugar for the 2007/08 marketing year<sup>(2)</sup> requires the issuing of partial invitations to tender.
- (2) Pursuant to Article 8(1) of Regulation (EC) No 900/2007 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 26 June 2008, it is appropriate to fix a maximum export refund for that partial invitation to tender.

- (3) 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*

For the partial invitation to tender ending on 26 June 2008, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 900/2007 shall be 30,700 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

<sup>(2)</sup> OJ L 196, 28.7.2007, p. 26. Regulation as last amended by Commission Regulation (EC) No 148/2008 by Commission Regulation (OJ L 46, 21.2.2008, p. 9).

**COMMISSION REGULATION (EC) No 612/2008****of 26 June 2008****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 1060/2007**

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<sup>(1)</sup>, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

- (1) 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, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden<sup>(2)</sup> requires the issuing of partial invitations to tender.

- (2) Pursuant to Article 4(1) of Regulation (EC) No 1060/2007 and following an examination of the tenders submitted in response to the partial invitation to tender ending on 25 June 2008, it is appropriate to fix a maximum export refund for that partial invitation to tender.

- (3) 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*

For the partial invitation to tender ending on 25 June 2008, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 1060/2007 shall be 389,53 EUR/t.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

<sup>(2)</sup> OJ L 242, 15.9.2007, p. 8. Regulation as last amended by Commission Regulation (EC) No 148/2008 (OJ L 46, 21.2.2008, p. 9).

**COMMISSION REGULATION (EC) No 613/2008****of 26 June 2008****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

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 market in the sugar sector<sup>(1)</sup>, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 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<sup>(2)</sup>, 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 Annex VII to Regulation (EC) No 318/2006.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods

may not exceed the refund applicable to that product when exported without further processing.

- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) 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 rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 27 June 2008.

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

Done at Brussels, 26 June 2008.

For the Commission

Heinz ZOUREK

Director-General Enterprise and Industry

<sup>(1)</sup> OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1). Regulation (EC) No 318/2006 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 October 2008.

<sup>(2)</sup> OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 246/2008 (OJ L 75, 18.3.2008, p. 64).

## ANNEX

**Rates of refunds applicable from 27 June 2008 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty <sup>(1)</sup>**

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	25,70	25,70

<sup>(1)</sup> The rates set out in this Annex are not applicable to exports to

- (a) third countries: Andorra, Liechtenstein, the Holy See (Vatican City State), Croatia, Bosnia-Herzegovina, Serbia (\*), Montenegro, Albania and the former Yugoslav Republic of Macedonia and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar

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

**COMMISSION REGULATION (EC) No 614/2008****of 26 June 2008****establishing a prohibition of fishing for tusk in Norwegian waters of IV by vessels flying the flag of the United Kingdom**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy <sup>(1)</sup>, and in particular Article 26(4) thereof,Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required <sup>(3)</sup>, lays down quotas for 2008.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2008.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transshipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2008 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 26 June 2008.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59. Regulation as last amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as last corrected by OJ L 36, 8.2.2007, p. 6.

<sup>(3)</sup> OJ L 19, 23.1.2008, p. 1. Regulation as last amended by Regulation (EC) No 446/2008 (OJ L 134, 23.5.2008, p. 11).

## ANNEX

No	15/T&Q
Member State	GBR
Stock	USK/4AB-N.
Species	Tusk ( <i>Brosme brosme</i> )
Area	Norwegian waters of IV
Date	29.5.2008



## DIRECTIVES

## COUNCIL DIRECTIVE 2008/59/EC

of 12 June 2008

**adapting Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, by reason of the accession of the Republic of Bulgaria and Romania**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

*Article 1*

Directive 2006/87/EC is hereby amended as follows:

Having regard to the Act of Accession of 2005, and in particular Article 56 thereof,

1. Annex I shall be amended as follows:

Having regard to the proposal from the Commission,

(a) in Chapter 2, Zone 3:

Whereas:

- (i) between the entries for the Kingdom of Belgium and the Czech Republic the following entry shall be inserted:

*‘Republic of Bulgaria*

Danube: from rkm 845,650 to rkm 374,100’;

- (1) Pursuant to Article 56 of the Act of Accession of 2005, where a Council act adopted prior to accession requires adaptation by reason of accession, and the necessary adaptations have not been provided for in the Act of Accession or its Annexes, the necessary acts are to be adopted by the Council.

- (ii) between the entries for the Republic of Poland and the Slovak Republic the following entry shall be inserted:

*‘Romania*

Danube: from the Serbian–Romanian border (km 1 075) to the Black Sea on the Sulina Channel-branch

- (2) Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels <sup>(1)</sup> was adopted prior to the accession of Bulgaria and Romania to the European Union and requires adaptation by reason of this accession.

Danube–Black Sea Canal (64,410 km length): from the junction with the Danube river, at km 299,300 of the Danube at Cernavodă (respectively km 64,410 of the Canal), to the Port of Constanta South–Agigea (km “0” of the Canal)

- (3) Directive 2006/87/EC should therefore be amended accordingly.

Poarta Albă–Midia Năvodari Canal (34,600 km length): from the junction with the Danube Poarta Albă–Midia Năvodari Canal (34,600 km length): from the junction with the Danube–Black Sea Canal at km 29,410 at Poarta Albă (respectively km 27,500 of the Canal) to the Port of Midia (km “0” of the Canal);

- (4) In accordance with point 34 of the Interinstitutional Agreement on Better Law-making, Member States are encouraged to draw up, for themselves and in the interests of the Community, their own tables illustrating, as far as possible, the correlation between this Directive and the transposition measures, and to make them public <sup>(2)</sup>,

- (b) in Chapter 3, Zone 4, between the entries for the Republic of Poland and the Slovak Republic the following entry shall be inserted:

<sup>(1)</sup> OJ L 389, 30.12.2006, p. 1. Directive as amended by Directive 2006/137/EC (OJ L 389, 30.12.2006, p. 261).

<sup>(2)</sup> OJ C 321, 31.12.2003, p. 1.

'Romania

All other waterways not listed in Zone 3';

(ii) between the entries for Latvia and Lithuania the following entry shall be inserted:

2. Annex IX shall be amended as follows:

'34 = Bulgaria'.

(a) in part I, Chapter 4, Article 4.05:

*Article 2*

(i) between the entries for Denmark and Poland the following entry shall be inserted:

'19 = Romania';

1. Member States which have inland waterways as referred to in Article 1(1) of Directive 2006/87/EC shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 30 December 2008. They shall forthwith inform the Commission thereof.

(ii) between the entries for Latvia and Lithuania the following entry shall be inserted:

'34 = Bulgaria';

When they are adopted by Member States, these measures shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

(b) in Part III, Chapter 1, Article 1.06:

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

(i) between the entries for Denmark and Poland the following entry shall be inserted:

'19 = Romania';

*Article 3*

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

(ii) between the entries for Latvia and Lithuania the following entry shall be inserted:

'34 = Bulgaria';

*Article 4*

This Directive is addressed to the Member States.

(c) in Part IV, Chapter 1, Article 1.06:

Done at Luxembourg, 12 June 2008.

(i) between the entries for Denmark and Poland the following entry shall be inserted:

'19 = Romania';

*For the Council*  
*The President*  
A. VIZJAK