

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 (Codified version)

Article 7

1 Except in cases of *force majeure*, special refunds shall be granted subject to the export of the total quantity of cuts produced by boning performed under supervision in accordance with Article 3(3) and that are shown in the certificate(s) provided for in Article 5(1).

2 However, operators shall be authorised not to export the total quantity of cuts produced by boning hindquarters.

If the quantity to be exported amounts to at least 95 % of the total weight of cuts produced by boning performed under supervision in accordance with Article 3(3), the special refund shall be payable.

If the quantity to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning, the special refund payable shall be reduced.

The amount by which the rate is to be reduced shall be decided when the rate of refund concerned is fixed or altered. It shall be determined in particular in the light of the value of the various cuts that are likely to remain on the Community market.

3 Bones, large tendons, cartilage, pieces of fat and other scraps left over from boning may be marketed within the Community.

4 Operators wishing to take advantage of one of the options provided for in paragraph 2 must mention this in their declarations as provided for in Article 3(1).

In addition, the certificate(s) provided for in Article 5(1) must show:

- a in box 4, the total net weight of the cuts produced from boning and, where applicable, the endorsement:
 - ‘Application of Article 7(2) of Regulation (EC) No [1359/2007] — 95 % option,’ or
 - ‘Application of Article 7(2) of Regulation (EC) No [1359/2007] — 85 % option,’
- b in box 6, the net weight to be exported.

5 The Member States may limit the number of types of cut which operators can decide not to export to two per boning operation.

6 If the quantity exported is less than the weight shown in box 6 of the certificate(s) provided for in Article 5(1), the special refund shall be reduced. The percentage of the reduction shall be:

- a where the difference between the weight exported and that shown in box 6 of the certificate(s) provided for in Article 5(1) is found not to exceed 10 %, five times the percentage difference in weight;
- b in other cases, 80 % of the rate of refund on products covered, as the case may be, by CN code 0201 30 00 9100 or 0201 30 00 9120, applicable on the date shown in box 21 of the export licence on the basis of which the formalities referred to in Article 5(1) or Article 26(1) of Regulation (EC) No 800/1999 have been completed.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1359/2007. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

The penalty provided for in Article 51(1)(a) of Regulation (EC) No 800/1999 shall not apply in cases covered by this paragraph.

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)