

Commission Regulation (EC) No 1381/2007 of 26 November 2007 amending Regulation (EC) No 2133/2001 opening and providing for the administration of certain Community tariff quotas and tariff ceilings in the cereals sector as regards an increase in the tariff quota concessions from the Community for the Faeroese fish feed falling under CN codes ex23099010, ex23099031 and ex23099041

COMMISSION REGULATION (EC) No 1381/2007

of 26 November 2007

amending Regulation (EC) No 2133/2001 opening and providing for the administration of certain Community tariff quotas and tariff ceilings in the cereals sector as regards an increase in the tariff quota concessions from the Community for the Faeroese fish feed falling under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) 827/68 of 28 June 1968 on the common organisation of the market in certain products listed in Annex II to the Treaty<sup>(1)</sup>,

Having regard to Council Decision 97/126/EC of 6 December 1996 concerning the conclusion of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part<sup>(2)</sup>,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals<sup>(3)</sup>, and in particular Article 12(1) thereof,

Whereas:

- (1) Decision No 1/2005 of the EC/Denmark-Faeroe Islands Joint Committee<sup>(4)</sup> has amended Protocol 3 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part<sup>(5)</sup> (hereinafter referred to as 'the Agreement'), approved by Council Decision 97/126/EC, as concerns the definition of the concept of 'originating products' and methods of administrative cooperation.
- (2) The Council has decided on 13 June 2007 about the Community position concerning an amendment of Protocol 4 to the Agreement.
- (3) Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee<sup>(6)</sup> amending Protocol 4 of the Agreement amends in particular the annual tariff quota quantity for quota order No 09.0689.
- (4) Point 1 of the second paragraph of Article 1 of Protocol 4 of the Agreement as amended by Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee, provides that for this tariff quota opened for fish feed under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41, Faeroese authorities shall certify that fish feed exported to the

EU under this preferential quota does not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of the fish feed.

- (5) Article 3 of Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee provides that the volume increase of the tariff quota for the calendar year 2007 shall be calculated *pro rata temporis* as from 1 December 2007. The volume increase of the tariff quota for the calendar year 2007 should therefore be established at 833 tonnes.
- (6) Commission Regulation (EC) No 2133/2001<sup>(7)</sup> should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2133/2001 is hereby amended as follows:

1. in Article 2, paragraph 3 is replaced by the following:
3. The products imported under tariff quota 09.0689 shall be released into free circulation upon presentation of
  - a a proof of origin as it is established in Article 16 of Protocol 3 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part, concerning the definition of the concept of “originating products” and methods of administrative cooperation, and
  - b a declaration in one of the texts in Annex V, attested by the following Faeroese Authority:

Heilsufrøðiliga starvsstovan/Food- veterinary and environmental agency  
Falkavegur 6, 2. floor.  
FO-100 TÓRSHAVN  
FAEROE ISLANDS  
Phone: 00 298 35 64 00  
Fax: 00 298 35 64 01  
Service phone: 00 298 55 64 03 (open until 23.00)  
E-mail: HFS@HFS.FO  
Web: www.hfs.fo
2. the text in the Annex II relating to Order No 09.0689 is replaced by the text in Annex I to this Regulation;
3. the text in Annex II to this Regulation is added as Annex V.

*Article 2*

Notwithstanding the Article 1(2), the tariff quota for the calendar year 2007 shall be 10 833 tonnes.

*Article 3*

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 December 2007.

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

Done at Brussels, 26 November 2007.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*

## ANNEX I

Order No	CN code	Description	Tariff quota(in tonnes)	Rate of duty	Origin
'09.0689	ex 2309 90 10 <sup>a</sup> ex 2309 90 31 <sup>a</sup> ex 2309 90 41 <sup>a</sup>	Feedingstuffs for fish	20 000	0	Faeroese

**a** Fish feed that benefit from the preferential import regime may not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of this feed.'

## ANNEX II

## ANNEX V

**DECLARATION BY FAEROESE AUTHORITIES**

- in Bulgarian : „Продуктите от риба, предназначени за храна на животни, изнасяни за ЕС по преференциални квоти, не съдържат добавъчен глутен, освен глутена, който присъства естествено в зърнените храни, които могат да влязат в състава на тези продукти.“
- in Spanish : «Estos piensos para peces exportados a la UE al amparo del contingente preferencial no contienen gluten añadido, con excepción del presente de manera natural en los cereales que puedan intervenir en su composición.»
- in Czech : „Toto rybí krmivo vyvážené do EU v rámci preferenční kvóty neobsahuje přidaný lepek, kromě lepku přirozeně přítomného v obilovinách, který se může dostat do složení rybího krmiva.“
- in Danish : »Dette fiskefoder, der eksporteres til EU inden for rammerne af præferencetoldkontingentet, indeholder ikke anden gluten end den, der forekommer naturligt i det korn, der kan anvendes i fiskefodersammensætningen.«
- in German : „Dieses im Rahmen des Präferenzzollkontingents in die EU ausgeführte Fischfutter enthält außer dem Gluten, das von Natur aus in dem im Fischfutter enthaltenen Getreide vorhanden ist, kein zugesetztes Gluten.“
- in Estonian : „Sooduskvootide raames ELi eksporditud kalasööt ei sisalda lisatud gluteeni peale teraviljas looduslikult esineva gluteeni, mis kokkusegamisel võib sattuda kalasööda sisse.“
- in Greek : «Οι ιχθυοτροφές που εξάγονται στην ΕΕ βάσει της προτιμησιακής ποσόστωσης δεν περιέχουν πρόσθετη γλουτένη, επιπλέον της γλουτένης που απαντάται υπό φυσική μορφή στα σιτηρά τα οποία ενδέχεται να αποτελούν συστατικό στοιχείο της σύνθεσης των ιχθυοτροφών.»

*Status: This is the original version (as it was originally adopted).*

- in English : ‘This fish feed exported to the EU under preferential quota does not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of the fish feed.’
- in French : «Ces aliments pour poissons exportés vers l'Union européenne dans le cadre du contingent préférentiel ne contiennent pas de gluten autre que celui naturellement présent dans les céréales qui peuvent entrer dans la composition des aliments pour poissons.»
- in Italian : «Gli alimenti per pesci esportati nell'UE nell'ambito del presente contingente preferenziale non contengono glutine aggiunto, oltre al glutine naturalmente presente nei cereali che possono entrare nella composizione degli alimenti per pesci.»
- in Latvian : “Šīs preferenciālās kvotas ietvaros uz ES eksportētai zivju barībai nav pievienots lipekļis papildus tam lipeklim, kas dabiski atrodams labībā un var nonākt zivju barības maisījumā.”
- in Lithuanian : „Šiame į ES pagal lengvatinę kvotą eksportuojamame žuvų pašare nėra pridėta daugiau glitimo, nei jo natūraliai yra grūduose, kurie gali būti viena iš žuvų pašaro sudėtinių dalių.“
- in Hungarian : „A preferenciális vámkontingens keretében az EU-ba exportált haltáp nem tartalmaz az összetevői között szereplő gabonákban természetesen jelen lévő gluténon felül hozzáadott glutént.”
- in Maltese : “Dan l-għalf tal-hut esportat għall-UE skond kwota preferenzjali ma fihx gluten miżjud, minbarra dak il-gluten li jinstab fiċ-ċereali b'mod naturali, li jista' jiġi mhallat ma' l-għalf tal-hut.”
- in Dutch : „Dit visvoerder dat naar de EU wordt uitgevoerd in het kader van het preferentiële contingent, bevat geen toegevoegde gluten bovenop de gluten die van nature aanwezig zijn in het graan dat is gebruikt bij de samenstelling van het visvoerder.”
- in Polish : „Niniejszy wywóz paszy dla ryb do UE w ramach preferencyjnego kontyngentu nie zawiera dodatku glutenu, ponad tę ilość glutenu, która występuje naturalnie w zbożach, które mogą wchodzić w skład tej paszy.”
- in Portuguese : «Os alimentos para peixe exportados para a UE ao abrigo de contingentes preferenciais não podem conter glúten adicionado, para além do glúten naturalmente presente nos cereais que podem entrar na composição dos alimentos para peixe.»
- in Romanian : „Această hrană pentru pești exportată în UE în cadrul contingentului preferențial nu conține gluten ca aditiv, cu excepția celui care se găsește în mod natural în cerealele care pot intra în compoziția acestor produse.”
- in Slovak : „Toto krmivo pre ryby vyvážené do EÚ v rámci preferenčnej kvóty neobsahuje pridaný lepok iný ako lepok prirodzene obsiahnutý v obilninách, ktoré môžu tvoriť zložku krmiva pre ryby.“
- in Slovenian : „Ta hrana za ribe, ki se izvaža v EU v preferencialni kvoti, ne vsebuje dodanega glutena poleg tistega, ki je naravno prisoten v žitaricah, ki se lahko nahajajo v tej hrani.“
- in Finnish : ”Tässä etuuskiintiössä EU:hun viety kalanrehu ei sisällä lisättyä gluteenia kalanrehun valmistuksessa mahdollisesti käytettävässä viljassa luonnostaan olevan gluteenin lisäksi.”
- in Swedish : ”Detta fiskfoder, som exporteras till EU inom ramen för en förmånskvot, innehåller inte tillsatser av gluten utöver det gluten som förekommer naturligt i den spannmål som kan ingå i fiskfodret.”

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- (1) OJ L 151, 30.6.1968, p. 16. Regulation as last amended by Regulation (EC) No 865/2004 (OJ L 161, 30.4.2004, p. 97).
- (2) OJ L 53, 22.2.1997, p. 1.
- (3) OJ L 270, 21.10.2003, p. 78. Regulation as amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6).
- (4) OJ L 110, 24.4.2006, p. 1.
- (5) OJ L 53, 22.2.1997, p. 2.
- (6) OJ L 275, 19.10.2007, p. 32.
- (7) OJ L 287, 31.10.2001, p. 12. Regulation as last amended by Regulation (EC) No 880/2007 (OJ L 194, 26.7.2007, p. 3).