

Commission Regulation (EC) No 828/2009 of 10 September 2009
laying down detailed rules of application for the marketing years
2009/2010 to 2014/2015 for the import and refining of sugar
products of tariff heading 1701 under preferential agreements

CHAPTER III

TRADITIONAL SUPPLY NEEDS

Article 11

Proof of refining and penalties

1 Each original holder of an import licence for sugar for refining shall, within six months following the expiry of the import licence concerned, provide the Member State which issued it with proof acceptable to it that refining has taken place within the period set in Article 4(4)(c).

Where such a proof is not provided, the applicant shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the quantities of sugar concerned, except for exceptional reasons of force majeure.

2 Sugar producers approved in accordance with Article 57 of Regulation (EC) No 1234/2007 shall declare to the competent authority in the Member State before 1 March following the marketing year concerned the quantities of sugar which they have refined in that marketing year, stating:

- a the quantities of sugar corresponding to import licences for sugar for refining;
- b the quantities of sugar produced in the Community, giving the references of the approved undertaking which produced that sugar;
- c other quantities of sugar, stating their origin.

[^{F1}Producers shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the quantities of sugar referred to in point (c) of the first subparagraph, for which they cannot provide a proof, acceptable to a Member State, that refining took place for justified and exceptional technical reasons.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 703/2010 of 4 August 2010 amending Regulation \(EC\) No 828/2009 laying down detailed rules of application for the marketing years 2009/10 to 2014/15 for the import and refining of sugar products of tariff heading 1701 under preferential agreements.](#)

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 828/2009, Article 11.