

Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector

CHAPTER III

TRADITIONAL SUPPLY NEEDS

Article 15

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 7(3).

[^{F1}Where proof is not provided that at least 95 % of the quantity stated on the import licence has been refined, the applicant shall pay, before 1 June following the marketing year concerned, an amount equal to EUR 500 per tonne for the difference between the actual quantity for which proof of refining has been submitted and 95 % of the quantity stated on the import licence, 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.

[^{F2}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 Delegated Regulation \(EU\) 2015/1538 of 23 June 2015 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council with regard to import licence applications, release for free circulation and proof of refining of sugar products of CN code 1701 under preferential agreements, for the marketing years 2015/16 and 2016/17 and amending Commission Regulations \(EC\) No 376/2008 and \(EC\) No 891/2009.](#)
- F2** Substituted by [Commission Regulation \(EU\) No 707/2010 of 5 August 2010 amending Regulation \(EC\) No 891/2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector.](#)

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 891/2009, Article 15.