

Commission Regulation (EU) No 173/2011 of 23 February 2011 amending Regulations (EC) No 2095/2005, (EC) No 1557/2006, (EC) No 1741/2006, (EC) No 1850/2006, (EC) No 1359/2007, (EC) No 382/2008, (EC) No 436/2009, (EC) No 612/2009, (EC) No 1122/2009, (EC) No 1187/2009 and (EU) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets and the direct support schemes for farmers

Article 10

Regulation (EC) No 1187/2009 is amended as follows:

- (1) in Article 10, paragraph 1 is replaced by the following:
 1. Export licences with advanced fixing of the refund shall be issued on the fifth working day following the day on which applications are submitted, provided that the quantities for which licences have been applied for have been notified in accordance with Article 6(1) of Commission Regulation (EU) No 479/2010⁽¹⁾ and that measures referred to in points (a) and (b) of paragraph 2 of this Article have not been adopted.;
- (2) in Article 24(2), the second subparagraph is replaced by the following:

The Member State shall notify the Commission as soon as possible of the change of designated importer and the Commission shall notify the change to the competent authorities of the United States.;
- (3) Article 31 is amended as follows:
 - (a) paragraph 1 is replaced by the following:
 1. Not later than the fifth working day following the expiry of the period for lodging licence applications, Member States shall notify the Commission, for each of the two parts of the quota and for each product code of the export refund nomenclature, of the quantities covered by licence applications or, where applicable, that no applications have been lodged.

Before the notification referred to in the first subparagraph, Member States shall verify in particular that the conditions referred to in Article 27(2) and in Article 28(1) and (2) are fulfilled.;
 - (b) in paragraph 2, the third subparagraph is replaced by the following:

If the application of the allocation coefficient results in a quantity per applicant of less than 20 tonnes, applicants may withdraw their applications. In such cases, they shall notify the competent authority within three working days of publication of the Commission's decision. The security shall be released immediately. The competent authority shall notify the Commission, within eight working days of publication of the decision, of the quantities broken down by product codes of the export refund nomenclature, for which applications have been withdrawn and for which the security has been released.;
- (4) Article 32 is amended as follows:
 - (a) paragraph 1 is replaced by the following:

Changes to legislation: Commission Regulation (EU) No 173/2011, Article 10 is up to date with all changes known to be in force on or before 14 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. Licences shall be issued at the request of the operator, not earlier than 1 June and not later than 15 February of the following year. They shall be issued only to operators whose licence applications were notified in accordance with Article 31(1).

If the information provided by an operator to whom a licence has been issued is found to be incorrect, the licence shall be cancelled and the security forfeited.

Member States shall notify the Commission by the end of February at the latest for both parts of the quota referred to in Article 28(1), of the quantities for which no licences were issued, broken down by product code of the export refund nomenclature.;

(b) paragraph 5 is replaced by the following:

5. By 31 August each year at the latest, Member States shall notify the Commission for both parts of the quota referred to in Article 28(1), and in respect to the previous 12-month period as referred to in Article 28(1), of the following quantities, broken down by product code of the export refund nomenclature:

- the quantity for which licences have been allocated,
- the quantity for which licences have been issued,
- the quantity exported.;

(5) in Article 33, paragraph 2 is replaced by the following:

2. The notifications to the Commission referred to in this Regulation shall be made in accordance with Commission Regulation (EC) No 792/2009⁽²⁾.;

(6) Annexes IV, V and VI are deleted.

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- (1) [OJ L 135, 2.6.2010, p. 26.](#);
- (2) [OJ L 228, 1.9.2009, p. 3.](#);

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Changes and effects yet to be applied to :

- Regulation partial repeal by [EUR 2014/640](#) Regulation