## COMMISSION IMPLEMENTING REGULATION (EU) No 861/2012

### of 20 September 2012

# fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union.

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (1), and in particular Article 164(2) thereof,

#### Whereas:

- (1) Article 162(1)(b) of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(s) and listed in Part XIX of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part V of Annex XX to that Regulation.
- (2) Commission Regulation (EU) No 578/2010 of 29 June 2010 on the implementation of Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds (²), specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007.
- (3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

- (4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 536/2012 (3). Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) In order to prevent divergence with the current market situation, to prevent market speculation and to ensure efficient management, this Regulation should enter into force on the day of its publication in the Official Journal of the European Union.
- (7) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

#### Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XIX of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

# Article 2

Implementing Regulation (EU) No 536/2012 is hereby repealed.

# Article 3

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Union.

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

Done at Brussels, 20 September 2012.

For the Commission,
On behalf of the President,
Daniel CALLEJA
Director-General for Enterprise and Industry

Director General for Emerprise and mausily

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 171, 6.7.2010, p. 1.

Rates of the refunds applicable from 21 September 2012 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

ANNEX

(EUR/100 kg)

CN code   Description   Destination (*)   Rate of refund				(EUR/100 kg)
- Other fresh eggs - Of fowls of the species Gallus domesticus  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods Other  Other  Of poultry, other than of fowls of the species Gallus domesticus  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods Other  Of poultry  (a) On exportation of other goods Other  Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods Other  Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods Other  Other or other species of the species Gallus domesticus Sutable for human consumption:  not sweetening matter: Suitable for human consumption: Suitable fo	CN code	Description	Destination (1)	Rate of refund
0407 21 00	0407	Birds' eggs, in shell, fresh, preserved or cooked:		
(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods  Other  Other  Of poultry, other than of fowls of the species Gallus domesticus  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods  Other:  Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  04 0,00  (b) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  05 0407 90 10  Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  06 0407 90 10  Of poultry  (b) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  07 04 0,00  (b) On exportation of other goods  08 0408 8 Birds eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  Egg yolks:  Egg yolks:  Suitable for human consumption:  not sweetened  0408 11 Other:  Suitable for human consumption:  ex 0408 19 81  Frozen:  not sweetened  01 0,00  Frozen:  not sweetened  01 0,00  Frozen:  not sweetened  01 0,00  Other:  Frozen:  not sweetened  01 0,00  Other:  Frozen:  not sweetened  01 0,00		– Other fresh eggs		
3502 11 90 and 3502 19 90	0407 21 00	Of fowls of the species Gallus domesticus		
(b) On exportation of other goods  0407 29			02	0,00
(b) On exportation of other goods  - Other  - Other  - Other  - Other  - Other  - Other:  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods  Other:  - Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  Other:  - Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  Other:  Other:  Other:  Other:  - Of poultry  (b) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  Other:  Other:  - Suitable for human consumption:  not sweetened  Other:  - Suitable for human consumption:  not sweetened  Other:  - Other:		3502 11 90 and 3502 19 90	03	9,50
0407 29			04	0,00
Of poultry, other than of fowls of the species Gallus  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  (b) On exportation of other goods Other: Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  0407 90 10 Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  040 0,00  (b) On exportation of other goods  04 0,00  (b) On exportation of other goods  04 0,00  05 040 05 05 04 0,00  06 05 07 07 07 07 07 07 07 07 07 07 07 07 07		(b) On exportation of other goods	01	0,00
domesticus	0407 29	Other		
03   9,50   04   0,00   04   0,00   04   0,00   0407 90   0   0   0   0   0   0   0   0   0	0407 29 10			
(b) On exportation of other goods  - Other:  - Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  040 (b) On exportation of ober goods  (b) On exportation of other goods  (b) On exportation of other goods  04 0,00  (b) On exportation of other goods  05 04 0,00  06 07 04 0,00  07 04 0,00  08 01 0,00  09 01 0,00			02	0,00
(b) On exportation of other goods  O407 90 10  Other:  - Of poultry  (a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  O408 Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  - Egg yolks:  O408 11 - Dried:  ex 0408 11 80 Suitable for human consumption:  not sweetened  O1 0,00  0408 19 Other:  Suitable for human consumption:  not sweetened  O1 0,00  ex 0408 19 89 Frozen:  not sweetened  O1 0,00  O408 91 Dried:		3502 11 90 and 3502 19 90	03	9,50
0407 90			04	0,00
0407 90 10		(b) On exportation of other goods	01	0,00
(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90  03 9,50  04 0,00  (b) On exportation of other goods  05 04 0,00  08 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 04 0,00  09 05 05 05 05 05 05 05 05 05 05 05 05 05	0407 90	- Other:		
3502 1Í 90 and 3502 19 90  03 9,50  04 0,00  (b) On exportation of other goods  01 0,00  0408  Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  - Egg yolks:  0408 11 - Dried:  ex 0408 19 - Other:  Suitable for human consumption:  not sweetened  01 0,00  0408 19 1 - Dried:  ex 0408 19 81 - Frozen:  not sweetened  01 0,00  Frozen:  not sweetened  Other:  Dried:	0407 90 10	Of poultry		
03			02	0,00
(b) On exportation of other goods  Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  - Egg yolks:  - Dried:  ex 0408 11 80 Suitable for human consumption:  not sweetened 01 0,00  0408 19 Other:  Suitable for human consumption:  ex 0408 19 81 Liquid:  not sweetened 01 0,00  ex 0408 19 89 Frozen:  not sweetened 01 0,00  Frozen:  not sweetened 01 0,00  Other:  Dried:		3302 11 90 and 3302 19 90	03	9,50
Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  - Egg yolks:  0408 11 Dried:  ex 0408 19 80 Other:  Suitable for human consumption:  not sweetened  01 0,00  0408 19 81 Liquid:  not sweetened  01 0,00  ex 0408 19 89 Frozen:  not sweetened  01 0,00  Frozen:  not sweetened  01 0,00  Other:  Dried:			04	0,00
steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:  - Egg yolks:  0408 11		(b) On exportation of other goods	01	0,00
0408 11	0408	steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar		
ex 0408 11 80		– Egg yolks:		
not sweetened 01 0,00  0408 19 Other: Suitable for human consumption: ex 0408 19 81 Liquid: not sweetened 01 0,00 ex 0408 19 89 Frozen: not sweetened 01 0,00  - Other: 0408 91 Dried:	0408 11	Dried:		
0408 19	ex 0408 11 80	Suitable for human consumption:		
Suitable for human consumption:  ex 0408 19 81  Liquid:  not sweetened  01  0,00  ex 0408 19 89  Frozen:  not sweetened  01  0,00  - Other:  0408 91  Dried:		not sweetened	01	0,00
ex 0408 19 81	0408 19	Other:		
not sweetened 01 0,00 Frozen: not sweetened 01 0,00 Frozen: not sweetened 01 0,00 Other: - Other: Dried:		Suitable for human consumption:		
ex 0408 19 89	ex 0408 19 81	Liquid:		
not sweetened 01 0,00 - Other: - Dried:		not sweetened	01	0,00
- Other: Dried:	ex 0408 19 89	Frozen:		
0408 91 Dried:		not sweetened	01	0,00
		- Other:		
ex 0408 91 80	0408 91	Dried:		
,	ex 0408 91 80	Suitable for human consumption:		
not sweetened 01 0,00		not sweetened	01	0,00

(EUR/100 kg)

CN code	Description	Destination (1)	Rate of refund
0408 99	Other:		
ex 0408 99 80	Suitable for human consumption:		
	not sweetened	01	0,00

<sup>(1)</sup> The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates are not applicable to the goods listed in Tables I and II of Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972.

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia.

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

04 All destinations except Switzerland and those of 02 and 03.