Commission Implementing Regulation (EU) No 1379/2011 of 20 December 2011 amending Regulations (EC) No 382/2008, (EU) No 1178/2010 and (EU) No 90/2011 as regards the CN codes and the product codes of the agricultural product nomenclature for export refunds in the beef and veal, egg and poultrymeat sectors

COMMISSION IMPLEMENTING REGULATION (EU) No 1379/2011

of 20 December 2011

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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 Articles 134, 161(3), 170 and 192(2), in conjunction with Article 4 thereof,

Whereas:

(1) Commission Regulations (EC) No 382/2008[(2)], (EU) No 1178/2010[(3)] and (EU) No 90/2011[(4)] lay down rules for the system of export licences in relation to export refunds in the beef and veal, egg and poultrymeat sectors respectively. Those Regulations refer to CN codes and product codes of the agricultural product nomenclature for export refunds in order to indicate the products which are subject, or not subject, to the presentation of an export licence when an export refund is requested.

(2) Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff[(5)] was amended by Commission Regulation (EU) No 1006/2011[(6)].

(3) Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds[(7)] was amended by Commission Implementing Regulation (EU) No 1334/2011[(8)].

(4) Consequently, the CN codes and product codes used in Regulations (EC) No 382/2008, (EU) No 1178/2010 and (EU) No 90/2011 need to be adapted to those used in Annex I to Regulation (EEC) No 2658/87 as amended by Regulation (EU) No 1006/2011 and in Regulation (EEC) No 3846/87 as amended by Implementing Regulation (EU) No 1334/2011.

(5) Regulation (EC) No 382/2008 also uses CN codes in the framework of import licences. For consistency reasons, it is appropriate to amend those codes as well.

(6) Regulations (EC) No 382/2008, (EU) No 1178/2010 and (EU) No 90/2011 should therefore be amended accordingly.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1379/2011. (See end of Document for details)*

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 382/2008 is amended as follows:

(1) in Article 2(2), ‘CN codes 0102 90 05 to 0102 90 49’ is replaced by ‘CN codes 0102 29 10 to 0102 29 49, ex 0102 39 10 of a weight not exceeding 300 kg and ex 0102 90 91 of a weight not exceeding 300 kg’;

(2) Article 10 is amended as follows:

(a) in point (a) of paragraph 1, ‘CN code 0102 10’ is replaced by ‘CN codes 0102 21, 0102 31 00 and 0102 90 20’; and ‘CN codes 0102 90 and ex 1602’ is replaced by ‘CN codes 0102 29, 0102 39 10, 0102 90 91 and ex 1602’;

(b) in point (a) of paragraph 2, ‘CN code 0102 10’ is replaced by ‘CN codes 0102 21, 0102 31 00 and 0102 90 20’;

(c) in paragraph 3, ‘CN code 0102 10’ is replaced by ‘CN codes 0102 21, 0102 31 00 and 0102 90 20’;

(3) Annex I is replaced by the text in Annex I to this Regulation;

(4) in Annex V, the first group of product categories is replaced by the following:

Product category	**CN code**
110.	0102 29 10, ex 0102 39 10 of a weight not exceeding 80 kg and ex 0102 90 91 of a weight not exceeding 80 kg
120.	0102 29 21 and 0102 29 29, ex 0102 39 10 of a weight exceeding 80 kg but not exceeding 160 kg and ex 0102 90 91 of a weight exceeding 80 kg but not exceeding 160 kg
130.	0102 29 41 and 0102 29 49, ex 0102 39 10 of a weight exceeding 160 kg but not exceeding 300 kg and ex 0102 90 91 of a weight exceeding 160 kg but not exceeding 300 kg
140.	0102 29 51 to 0102 29 99, ex 0102 39 10 of a weight exceeding 300 kg and ex 0102 90 91 of a weight exceeding 300 kg;

(5) in Annex VI, the first group of product categories is replaced by the following:

Category	**Product code**

011.	0102 21 10 9140, 0102 21 30 9140, 0102 31 00 9100, 0102 90 20 9100, 0102 31 00 9200 and 0102 90 20 9200
021.	0102 21 10 9150, 0102 21 30 9150, 0102 21 90 9120, 0102 31 00 9150, 0102 31 00 9250, 0102 31 00 9300, 0102 90 20 9150, 0102 90 20 9250 and 0102 90 20 9300
031.	0102 29 91 9000, 0102 39 10 9350 and 0102 90 91 9350
041.	0102 29 41 9100, 0102 29 51 9000, 0102 29 59 9000, 0102 29 61 9000, 0102 29 69 9000, 0102 29 99 9000, 0102 39 10 9100, 0102 39 10 9150, 0102 39 10 9200, 0102 39 10 9250, 0102 39 10 9400, 0102 90 91 9100, 0102 90 91 9150, 0102 90 91 9200, 0102 90 91 9250, 0102 90 91 9300 and 0102 90 91 9400.

Article 2

Regulation (EU) No 1178/2010 is amended as follows:

(1) in Article 1, ‘CN codes 0407 00 11 and 0407 00 19’ is replaced by ‘CN codes 0407 11 00, 0407 19 11 and 0407 19 19’;

(2) in Article 8(1), ‘CN codes 0407 00 11 and 0407 00 19’ is replaced by ‘CN codes 0407 11 00, 0407 19 11 and 0407 19 19’;

(3) Annex I is replaced by the text in Annex II to this Regulation.

Article 3

Regulation (EU) No 90/2011 is amended as follows:

(1) in Article 1, ‘CN codes 0105 11, 0105 12 and 0105 19’ is replaced by ‘CN codes 0105 11, 0105 12 00, 0105 13 00, 0105 14 00 and 0105 15 00’;

(2) in Article 8(1), ‘CN codes 0105 11, 0105 12 and 0105 19’is replaced by ‘CN codes 0105 11, 0105 12 00, 0105 13 00, 0105 14 00 and 0105 15 00’;

(3) Annex I is replaced by the text in Annex III to this Regulation.

Article 4

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

It shall apply from 1 January 2012.

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

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1379/2011. (See end of Document for details)*

Done at Brussels, 20 December 2011.

For the Commission, On behalf of the President,

Dacian CIOLOȘ

Member of the Commission