Commission Regulation (EC) No 858/2008 of 1 September 2008 amending Regulation (EC) No 967/2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards sugar production in excess of the quota

COMMISSION REGULATION (EC) No 858/2008

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector[(1)], and in particular Articles 13(2) and 40(1)(c) thereof,

Whereas:

(1) Article 10 of Commission Regulation (EC) No 967/2006[(2)] lays down that Member States must make a series of communications to the Commission concerning the quantities of industrial raw material delivered for processing. In order to prevent those quantities being counted twice and to ensure that the rules are applied in a uniform manner in all the Member States concerned, detailed rules should be laid down for those communications.

(2) The combined nomenclature codes of the syrups for spreading and for the production of 'Rinse appelstroop' given in the Annex to Regulation (EC) No 967/2006 must be stated more precisely so as to ensure that point (a) of the second subparagraph of Article 13(2) of Regulation (EC) No 318/2006 concerning those products is applied correctly.

(3) Experience gained since the implementation of the new provisions, following the sugar reform, concerning the use of industrial sugar by the chemical and pharmaceutical industries shows the need to add hair-removal waxes falling within CN code 3307 90 00 and fabric softeners falling within CN code 3809 91 00 to the list of products given in the Annex to Regulation (EC) No 967/2006.

(4) Regulation (EC) No 967/2006 should therefore be amended.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 967/2006 is amended as follows:

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 858/2008. (See end of Document for details)*

1. Article 10 is replaced by the following:

Article 10

Communications from the Member States

Each Member State shall inform the Commission:

(a) by the end of May, of the quantity of industrial raw material delivered between the previous 1 October and 31 March by the manufacturers it has approved;

(b) by the end of November for the previous marketing year:
- of the quantity of industrial raw material delivered by the manufacturers it has approved, broken down into white sugar, raw sugar, sugar syrup and isoglucose,
- the quantity of industrial raw material for which the processors it has approved have supplied the proof referred to in Article 9(2), broken down into white sugar, raw sugar, sugar syrup and isoglucose, on the one hand, and into the products referred to in the Annex, on the other,
- the quantity of sugar delivered pursuant to Article 7(3) by the manufacturers it has approved.

2. The Annex is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the seventh day following 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, 1 September 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission