Commission Regulation (EC) No 1381/2007 of 26 November 2007 amending Regulation (EC) No 2133/2001 opening and providing for the administration of certain Community tariff quotas and tariff ceilings in the cereals sector as regards an increase in the tariff quota concessions from the Community for the Faeroese fish feed falling under CN codes ex23099010, ex23099031 and ex23099041

COMMISSION REGULATION (EC) No 1381/2007

of 26 November 2007

amending Regulation (EC) No 2133/2001 opening and providing for the administration of certain Community tariff quotas and tariff ceilings in the cereals sector as regards an increase in the tariff quota concessions from the Community for the Faeroese fish feed falling under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) 827/68 of 28 June 1968 on the common organisation of the market in certain products listed in Annex II to the Treaty[(1)],

Having regard to Council Decision 97/126/EC of 6 December 1996 concerning the conclusion of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part[(2)],

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals[(3)], and in particular Article 12(1) thereof,

Whereas:

(1) Decision No 1/2005 of the EC/Denmark-Faeroe Islands Joint Committee[(4)] has amended Protocol 3 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part[(5)] (hereinafter referred to as 'the Agreement'), approved by Council Decision 97/126/EC, as concerns the definition of the concept of 'originating products' and methods of administrative cooperation.

(2) The Council has decided on 13 June 2007 about the Community position concerning an amendment of Protocol 4 to the Agreement.

(3) Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee[(6)] amending Protocol 4 of the Agreement amends in particular the annual tariff quota quantity for quota order No 09.0689.

(4) Point 1 of the second paragraph of Article 1 of Protocol 4 of the Agreement as amended by Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee, provides that for this tariff quota opened for fish feed under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41, Faeroese authorities shall certify that fish feed exported to the

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EU under this preferential quota does not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of the fish feed.

(5) Article 3 of Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee provides that the volume increase of the tariff quota for the calendar year 2007 shall be calculated *pro rata temporis* as from 1 December 2007. The volume increase of the tariff quota for the calendar year 2007 should therefore be established at 833 tonnes.

(6) Commission Regulation (EC) No 2133/2001[7] should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2133/2001 is hereby amended as follows:

1. in Article 2, paragraph 3 is replaced by the following:

3. The products imported under tariff quota 09.0689 shall be released into free circulation upon presentation of

   a a proof of origin as it is established in Article 16 of Protocol 3 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part, concerning the definition of the concept of "originating products" and methods of administrative cooperation, and

   b a declaration in one of the texts in Annex V, attested by the following Faeroese Authority:

   Heilsufrøðiliga starvsstovan/Food- veterinary and environmental agency

   Falkavegur 6, 2. floor.

   FO-100 TÓRSHAVN

   FAEROE ISLANDS

   Phone: 00 298 35 64 00

   Fax: 00 298 35 64 01

   Service phone: 00 298 55 64 03 (open until 23.00)

   E-mail: HFS@HFS.FO

   Web: www.hfs.fo

2. the text in the Annex II relating to Order No 09.0689 is replaced by the text in Annex I to this Regulation;

3. the text in Annex II to this Regulation is added as Annex V.

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Article 2

Notwithstanding the Article 1(2), the tariff quota for the calendar year 2007 shall be 10 833 tonnes.

Article 3

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

It shall apply from 1 December 2007.

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

Done at Brussels, 26 November 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission