# Commission Regulation (EU) No 3/2010 of 4 January 2010 amending Regulation (EU) No 1290/2009 fixing the import duties in the cereals sector applicable from 1 January 2010

## COMMISSION REGULATION (EU) No 3/2010

## of 4 January 2010

## amending Regulation (EU) No 1290/2009 fixing the import duties in the cereals sector applicable from 1 January 2010

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)],

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector[(2)], and in particular Article 2(1) thereof,

Whereas:

(1) The import duties in the cereals sector applicable from 1 January 2010 were fixed by Commission Regulation (EU) No 1290/2009[(3)].

(2) As the average of the import duties calculated differs by more than EUR 5/tonne from that fixed, a corresponding adjustment must be made to the import duties fixed by Regulation (EU) No 1290/2009.

(3) Regulation (EU) No 1290/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EU) No 1290/2009 are hereby replaced by the text in the Annex to this Regulation.

*Article 2*

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

It shall apply from 5 January 2010.

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 Regulation (EU) No 3/2010. (See end of Document for details)*

Done at Brussels, 4 January 2010.

*For the Commission, On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and Rural Development*

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 3/2010. (See end of Document for details)*

ANNEX I

IMPORT DUTIES ON THE PRODUCTS REFERRED TO IN ARTICLE 136(1) OF REGULATION (EC) NO 1234/2007 APPLICABLE FROM 5 JANUARY 2010

| CN code | Description | Import duties[a](EUR/t) |
|---|---|---|
| 1001 10 00 | Durum wheat, high quality | 0,0 |
| | medium quality | 0,0 |
| | low quality | 2,44 |
| 1001 90 91 | Common wheat seed | 0,0 |
| ex 1001 90 99 | High quality common wheat, other than for sowing | 0,0 |
| 1002 00 00 | Rye | 38,56 |
| 1005 10 90 | Maize seed other than hybrid | 18,0 |
| 1005 90 00 | Maize, other than seed[b] | 18,0 |
| 1007 00 90 | Grain sorghum other than hybrids for sowing | 38,56 |

**a** For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:
— 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
— 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

**b** The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

**Factors for calculating the duties laid down in Annex I**31.12.2009

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

| | Common wheat[a] | Maize | Durum wheat, high quality | Durum wheat, medium quality[b] | Durum wheat, low quality[c] | Barley |
|---|---|---|---|---|---|---|
| **Exchange** | Minnéapolis | Chicago | — | — | — | — |
| **Quotation** | 150,2 | 109,83 | — | — | — | — |
| **Fob price USA** | — | — | 135,93 | 125,93 | 105,93 | 98,22 |

**a** Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

**b** Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

**c** Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).