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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 395/2010

of 7 May 2010

amending Commission Regulation (EC) No 1010/2009 as regards administrative arrangements on catch certificates

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1005/2008 ⁽¹⁾ of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, in particular Articles 12(4), 14(3), 20(4) and 52 thereof,

Whereas:

- (1) Administrative arrangements by which catch certificates are established, validated or submitted by electronic means or replaced by electronic traceability systems ensuring the same level of control by authorities are to be listed in Annex IX to Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the implementation of Regulation (EC) No 1005/2008 ⁽²⁾. Since new administrative arrangements on catch certificates have been agreed, that Annex should be updated.
- (2) Regulation (EC) No 1010/2009 should be amended accordingly.

- (3) The administrative arrangements on catch certificates, set out in the Annex, are based on electronic traceability systems that have been in place prior to the entry into force of Regulation (EC) No 1005/2008 hence this Regulation should apply as from 1 January 2010.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1010/2009 is amended as follows:

Annex IX is amended as set out in the Annex to this Regulation.

*Article 2***Entry into force**This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2010.

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

Done at Brussels, 7 May 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 286, 29.10.2008, p. 1.⁽²⁾ OJ L 280, 27.10.2009, p. 5.

ANNEX

The following Sections 4, 5 and 6 are added in Annex IX to Regulation (EC) No 1010/2009:

‘Section 4**ICELAND****CATCH CERTIFICATION SCHEME**

In accordance with Article 12(4) of Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall, as of 1 January 2010, be replaced — for fisheries products obtained from catches made by fishing vessels flying the Icelandic flag — by the Icelandic catch certificate, based on the Icelandic System on weighing and recording of catches, which is an electronic traceability system under the control of the Icelandic authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

A specimen of the Icelandic catch certificate is given in the Appendix.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

Iceland shall require a catch certificate for landings and imports to Iceland of catches made by fishing vessels flying the flag of a Member State of the European Union.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and the assistance between the respective authorities in Iceland and in the Member States of the European Union, based on the detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix

CATCH CERTIFICATE



Republic of Iceland

Directorate of Fisheries

Dalshraun 1, 220 Hafnarfjörður,
Iceland

Tel.+354 569 7900 Fax.+354 569 7990

www.fiskistofa.is

Reference No.

Catch Certificate No.

Country of dispatch: Iceland

Competent authority: Directorate of Fisheries

Inspection body: Directorate of Fisheries

I. Details identifying the fishery products

Description:

Product code	Description - Species (scientific name)	Processing	Packaging and nr. of	Net weight
				Sum
S				

II. Provenance of the fishery products

Registration number(s) and name(s) of the vessel(s) that caught the fishery product(s) authorized for exports by the competent authority, landing date(s) of the catch to be exported, fishing gear, fishing area, operator of the vessel and port of landing:

III. Destination of the fishery product

Name and address of consignor:

Name and address of consignee:

IV. Transportation details

Means of transport (please fill out the appropriate section)

Country of exportation: Iceland

Container no: _____ Vessel name and flag: _____

Flight no: _____ /airway bill no: _____

V. Attestation

The undersigned competent authority hereby certifies that:

The fishery products described above have been obtained from catches of the above Icelandic fishing vessel(s) legally operating in accordance with the Icelandic fisheries management control system (MCS).

Done at Hafnarfjörður, xxxxxx

Electronic identification of exporter

Directorate of Fisheries

Importer declaration, import control and re-export certificate (For EC use only)

Importer declaration				
Name and adress of importer	Signature	Date	Seal	Product CN code
Documents under Articles 14(1), (2) of Regulation (EC) No 1005/2008	References			
Import control authority	Place	Importation authorised(*)	Importation suspended(*)	Verification requested date
Customs declaration (if issued)	Number		Date	Place

EUROPEAN COMMUNITY RE-EXPORT CERTIFICATE				
Certificate number	Date		Member State	
1. Description of re-exported product		Weight (kg)		
Species	Product code		Balance from total quantity declared in the catch certificate	
2. Name of re-exporter	Address		Signature	Date
3. Authority				
Name/title	Signature		Date	Seal/stamp
4. Re-export control				
Place	Re-export authorised (*)	Verification requested (*)	Re-export declaration number and date	
(*) Tick as appropriate.				

Section 5**CANADA****CATCH CERTIFICATION SCHEME**

In accordance with Article 12(4) of Council Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall be replaced — for fisheries products obtained from catches made by fishing vessels flying the flag of Canada — by Canadian catch certificates based on the Canadian Fisheries Certificate System (FCS) (described in Appendix 3), which is an electronic traceability system under the control of the Canadian authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

Specimens of the Canadian catch certificates which shall replace the European Community Catch Certificate and Re-export Certificate as from 1 January 2010 are given in Appendices 1 and 2.

Catches stemming from aboriginal fishing techniques or from fishing vessels as defined in Article 6 of Commission Regulation (EC) No 1010/2009 shall be accompanied by a simplified Canadian catch certificate given in Appendix 2.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and administrative cooperation between respective competent authorities in Canada and Member States of the European Union, based on detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix 1



Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Document Number Numéro du document	Validating Authority Autorité validante
---------------------------------------	--

Identification

Issued and Validated Electronically by: / Émis et validé électroniquement par :

Name Nom	Address Adresse	Tel / Fax Tél / Téléc
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Fishing Vessel(s) / Navire(s) de pêche

Fishing Vessel Name Nom du navire de pêche	Flag Pavillon	Home Port Port d'attache	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)
	Registration Number Numéro d'immatriculation			
Fishing License Number Numéro du permis de pêche	Valid to Valide jusqu'au	INMARSAT Number, Fax, Telephone, E-mail Address (if issued) Numéro, téléphone, télécopieur, courriel INMARSAT (le cas échéant)		

Product / Produit

Type of Processing Authorized on Board / Type de transformation autorisée à bord

Species / Espèces

References of applicable conservation and management measures / Références aux mesures applicables de conservation et de gestion

Species (Taxonomic Serial Number - Common Name) Espèces (Numéro de série taxonomique - nom commun)	Product Code (Harmonized System) Code du produit (système harmonisé)	Product Weight Poids du produit (kg)	Catch Area(s) and Date Zone(s) et dates de capture	Estimated Live Weight Poids vif estimé (kg)	Est. Weight to be Landed Poids à débarquer estimé (kg)	Verified Weight Landed Poids débarqué vérifié (kg)
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Master of Fishing Vessel / Capitaine du navire de pêche

Name of Master of Fishing Vessel:
Nom du capitaine du navire de pêche :

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Declaration of Transshipment at Sea / Déclaration de transbordement en mer

Name of Master of Fishing Vessel Nom du capitaine du navire de pêche	Signature and Date Signature et date	Transshipment Date / Area / Position Date / zone / position de transbordement		Est. Weight (kg) Poids estimé (kg)
Name of Master of Receiving Vessel Nom du capitaine du navire receveur	Signature	Vessel Name Nom du navire	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)

Transshipment Authorization Within a Port Area / Autorisation de transbordement dans une zone portuaire

Name Nom	Authority Autorité	Signature	Address Adresse	Tel. Tél.	Port of Landing Port de débarquement	Date of Landing Date du débarquement	Seal Cachet
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Exporter / Exportateur

Name and Address Nom et adresse	Signature (if available / si disponible)	Date	Seal Cachet
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Flag of Authority Validation / Validation du pavillon autoritaire

Name - Title Nom - titre	Signature	Date	Seal Cachet
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ATTESTATION

The signatory attests that the catch identified in this catch and re-export certificate is validated as non-IUU in accordance with the Agreed Record of fisheries consultations between the European Community and Canada on the European Community regulation (No. 1005/2008), signed in November 2009, to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Le signataire affirme que la capture, identifiée sur ce certificat de capture et de réexportation, a été validée comme étant non-INN conformément à l'entente de collaboration des consultations sur les pêches entre la Communauté européenne et le Canada pour le règlement de la Communauté européenne (No. 1005/2008), signée en novembre 2009, afin de prévenir, décourager et éradiquer la pêche illicite, non déclarée et non réglementée (INN).

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Transport Details (See Appendix A) / Détails relatifs au transport (voir l'appendice A)

Importer Declaration / Déclaration de l'importateur

Name and Address of Importer Nom et adresse de l'importateur	Signature	Date	Seal Cachet	Product CN Code Code NC du produit
Documents under Articles 14(1), (2) of Regulation (EC No. 1005/2008) Documents relatifs des Articles 14(1), (2) du Règlement (EC No. 1005/2008)	References Références			

Import Control / Contrôle de l'importation

Import Control - Authority Contrôle à l'importation - Autorité	Place Lieu	Importation Authorized (*) Importation autorisée (*) ☐	Importation Suspended (*) Importation suspendue (*) ☐	Verification Requested - Date Vérification demandée - date
Customs Declaration (if issued) Déclaration des douanes (le cas échéant)	Number Numéro	Date		Place Lieu

(*) Check as appropriate / Cocher la case appropriée

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Appendix A / Appendice A

Transport Details / Détails relatifs au transport

Country of Exportation Pays d'exportation	Name and Address Nom et adresse
Port - Airport - Other Place of Departure Port - aéroport - autre lieu de départ	
Vessel Name and Flag Nom et pavillon du navire	Exporter Signature Signature de l'exportateur
Flight Number - Airway Bill Number Numéro de vol - Numéro de lettre de transport aérien	Container Number(s) Numéro du (des) conteneur(s)
Truck Nationality and Registration Number Nationalité et numéro d'immatriculation du camion	
Railway Bill Number Numéro de lettre de voiture de train	
Other Transport Document Autre document de transport	

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Standard) for the European Community
Certificat de capture canadien (standard) pour la Communauté européenne

Security Code / Code de sécurité :

Information on Re-exportation / Information sur la réexportation

Certificate Number Numéro du certificat	Date	Member State État membre
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Description of Re-Exported Product Description du produit réexporté	Weight (kg) Poids (kg)
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Species Espèces	Product Code Code du produit	Balance from Total Quantity Declared in the Catch Certificate (kg) Écart par rapport à la quantité déclarée dans le Certificat de capture (kg)
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Name of Re-Exporter Nom du réexportateur	Address Adresse	Signature	Date
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Authority / Autorité

Name - Title Nom - Titre	Signature	Date	Seal - Stamp Cachet - Tampon
-----------------------------	-----------	------	---------------------------------

Re-Export Control / Contrôle à la réexportation

Place Lieu	Re-Export Authorized (*) Réexportation autorisée (*) ☐	Verification Requested (*) Vérification demandée (*) ☐	Re-Exportation Declaration Number and Date Numéro et date de la déclaration de réexportation
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(*) Check as appropriate / Cocher la case appropriée

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

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Appendix 2



Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Document Number Numéro du document	Validating Authority Autorité validante
---------------------------------------	--

Identification

Issued and Validated Electronically by: / Émis et validé électroniquement par :

Name Nom	Address Adresse	Tel / Fax Tél / Téléc
-------------	--------------------	--------------------------

Group(s) / Groupe(s)

Fishing Group Name Nom du groupe de pêche	Flag Pavillon	Community / Fishing Licence Details Détails sur la communauté / le permis de pêche	Group Characteristic Caractéristique du groupe
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Species / Espèces

References of applicable conservation and management measures / Références aux mesures applicables de conservation et de gestion						
Species (Taxonomic Serial Number - Common Name) Espèces (Numéro de série taxonomique - nom commun)	Product Code (Harmonized System) Code du produit (système harmonisé)	Product Weight Poids du produit (kg)	Catch Area(s) and Date Zone(s) et dates de capture	Estimated Live Weight Poids vif estimé (kg)	Est. Weight to be Landed Poids à débarquer estimé (kg)	Verified Weight Landed Poids débarqué vérifié (kg)

Declaration of Transshipment at Sea (if applicable) / Déclaration de transbordement en mer (le cas échéant)

Name of Master of Fishing Vessel Nom du capitaine du navire de pêche	Signature and Date Signature et date	Transshipment Date / Area / Position Date / zone / position de transbordement		Est. Weight (kg) Poids estimé (kg)
Name of Master of Receiving Vessel Nom du capitaine du navire receveur	Signature	Vessel Name Nom du navire	Call Sign Indicatif d'appel	IMO / Lloyds Number (if issued) Numéro Lloyd's / OMI (le cas échéant)

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Group Based) for the European Community Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne
--

Security Code / Code de sécurité :

Transshipment Authorization Within a Port Area (if applicable) /

Autorisation de transbordement dans une zone portuaire (le cas échéant)

Name Nom	Authority Autorité	Signature	Address Adresse	Tel. Tél.	Port of Landing Port de débarquement	Date of Landing Date du débarquement	Seal Cachet

Exporter / Exportateur

Name and Address Nom et adresse	Signature (if available / si disponible)	Date	Seal Cachet

Flag of Authority Validation / Validation du pavillon autoritaire

Name - Title / Nom - titre	Signature	Date	Seal Cachet

ATTESTATION

The signatory attests that the catch identified in this catch and re-export certificate is validated as non-IUU in accordance with the Agreed Record of fisheries consultations between the European Community and Canada on the European Community regulation (No. 1005/2008), signed in November 2009, to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Le signataire affirme que la capture, identifiée sur ce certificat de capture et de réexportation, a été validée comme étant non-INN conformément à l'entente de collaboration des consultations sur les pêches entre la Communauté européenne et le Canada pour le règlement de la Communauté européenne (No. 1005/2008), signée en novembre 2009, afin de prévenir, décourager et éradiquer la pêche illicite, non déclarée et non réglementée (INN).

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Transport Details (See Appendix A) / Détails relatifs au transport (voir l'appendice A)

Importer Declaration / Déclaration de l'importateur

Name and Address of Importer Nom et adresse de l'importateur	Signature	Date	Seal Cachet	Product CN Code Code NC du produit
Documents under Articles 14(1), (2) of Regulation (EC No. 1005/2008) Documents relatifs des Articles 14(1), (2) du Règlement (EC No. 1005/2008)	References / Références			

Import Control / Contrôle de l'importation

Import Control - Authority Contrôle à l'importation - Autorité	Place Lieu	Importation Authorized (*) Importation autorisée (*) ☐	Importation Suspended (*) Importation suspendue (*) ☐	Verification Requested - Date Vérification demandée - date
Customs Declaration (if issued) Déclaration des douanes (le cas échéant)	Number Numéro	Date		Place Lieu

(*) Check as appropriate / Cocher la case appropriée

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Canadian Catch Certificate (Group Based) for the European Community Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne
--

Security Code / Code de sécurité :

Appendix A / Appendice A

Transport Details / Détails relatifs au transport

Country of Exportation Pays d'exportation	
Port - Airport - Other Place of Departure Port - aéroport - autre lieu de départ	
Vessel Name and Flag Nom et pavillon du navire	
Flight Number - Airway Bill Number Numéro de vol - Numéro de lettre de transport aérien	Exporter Signature Signature de l'exportateur
Truck Nationality and Registration Number Nationalité et numéro d'immatriculation du camion	Container Number(s) Numéro du (des) conteneur(s)
Railway Bill Number Numéro de lettre de voiture de train	
Other Transport Document Autre document de transport	

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

Canadian Catch Certificate (Group Based) for the European Community
Certificat de capture canadien (basé sur le groupe) pour la Communauté européenne

Security Code / Code de sécurité :

Information on Re-exportation / Information sur la réexportation

Certificate Number Numéro du certificat	Date	Member State État membre
--	------	-----------------------------

Description of Re-Exported Product Description du produit réexporté	Weight (kg) Poids (kg)
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Species Espèces	Product Code Code du produit	Balance from Total Quantity Declared in the Catch Certificate (kg) Écart par rapport à la quantité déclarée dans le Certificat de capture (kg)
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Name of Re-Exporter Nom du réexportateur	Address Adresse	Signature	Date
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Authority / Autorité

Name - Title Nom - Titre	Signature	Date	Seal - Stamp Cachet - Tampon
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Re-Export Control / Contrôle à la réexportation

Place Lieu	Re-Export Authorized (*) Réexportation autorisée (*)	Verification Requested (*) Vérification demandée (*)	Re-Exportation Declaration Number and Date Numéro et date de la déclaration de réexportation
	☐	☐	

CERTIFICATE - DO NOT COPY
CERTIFICAT - NE PAS COPIER

THIS CERTIFICATE MAY BE VERIFIED AT:
 CE CERTIFICAT PEUT ÊTRE VÉRIFIÉ À : <http://fcs-scp.dfo-mpo.gc.ca/fcsweb/ViewCertificate.aspx>

Appendix 3

The Canadian Fisheries Certificate System (FCS) is designed to issue standard and simplified catch certificates.

The FCS will be used to issue and to validate a catch certificate for export consignments from Canada to the European Union of conventional fishery products including live, fresh, frozen, salted, canned and/or smoked and dried fish, using raw material from non-vessel fisheries, aboriginal fisheries, or small and large fishing vessels and/or involving production comprising several steps in the production process.

On simplified certificates, Canada will group certain vessels to maximise efficiency. However, the FCS will maintain a complete link to vessels contained in groupings and these vessels are further linked to their license or registration information and the declared catch on the certificate.

The grouping feature will be used for some product forms and, in particular, for fisheries using collector vessels which purchase from several fishing vessels and issue records of sales at sea, for non-vessel fisheries such as beach seine, beach clams, ice fishing, for some inshore fisheries, and for aboriginal fisheries where fisheries may occur at the community level. Groupings will be export company-specific and will be modified for each shipment, as required.

The grouping feature will enable Canada to produce a single certificate per shipment while keeping all the information behind the certificate (vessel license/registration) available in the database.

This information will be available to EU Member States authorities in importing countries through our website or through direct telephone line to our certificate office.

Third parties countries may also contact the certificate office for information on indirect exports.

Section 6**FAROE ISLANDS****CATCH CERTIFICATION SCHEME**

In accordance with Article 12(4) of Regulation (EC) No 1005/2008, the catch certificate provided for in Article 12 and Annex II to that Regulation shall be replaced — for fisheries products obtained from catches made by fishing vessels flying the Faroese flag — by the Faroese catch certificate based on the Faroese system of sales notes and logbooks which is a traceability system under the control of the Faroese authorities ensuring the same level of control by authorities as required under the EU catch certification scheme.

A specimen of the Faroese catch certificate, which shall replace the European Community Catch Certificates and Re-export Certificate as from 1 January 2010, is given in the Appendix.

Documents referred to in Article 14(1) and (2) of Regulation (EC) No 1005/2008 may be communicated by electronic means.

MUTUAL ASSISTANCE

Mutual assistance pursuant to Article 51 of Regulation (EC) No 1005/2008 shall be developed to facilitate the exchange of information and assistance between respective competent authorities of the Faroe Islands and Member States of the European Union, based on detailed rules on mutual assistance laid down in Commission Regulation (EC) No 1010/2009.

Appendix

Catch certification scheme for fishery products exported from Faroes to the European Community under Articles 12(4) and 20(4) of the Council Regulation EC 1005/2008 and the Commission Regulation EC 1010/2009 laying down the detailed rules for the implementation of the same Regulation to replace the European Community catch certificate.

Document number	1. Validating authority			Address		Tel.		Fax.				
2. Fishing Vessel name	Home port, registration number	Call sign	Fishing licence No - Valid to	3. Catch area	Start	End	Species	Product code	Verified landing weight (kg), (Estimated weight to be landed if direct landing in EC port)	4. Reference of applicable conservation and management measures	Number of fishing logbook	5. Name of master of fishing vessel
6. If transshipment at sea, date, area/position												
7. If transshipment within a port area, date and name of port												
Name of receiving vessel		Call sign		IMO/Lloyds No (if issued)		Name of master of receiving vessel			Estimated weight (kg)			
8. Name and address of exporter		Address of exporter			Signature			Date				
9. Authority validation												
Validated by (name/title)												
Date												
10. Transport details, country of exportation												
Port/airport/other place of departure												
Vessel name and flag		Container number(s): list attached										
Flight number/airway bill number		Name and address of exporter										
Truck nationality and registration number												
Railway bill number												
Other transport documents												

11. Importer declaration							
Name and address of importer	Signature	Date	Seal	Product CN code			
Documents under Article 14(1),(2) of Regulation (EC 1005/2008)	References						
12. Import control - authority	Place		Importation authorised*	Importation suspended*	Verification requested - date		
Custom declaration (if issued)	Number		Date	Place			

* Tick as appropriate

EUROPEAN COMMUNITY RE-EXPORT CERTIFICATE			
Certificate number	Date	Member state	
1. Description of re-exported product		Weight (kg)	
Species	Product code	Balance from total quantity declared in catch certificate	
Name of re-exporter	Address	Signature	Date
3. Authority			
Name/title	Signature	Date	Seal/stamp
4. Re-export control			
Place	Re-export authorised (*)	Verification requested (*)	Re-export declaration number and date

(*) Tick as appropriate

COMMISSION REGULATION (EU) No 396/2010**of 7 May 2010****opening a tariff quota for certain quantities of industrial sugar for the 2010/2011 marketing year**

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 142, in conjunction with Article 4 thereof,

Whereas:

- (1) In order to ensure that the supply necessary for the production of the products referred to in Article 62(2) of Regulation (EC) No 1234/2007 is available at a price that corresponds to the world price, it is in the interest of the Union to suspend the import duties on sugar intended for the production of those products for the 2010/2011 marketing year, for a quantity that would correspond to half of its industrial sugar needs.
- (2) Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector ⁽²⁾ provides for the administration of the tariff quotas for imports of sugar products pursuant to Article 142 of Regulation (EC) No 1234/2007 with order number 09.4390 (industrial import sugar). However, in accordance with Article 11 of Regulation

(EC) No 891/2009 the quantities of those products for which import duties are to be suspended has to be determined by a separate legal act.

- (3) The import quantities of industrial sugar for which no import duties should apply for the 2010/2011 marketing year, need to be set accordingly.
- (4) 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

The import duties for industrial sugar falling within CN 1701 and with order number 09.4390 shall be suspended for a quantity of 400 000 tonnes from 1 October 2010 to 30 September 2011.

Article 2

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

It shall apply from 1 October 2010.

It shall expire on 30 September 2011.

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

Done at Brussels, 7 May 2010.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 254, 26.9.2009, p. 82.

COMMISSION REGULATION (EU) No 397/2010**of 7 May 2010****fixing the quantitative limit for exports of out-of-quota sugar and isoglucose until the end of the 2010/2011 marketing year**

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 61, first paragraph, point (d), in conjunction with Article 4 thereof,

Whereas:

- (1) According to Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007, the sugar or isoglucose produced in excess of the quota referred to in Article 56 of that Regulation may be exported only within the quantitative limit to be fixed.
- (2) Detailed implementing rules for out-of-quota exports, in particular concerning the issue of export licences are laid down by Commission Regulation (EC) No 951/2006 ⁽²⁾. However, the quantitative limit should be fixed per marketing year in view of the possible opportunities on the export markets.
- (3) For certain EU producers of sugar and isoglucose, exports from the Union represent an important part of their economic activities and they have established traditional markets outside the Union. Exports of sugar and isoglucose to those markets could be economically viable also without granting export refunds. To that end it is necessary to fix a quantitative limit for out-of-quota sugar and isoglucose exports so that the EU producers concerned may continue to supply their traditional markets.
- (4) For the 2010/2011 marketing year it is estimated that fixing the quantitative limit initially at 650 000 tonnes, in white sugar equivalent, for out-of-quota sugar exports and 50 000 tonnes, in dry matter, for out-of-quota isoglucose would correspond to the market demand.
- (5) Exports of sugar from the Union to certain close destinations and to third countries granting EU products a

preferential import treatment are currently in a particular favorable competitive position. In view of the absence of appropriate instruments of mutual assistance to fight against irregularities and in order to minimize the risk of fraud and to prevent any abuse associated with the re-import or reintroduction into the Union of out-of-quota sugar certain close destinations should be excluded from the eligible destinations.

- (6) In view of the estimated lower risks for eventual frauds regarding isoglucose due to the nature of the product it is not necessary to restrict the eligible destinations for the export of out-of-quota isoglucose.
- (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***Fixing the quantitative limit for out-of-quota sugar exports**

1. For the 2010/2011 marketing year, running from 1 October 2010 to 30 September 2011, the quantitative limit referred to in Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 shall be 650 000 tonnes for exports without refund of out-of-quota white sugar falling within CN code 1701 99.

2. Exports within the quantitative limit fixed in paragraph 1 shall be allowed for all destinations excluding:

- (a) third countries: Andorra, Liechtenstein, the Holy See (Vatican City State), San Marino, Croatia, Bosnia and Herzegovina, Serbia ⁽³⁾, Montenegro, Albania and the former Yugoslav Republic of Macedonia;
- (b) territories of Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ As well as Kosovo under UN Security Council Resolution 1244 of 10 June 1999.

(c) European territories for whose external relations a Member State is responsible, not forming part of the customs territory of the Community: Gibraltar.

2. Exports of the products referred to in paragraph 1 shall only be allowed where they comply with the conditions laid down in Article 4 of Regulation (EC) No 951/2006.

Article 2

Fixing the quantitative limit for out-of-quota isoglucose exports

1. For the 2010/2011 marketing year, running from 1 October 2010 to 30 September 2011, the quantitative limit referred to in Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 shall be 50 000 tonnes, in dry matter, for exports without refund of out-of-quota isoglucose falling within CN codes 1702 40 10, 1702 60 10 and 1702 90 30.

Article 3

Entry into force

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

It shall apply from 1 October 2010.

It shall expire on 30 September 2011.

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

Done at Brussels, 7 May 2010.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

COMMISSION REGULATION (EU) No 398/2010**of 7 May 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

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 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 May 2010.

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

Done at Brussels, 7 May 2010.

*For the Commission,
On behalf of the President,**Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	JO	68,6
	MA	66,2
	TN	112,4
	TR	104,4
	ZZ	87,9
0707 00 05	MA	24,8
	MK	59,4
	TR	117,9
	ZZ	67,4
0709 90 70	TR	105,2
	ZZ	105,2
0805 10 20	EG	36,5
	IL	63,8
	MA	47,3
	TN	47,4
	TR	52,3
	US	67,7
	ZZ	52,5
0805 50 10	TR	62,9
	ZA	68,0
	ZZ	65,5
0808 10 80	AR	88,6
	BR	75,1
	CL	85,5
	CN	77,2
	CR	59,1
	NZ	122,1
	US	122,9
	UY	74,0
	ZA	85,5
	ZZ	87,8

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 399/2010**of 7 May 2010****amending Regulation (EU) No 374/2010 fixing the import duties in the cereals sector applicable from 1 May 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 May 2010 were fixed by Commission Regulation (EU) No 374/2010 ⁽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 374/2010.

- (3) Regulation (EU) No 374/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EU) No 374/2010 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 8 May 2010.

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

Done at Brussels, 7 May 2010.

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

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 161, 29.6.1996, p. 125.

⁽³⁾ OJ L 110, 1.5.2010, p. 26.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 8 May 2010

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	25,87
1005 10 90	Maize seed other than hybrid	10,17
1005 90 00	Maize, other than seed ⁽²⁾	10,17
1007 00 90	Grain sorghum other than hybrids for sowing	25,87

⁽¹⁾ 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 on the Black Sea,
- 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.

⁽²⁾ 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

30.4.2010-6.5.2010

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

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	157,20	111,53	—	—	—	—
Fob price USA	—	—	133,24	123,24	103,24	76,82
Gulf of Mexico premium	—	13,73	—	—	—	—
Great Lakes premium	18,66	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).⁽²⁾ Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).⁽³⁾ Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

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

Freight costs: Gulf of Mexico–Rotterdam: 26,73 EUR/t

Freight costs: Great Lakes–Rotterdam: 59,34 EUR/t

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2009 OF THE JOINT COMMITTEE ON AGRICULTURE

of 9 December 2009

on the amendment of Annex 7 to the Agreement between the European Community and the Swiss
Confederation on trade in agricultural products

(2010/265/EU)

THE JOINT COMMITTEE ON AGRICULTURE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, and in particular Article 11 thereof,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter referred to as 'the Agreement') entered into force on 1 June 2002.
- (2) Annex 7 to the Agreement aims to facilitate and promote the bilateral trade flow of wine-sector products.
- (3) Pursuant to Article 27(1) and (2) of Annex 7 to the Agreement, the Working Group on Wine-Sector Products is to consider any matter which may arise in connection with Annex 7 and its implementation and make recommendations to the Committee. The group met to examine the issue of wine-sector production in the border areas, and in particular the situation with regard to the production of the Swiss wine of registered designation of origin 'AOC Genève', which uses a small percentage of grapes from vines located in France and bordering on the Swiss vines used to make this wine. In order to maintain this practice dating back to the beginning of the 19th century, the definitions of 'wine-sector product originating in' and 'geographical indication' must be amended.
- (4) Article 3 of Annex 7 to the Agreement should therefore be amended and a new Appendix added to the Annex to take into account the particularities of wine-sector production in the border areas between the Community and Switzerland, which predate the entry into force of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex 7 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is amended as follows:

1. Article 3 shall be amended as follows:

(a) point (a) is replaced by the following:

'(a) "wine-sector product originating in", followed by the name of one of the Parties means a product within the meaning of Article 2, produced in the territory of the said Party from grapes entirely harvested in its territory or in a territory stipulated in Appendix 5, in accordance with this Annex;'

(b) paragraph (b) is replaced by the following:

'(b) "geographical indication": means any indication, including designations of origin, within the meaning of Article 22 of the Agreement on Trade Related Aspects of Intellectual Property Rights, annexed to the Agreement establishing the World Trade Organisation (hereinafter referred to as the "TRIPs agreement"), that is recognised by the laws or regulations of one Party for purposes of describing and presenting a wine-based product within the meaning of Article 2 and originating in its territory or in a territory stipulated in Appendix 5;'

2. Appendix 5 is amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 August 2010.

Done at Berne, 9 December 2009.

For the Joint Committee on Agriculture

*The Head of the Community
Delegation*

Nicolas VERLET

*The President and Head of the
Swiss Delegation*

Jacques CHAVAX

The Secretary of the Committee

Chantal MOSER

ANNEX

'Appendix 5

Specific provisions referred to in Article 3(a) and (b)
Registered designation of origin Genève (AOC Genève)

1. Geographical area

The geographical area for AOC Genève includes:

- all the territory of the Canton of Geneva;
- all the French municipalities of:
 - Challex,
 - Ferney-Voltaire;
- parts of the French municipalities of:
 - Ornex,
 - Chens-sur-Léman,
 - Veigy-Foncenex,
 - Saint-Julien-en-Genevois,
 - Viry,

enumerated in the specifications for AOC Genève.

2. Production area of the grapes

The production area of the grapes includes:

- (a) on the Geneva territory: the areas included in the vineyard register within the meaning of Article 61 of the federal law on agriculture (RS 910.1) and whose grapes are used to produce wine;
- (b) on the French territory: areas of the municipalities or parts of municipalities enumerated in point 1, planted with vines or subject to replanting rights constituting a maximum of 140 hectares.

3. Wine making area

The wine making area is restricted to Swiss territory.

4. Downgrading

Using the "AOC Genève" registered designation of origin does not preclude using the designations "*vin de pays*" and "*vin de table suisse*" to refer to wines made from grapes from the production zone defined in point 2(b) and downgraded.

5. Monitoring the specifications for AOC Genève

The Swiss checks are the responsibility of the Swiss authorities, specifically those of Geneva.

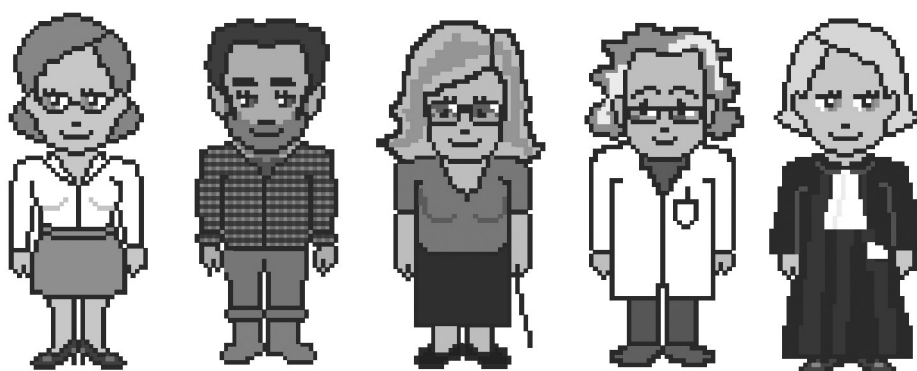
The competent Swiss authority entrusts the physical checks to be carried out on the French territory to a French inspection body accredited by the French authorities.

6. Transitional provisions

Producers with areas planted with vines that are not listed in the grape production area listed in point 2(b), but who have previously and legitimately used the registered designation of origin "AOC Genève", may continue to use it until 2013 and the relevant products can be marketed until stocks are exhausted.'

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