



EUROPEAN COMMISSION

Brussels, XXX
C(2011) XXX

COMMISSION IMPLEMENTING REGULATION (EU) No .../..

of XXX

**amending Regulation (EU) No 397/2010 as regards the quantitative limit for the exports
of out-of-quota isoglucose until the end of the 2010/2011 marketing year**

COMMISSION IMPLEMENTING REGULATION (EU) No .../..

of XXX

amending Regulation (EU) No 397/2010 as regards the quantitative limit for the exports of out-of-quota 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 subparagraph, point (d) of Regulation (EC) No 1234/2007, isoglucose produced in excess of quota during a marketing year may be exported only within the quantitative limit to be fixed.
- (2) Detailed implementing rules for out-of-quota exports, in particular those concerning the issue of export licences, are laid down by Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector². Nevertheless, the quantitative limit should be fixed per marketing year, according to market opportunities.
- (3) 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 year³ fixed the quantitative limit for the exports of out-of-quota isoglucose at 50 000 tonnes. Large part of this quantity has already been used. As of 12 July 2011 only 16 520 tonnes remain available, i.e. 67% of the available quantity has been already used. Given the possible market outlets for out-of-quota isoglucose, it is appropriate to increase the export quantitative limit by 15 000 tonnes.
- (4) Regulation (EU) No 397/2010 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

¹ OJ L 299, 16.11.2007, p. 1.

² OJ L 178, 1.7.2006, p. 24.

³ OJ L 115, 8.5.2010, p. 26.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 397/2010 is amended as follows:

Article 2(1) is replaced by the following:

- "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) 1234/2007 shall be 65 000 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 2

This Regulation shall enter into force on the seventh day following that of 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,

For the Commission

The President

