

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

DECISION No 1/2007 OF THE EC/DENMARK-FAEROE ISLANDS JOINT COMMITTEE

of 8 October 2007

amending Protocol 4 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

(2007/671/EC)

THE JOINT COMMITTEE,

Having regard 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 ⁽¹⁾, hereinafter referred to as 'the Agreement', and in particular Article 34(1) thereof,

Whereas:

- (1) Under Article 1 of Protocol 4 to the Agreement, the Community has granted tariff concessions for Faeroese fish feed, in respect of an annual tariff quota of 5 000 tonnes.
- (2) Under Decision No 2/98 of the EC/Denmark-Faeroe Islands Joint Committee ⁽²⁾, this tariff quota has been increased to 10 000 tonnes from 1 January 2000 onwards.
- (3) The Faeroe authorities have put forward a request for increasing the tariff concessions from the Community for these products.
- (4) A doubling of the existing annual tariff quota should be allowed.
- (5) Fish feed, which benefits from the preferential import regime, may not contain added gluten.
- (6) This quota is subject to a review clause. The Joint Committee, in accordance with Article 31(2) of the

Agreement, will regularly exchange information to that purpose.

- (7) Article 1 of Protocol 4 should be amended,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 4 to the Agreement shall be amended as follows:

1. In Article 1 the text in the table relating to CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41 shall be replaced by the following text:

'CN code	Description	Rate of duty	Tariff quota (in tonnes)
ex 2309 90 10 (*) ex 2309 90 31 (*) ex 2309 90 41 (*)	Fish feed	0	20 000

(*) Fish feed that benefit from the preferential import regime may not contain added gluten, in addition to the gluten naturally present in the cereals that may enter in the compounding of this feed.'

2. The following text shall be added to Article 1:

'As regards the tariff quota opened for fish feed under CN codes ex 2309 90 10, ex 2309 90 31 and ex 2309 90 41:

1. Faeroe authorities shall certify that fish feed exported to the 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. The European Community may proceed to controls in the Faeroe Islands of the compounding of the fish feed, especially its gluten content.

⁽¹⁾ OJ L 53, 22.2.1997, p. 2.

⁽²⁾ OJ L 263, 26.9.1998, p. 37.

2. The conduct of controls of the compounding of fish feed is detailed in Annex 1 to this Protocol. If the inspection brings evidence that the conditions required for granting this trade preference are not met, the Commission may suspend this preference for as long as no proper conditions are in place.'

3. The attached Annex 1 shall be Annexed:

Article 2

The Joint Committee shall monitor the utilisation of this tariff quota. Depending on the utilisation of the quota and the evolution of market conditions, the Joint Committee shall review this tariff quota in four years time.

Article 3

The volume increase of the tariff quota for the calendar year 2007 shall be calculated *pro rata temporis* as of 1 December 2007.

Article 4

This Decision shall enter into force on the first day of the second month following its adoption.

Done at Brussels, 8 October 2007.

For the Joint Committee

The President

Leopoldo RUBINACCI

ANNEX

‘ANNEX I

Conduct of the controls of the compounding of fish feed*Article 1*

Færoe authorities shall communicate to the Commission the control provisions they have adopted as regards Articles 1 and 2 of this decision. Færoe authorities shall make available to the Commission all information necessary for the control of the gluten content of fish feed exported to the EU and shall take all appropriate measures to facilitate the checks the Commission deems appropriate in this connection.

Article 2

The European Community may proceed with controls of fish feed compound in the Færoe Islands. Fish feed undertakings shall give immediate access to their factories and to their stock records in order to allow inspectors to trace the raw materials that have been used. Inspectors shall be allowed to take samples for analysis.

Inspectors shall be entitled to control the compounding of fish feed, the raw and processed materials, and the books and other documents, including documents and metadata drawn up or received or recorded on an electronic medium, relating to stock records.

Article 3

Inspections shall be carried out by experts of the Commission or of the Member States, herein referred to as the “inspectors”. The experts from the Member States who are to be entrusted with the task of carrying out these inspections shall be appointed by the Commission.

Article 4

Those inspections shall be made on behalf of the Community, which shall bear the expenditure incurred by their inspectors.

Inspectors shall inform Færoe authorities of an inspection so that Færoe agents may take part in such inspections.

Article 5

Detailed arrangements on the way the controls are carried out may be conducted directly by the Commission with Færoe authorities.’
