

### **3<sup>rd</sup> MEETING of the EXPERTS GROUP ON SUGAR – 29 OCTOBER 2015**

#### **POINT 4: PROVISIONS TO BE CONTINUED AFTER THE END OF THE SUGAR QUOTA SYSTEM**

The attached a table can be used as a basis for a discussion on which of the existing provisions of Regulations No 951/2006, No 952/2006, No 967/2006, No 891/2009, 2015/1538 and 2015/1550 should be kept, or adapted, after the end of the sugar quotas system.

The delegations are particularly invited to express their views on the following provisions:

- Reg 951/2006:

- Article 19 on IP notifications
- Chapter VII on determination of cif prices and additional duties for sugar and for molasses

- Reg 952/2006:

- Article 3 on sugar production
- Article 4 on isoglucose production
- Chapter III on approval of manufacturers
- Article 10 on checks
- Article 11 on penalties
- Chapter IV on price notifications (A complementary document has been prepared regarding this issue)
- Article 21 on notifications on production and stocks
- Article 22 on supply balances.

## 1. REGULATION 951/2006 – TRADE

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<i>Article 1</i> <b>Scope</b>				
1. This Regulation lays down, in accordance with Part III of Council Regulation (EC) No 1234/2007 ( 7 ), the special detailed rules for the application of the system of import and export licences, the granting of export refunds and the management of imports, in particular the application of additional import duties in the sugar sector.		x		
2. Commission Regulation (EC) No 376/2008 ( 8 ) shall apply, save as otherwise provided in this Regulation.				R 376/08 will be replaced by IA/DA
<i>Article 2</i> <b>Definitions</b>				
For the purposes of this Regulation: 1. ‘periodic refund’ means the export refund fixed at regular intervals as referred to in Article 33(2)(a) of Regulation (EC) No 318/2006; 2. ‘candy sugar’ means sugar which: (a) comprises large crystals at least 5 mm in length, obtained by cooling and slow crystallisation of a sufficiently concentrated sugar solution, and (b) contains 96 % or more sucrose by weight in the dry state, determined in accordance with the polarimetric method.			Export refunds	
<i>Article 3</i> <b>Determination of the sucrose content of various sugar syrups eligible for export refund</b>				
1. The export refund per 100 kilograms of products listed in Article 1(1)(c) of Regulation (EC) No 318/2006 shall be equal to a basic amount multiplied by the sucrose content of the product in question as determined plus, where applicable, the content of other sugars calculated in sucrose equivalent.			Export refunds	
2. Without prejudice to paragraphs 3 and 4, the sucrose content plus, where applicable, the content of other sugars expressed as sucrose shall be calculated in accordance with points (d) and (e) of Article 3(3) of Commission Regulation (EC) No 952/2006 ( 1 ).			Export refunds	
3. In the case of syrups of a purity of not less than 85 % but less than 94,5 %, the sucrose content plus, where applicable, the content of other sugars expressed as sucrose shall be fixed at a flat rate of 73 % by weight in the dry state. However, on request, to take account of caramel as referred to in the first subparagraph, the			Export refunds	

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actual amount used of sucrose plus, where applicable, the content of other sugars expressed as sucrose may be determined where the candy has been manufactured under a customs warehousing or free zone procedure providing equivalent guarantees.				
5. The basic amount referred to in paragraph 1 shall not apply to syrups with a purity of less than 85 %.			Export refunds	
<i>Article 4</i> <b>Export refund for isoglucose</b>				
Export refunds may only be granted on the products listed in Article 1(1)(d) and (g) of Regulation (EC) No 318/2006 where the products: (a) are obtained by isomerisation of glucose; (b) have a fructose content by weight in the dry state of not less than 41 %; (c) have a total content by weight in the dry state of polysaccharides and oligosaccharides, including di- and trisaccharides, of not more than 8,5 %.  The dry matter content of isoglucose shall be determined on the basis of the density of the diluted solution in a proportion by weight of one to one or, in the case of products with a very high consistency, by drying.			Export refunds	
<i>Article 4a</i> <b>Export refund for certain sugars used in certain products processed from fruit and vegetables</b>				
1. In accordance with Article 32 of Regulation (EC) No 318/2006, an export refund may be granted in respect of white sugar and raw sugar falling within CN code 1701, isoglucose falling within CN codes 1702 40 10, 1702 60 10 and 1702 90 30 and beet syrup and cane syrup falling within CN code 1702 90 95 used for the manufacture of the products of the processed fruit and vegetables sector referred to in Annex VIII to Regulation (EC) No 318/2006.			Export refunds	
2. The amount of the refund shall equal the amount of the periodic export refund as fixed on the sugar products referred to in paragraph 1 exported without further processing.			Export refunds	
3. In order to benefit from the refund, processed products shall be accompanied, upon export, by			Export refunds	

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<p>a declaration from the applicant stating the quantities of raw and white sugar and beet and cane syrups and isoglucose used for the manufacture.</p> <p>Member States shall check the accuracy of the declaration on a sample of at least 5 % selected on the basis of a risk analysis. Such checks shall be carried out on the stock records kept by the manufacturer.</p>				
<p>4. The refund shall be paid upon submission of proof that:</p> <p>(a) the products have been exported from the Community, and</p> <p>(b) in the case of a differentiated refund, the products have reached the destination indicated on the licence or another destination for which the refund was fixed.</p>			Export refunds	
<p><i>Article 4b</i></p> <p><b>Derogations from Regulation (EC) No 800/1999</b></p>				
<p>1. By way of derogation from Article 16 of Regulation (EC) No 800/1999, where the differentiation of the refund is the result solely of a refund not having been fixed for Switzerland or Liechtenstein, proof that the customs import formalities have been completed shall not be a condition for payment of the refund in respect of the sugar products referred to in Article 4a(1) used for the manufacture of the products processed from fruit and vegetables referred to in Annex VIII to Regulation (EC) No 318/2006 and listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972.</p>			Export refunds	
<p>2. The fact that no export refund has been fixed in respect of the export to Switzerland or Liechtenstein of the sugar products referred to in Article 4a(1) used for the manufacture of the products processed from fruit and vegetables referred to in Annex VIII to Regulation (EC) No 318/2006 and listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972, shall not be taken into account in determining the lowest rate of refund within the meaning of Article 18(2) of Regulation (EC) No 800/1999.</p>			Export refunds	
<p><i>Article 4c</i></p> <p><b>Proofs of arrival at destination</b></p>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
<p>1. If certain destinations are not eligible for exports of out-of-quota sugar and/or isoglucose,</p>		x	Licences	

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proof that customs formalities for importation into eligible destinations have been completed shall be furnished by presenting one of the documents referred to in Article 16(1) of Regulation (EC) No 800/1999.				
<p>2. Where the exporter cannot obtain the documents referred to in paragraph 1 of this Article even after taking the appropriate steps, products shall be deemed to have been imported into a third country on the presentation of the following three documents:</p> <p>(a) a copy of the transport document;</p> <p>(b) a declaration that the product has been unloaded, drawn up by an official authority of the third country in question, by the official authorities of a Member State established in the country of destination, or by an international supervisory agency approved under Articles 16a to 16f of Regulation (EC) No 800/1999, certifying that the product has left the unloading site or at least that, to the knowledge of the authority or agency issuing the declaration, the product has not subsequently been reloaded with a view to being re- exported;</p> <p>(c) a bank document issued by approved intermediaries established in the Community certifying that payment corresponding to the export in question has been credited to the account of the exporter opened with them, or proof of payment.</p>		x	Licences	
3. In case of exports of out-of-quota sugar and/or isoglucose as food aid for an international organisation or for a humanitarian organisation the products shall be deemed to have been imported into a third country on the presentation of a statement of acceptance of delivery issued either by an international organisation or a humanitarian organisation approved by the Member State of exportation, where the goods constitute food aid.		x	Licences	
4. In case of export declarations concerning a maximum quantity of 25 tonnes of sugar, and when the conditions referred to in Article 24(2)(a) and (b) of Commission Regulation (EC) No 612/2009 ( 1 ) are met, Member States shall exempt exporters from furnishing the proof provided in paragraph 1 and 2(b) and (c) of this Article. The transport document or its electronic equivalent as referred to in Article 17(3) of Regulation (EC) No 612/2009 shall be presented in any event.		x	Licences	
<p><i>Article 4d</i></p> <p><b>Equivalence</b></p> <p>Sugar or isoglucose produced under quota can be used as an equivalent of out-of-quota production. If the under-the-quota production is used as an equivalent of an out-of-quota</p>		x	Licences	The draft DA on licences provides for the repeal of this

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production, it can accordingly be exported pursuant to the rules laid down in Article 61, first paragraph, point (d) of Council Regulation (EC) No 1234/2007. This mechanism of equivalence shall also apply if producers of quota and out-of-quota sugar or isoglucose are located in different Member States.				article as from 1/10/2017
<i>Article 4e</i> <b>Year of production</b> Sugar or isoglucose exported under licences issued in respect of the quantitative limit referred to in Article 61(d) of Regulation (EC) No 1234/2007 may be produced in a marketing year which is different to the one to which the export licence applies.			Licences	The draft DA on licences provides for the repeal of this article as from 1/10/2017
<b>EXPORT LICENCES</b> <i>Article 5</i> <b>Licence requirement</b>				
1. The products for which an export licence shall be presented are laid down in Article 1(2)(b) of Commission Regulation (EC) No 376/2008 ( 1 ).  The period of validity of the export licence and the amount of the security to be lodged shall be as set out in Annex II, Part II, to that Regulation and shall apply to all cases referred to in Article 1(2)(b) of that Regulation.			Licences	The draft DA on licences provides for the repeal of this provision as from 1/10/2017.  Present proposal under the licences DA/IA: no licence requirement for sugar as from 10/2017
2. For the purposes of applying Article 4(2) of Commission Regulation (EC) No 800/1999 ( 2 ), the following product groups are constituted: (a) product group I: the products mentioned in point (b) of Article 1(1) of Regulation (EC) No 318/2006; (b) product group II: the products mentioned in point (c) of Article 1(1) of Regulation (EC) No 318/2006; (c) product group III: the products mentioned in points (d) and (g) of Article 1(1) of Regulation (EC) No 318/2006.			Export refunds	
<i>Article 6</i> <b>Export licence with refund</b>				

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1. Where the refund is fixed pursuant to an invitation to tender held within the Community, the application for an export licence shall be lodged with the competent authority of the Member State in which the statement of award under the tender was issued.			Export refunds	
2. Section 20 of the licence application and of the licence shall contain one of the entries listed in Part A of the Annex.			Export refunds	
2a. As regards the refund to be granted pursuant to Article 4a, Section 20 of the licence application and of the licence shall contain one of the entries listed in Part E of the Annex.			Export refunds	
3. The export licence shall be issued for the quantity entered on the relevant statement of award of tender. Section 22 of the licence shall indicate the rate of the export refund, as stated in that statement, expressed in EUR. It shall contain one of the entries listed in Part B of the Annex.			Export refunds	
4. Article 49 of Commission Regulation (EC) No 1291/2000 shall not apply.			Export refunds	
<i>Article 7</i> <b>Export licence for sugar without refund</b>  Where sugar which is in free circulation on the Union market and which is not considered as 'out-of-quota' is to be exported without refund, Section 20 of the licence application and of the licence shall contain one of the entries listed in Part C of the Annex.			Licences	The draft DA on licences provides for the repeal of this article as from 1/10/2017  Present proposal under the licences DA/IA: no licence requirement for sugar as from 10/2017
<i>Article 7a</i> <b>Export licences for out-of-quota exports</b>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
1. By way of derogation from Article 5, exports of out-of-quota isoglucose within the quantitative limit referred to in point (d) of the first paragraph of Article 61 of Regulation (EC)		x	Licences	

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No 1234/2007 shall be subject to the presentation of an export licence.				
2. By way of derogation from Article 8 of Regulation (EC) No 376/2008, the rights deriving from export licences issued for out-of- quota sugar shall not be transferable.		x	Licences	
<i>Article 7b</i> <b>Application for out-of-quota export licences</b>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
1. Applications for export licences in respect of the quantitative limit to be fixed pursuant to Article 12(d) of Regulation (EC) No 318/2006 may be submitted only by producers of beet and cane sugar or producers of isoglucose which are approved in accordance with Article 17 of Regulation (EC) No 318/2006 and to which a sugar or isoglucose quota has been allocated in respect of the marketing year concerned in accordance with Article 7 of that Regulation, account being taken of, as the case may be, of Articles 8, 9 and 11 of that Regulation		x	Licences	
2. Applications for export licences shall be submitted to the competent authorities of the Member State in which the applicant has been allocated a sugar or an isoglucose quota.		x	Licences	
3. Applications for export licences shall be submitted each week, from Monday to Friday, starting on the date of application of the Regulation fixing the quantitative limit pursuant to Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 and until the issue of licences is discounted in accordance with Article 7e of this Regulation.		x	Licences	
4. Applicants may submit one application for export licence per week. The quantity applied for in respect of each export licence shall not exceed 50 000 tonnes in the case of sugar and 5 000 tonnes in the case of isoglucose.		x	Licences	
5. The application for export licence shall be accompanied by proof that the security referred to in Article 12a(1) has been lodged.		x	Licences	
6. Box 20 of the application for an export licence and the licence, as well as box 44 of the export declaration shall contain one of the following entries as the case may be:		x	Licences	



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(a) 'out-of-quota sugar for export without refund'; or (b) 'out-of-quota isoglucose for export without refund'.				
<i>Article 7c</i> <b>Communication on out-of-quota exports</b>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
1. Member States shall notify the Commission, by Monday each week, of the quantities of sugar and/or isoglucose, for which applications for export licence have been submitted during the preceding week.  The quantities applied for shall be broken down by applicant and by eight-digit CN code without indicating the name of the applicant. The Member States shall also inform the Commission if no applications for export licences have been submitted.  This paragraph shall only apply to Member States for which a sugar and/or an isoglucose quota was fixed by Annex III and/or Point II of Annex IV to Regulation (EC) No 318/2006.		x	Licences	
2. The Commission shall draw up weekly records of the quantities for which export licence applications have been submitted.		x	Licences	
<i>Article 7d</i> <b>Issue of licences</b>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
1. Every week from Friday and until the end of the following week at the latest Member States shall issue licences for the applications submitted the preceding week and notified as provided for in Article 7c(1), as the case may be taking account of the allocation coefficient fixed by the Commission in accordance with Article 7e.  Export licences shall not be issued for quantities that had not been communicated.			Licences	
2. Member States shall communicate, on the first working day of each week, to the Commission, the quantities of sugar and/or isoglucose for which export licences have been issued during the preceding week.		x	Licences	

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3. Member States shall keep a record of the quantities of sugar and/or isoglucose actually exported under the export licences.		x	Licences	
4. Member States shall communicate to the Commission before the end of each month, the quantities of sugar and/or isoglucose actually exported under the export licences during the preceding month.		x	Licences	
5. Paragraphs 2, 3 and 4 of this Article shall only apply to Member States for which a sugar and/or an isoglucose quota was fixed by Annex III and/or Point II of Annex IV to Regulation (EC) No 318/2006.		x	Licences	
<i>Article 7e</i> <b>Suspension of issuing export licences for out-of-quota exports</b> Where the quantities applied for export licences exceed the quantitative limit fixed pursuant to Article 12(d) of Regulation (EC) No 318/2006 for the period concerned, the provisions laid down in Article 9 of this Regulation shall apply <i>mutatis mutandis</i> .		x	Licences	The draft DA on licences provides for the repeal of this article as from 1/10/2017
<i>Article 7f</i> <b>Use of export licences for out-of-quota sugar</b> Export licences issued for out-of-quota white sugar falling within CN code 1701 99 shall indicate CN codes 1701 99 10 and 1701 99 90 and shall be valid for any of them.		x	Licences	The draft DA on licences provides for the repeal of this article as from 1/10/2017
<i>Article 8</i> <b>Validity of export licences</b> 4. Export licences for the export with refund of the products referred to in Annex VIII to Regulation (EC) No 318/2006 shall be valid from the actual day of issue until the end of the third month following that of issue.			Export refunds	
<i>Article 8a</i> <b>Validity of export licences for out-of-quota exports</b> By way of derogation from the provisions of Article 5 of this Regulation, export licences issued		x	Licences	

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<p>in respect of the quantitative limit fixed pursuant to Article 61, first paragraph, point (d) of Regulation (EC) No 1234/2007 shall be valid as follows:</p> <p>(a) licences issued between 1 October and 30 April of the marketing year concerned shall be valid as of their date of issue until 30 September of the marketing year in question;</p> <p>(b) licences issued between 1 May and 30 September of the marketing year concerned shall be valid as of their date of issue until the end of the fifth month thereafter.</p>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
<p><i>Article 9</i></p> <p><b>Suspension of issuing export licences</b></p>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
<p>1. Where the issue of export licences risks exceeding the available budgetary amounts, or the maximum quantities and/or the expenditure commitments set in the WTO Agreement on Agriculture ( 1 ) for the period concerned, the Commission may:</p> <p>(a) set an acceptance percentage for the quantities applied for but for which licences have not yet been issued;</p> <p>(b) reject applications for which export licences have not yet been issued;</p> <p>(c) suspend lodging of licence applications for five working days; it may set the suspension for a longer period in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006.</p>			Licences	
<p>2. The measures provided for in paragraph 1 may also be adopted when export licence applications relate to quantities which exceed or risk to exceed the normal trade pattern for one destination or group of destinations and issuing the licences requested would entail a risk of speculation, distortion of competition between operators, or disturbances of the trade concerned or the Community market.</p>			Licences	
<p>3. Should the quantities applied for be reduced or refused the security against the licence shall be immediately released for the quantities not granted.</p>			Licences	
<p>4. Applicants may withdraw their licence applications until the end of the week following that of the publication in the <i>Official Journal of the European Union</i> of an acceptance percentage as indicated in point (a) of paragraph 1 if it is less than 80 %. Member States shall thereupon</p>			Licences	

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release the security.				
<p>CHAPTER IV</p> <p><b>IMPORT LICENCES</b></p> <p><i>Article 10</i></p> <p>The products for which an import licence shall be presented are laid down in Article 1(2)(a) of Commission Regulation (EC) No 376/2008.</p> <p>The period of validity of the import licence and the amount of the security to be lodged shall be as set out in Annex II, Part I, to that Regulation and shall apply to all cases referred to in Article 1(2)(a) of that Regulation.</p>			Licences	<p>The draft DA on licences provides for the repeal of this article as from 1/10/2017</p> <p>Present proposal under the licences DA/IA: no licence requirement for sugar as from 10/2017</p>
<p>CHAPTER V</p> <p><b>ADDITIONAL RULES FOR EXPORT LICENCES</b></p> <p><i>SECTION 1</i></p> <p><i>Issue of licences and security</i></p> <p><i>Article 11</i></p> <p><b>Application for and issue of export licences</b></p>				
<p>1. Export licences for sugar falling within CN code 1701 for quantities exceeding 10 tonnes shall be issued:</p> <p>(a) on the fifth working day following that on which the application was lodged;</p> <p>(b) in the case of export licences with advance fixing of the refund, on the fifth working day following that on which the application was lodged provided that no specific action as indicated in Article 9(1) has been taken by the Commission in the meantime.</p> <p>The first subparagraph shall not apply to:</p> <p>(a) candy sugar;</p> <p>(b) flavoured sugar and sugar with added colouring matter.</p>		a) x	<p>a) Licences</p> <p>b) Export refunds</p>	<p>The draft DA on licences provides for the repeal of Art 11 (1)(a) as from 1/10/2017 as it is linked to the need to respect the export limits</p>
<p>2. When an application for a licence in respect of the products to which the first subparagraph of paragraph 1 applies relates to quantities not exceeding 10 tonnes, the party concerned may not</p>		x	Licences	<p>The draft DA on licences provides for the repeal of this provision as from 1/10/2017</p>

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lodge on the same day and with the same competent authority more than one such application.				
<p><i>Article 12</i></p> <p><b>Security</b></p> <p>2. For the products falling within CN code 1701, the licence holder shall lodge a supplementary security if:</p> <p>(a) the obligation to export arising from export licences, other than those issued under an invitation to tender opened in the Community, is not fulfilled, except in cases of <i>force majeure</i>, and</p> <p>(b) the amount of the security as referred to in the first and the second indents of paragraph 1 (b) is inferior to the amount of the export refund in force on the last day of validity of the licence, after reduction of the refund indicated on the licence.</p> <p>The amount of the supplementary security shall be equal to the difference between the amounts referred to under point (b) of the first subparagraph.</p>			Export refunds	
3. The security to be lodged in respect of licences for the export with refund of the products referred to in Annex VIII to Regulation (EC) No 318/2006 shall be calculated in accordance with paragraphs 1 and 2 of this Article, based on the net content of the sugar products referred to in Article 4a of this Regulation used for the manufacture of the products listed in Annex VIII to Regulation (EC) No 318/2006.			Export refunds	
<p><i>Article 12a</i></p> <p><b>Security for licences for out-of-quota exports</b></p>				The draft DA on licences provides for the repeal of this article as from 1/10/2017
1. The applicant shall lodge a security of EUR 110 per tonne of out- of-quota sugar and EUR 42 per tonne of net dry matter in case of out- of-quota isoglucose.		x	Licences	
2. The security referred to in paragraph 1 may be lodged at the applicant's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the application for the licence is submitted.		x	Licences	
3. The security referred to in paragraph 1 shall be released in accordance with Article 34 of		x	Licences	

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Regulation (EC) No 376/2008 for the quantity for which the applicant has fulfilled, within the meaning of Articles 30(b) and 31(b)(i) of that Regulation, the export obligation resulting from the licences issued in accordance with Article 7d of this Regulation.				
4. Where certain destinations are excluded from exports of out-of- quota sugar and/or isoglucose, the security referred to in paragraph 1 shall be released once the requirements of paragraph 3 of this Article and the requirements of Article 4c of this Regulation are met.		x	Licences	
<p>CHAPTER VI</p> <p><b>COMMUNICATION OF MEMBER STATES</b></p> <p><i>Article 17</i></p> <p><b>Notification of export licences issued</b></p>				
1. Member States shall notify the Commission by the 15th of each month in respect of the preceding month of the quantities for which licences have been issued pursuant to Article 7.			Licences	The draft DA on licences provides for the repeal of this provision as from 1/10/2017
<p>2. During the periods when export refunds are granted in the sugar sector, Member States shall notify the Commission by the 15th of each month in respect of the preceding month of:</p> <p>(a) the quantities for which licences have been issued with the amounts of export refunds fixed pursuant to Article 164(2)(a) of Regulation (EC) No 1234/2007 broken down between:</p> <p>— sugar products falling within CN codes 1701 91 00, 1701 99 10 and 1701 99 90,</p> <p>— <i>tel quel</i> raw sugar falling within CN codes 1701 12 90, 1701 13 90 and 1701 14 90,</p> <p>— sucrose syrups, expressed as white sugar, falling within CN codes 1702 90 71, 1702 90 95 and 2106 90 59,</p> <p>— isoglucose, expressed as dry matter, falling within CN codes 1702 40 10, 1702 60 10, 1702 90 30 and 2106 90 30;</p> <p>(b) the quantities of white sugar falling within CN code 1701 99 10 for which a licence has been issued with the amounts of export refunds fixed pursuant to Article 164(2)(b) of Regulation (EC) No 1234/2007;</p> <p>(c) the quantities, with the corresponding amounts of export refunds fixed pursuant to Article 164(2)(a) of Regulation (EC) No 1234/2007, of white sugar, the quantities of raw sugar and sucrose syrup, expressed as white sugar, and the quantities of isoglucose, expressed as dry matter, for which an export licence has been issued with a view to export in the form of products</p>			Export refunds	

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referred to in point (b) of Part X of Annex I to that Regulation.				
<i>Article 18</i> <b>Notification of quantities exported</b>				
1. Member States shall notify the Commission for each calendar month, and not later than by the end of the third calendar month following the calendar month in question, of the quantities of sugar covered by quotas exported as white sugar or in the form of processed products expressed as white sugar, for which an export licence has been issued for the implementation of Union and national food aid under international conventions or other complementary programmes and for the implementation of other Union measures for the free supply of food.			Licences	The draft DA on licences provides for the repeal of this provision as from 1/10/2017
2. During the periods when export refunds are granted in the sugar sector, Member States shall notify the Commission, not later than the end of each calendar month in respect of the preceding calendar month, of the quantities of white sugar referred to in Article 17(2)(b) exported in accordance with Article 7(4) and (5) of Regulation (EC) No 376/2008.			Export refunds	
3. During the periods when export refunds are granted in the sugar sector, Member States shall notify the Commission for each calendar month, and not later than the end of the third calendar month following the calendar month in question: (a) in the case of exports referred to in Article 4(2) of Regulation (EC) No 612/2009, of the quantities of sugar and sucrose syrups, expressed as white sugar, and of isoglucose, expressed as dry matter, exported without further processing, together with the amounts of the corresponding refunds; (b) of the quantities, with the corresponding amounts of export refunds fixed pursuant to Article 164(2)(a) of Regulation (EC) No 1234/2007, of white sugar, the quantities of raw sugar and sucrose syrup, expressed as white sugar, and the quantities of isoglucose, expressed as dry matter, exported in the form of the products referred to in Part IV of Annex XX to that Regulation and in the form of the products referred to in Annex II to Commission Regulation (EU) No 578/2010 ( 1 ). The notifications referred to in point (b) of the first subparagraph shall be supplied separately to the Commission for each Regulation applicable to the processed product in question.			Export refunds	
<i>Article 19</i> <b>Notification of import licences</b>  Member States shall notify the Commission of the quantities of sugar imported from third				Concerns Inward Processing. Useful information vs. workload

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countries and exported as compensating products under the inward processing arrangements referred to in Article 116 of Regulation (EEC) No 2913/92. That notification shall refer to each marketing year. It shall be submitted no later than the end of the second calendar month following the marketing year in question.				
<p><i>Article 20</i></p> <p><b>Ad hoc communication on export licences with refund</b></p> <p>Upon request of the Commission and for the time-period indicated, Member States shall immediately start notifying on a daily basis to the Commission:</p> <p>(a) for quantities exceeding 10 tonnes, all applications for export licences for products eligible for periodic refund;</p> <p>(b) the quantities affected by measures taken pursuant to Article 9(1).</p>			Export refunds	
<p><i>Article 21</i></p> <p><b>Method of notification</b></p> <p>The notifications by the Member States provided for in this Regulation shall be made as follows:</p> <p>(a) until 31 December 2012, by electronic transmission in accordance with methods made available to the Member States by the Commission;</p> <p>(b) as from 1 January 2013, in accordance with Commission Regulation (EC) No 792/2009 ( 1 ).</p>				Will be dealt with in each corresponding act
<p>CHAPTER VII</p> <p><b>MANAGEMENT OF IMPORTS</b></p> <p><i>SECTION 1</i></p> <p><i>Calculating cif prices for white sugar and raw sugar</i></p>				<p>- The provisions of this Chapter concern Art 182 CMO which includes other products. A horizontal approach is to be expected.</p> <p>- Determination of CIF prices is used for additional duties calculation. Sugar additional duties are suspended until Sept 2017 and molasses' are</p>
<p><i>Article 22</i></p> <p><b>Determination of cif prices</b></p> <p>The Commission shall determine the cif prices for white sugar and raw sugar on the basis of the most favourable purchasing opportunities on the world market. Those prices shall be calculated in accordance with Articles 23 to 26.</p>			To be defined	
<i>Article 23</i>			To be defined	



Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<b>Information to be taken into account</b> When the most favourable purchasing opportunities on the world market are being established, account shall be taken of the relevant information available to the Commission either directly or through the competent agencies of the Member States relating to: ▼B (a) offers on the world market; (b) quotations on exchanges which are important to the international sugar trade; (c) prices recorded on important markets in third countries; (d) sales concluded in international trade.				constantly fixed at 0.  - Additional duties could only be applied to MFN imports (between 2% and 4% of EU imports of sugar)  - Large scope for simplification
<i>Article 24</i> <b>Information to be disregarded</b> When the most favourable purchasing opportunities are being established, information shall be disregarded: (a) if the goods are not of sound and fair marketable quality, or (b) if the possibility of obtaining them at the price indicated in the offer relates only to a small quantity which is not representative of the market, or (c) if the general trend of prices or the information available to the Commission leads the latter to assume that the price indicated in the offer is not representative of actual market trends.			To be defined	
<i>Article 25</i> <b>Adjustment to port of Rotterdam</b> 1. Prices which are not valid for delivery in bulk cif Rotterdam shall be adjusted. When the adjustment is made, account shall be taken in particular of the difference in the cost of transporting the goods between the port of shipment and the port of destination and between the port of shipment and Rotterdam. 2. If the price relates to goods in bags it shall be reduced by 0,88 EUR per 100 kilograms.			To be defined	
<i>Article 26</i> <b>Adjustment to standard quality</b> 1. When prices which relate to qualities other than the standard quality are being adjusted: (a) the increases or reductions fixed in accordance with Article 18 of Regulation (EC) No 318/2006 shall be applied to white sugar; (b) the corrective factors obtained by dividing 92 by the percentage yield of the sugar to which the price relates shall be applied to raw sugar. 2. Yield shall be calculated in accordance with the method described in Point III (3) of Annex I			To be defined	

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
to Regulation (EC) No 318/2006.				
<i>SECTION 2</i> <i>Determination of the standard quality and calculation of the cif price for molasses</i>				
<i>Article 27</i> <b>Standard quality of molasses</b> The standard quality molasses shall: (a) be of sound and fair marketable quality; (b) have a total sugar content of 48 %.			To be defined	
<i>Article 28</i> <b>Determination of cif prices</b> The Commission shall determine the cif prices for molasses on the basis of the most favourable purchasing opportunities on the world market. Those prices shall be calculated in accordance with Articles 29 to 33.			To be defined	
<i>Article 29</i> <b>Information to be taken into account</b>  When the most favourable purchasing opportunities on the world market are being established, account shall be taken of the relevant information relating to: (a) offers on the world market; (b) prices recorded on important markets in third countries; (c) sales concluded in international trade, which are available to the Commission either directly or through the competent agencies of the Member States.			To be defined	
<i>Article 30</i> <b>Information to be disregarded</b> When the most favourable purchasing opportunities on the world market are being established, information shall be disregarded: (a) if the goods are not of sound and fair marketable quality, or (b) if the possibility of obtaining them at the price indicated in the offer relates only to a small quantity which is not representative of the market, or (c) if the general trend of prices or the information available to the Commission leads the latter to assume that the price indicated in the offer is not representative of actual market trends.			To be defined	

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<p><i>Article 31</i></p> <p><b>Adjustments to port of Amsterdam</b></p> <p>Prices which are not valid for delivery in bulk cif Amsterdam shall be adjusted.</p> <p>When the adjustment is made, account shall be taken in particular of the difference in the cost of transporting the goods between the port of shipment and the port of destination and between the port of shipment and Amsterdam.</p>			To be defined	
<p><i>Article 32</i></p> <p><b>Adjustments to the standard quality</b></p> <p>Prices determined when the most favourable purchasing opportunities are being established and which do not relate to the standard quality shall be:</p> <p>(a) increased by one forty-eighth for each percentage point of total sugar content where the sugar content of the molasses concerned is less than 48 %;</p> <p>(b) reduced by one forty-eighth for each percentage point of total sugar content where the sugar content of the molasses concerned is more than 48 %.</p>			To be defined	
<p><i>Article 33</i></p> <p><b>Average price</b></p> <p>When the most favourable purchasing opportunities on the world market are being established, an average of several prices may be taken as a basis, provided this average can be regarded as being representative of actual market trends.</p>			To be defined	
<p><i>SECTION 3</i></p> <p><b><i>Additional import duty</i></b></p>				
<p><i>Article 34</i></p> <p><b>Additional duty for molasses</b></p> <p>1. The additional import duties referred to in Article 27(1) of Regulation (EC) No 318/2006 shall be applied to molasses falling within CN codes 1703 10 00 and 1703 90 00.</p> <p>2. For the purposes of this Regulation, representative prices for molasses on the world market or on the Community import market as referred to Article 27(2) of Regulation (EC) No 318/2006 shall mean the cif prices for those products determined by the Commission in accordance with Section 2, hereinafter referred to as 'molasses representative prices'.</p> <p>Those prices shall be fixed for each marketing year in accordance with the procedure referred to</p>			To be defined	Additional duties for molasses have been fixed at 0 for years

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
in Article 39(2) of Regulation (EC) No 318/2006. The Commission may amend them during that period where the information available to it indicates a change in the representative prices previously fixed of at least EUR 0,5 per 100 kilograms.				
<p><i>Article 35</i></p> <p><b>Trigger prices for molasses</b></p> <p>For 100 kilograms of molasses of the standard quality referred to in Article 27 of this Regulation, the trigger price referred to in Article 27(2) of Regulation (EC) No 318/2006 shall be equivalent to:</p> <p>(a) EUR 7,90 for molasses falling within CN code 1703 10 00;</p> <p>(b) EUR 8,20 for molasses falling within CN code 1703 90 00.</p>			To be defined	
<p><i>Article 36</i></p> <p><b>Additional duty for sugar products</b></p> <p>1. The additional import duties referred to in Article 27(1) of Regulation (EC) No 318/2006 shall be applied to products falling within CN codes 1701 11 10, 1701 11 90, 1701 12 10, 1701 12 90, 1701 91 00, 1701 99 10, 1701 99 90 and 1702 90 99.</p> <p>2. For the purposes of this Regulation, representative prices for white sugar and raw sugar on the world market or on the Community import market as referred to in Article 27(2) of Regulation (EC) No 318/2006 shall mean the cif prices for those products established under Section 1, hereinafter referred to as 'sugar representative prices'.</p> <p>Those prices shall be fixed for each marketing year in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006. The Commission may amend them during that period if the fluctuation in the elements of the calculation produces a rise or fall of EUR 1,20 per 100 kilograms or more in relation to the sugar representative prices fixed previously.</p> <p>3. The sugar representative price for products falling within CN code 1702 90 99 shall be the representative price fixed for white sugar applied per 1 % of sucrose content per 100 kilograms net of the product in question.</p>			To be defined	Additional import duties for sugar products are suspended until Sept 2017
<p><i>Article 37</i></p> <p><b>Trigger prices for sugar products</b></p> <p>For 100 kilograms of net product, the trigger price referred to in Article 27(2) of Regulation (EC) No 318/2006 shall be equivalent to:</p> <p>(a) EUR 53,10 for white sugar falling within CN codes 1701 99 10 and 1701 99 90 of the standard quality referred to in Point II of Annex I to Regulation (EC) No 318/2006;</p> <p>(b) EUR 64,7 for sugar falling within CN code 1701 91 00;</p> <p>(c) EUR 54,10 for raw beet sugar falling within CN code 1701 12 90 of the standard quality</p>			To be defined	

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<p>referred to in Point III of Annex I to Regulation (EC) No 318/2006;</p> <p>(d) EUR 41,30 for raw beet sugar falling within CN code 1701 12 10 of the standard quality referred to in Point III of Annex I to Regulation (EC) No 318/2006;</p> <p>(e) EUR 55,20 for raw cane sugar falling within CN code 1701 11 90 of the standard quality referred to in Point III of Annex I to Regulation (EC) No 318/2006;</p> <p>(f) EUR 41,80 for raw cane sugar falling within CN code 1701 11 10 of the standard quality referred to in Point III of Annex I to Regulation (EC) No 318/2006;</p> <p>(g) EUR 1,184 for the products falling within CN code 1702 90 99 per 1 % of sucrose content.</p>				
<p><i>Article 38</i></p> <p><b>Proofs</b></p> <p>1. The amount of the additional import duties for each of the types of molasses referred to in Article 34(1) and sugar products referred to in Article 36(1) shall be established on the basis of the cif import price of the consignment in question in accordance with Article 39.</p> <p>In the case of molasses the cif import price of the consignment in question shall be converted into the price of molasses of the standard quality by adjustment as referred to in Article 32.</p> <p>In the case of white or raw sugar the cif import price of the consignment in question shall be converted into the price of sugar of the standard quality as defined, respectively, in Points II and III of Annex I to Regulation (EC) No 318/2006, or the equivalent price for the product falling within CN code 1702 90 99, as the case may be.</p> <p>2. When the cif import price per 100 kilograms of a consignment is higher than the applicable molasses representative price referred to in Article 34(2) or sugar representative price referred to in Article 36(2), the importer shall present to the competent authorities of the importing Member State at least the following proofs:</p> <p>(a) the purchasing contract, or any other equivalent document;</p> <p>(b) the insurance contract;</p> <p>(c) the invoice;</p> <p>(d) the certificate of origin (where applicable);</p> <p>(e) the transport contract;</p> <p>(f) in the case of sea transport, the bill of lading.</p> <p>For the verification of the cif import price of the consignment in question the authorities of the importing Member State may require any other information and documents they deem necessary.</p> <p>3. In the case referred to in paragraph 2, the importer shall lodge the security referred to in Article 248(1) of Regulation (EEC) No 2454/93, equal to the difference between the amount of</p>			To be defined	

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<p>additional import duty calculated on the basis of the representative price applicable to the product in question and the amount of additional import duty calculated on the basis of cif import price of the consignment in question.</p> <p>4. The importer shall have two months from the sale of the products in question, subject to a limit of nine months from the date of acceptance of the declaration of release for free circulation, to prove that the consignment was disposed of under conditions confirming the correctness of the prices referred to in paragraph 2. Failure to meet one or other of these deadlines shall entail the loss of the security lodged. However, the time limit of nine months may be extended by the competent authorities by a maximum of three months following a duly substantiated request of the importer.</p> <p>The security lodged shall be released to the extent that proof of the conditions of disposal is provided to the satisfaction of the competent authorities. Otherwise, the security shall be forfeit by way of payment of the additional duties.</p> <p>5. If on verification the competent authorities establish that the requirements of this Article have not been met, they shall recover the duty due in accordance with Article 220 of Regulation (EEC) No 2913/92. The amount of the duty to be recovered or remaining to be recovered shall include interest from the date the goods were released for free circulation up to the date of recovery. The interest rate applied shall be that in force for recovery operations under national law.</p>				
<p><i>Article 39</i></p> <p><b>Calculation of the additional import duty</b></p> <p>If the difference between the trigger price in question referred to in Article 34 for molasses or Article 37 for sugar products and the cif import price of the consignment in question:</p> <p>(a) is 10 % or less of the trigger price, the additional duty shall be zero;</p> <p>(b) is more than 10 % but less than or equal to 40 % of the trigger price, the additional duty shall be 30 % of the amount over and above 10 %;</p> <p>(c) is more than 40 % but less than or equal to 60 % of the trigger price, the additional duty shall be 50 % of the amount over and above 40 %, to which shall be added the additional duty referred to in point (b);</p> <p>(d) is more than 60 % but less than or equal to 75 % of the trigger price, the additional duty shall be 70 % of the amount over and above 60 %, to which shall be added the additional duties referred to in points (b) and (c);</p> <p>(e) is more than 75 % of the trigger price, the additional duty shall be 90 % of the amount over and above 75 %, to which shall be added the additional duties referred to in points (b), (c) and (d).</p>			To be defined	

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<p><i>SECTION 4</i></p> <p><b><i>Suspension or reduction of import duties for molasses</i></b></p> <p><i>Article 40</i></p> <p><b>Suspension of the application of the import duties for molasses</b></p> <p>Where the molasses representative price referred to in Article 34(2) plus the import duty applicable to cane molasses falling within CN code 1703 10 00, or to beet molasses falling within CN code 1703 90 00, exceed, for the product in question, 8,21 EUR/100 kg, the import duties shall be suspended and replaced by the amount of the difference found by the Commission. This amount shall be fixed at the same time as the representative prices referred to in Article 34(2).</p> <p>However, where there is a risk that suspension of import duties may have adverse effects on the Community market in molasses, provision may be made in accordance with the procedure referred to in Article 39(2) of Regulation (EC) No 318/2006 for not applying that suspension for a specific period.</p>			To be defined	MFN import duties for molasses are fixed at 0 on the basis of this Article
<p><i>SECTION 5</i></p> <p><b><i>Calculation of the sucrose content of raw sugar and certain syrups</i></b></p>				
<p><i>Article 42</i></p> <p><b>Calculating methods</b></p> <p>1. If the yield of imported raw sugar as determined in accordance with Section B.III of Annex IV to Regulation (EC) No 1234/2007 differs from the yield fixed for the standard quality, the customs tariff duty for products falling within CN codes 1701 12 10, 1701 13 10 and 1701 14 10, and the additional duty for products falling within CN codes 1701 12 90, 1701 13 90, 1701 14 10 and 1701 14 90 to be levied per 100 kilograms of the said raw sugar shall be calculated by multiplying the corresponding duty fixed for raw sugar of the standard quality by a correcting coefficient. The correcting coefficient shall be obtained by dividing the percentage of the yield of the imported raw sugar by 92.</p> <p>2. For the products referred to in point (c) of Part III of Annex I to Regulation (EC) No 1234/2007, the sucrose content, including other sugars expressed as sucrose, shall be determined by the application of the Lane and Eynon method (copper reduction method) to the solution inverted according to Clerget-Herzfeld. The total sugar content thus determined shall be expressed as sucrose by multiplying by 0,95.</p> <p>However, the sucrose content, including other sugars expressed as sucrose, of products containing less than 85 % sucrose or other sugars expressed as sucrose, and invert sugar expressed as sucrose shall be determined by ascertaining the dry matter content. The dry matter content shall be determined according to the specific gravity of the solution diluted in a</p>			To be defined	<p>Needed for imports, the Common Nomenclature refers to this Article regarding calculation of import duties.</p> <p>Ongoing discussion with DG TAXUD on how these provisions should be kept when Reg 951/2006 becomes obsolete.</p>

Existing text of R 951/2006		Ends with quotas 9/2017	Related horizontal act	Comments
<p>proportion of 1 to 1 by weight and, for solid products, by drying. The dry matter content shall be expressed as sucrose by multiplying by the coefficient 1.</p> <p>3. For the products referred to in points (d) and (g) of Part III of Annex I to Regulation (EC) No 1234/2007, the dry matter content shall be determined in accordance with the second subparagraph of paragraph 2 of this Article.</p> <p>4. For the products referred to in point (e) of Part III of Annex I to Regulation (EC) No 1234/2007, the conversion into sucrose equivalent shall be obtained by multiplying the dry matter determined in accordance with the second subparagraph of paragraph 2 of this Article by the coefficient 1,9.</p>				



## 2. REGULATION 952/2006 – QUOTA MANAGEMENT

Existing text of R 952/2006		End with quotas 9/2017	Comments
<i>Article 1</i> This Regulation lays down detailed rules for the application of Regulation (EC) No 318/2006, as regards in particular the determination of production, approval of manufacturers and refiners, the price and quota system, the conditions for buying sugar into intervention and selling sugar from intervention and the private storage for the marketing year 2007/2008			
<i>Article 2</i> <b>Definitions</b> For the purpose of this Regulation: (a) «raw material» means beet, cane, chicory, cereals, sugar for refining or any other intermediate form of these products intended for processing into an end product; (b) «end product» means sugar, inulin syrup or isoglucose; (c) «manufacturer» means an undertaking producing end products, with the exception of refiners as defined in point 13 of Article 2 of Regulation (EC) No 318/2006; (d) «place of storage» means a silo or warehouse.			The need for definitions will be assessed once the provisions that need to be maintained are established
<i>Article 3</i>			
1. For the purposes of Title II of Regulation (EC) No 318/2006, «sugar production» means the total quantity, expressed as white sugar, of: (a) white sugar; (b) raw sugar; (c) invert sugar; (d) syrups belonging to one of the following categories, hereinafter called «syrups»: (i) sucrose or invert sugar syrups which are at least 70 % pure and are produced from sugar beet, (ii) sucrose or invert sugar syrups which are at least 75 % pure and are produced from sugar cane.			These provisions allow for a clear definition of sugar production, which can be useful for the establishment of the balance sheet. In particular, these help avoiding that the same quantity is counted twice as production.  Scope for simplification.
2. Sugar production shall not include: (a) quantities of white sugar produced from white sugar, raw sugar or syrups which were not produced in the undertaking which manufactured the white sugar; (b) quantities of white sugar produced from white sugar, raw sugar, syrups or sugar sweepings which were not produced during the marketing year in which the white sugar was manufactured; (c) quantities of raw sugar produced from syrups which were not produced in the undertaking which manufactured the raw sugar; (d) quantities of raw sugar produced from syrups which were not produced during the marketing year in which the raw sugar was manufactured; (e) quantities of white or raw sugar processed into white sugar during the marketing year in			

Existing text of R 952/2006		End with quotas 9/2017	Comments
question by the undertaking which produced them; (f) quantities of syrups processed into sugar or invert sugar during the marketing year in question by the undertaking which produced them; (g) quantities of sugar, invert sugar and syrups produced under inward-processing arrangements; (h) quantities of invert sugar produced from syrups which were not produced by the undertaking which manufactured the invert sugar; (i) quantities of invert sugar produced from syrups which were not produced during the marketing year in which the invert sugar was manufactured.			
3. Sugar production shall be expressed in terms of white sugar in the following way: (a) in the case of white sugar, disregarding differences in quality; (b) in the case of raw sugar, on the basis of yield determined in accordance with point III of Annex I to Regulation (EC) No 318/2006; (c) in the case of invert sugar, by multiplying production of invert sugar by the coefficient 1; (d) in the case of syrups on the basis of extractable sugar content determined in accordance with paragraphs 5 and 6 (e) in the case of syrups from invert sugar on the basis on sugar content as determined by the High Performance Liquid Chromatography method.			
4. Sugar sweepings from a previous sugar year shall be expressed as white sugar in proportion to the sucrose content.			
5. The percentage purity of syrups shall be calculated by dividing the total sugar content by the dry matter content and multiplying the result by 100. Dry matter content shall be determined by refractometry.			
6. The extractable sugar content shall be calculated by subtracting the difference between the dry matter content and the degree of polarisation of that syrup, multiplied by 1,70, from the degree of polarisation of the syrup in question. However, the extractable sugar content can be established, for an entire marketing year, on the basis of the real yield in syrups.			
<i>Article 4</i> <b>Isoglucose production</b>			Isoglucose is defined in Annex II Part II of
1. For the purposes of Title II of Regulation (EC) No 318/2006, «isoglucose production» means the total quantity of product obtained from glucose or its polymers with a content by weight in the dry state of at least 10 % fructose irrespective of its fructose content in excess of that limit. Isoglucose production shall be expressed as dry matter and recorded in accordance with paragraph 2.			

Existing text of R 952/2006		End with quotas 9/2017	Comments
2. Isoglucose production shall be recorded as soon as the isomerisation process has terminated and before any operation to separate the glucose and fructose constituents or to produce mixtures, by physical metering of the volume of the product as such and determination of the dry matter content by refractometry.			R1308/2013, is there a need to complement it?
3. All undertakings shall be required to notify without delay any of their facilities which may be used for the isomerisation of glucose or its polymers. Notification shall be made to the Member State on whose territory each facility is situated. The Member State may require the undertaking to furnish additional information in this respect.			
<b>Article 5</b> <b>Inulin syrup production</b>			Inulin syrup is defined in Annex II Part II of R1308/2013.  This can be suppressed
1. For the purposes of Title II of Regulation (EC) No 318/2006, «inulin syrup production» means the quantity of product obtained after the hydrolysis of inulin or oligofructoses with a content by weight in the dry state of at least 10 % fructose in free form or as sucrose, irrespective of its fructose content in excess of that limit, which is at least 70 % pure. Inulin syrup production shall be expressed as dry matter sugar/isoglucose equivalent. «Purity» means the percentage of monosaccharides and disaccharides in the dry matter, as determined by the <i>International Commission for Uniform Methods of Sugar Analysis</i> method, hereinafter referred to as the «ICUMSA method» (ICUMSA method GS7/8/4-24) .			
2. Inulin syrup production shall be recorded by means of the combination of the following operations: (a) physical metering of the volume of the product as such immediately after leaving the first evaporator after each hydrolysis and before any operation to separate the glucose and fructose constituents or to produce mixtures; (b) determination of the dry matter content by refractometry and measurement of the fructose content by weight in the dry state, on the basis of daily representative sampling; (c) conversion of the fructose content to 80 % by weight in the dry state by multiplying the quantity determined in dry matter by the coefficient representing the ratio between the measured fructose content of that quantity of syrup and 80 %; (d) expression as sugar/isoglucose equivalent by applying the coefficient 1.9.			
3. All undertakings shall be required to notify without delay any of their facilities which may be used for the hydrolysis of the inulin, and the annual quantities and the use of the products referred to in paragraph 1 but less than 70 % pure. This information shall be submitted to the Member State on whose territory each facility is situated. That Member State may require undertakings to furnish additional information, in particular to ensure that the byproducts referred to in the first subparagraph are not used as sweetening matter for human consumption on the Community market. The Member State concerned shall send the Commission not later than 31 January each year a			

Existing text of R 952/2006		End with quotas 9/2017	Comments
detailed report containing information on the previous year. The first report shall be sent not later than 31 January 2007.			
<i>Article 6</i> <b>Production of an undertaking</b>			
1. For the purposes of Title II of Regulation (EC) No 318/2006, the «sugar, isoglucose or inulin syrup production of an undertaking» means the sugar, isoglucose or inulin syrup, as defined in Article 3, 4 and 5 of this Regulation, actually manufactured by that undertaking.		x	
2. For a given marketing year, the total sugar, isoglucose or inulin syrup production of an undertaking shall be the production referred to in paragraph 1: - plus the quantity of sugar, isoglucose or inulin syrup carried over to that marketing year and minus the quantity of sugar, isoglucose or inulin syrup carried over to the following marketing year, in accordance with Articles 14 and 19 of Regulation (EC) No 318/2006 respectively, - plus the quantity produced by processors under contract in accordance with paragraph 3 and minus the quantity produced by the undertaking on behalf of principals under contract in accordance with paragraph 3.		x	
3. Where two undertakings make a signed application in writing to the Member State concerned, the quantity of sugar produced by an undertaking (hereinafter called the processor) under contract from materials supplied shall be treated as part of the production of the undertaking (hereinafter called the principal) which had the sugar produced under that contract provided that one of the following conditions is met: (a) the total sugar production of the processor is less than its quota; (b) the total sugar production of the processor and of the principal is more than the sum of their quotas; or (i) for the marketing year 2006/2007, the sum of the thresholds fixed for them in accordance with Article 3(2) of Commission Regulation (EC) No 493/2006; (ii) for the marketing year 2007/2008, the sum of the thresholds fixed for them in accordance with Article 1(2) of Commission Regulation (EC) No 290/2007; (iii) from the marketing year 2008/2009, the sum of the thresholds fixed for them in accordance with Article 19(2) of Regulation (EC) No 318/2006 or where applicable with Article 19a(1) of that Regulation. The total sugar production, as referred to in point (b) of the first subparagraph, of an undertaking shall be the production referred to in paragraph 1 plus the quantity carried forward from the previous marketing year and the quantity produced by processors under contract on behalf of that undertaking, and minus the quantity produced by the undertaking under contract on behalf of principals. Instead of the quantities actually produced, as referred to in the second subparagraph, the competent authorities of the Member States may, where this total is larger, use estimated		x	

Existing text of R 952/2006		End with quotas 9/2017	Comments
production calculated on the basis of the delivery contracts signed by the undertakings.			
4. Where the factories of the principal and of the processor are situated in different Member States, the application referred to in paragraph 3 shall be made to the two Member States concerned. In that case, the Member States concerned shall act in concert as regards the response to be given, and shall take the necessary steps to verify that the conditions referred to in that paragraph are observed.		x	
5. The quantity of sugar produced by a processor may be considered to be produced by the principal if, owing to a case of <i>force majeure</i> recognised by the Member State, the beet, cane or molasses have to be processed into sugar in an undertaking other than that of the principal.		x	
<b>CHAPTER III</b> <b>APPROVAL OF MANUFACTURERS AND REFINERS</b>			No need for approval as from Oct 17
<i>Article 7</i> <b>Application for approval</b> 1. Approval may be obtained by undertakings which apply for it and which operate as: (a) a sugar manufacturer, (b) an isoglucose manufacturer, (c) an inulin syrup manufacturer, (d) a full-time refiner within the meaning of point 13 of Article 2 of Regulation (EC) No 318/2006. The application referred to in the first subparagraph shall be lodged with the competent authority of the Member State or Member States in which the undertaking concerned operates.  An undertaking may apply for approval for one or more of the activities referred to in the first subparagraph.			
2. In its application for approval, the undertaking shall communicate its name and address, its sugar, isoglucose or inulin syrup production capacity and, where appropriate, the number of production sites in the Member State with the address and production capacity of each site.			
3. An undertaking which applies for approval under point (d) of the first subparagraph of paragraph 1 shall supply proof that it meets the definition in point 13 of Article 2 of Regulation (EC) No 318/2006.			
<i>Article 8</i> <b>Commitments</b>			No need for approval as from Oct 17
1. For the purposes of approval, the undertaking shall agree in writing to: (a) notify without delay to the competent authority of the Member State any amendment of the information provided for in Article 7(2) ;			

Existing text of R 952/2006		End with quotas 9/2017	Comments
(b) keep records in accordance with Article 9 and the selling prices established in accordance with Article 13 available to the competent authority of the Member State; (c) communicate information to the Member State in accordance with Article 21; (d) provide at the request of the competent authority of the Member State any information or supporting document required for management and checking.			
2. Approval shall take the form of an act by the competent authority accompanied by a document signed by the undertaking listing the commitments referred to in paragraph 1.			
3. Approval shall be withdrawn if it is found that one of the conditions listed in paragraph 1 is no longer met. Approval may be withdrawn in the course of a marketing year. Withdrawal shall not have retroactive effect.			
<i>Article 9</i> <b>Records</b> The competent authority of the Member State shall determine the records to be kept by all undertakings approved in accordance with Articles 7 and 8, at each of their production sites, and the frequency of such record-keeping, which must be at least monthly. These records shall be kept by the undertaking for at least three years following the current year and comprise at least the following information: 1. the quantities of raw material received with, in the case of beet and cane, the sugar content as determined on delivery to the undertaking; 2. where appropriate, the end products or semi-finished products received; 3. the quantities of end products obtained, and the quantities of by-products; 4. the wastage during processing; 5. the quantities destroyed and the reasons for such destruction; 6. the quantities of end products dispatched.			No need for approval as from Oct 17
<i>Article 10</i> <b>Checks</b> 1. Each marketing year, the competent authority of the Member State shall carry out checks on each approved manufacturer and refiner. 2. The checks shall aim to ensure the accuracy and completeness of the information in the records referred to in Article 9 and of the communications referred to in Article 21 by means, in particular, of an analysis of the consistency between the quantities of raw materials delivered and the quantities of end products obtained, and analysis of a reconciliation of the records with the commercial documents or other relevant documents. The checks shall verify the accuracy of the measuring instruments and laboratory analyses used to determine deliveries of raw materials and their entry into production, the products obtained and stock movements. Checks shall include verification of the accuracy and completeness of the data used to establish the average monthly selling prices of the undertaking referred to in Article 13(2) .			<p>Suppress if approval no longer required</p> <p>Checks on notified prices?</p>

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p>For sugar manufacturers, checks shall also cover compliance with the obligation to pay the minimum price to beet growers.</p> <p>At least once every two years, checks shall include physical checks on stocks.</p> <p>3. Where it is provided by the competent authorities of the Member State that particular elements of the check may be carried out on the basis of a sample, that sample shall guarantee a reliable and representative level of control.</p> <p>4. Member States may require approved undertakings to use a certifying body for accounts, recognised in the Member State, to certify the price data referred to in Article 13.</p> <p>5. Every on-the-spot check shall be the subject of an inspection report signed by the inspector giving the details of the checks carried out. Reports shall indicate in particular:</p> <ul style="list-style-type: none"> <li>(a) the date of the check, and the persons present;</li> <li>(b) the period checked and the quantities involved;</li> <li>(c) the checking techniques used including, where applicable, reference to sampling methods;</li> <li>(d) the results of the check and any corrective measures required;</li> <li>(e) an assessment of the seriousness, extent, permanence and duration of any faults and discrepancies found and all other elements to be taken into consideration for the purposes of applying penalties.</li> </ul> <p>Each inspection report shall be archived and kept for at least three years following the year in which the check is carried out, in a way that ensures that it is readily useable by the Commission departments responsible for checks and inspections.</p> <p>6. The Member States shall assist one another to ensure effective controls, and to ensure the check on the authenticity of documents submitted and/or the accuracy of the data exchanged.</p>			
<p><i>Article 11</i></p> <p><b>Penalties</b></p> <p>1. If the competent authority of the Member State detects a discrepancy between the physical stock and the stock recorded in the records referred to in Article 9, or a lack of consistency between the quantities of raw materials and of end products obtained or between the relevant documents and the data or quantities declared or recorded, it shall determine or, where appropriate, estimate the actual production quantities and stocks for the current marketing year and, where necessary, for the previous marketing years.</p> <p>Any quantity which has given rise to an incorrect declaration resulting in an unfair financial advantage shall be subject to a payment of EUR 500 per tonne of the quantity in question.</p> <p>2. If the competent authority of the Member State finds that an undertaking has failed to fulfil its obligations under Article 8, and if there are no supporting documents to meet the control objectives referred to in Article 10(2), the competent authority shall impose a penalty of EUR 500 per tonne, applied to a flat-rate quantity of end product fixed by the Member State depending on the seriousness of the infringement.</p> <p>3. Paragraphs 1 and 2 shall not apply where the discrepancies and inconsistencies detected are less</p>			<p>Suppress if approval no longer required</p>

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p>than 5 % in weight of the quantity of end products declared or recorded and checked or where they are due to omissions or simple administrative errors, provided that corrective measures are taken to ensure that similar errors do not recur.</p> <p>4. The penalties provided for in paragraphs 1 and 2 shall not be applicable in cases of <i>force majeure</i>.</p>			
<p><i>Article 12</i> <b>Communications to the Commission</b></p>			
<p>1. Member States shall communicate the following information to the Commission: (a) a list of approved undertakings; (b) the quota allocated to each approved manufacturer. This list shall be sent not later than 31 January each marketing year. For the 2006/07 marketing year, this list shall be sent for the first time not later than 31 July 2006. In the event of withdrawal of approval, Member States shall inform the Commission thereof immediately.</p>			Notifications to the Commission will be established once the provisions remaining in force are decided
<p>2. Member States shall send the Commission not later than 31 March following the marketing year concerned an annual report comprising the number of checks carried out in accordance with Article 10 and, for each check carried out, the errors found and the action taken and penalties applied.</p>			
<p><b>CHAPTER IV</b> <b>PRICES</b></p>			
<p><i>Article 13</i> <b>Establishment of average prices</b></p>			
<p>1. Each month, undertakings approved in accordance with Articles 7 and 8 of this Regulation and processors approved in accordance with Article 17 of Regulation (EC) No 318/2006 shall establish, for quota white sugar and non-quota white sugar respectively: (a) for the previous month, the average selling price, or purchase price, and the corresponding quantity sold, or purchased; (b) for the current month and each of the following two months, the forecast average selling or purchase price and the corresponding quantity forecast in the framework of contracts or other transactions. The price shall relate to bulk white sugar ex-factory and of a standard quality as defined in point II of Annex I to of Regulation (EC) No 318/2006. The distinction between quota sugar and non-quota sugar does not apply for refiners.</p>			The price reporting issue is dealt with in a separate document



Existing text of R 952/2006		End with quotas 9/2017	Comments
2. To permit the checks provided for in Article 10, approved undertakings shall keep the data used to establish the prices and quantities referred to in paragraph 1 of this Article for at least three years following the year in which they were produced.			
3. The provisions laid down in paragraphs 1 and 2 shall not apply to processors whose purchase of sugar does not exceed 2 000 tonnes per calendar year			
<i>Article 14</i> <b>Price information</b> Each month, the Commission shall inform the Management Committee for the Common Organisation of Agricultural Markets of the average price for white sugar communicated during the month preceding the date of the information. The price shall be broken down by quota white sugar and non-quota white sugar. The information shall be based on the weighted average of the prices established and communicated by the undertakings under Article 13(1) (a) and communicated in accordance with Article 15.			
<i>Article 14a</i> <b>Additional information</b> In addition to the prices collected at Community level in accordance with Article 14 of this Regulation, the Commission shall also inform the Management Committee for Sugar of prices and quantities for raw and white sugar imported from African, Caribbean and Pacific countries under the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements and from least developed countries as listed in Column D of Annex I to Council Regulation (EC) No 980/2005 based on customs declarations and data available in the database of the Statistical Office of the European Communities.			
<i>Article 15</i> <b>Transitional provisions for the transmission of price data</b> Not later than 20 October 2006, 20 January 2007, 20 April 2007, 20 July 2007, 20 October 2007, 20 January 2008 and 20 April 2008, undertakings approved in accordance with Articles 7 and 8 of this Regulation and processors approved in accordance with Article 17(1) of Regulation (EC) No 318/2006 shall communicate to the Commission the prices established in accordance with Article 13(1) of this Regulation during the previous three months. The reception, processing and storage of the data by the Commission shall be carried out in such a way as to guarantee the confidentiality of data. Other operators in the sugar sector, in particular buyers, may communicate to the Commission the average price for sugar established in accordance with the arrangements laid down in Article 13. Operators shall give their name, address and business name.			

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p><i>Article 15a</i>  <b>Final provisions for the transmission of price data</b>  Each undertaking subject to the obligation set out in Article 13 shall communicate before the 15th of each month the data established in accordance with Article 13(1) to the Member State which granted the approval.  The first communication to the Member State shall be transmitted before 15 August 2008 and shall concern the data established in May and June 2008.  Each Member State shall communicate to the Commission before the end of each month the averages of prices collected at national level, as well as the total corresponding quantities and the standard deviations. The averages and standard deviations shall be weighted by the quantities communicated by undertakings under the previous paragraph.  The reception, processing and storage of the data by the Member States and the Commission shall be carried out in such a way as to guarantee the appropriate confidentiality of data.  Upon simple request to the Member State, the Commission may have access to individual data sent by approved operators in accordance with Article 13(1).  Other operators in the sugar sector, in particular buyers, may communicate to the Commission the average price for sugar established in accordance with Article 13. Operators shall give their name, business name and address</p>			
<p><i>Article 16</i>  <b>Delivery contracts</b></p>			
1. For the purposes of Article 6(5) of Regulation (EC) No 318/2006, a contract concluded between a sugar manufacturer and a beet seller growing its own beet shall be regarded as a delivery contract.			Covered by CMO Art 125 + annex X
2. Where a manufacturer carries forward, pursuant to Articles 14 or 19 of Regulation (EC) No 318/2006, part of its production to the following marketing year, the quota of that manufacturer shall be considered to be reduced in respect of that year by the quantity carried forward for the purposes of Article 6(5) of that Regulation.		X	
3. Only contracts concluded prior to sowing and in any event: - before 1 April in Italy, or - before 1 May in the other Member States shall be regarded as pre-sowing contracts.			Will no longer be needed
<p><i>Article 16a5</i>  <b>Purchase terms for beet</b>  Agreements within the trade and delivery contracts referred to in Article 50(1) of Regulation (EC) No 1234/2007 shall conform to purchase terms laid down in Annex II of this Regulation</p>			Covered by CMO Art 125 + annex X

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p><i>Article 17</i>  <b>Price increases and reductions</b>  1. For the purposes of applying the price increases and reductions provided for in Article 5(3) of Regulation (EC) No 318/2006, the minimum price for quota beet referred to in Article 5(1) of that Regulation shall, for each 0,1 % of sucrose content, be:  (a) increased by not less than:  (i) 0,9 % for contents exceeding 16 % but not exceeding 18 %,  (ii) 0,7 % for contents exceeding 18 % but not exceeding 19 %,  (iii) 0,5 % for contents exceeding 19 % but not exceeding 20 %;  (b) reduced by not more than:  (i) 0,9 % for contents below 16 % but not below 15,5 %,  (ii) 1 % for contents below 15,5 % but not below 14,5 %.  The price for beet with a sucrose content in excess of 20 % shall not be less than the minimum price adjusted in accordance with point (a) (iii) .  2. Delivery contracts, and agreements within the trade as referred to in Article 6 of Regulation (EC) No 318/2006, may provide, compared to the increases and reductions referred to in paragraph 1 of this Article, for:  (a) further increases for sucrose contents above 20 %;  (b) further reductions for sucrose contents below 14,5 %.  These contracts and agreements may, in the case of beet with a sucrose content below 14,5 %, define beet suitable for processing into sugar if further reductions for sucrose contents below 14,5 % but above the minimum sucrose content specified in that definition are laid down in such contracts and agreements.  If the definition referred to in the second subparagraph is not included in the contracts and agreements, the Member State concerned may lay down that definition. In that case it shall, at the same time, fix the further reductions referred to in that subparagraph.</p>		x	
<p>CHAPTER V  <b>QUOTAS AND PRODUCTION CHARGE</b></p>			
<p><i>Article 18</i>  <b>Additional sugar quotas</b>  1. The additional sugar quotas referred to in Article 8 of Regulation (EC) No 318/2006 may only be allocated to sugar manufacturers who were holders of a quota in 2005/06.  2. In their application for additional sugar quotas, undertakings shall indicate whether they wish to obtain the quota from the 2006/07 or 2007/08 marketing year.  If it allocates the additional quota to an undertaking, the Member State shall indicate the marketing year from which the allocation takes effect. However, allocations after 1 January 2007 shall take effect from the 2007/08 marketing year.</p>		x	

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p>3. Member States shall communicate to the Commission the deadline for the payment of the one-off amount referred to in Article 8(4) of Regulation (EC) No 318/2006 within 10 working days of their decision on that deadline.</p> <p>Member States shall notify to each sugar undertaking concerned the amount due at least one month before the deadline referred to in the first subparagraph and on 31 January 2008 at the latest.</p>			
<p><i>Article 19</i> <b>Additional isoglucose quota</b></p> <p>1. Italy, Lithuania and Sweden shall allocate the additional isoglucose quotas referred to in Article 9(2) of Regulation (EC) No 318/2006 to one or more of the 2006/07, 2007/08, 2008/09 and 2009/10 marketing years in a manner which avoids any form of discrimination between the operators concerned.</p> <p>2. The payment of the one-off amount referred to in Article 9(3) of Regulation (EC) No 318/2006 shall be made by each undertaking concerned by a deadline to be determined by the Member State which may not be later than 31 December of the marketing year from which the additional isoglucose quota is allocated.</p> <p>If the undertaking has not paid the one-off amount by the deadline referred to in the first subparagraph, the additional isoglucose quotas shall not be considered as allocated to the undertaking concerned.</p> <p>3. Member States shall communicate to the Commission the deadline referred to in paragraph 2 within 10 working days of their decision on that deadline.</p> <p>Member States shall notify to each isoglucose undertaking concerned the amounts due at least one month before the deadline referred to in paragraph 2 and on 30 November of the marketing year from which the quota is allocated at the latest.</p>		x	
<p><i>Article 20</i> <b>Allocation of beet harvests</b></p> <p>The sugar extracted from beet sown in a particular marketing year shall be attributed to the following marketing year.</p> <p>However, Spain, Italy and Portugal may, subject to a satisfactory control system, decide to attribute sugar extracted from beet sown in the autumn of a particular marketing year to the current marketing year.</p> <p>Spain, Italy and Portugal shall inform the Commission of their decisions under this Article not later than 30 September 2006.</p>			
<p><i>Article 20a</i> <b>Production charge</b></p> <p>From the marketing year 2007/08, Member States shall, on 31 January each year at the latest, notify to each approved sugar and isoglucose producer the production charge to be paid for the current marketing year</p>		x	

Existing text of R 952/2006		End with quotas 9/2017	Comments
<p><i>Article 21</i> <b>Communications on production and stocks</b></p>			<p>Notifications on production and stocks are needed for balance sheet purposes. Simplifications possible particularly as regards the periodicity</p>
<p>1. Each approved manufacturer or refiner shall notify to the competent authority of the Member State in which production or refining took place, before the 20th of each month, the total quantities, expressed as white sugar, of the sugars and syrups indicated in Article 3(1)(a) to (d): (a) owned by him or covered by a warrant; and (b) stored in free circulation on Community territory at the end of the previous month. Those quantities shall be broken down into: (a) sugar produced by that undertaking specifying the quantities of quota sugar and those in excess of the quota, carried forward or withdrawn in accordance with Articles 14 or 19 of Regulation (EC) No 318/2006. In addition, in the quantities of quota sugar at the end of the months of July, August and September, the quantity which comes from the production of sugar under the following marketing year shall be specified; (b) other sugar.</p>			
<p>2. Each Member State shall notify to the Commission, before the end of the second month following the month in question, the quantity of sugar stored at the end of each month by the undertakings indicated in paragraph 1, broken down by type of sugar in accordance with the second subparagraph thereof. If storage is in a different Member State from the one notifying the Commission, the latter shall inform the Member State concerned of the quantities stored on their territory and their locations by the end of the following month.</p>			
<p>3. Each approved isoglucose or inulin syrup manufacturer shall notify to the competent authority of the Member State in which production took place, before 30 November, the quantities of isoglucose expressed as dry matter or, respectively, of inulin syrup expressed as white sugar equivalent owned by it and stored in free circulation on Community territory at the end of the previous marketing year, broken down into: (a) isoglucose or inulin syrup produced by that undertaking specifying the quantities under quota and in excess of the quota carried forward in accordance with Articles 14 or 19 of Regulation (EC) No 318/2006; and (b) other. Member States shall notify to the Commission, before 31 December, the quantities of isoglucose and inulin syrup stored at the end of the previous marketing year, broken down as specified in the first subparagraph.</p>			

Existing text of R 952/2006		End with quotas 9/2017	Comments
4. Before the 15th day of each month, each isoglucose-producing undertaking shall notify to the Member State on whose territory its production took place the quantities of isoglucose, expressed as dry matter, actually produced during the previous month. Member States shall establish the isoglucose production of each such undertaking in each month and notify it to the Commission before the end of the second month following. The quantities produced under inward processing arrangements shall be notified separately.			
<i>Article 22</i> <b>Supply balances</b>			Need to have this explicitly on the Regulation? Simplify
1. For each marketing year, Community supply balances for sugar, isoglucose and inulin syrup shall be drawn up. The balances shall be consolidated at the end of the following marketing year.			
2. Member States shall establish provisional sugar and inulin syrup production figures for the current marketing year for each undertaking located on their territories and notify them to the Commission before 1 March. Sugar production shall be broken down by month. For the French departments of Guadeloupe and Martinique and for Spain as regards cane sugar, the provisional production shall be established and notified by 1 July.			
3. Member States shall notify to the Commission before 1 June the areas and production of, on the one hand, beet for production of sugar, bioethanol and other products respectively, and, on the other hand, chicory for production of inulin syrup, for the current marketing year and estimates of them for the following year.			
4. Before 30 November, Member States shall establish and notify to the Commission actual production of sugar, isoglucose and inulin syrup in the previous marketing year by each undertaking located on their territory. Total sugar production shall be broken down by month.			
5. Where it is necessary to amend actual sugar production on the basis of the information notified under paragraph 4, the resulting difference shall be taken into account in establishing actual production in the marketing year during which this difference came to light			
<b>CHAPTER VI - PUBLIC STORAGE</b> <i>Article 23 - Offers</i> <i>Article 24 - Approval of the place of storage</i> <i>Article 25 - Minimum sugar quality</i> <i>Article 26 - Lots</i> <i>Article 27 - Content of the offer</i> <i>Article 28 - Examination of the offers</i> <i>Article 29 - Storage contracts</i>			Obsolete as there is no intervention in the sugar sector

Existing text of R 952/2006		End with quotas 9/2017	Comments
<i>Article 30 - Transfer of ownership</i> <i>Article 31 - Quality and packing standards</i> <i>Article 32 - Intervention price for and quality of white sugar</i> <i>Article 33 - Intervention price for raw sugar</i> <i>Article 34 - Payment period</i> <i>Article 35 - Sample for checking quality</i> <i>Article 36 - Disputes over quality</i> <i>Article 37 - Checks on the places of storage</i> <i>Article 38 - Checks on weight and related costs</i> <i>Article 39 - Sales</i> <i>Article 40 - Notice of invitation to tender</i> <i>Article 41 - Tender</i> <i>Article 42 - Terms of the tendering procedure</i> <i>Article 43 - Standing invitation to tender</i> <i>Article 44 - Submission of the tender</i> <i>Article 45 - Examination of tenders</i> <i>Article 46 - Fixing amounts</i> <i>Article 47 - Award of the tender</i> <i>Article 48 - Rights and obligations arising from awards</i> <i>Article 49 - Statement of award</i> <i>Article 50 - Removal of the sugar purchased</i> <i>Article 51 - Removal order</i> <i>Article 52 - Payment</i> <i>Article 53 - Transfer of ownership</i> <i>Article 54 - Determining the grade or yield</i> <i>Article 55 - Adjustment of the price of sugar</i> <i>Article 56 - Release of the security</i> <i>Article 57 - Notifications of quantities</i>			
<i>Article 58</i> <b>Communications and notifications</b> The communications and notifications referred to in Article 5(3) and in Articles 12, 21 and 22 shall be made in accordance with Commission Regulation (EC) No 792/2009			
<i>ANNEX I</i>  <b>Quantities by Member State referred to in Article 23(3) for the marketing year 2007/08</b>			Obsolete

Existing text of R 952/2006		End with quotas 9/2017	Comments
<i>ANNEX II</i>  <b>Purchase terms for beets, referred to in article 16a</b>			In CMO



### 3. REGULATION 967/2006 – OUT OF QUOTA

Existing text of R 967/2006	Ends with quotas 9/2017	Remarks
Whole text of the Regulation + annex	x	This act will become obsolete with suppression of the quota system. Definition of industrial sugar might be needed if a particular price reporting was established for it

### 4. REGULATION 2015/1538 (DR) and 2015/1550 (IA)– PREFERENTIAL IMPORTS

Existing text	Remarks
Whole text of both Regulations	These acts apply during the marketing years 2015/16 and 2016/17. After that, preferential imports will fall under the scope of the horizontal rules on trade mechanisms currently under discussion

### 5. REGULATION 891/2009 – IMPORT TRQ

Existing text	Remarks
Whole text of the Regulation	The provisions of Reg 891/2009 should be included in the horizontal exercise on all agricultural products TRQs which is under discussion.  Provisions on proof of refining and penalties to be examined for TRQ limited to sugar for refining