REGULATION (EEC) No 2045/75 OF THE COMMISSION

of 25 July 1975

on special detailed rules for the application of the system of import licences and advance fixing certificates for beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 805/68 (1) of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74 (2), and in particular Articles 12a (2), 14 (4) and 15 (3) thereof;

Whereas special detailed rules for the application of the system of import licences and advance fixing certificates established for beef and veal were laid down by Commission Regulation (EEC) No 2637/70 (3) of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 1807/75 (4);

Whereas Regulation (EEC) No 2637/70 also lays down special detailed rules for the application of the system of import and export licences and advance fixing certificates established for other products,; whereas that Regulation has been amended many times and whereas it has been found that its composite nature can make it difficult to administer; whereas, therefore, in the interests of clarity and sound administration, the legislation applicable to each sector should be consolidated and published in the form of a separate Regulation;

Whereas this Regulation should comprise those provisions peculiar to beef and veal which are required for the application of the system of licences and certificates in this sector; contained in this Regulation;

Whereas such provisions either supplement or derogate from the provisions of Commission Regulation (EEC) No 193/75 (5) of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down special detailed rules for the application of the system of import licences and advance fixing certificates established by Article 12a and pursuant to Article 15 of Regulation (EEC) No 805/68.

Article 2

1. Advance fixing certificates as referred to in Article 12a of Regulation (EEC) No 805/68 shall be valid for 30 days from their actual day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

2. The period of validity of import licences as referred to in Article 15 of Regulation (EEC) No 805/68 shall be as follows:

(a) 45 days for frozen meat;

(b) 35 days for products, other than those specified in (a), originating in and coming from third countries outside Europe;

(c) 10 days for products other than those specified in (a) and (b).

Every such period of validity shall run from the day of issue of the licence within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

---

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 8. 1974, p. 15.
(3) OJ No L 283, 29. 12. 1970, p. 15.
(4) OJ No L 184, 15. 7. 1975, p. 33.
(5) OJ No L 25, 31. 1. 1975, p. 10.

However, licences giving entitlement to the special import arrangements provided for in Article 14 (3) (b) (bb) of Regulation (EEC) No 805/68 shall be valid for 90 days from their actual day of issue.

Article 3

1. The amount of the security in respect of advance fixing certificates as referred to in Article 12a of Regulation (EEC) No 805/68 shall be 8 units of account per 100 kg net.

2. The amount of the security in respect of import licences as referred to in Article 15 of Regulation (EEC) No 805/68 shall be as follows:

(a) 5 units of account per head for live animals;

(b) 5 units of account per 100 kg net for other products.

Article 4

1. Sections 13 and 14 of the application for an advance fixing certificate as referred to in Article 12a of Regulation (EEC) No 805/68 and of the certificate itself shall contain:

— either one of the following endorsements:

'Argentine'

'Argentina'

'Argentinien'

'Argentinië'

— or the following endorsement: 'Uruguay'.

Every certificate so endorsed shall carry with it an obligation to import from the country in question.

2. Section 12 of the application for an import licence for the products referred to in Article 2 (2) (b) and of the licence itself shall contain an asterisk corresponding to the entry in sections 13 and 14, followed by one of the following endorsements

'Non-European third countries'

'Ikke europæiske tredjelande'

'Nichteuropäische Drittländer'

'Pays tiers non européens'

'Paesi terzi non europei'

'Niet Europese derde landen'

Every licence so endorsed shall carry with it an obligation to import from such a country.

Article 5

1. No import licence shall be required for products imported under an advance fixing certificate.

2. Treatment under the special import arrangements provided for in Article 14 (3) (b) (bb) of Regulation (EEC) No 805/68 may be accorded only if the import licence is applied for and issued in accordance with the provisions of Articles 6, 7 and 8.

Article 6

1. Section 12 of the application for a licence and of the licence shall contain one of the following endorsements:

'Meat intended for processing — system bb) ...'

'kød bestemt til forarbejdning — ordning bb ...'

'Zur Verarbeitung bestimmtes Fleisch — Regelung bb) ...'

'Viandes destinées à la transformation — régime bb) ...'

'Carni destinate alla trasformazione — Regime bb) ...'

'Vlees bestemd voor verwerking — bb) regeling ...'

2. Section 20 of the licence shall contain one of the following endorsements:

'Levy reduced by ...% in respect of ... (quantity in figures and letters) kg'

'nedsættelse af importafgiften med ...% for ... (kvantum i tal og bogstaver) kg'

'Aussetzung der Abschöpfung in Höhe von ... v. H. für ... (Menge in Zahlen und Worten) kg'

'prélèvement reduit de ...% pour ... (quantité en chiffres et en lettres) kg'

'prelievo ridotto del ...% per ... (quantità in cifre e in lettere) kg'

'Heffing verminderd med ... % voor ... (hoeveelheid in cijfers en letters) kg'

The percentage shall be that valid on the first day of the quarter.

Article 7

1. Applications may be lodged only during the first 10 days of each quarter.

Applications shall be considered only where the special arrangements are applicable on the day prescribed for the actual issue of the licence.

2. On the eleventh day of each quarter, Member States shall before 4 p.m. communicate to the Commission by telex the total quantity covered by applications as referred to in paragraph 1 lodged during the period referred to in the first subparagraph of that paragraph.

If that day is not a working day in a Member State, the communication shall be made before 4 p.m. on the first working day thereafter.

3. Licences shall be issued on the twenty-first day of the first month of each quarter.

However, if that day is not a working day in the Member State where the application was lodged, licences shall be issued on the first working day thereafter.

4. Licences may be issued to cover a percentage only of the quantity applied for. This percentage shall be the same for all applications lodged.

However, it may be decided that this percentage shall apply only to applications exceeding a certain tonnage to be determined and only to the excess over that tonnage. In that case, quantities not exceeding that tonnage shall not be affected by that percentage. Two or more applications from one applicant, lodged during the period referred to in paragraph 1, shall be treated as a single application even when they relate to products falling within different Tariff subheadings.

5. The security shall be released forthwith:

(a) for applications that cannot be considered pursuant to the second subparagraph of paragraph 1;

(b) where paragraph 4 is applied, in proportion to the quantity for which the application was not granted.

Article 8

When the total quantity for which applications were lodged during the period referred to in the first subparagraph of Article 7 (1) is less than the quantity appearing in the quarterly estimate mentioned in the last subparagraph of Article 14 (2) of Regulation (EEC) No 805/68, it may be decided that further applications for licences may be lodged during one or more specified periods within the quarter in question. In that case, new dates shall be fixed for the forwarding of applications by the Member States and for the issue of licences.

Article 9

1. Article 1, in so far as it concerns beef and veal, and Articles 38 to 43 of Regulation (EEC) No 2637/70 are hereby repealed.

2. All references in Community instruments to one of the abovementioned Articles of Regulation (EEC) No 2637/70 shall be treated as references to the corresponding Article of this Regulation.

Article 10

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply with effect from 1 September 1975.

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

Done at Brussels, 25 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission