REGULATION (EEC) No 2857/75 OF THE COMMISSION

of 31 October 1975

amending for the fifth time the EXIM system of import licences for beef and veal introduced as a protective measure by Regulation (EEC) No 1090/75

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 Article 21 (2) thereof;

Whereas, under the arrangements governing import licences for certain products of the beef and veal sector, introduced as a protective measure by Commission Regulation (EEC) No 1090/75 (3) of 23 April 1975, as last amended by Regulation (EEC) No 2477/75 (4), the importers concerned may submit two applications for licences, the second licence being issued only after a certain period has elapsed; whereas it has been found that the requirements upon applicants to specify at the time of their first application the product to be imported under the second licence constitutes an inconvenience for them which the objectives of Regulation (EEC) No 1090/75 do not warrant; whereas it should therefore be provided that applications for the second licence should be submitted nearer the actual date of issue;

Whereas, although Article 2 (4) 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 provides that the quantity imported may exceed by 5 % the quantity specified on the import licences, this should not entitle the importer to the benefit of a reduced rate of levy in respect of a quantity that he has not previously exported without refund; whereas, therefore, provision should be made for payment of the levy at the normal rate for such quantities,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (1) of Regulation (EEC) No 1090/75 is amended to read as follows:

'1. In respect of each export without refund of products as specified in Annex I, other than those sold in accordance with Regulations (EEC) No 2320/74 and (EEC) No 616/75, application may be submitted for the issue of an import licence in respect of a quantity, expressed as beef or veal in carcase, of at least 10 metric tons, such quantity not to exceed that exported.

The application shall be accompanied by a declaration indicating:

(a) the quantity expressed in kilogrammes of beef or veal in carcase;

(b) the rate of levy per 100 kg of beef and veal in carcase which the applicant undertakes to pay upon importation; the rate shall be expressed in the national currency of the Member State in which the application is made.'

Article 2

An Article 4a as follows is inserted in Regulation (EEC) No 1090/75:

'1. Any applicant having obtained an import licence in accordance with Articles 3 and 4 shall on application be entitled to receive a second import licence for the same quantity, in terms of beef or veal in carcase, and at the same rate of levy as in the original licence.

2. Application for the issue of a second import licence may be made only between the sixteenth and the twenty-third day of the second month following the month in which the first application was submitted.'

Article 3

Article 5 (2) (b) of Regulation (EEC) No 1090/75 is replaced by the following:

'(b) in section 20, one of the following endorsements:

— rate of levy applicable ... (in national currency) per 100 kg for a quantity of ... kg;

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 108, 26. 4. 1975, p. 1.
(4) OJ No L 253, 10. 9. 1975, p. 30.
(5) OJ No L 25, 31. 1. 1975, p. 10.

— taux du prélèvement applicable ... (en monnaie nationale) par 100 kg pour la quantité de ... kg ;
— gültiger Abschöpfungssatz ... (in Landeswahrung) je 100 kg für die Menge von ... kg ;
— tasso del prelievo applicabile ... (in moneta nazionale) per 100 kg per la quantità di ... kg ;
— toe te passen heffing ... (in nationale valuta) per 100 kg voor een hoeveelheid van ... kg ;
— gældende afgiftssats ... (i national valuta) pr. 100 kg for en mængde af ... kg.'

Article 4

A further paragraph as follows is added to Article 7 of Regulation (EEC) No 1090/75 :

'For quantities imported by virtue of Article 2 (4) of Regulation (EEC) No 193/75, the levies fixed pursuant to Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged.'

Article 5

Applications for second licences under the second subparagraph of Article 5 (3) of Regulation (EEC) No 1090/75 submitted before 1 November 1975 may be replaced by applications for licences submitted under Article 4a of that Regulation.

Article 6

This Regulation shall enter into force on 1 November 1975.

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

Done at Brussels, 31 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission