REGULATION (EEC) No 3376/75 OF THE COMMISSION

of 23 December 1975

laying down rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3328/75 [1] of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 3 (1) and (2) thereof ;

Whereas, pursuant to Article 2 (1) of Council Regulation (EEC) No 1599/75 [2] of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, no customs duties are applied to the imports in question ;

Whereas the rules governing the origin of the products in question are those appearing in Annex II to Regulation (EEC) No 1598/75 [3] of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé Convention relating to trade in goods ;

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 lays down that the charges on imports of beef and veal originating in the African, Caribbean and Pacific States are to be reduced, provided that a tax of corresponding amount is collected when the goods are exported from the country of origin ;

Whereas the import charges result from the level of the levy applicable ; whereas that levy may be adjusted by accession and monetary compensatory amounts ; whereas since those amounts differ according to the arrangements applicable in each Member State, the import charges also differ ;

Whereas, however, the precise application of those amounts would result in complex administrative problems and would oblige the non-member countries concerned to levy different amounts according to the destination within the Community ; whereas provision should therefore be made for a standard method of calculating the amounts, on the basis of only two Community regions, namely the new Member States, which still apply accession compensatory amounts, and the other Member States ; whereas, in each of those two regions, the compensatory amounts applicable to imports in the Member State which absorbs most of the imports in question should be taken as a basis, it being possible also to consider those amounts as close to the average of the compensatory amounts applicable for each of the Member States ;

Whereas there is good reason to derogate from the quarterly fixing of the amounts of reduction pursuant to Article 3 (2) of Regulation (EEC) No 3328/75 because of the new marketing year for the beef and veal sector beginning 1 March 1976 ;

Whereas proof that the export tax has been collected may be supplied by entering the relevant amount on the movement certificate provided for in Council Regulation (EEC) No 1598/75 ;

Whereas detailed rules for the application of the system of import licences for the products coming from the beef and veal sector are specified in Commission Regulation (EEC) No 193/75 [4] of 17 January 1975, as amended by Regulation (EEC) No 2104/75 [5] and Commission Regulation (EEC) No 2045/75 [6] of 25 July 1975 ; whereas there is good reason to take special measures for the delivery of import licences within the framework of the present Regulation ;

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

Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland, under the conditions laid down in this Regulation and within the limit of the quantities

(1) OJ No L 329, 23. 12. 1975, p. 4.
(2) OJ No L 166, 28. 6. 1975, p. 67.
(3) OJ No L 166, 28. 6. 1975, p. 1.
(4) OJ No L 25, 31. 1. 1975, p. 10.
(5) OJ No L 214, 12. 8. 1975, p. 20.
(6) OJ No L 213, 11. 8. 1975, p. 21.

expressed in metric tons of boned meat as fixed in Regulation (EEC) No 3328/75 :

Botswana	8 680 metric tons,
Kenya	65 metric tons,
Madagascar	3 478 metric tons,
Swaziland	1 543 metric tons.

100 kg of boned meat shall be equivalent to 130 kg of unboned meat.

Article 2

1. Applications for import licences may be submitted to the competent agencies of the Member States only during the first 10 days of each month.

The country of origin shall be indicated in box 14 of the application for a licence and of the licence.

The licence entails the obligation to import from the country indicated.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission, by telex, of the total quantity for each of the non-member countries which are the subject of the applications referred to in paragraph 1.

The Commission shall decide, for each non-member country concerned, which applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

3. If the total quantity forming the subject of applications relating to a non-member country is lower than the quantity available from that non-member country, the Commission shall decide what shall be done with the remaining quantity.

4. The import licences shall be valid only until 30 June 1976.

5. The licences shall be issued on the 21st day following the first day of the period for the submission of applications.

6. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately for a quantity in respect of which no import licence has been issued.

Article 3

Importation to benefit from the system of import charge reductions may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in conformity with the rules of origin applicable to the products in question in accordance with the provisions of Annex II to Regulation (EEC) No 1598/75.

Article 4

1. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into Ireland or the United Kingdom shall be equal to 90 % of the amount resulting from the levy reduced by the accession compensatory amount applicable to imports into the United Kingdom from non-member countries and by the monetary compensatory amounts, valid for imports into that Member State during the week :

(a) beginning 5 January 1976, for imports to be effected in January and February 1976 ;

(b) beginning 1 March 1976, for imports to be effected in March 1976 ;

(c) beginning 22 March 1976, for imports to be effected in the second quarter of 1976.

2. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into a Member State other than those mentioned in paragraph 1 shall be equal to 90 % of the amount resulting from the levy corrected, if such should be the case, by any monetary compensatory amount applicable for France during the week :

(a) beginning 5 January 1976, for imports to be effected in January and February 1976 ;

(b) beginning 1 March 1976, for imports to be effected in March 1976 ;

(c) beginning 22 March 1976, for imports to be effected in the second quarter of 1976.

Article 5

1. The import charges shall be reduced by the amount fixed in accordance with Article 4 only if the model of the certificate for the movement of goods EUR.1 contained in Annex 5 to Annex II to Regulation (EEC) No 1598/75 indicates :

(a) in box 5, the group of countries of destination, by means of the figure '1' for the Member States referred to in Article 4 (1) and by means of the figure '2' for the Member States referred to in paragraph 2 of that Article ;

(b) in box 7, the amount of the export tax collected per 100 kg ;

(c) in box 8, the subheading of the Common Customs Tariff for the product in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. The application of this Regulation may not in any event give rise to the granting of an amount.

3. The export tax to be collected shall be that in force at the date of completion of the customs export formalities.

The amount by which the import charges shall be reduced shall be that valid on the day of completion of the customs import formalities in the Community region indicated in box 5 of the certificate.

Article 6

This Regulation shall enter into force on 1 January 1976.

It shall apply until 30 June 1976.

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

Done at Brussels, 23 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission