REGULATION (EEC) No 780/75 OF THE COMMISSION

of 25 March 1975

concerning the arrangements for the importation, during the period of application of protective measures, of products originating in Botswana, Kenya, Madagascar and Swaziland

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 Commission Regulation (EEC) No 2668/74 (3) of 21 October 1974 suspended the issue of import licences and advance fixing certificates, given that the prices of beef and veal on representative Community markets are markedly lower than the intervention price; whereas the list of products in respect of which importation is suspended was extended by Commission Regulation (EEC) No 610/75 (4) of 7 March 1975 on protective measures for certain beef and veal products falling within subheading 16.02 B III b) 1 of the Common Customs Tariff;

Whereas the Commission is following the situation on the market in beef and veal closely; whereas it has noted that the market is still in danger of suffering, as a result of imports, serious disturbances which could jeopardize the objectives of Article 39 of the Treaty;

Whereas at Lomé the Community concluded a convention with the African, Caribbean and Pacific States; whereas four of them — Botswana, Kenya, Madagascar and Swaziland — have traditionally exported beef and veal to the Community; whereas these exports are essential to their economic development;

Whereas exports from those countries should therefore be afforded special treatment, without thereby allowing the Community market to be disturbed; whereas that objective may be attained by fixing the total quantity of meat per country which may be imported and by making importation subject to the production of an import licence, to be issued only after verification of the quantities in respect of which licences are applied for, the total quantities fixed per country being, if necessary, subject to allocation;

Whereas these arrangements are sufficient to cover the greater part of the more substantial annual imports of beef and veal into the Community from each of the countries covered during the years 1969 to 1974; whereas it will be possible for the balance of these annual quantities to be covered by the measures which the Community has adopted or will adopt with a view to the gradual restoration of a certain flow of trade with third countries in respect of beef and veal;

Whereas detailed rules in respect of import licences were laid down by Commission Regulation (EEC) No 193/75 (5) of 17 January 1975 and by Commission Regulation (EEC) No 2637/70 (6) of 23 December 1970, as last amended by Regulation (EEC) No 558/75 (7),

HAS ADOPTED THIS REGULATION:

Article 1

Licences for the importation of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland shall be issued as provided in this Regulation for the following maximum quantities, expressed in metric tons of boned meat:

	Until 31 August 1975	From 1 September to 31 December 1975
Botswana	7 567	3 282
Kenya	58	25
Madagascar	3 031	1 315
Swaziland	1 344	583

100 kilogrammes of boned meat shall be equal to 130 kilogrammes of unboned meat.

Article 2

1. Applications for import licences may be lodged with the competent agencies of the Member States:

— only during the first five working days following the date of entry into force of this Regulation for the period ending 31 August 1975,

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 195, 18. 7. 1974, p. 14.
(3) OJ No L 285, 22. 10. 1974, p. 22.
(4) OJ No L 63, 8. 3. 1975, p. 37.
(5) OJ No L 25, 31. 1. 1975, p. 10.
(6) OJ No L 283, 29. 12. 1970, p. 15.
(7) OJ No L 59, 5. 3. 1975, p. 16.

— only during the first 10 days of September 1975 for the period ending 31 December 1975.

The country of origin shall be entered in Section 14 of the application for a licence and of the licence. The licence shall carry with it an obligation to import from that country.

2. On the first working day following expiry of the time limit for the lodging of applications, Member States shall inform the Commission by telex of the total quantity in respect of which applications as specified in paragraph 1 have been lodged, broken down by relevant third country. The Commission shall, for each of the third countries concerned, decide to what extent licences may be granted.

If the quantities in respect of which licences for products originating in a given country have been applied for exceed the quantity fixed for that country in Article 1, the Commission shall determine a single percentage by which the quantities requested are to be reduced.

3. If the total quantity in respect of which applications relating to a relevant third country have been received is less than the quantity fixed for that country in Article 1, the Commission shall declare what quantity remains over. In such case, further applications for licences may be lodged during the first ten days :

— of May 1975 for the period ending 31 August 1975,

— of October 1975 for the period ending 31 December 1975.

The provisions contained in the preceding paragraphs shall apply.

4. The period of validity of the import licences shall end on :

— 31 August 1975 for those issued before that date,

— 31 December 1975 for those issued after 31 August 1975.

5. Licences shall be issued :

— on the first occasion, on the 10th working day following the date of entry into force of this Regulation,

— on subsequent occasions, on the 21st day following the first day of the period during which applications are lodged.

Article 3

Importation shall be authorized only if the origin of the products in question has been certified by the competent authorities of the exporting country :

(a) by documentary evidence, issued as provided in the Protocol on origin to the Lomé convention on or after the date on which that convention is put into effect, in the case of products originating in the third countries specified in (b) ;

(b) before the date referred to in (a), by :

(aa) the AY1 movement certificate provided for in Regulation (EEC) No 1251/71 [1], in the case of products originating in Madagascar,

(bb) the AA1 movement certificate provided for in Regulation (EEC) No 1289/71 [2], in the case of products originating in Kenya,

(cc) a certificate of origin endorsed by the customs authorities, in the case of products originating in Botswana and Swaziland.

Article 4

Subject to the provisions of Article 18 of Regulation (EEC) No 193/70, the security shall be released immediately in respect of quantities for which no import licence has been issued.

Article 5

This Regulation shall enter into force on 27 March 1975.

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

Done at Brussels, 25 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(1) OJ No L 135, 21. 6. 1971, p. 1.
(2) OJ No L 141, 27. 6. 1971, p. 1.