COMMISSION REGULATION (EC) No 3338/94

of 27 December 1994

fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat [1], as last amended by Regulation (EEC) No 1574/93 [2], and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat [3], as last amended by Regulation (EEC) No 3714/92 [4];

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EC) No 2332/94 [5], last fixed for the period 1 October to 31 December 1994, they must be fixed anew for the period 1 January to 31 March 1995; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 July to 30 November 1994;

Whereas, when the sluice-gate prices applicable from 1 October, 1 January and 1 April are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required for the production of poultry other than fowls varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 January to 31 March 1995;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, by Council Regulation (EEC) No 715/90 [6], 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 (ACP States), as last amended by Regulation (EC) No 2484/94 [7], special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultrymeat products;

Whereas Council Regulation (EEC) No 3833/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries [8], as last amended by Regulation (EC) No 3282/94 [9], partially or totally suspends Common Tariff duties, in particular on certain poultrymeat products;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community [10], no levies shall apply on imports of products originating in the overseas countries and territories;

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[1] OJ No L 282, 1. 11. 1975, p. 77.
[2] OJ No L 152, 24. 6. 1993, p. 1.
[3] OJ No L 282, 1. 11. 1975, p. 84.
[4] OJ No L 378, 23. 12. 1992, p. 23.
[5] OJ No L 254, 30. 9. 1994, p. 4.
[6] OJ No L 84, 30. 3. 1990, p. 85.
[7] OJ No L 265, 15. 10. 1994, p. 3.
[8] OJ No L 370, 31. 12. 1990, p. 86.
[9] OJ No L 348, 31. 12. 1994.
[10] OJ No L 263, 19. 9. 1991, p. 1.

Whereas Council Regulations (EC) No 3491/93 [1] and (EC) No 3492/93 [2], on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part [3], as amended by Regulation (EEC) No 2235/93 [4], and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 2699/93 [5], as last amended by Regulation (EC) No 3026/94 [6], lays down detailed rules for applying the arrangements provided for in these agreements as regards poultrymeat;

Whereas Council Regulations (EC) No 3641/93 [7] and (EC) No 3642/93 [8] lay down certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria and Romania, of the other part; whereas Commission Regulation (EC) No 1559/94 [9], as last amended by Regulation (EC) No 3027/94 [10], lays down detailed rules for applying the arrangements provided for in these Agreements as regards poultrymeat;

Whereas Council Regulation (EC) No 774/94 [11] has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Commission Regulation (EC) No 1431/94 [12], amended by Regulation (EC) No 2389/94 [13], has established the detailed rules of the import regime for poultrymeat laid down in Regulation (EC) No 774/94;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 in respect of the products specified in Article 1 (1) of that Regulation and the sluice-gate prices provided for in Article 7 of that Regulation in respect of the like products shall be fixed in the Annex.

2. However, for products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, for which the rate of duty has been bound under GATT, the levies shall be limited to the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 January 1995.

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

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

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[1] OJ No L 319, 21. 12. 1993, p. 1.
[2] OJ No L 319, 21. 12. 1993, p. 4.
[3] OJ No L 56, 29. 2. 1992, p. 9.
[4] OJ No L 200, 10. 8. 1993, p. 5.
[5] OJ No L 245, 1. 10. 1993, p. 88.
[6] OJ No L 321, 14. 12. 1994, p. 10.
[7] OJ No L 333, 31. 12. 1993, p. 16.
[8] OJ No L 333, 31. 12. 1993, p. 17.
[9] OJ No L 166, 1. 7. 1994, p. 62.
[10] OJ No L 321, 14. 12. 1994, p. 12.
[11] OJ No L 91, 8. 4. 1994, p. 1.
[12] OJ No L 156, 23. 6. 1994, p. 9.
[13] OJ No L 255, 1. 10. 1994, p. 104.

ANNEX

to the Commission Regulation of 27 December 1994 fixing the sluice-gate prices and levies for poultrymeat (1) (6)

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 11	22,10	5,00	—
0105 11 19	22,10	5,00	—
0105 11 91	22,10	5,00	—
0105 11 99	22,10	5,00	—
0105 19 10	98,37	16,99	—
0105 19 90	22,10	5,00	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	76,57	20,21 (4)	—
0105 99 10	85,95	30,47	—
0105 99 20	111,80	31,01 (4)	—
0105 99 30	101,78	23,65 (4)	—
0105 99 50	117,59	32,40	—
0207 10 11	96,20	25,39 (4)	—
0207 10 15	109,39	28,87 (4)	—
0207 10 19	119,19	31,45 (4) (5)	—
0207 10 31	145,40	33,78 (4)	—
0207 10 39	159,38	37,03 (4)	—
0207 10 51	101,11	35,84 (4) (5)	—
0207 10 55	122,78	43,53 (4) (5)	—
0207 10 59	136,42	48,36 (4) (5)	—
0207 10 71	159,71	44,30 (4) (5)	—
0207 10 79	150,43	46,74 (4) (5)	—
0207 10 90	167,99	46,28	—
0207 21 10	109,39	28,87 (4) (5)	—
0207 21 90	119,19	31,45 (4) (5)	—
0207 22 10	145,40	33,78 (4)	—
0207 22 90	159,38	37,03 (4)	—
0207 23 11	122,78	43,53 (4) (5)	—
0207 23 19	136,42	48,36 (4) (5)	—
0207 23 51	159,71	44,30 (4) (5)	—
0207 23 59	150,43	46,74 (4) (5)	—
0207 23 90	167,99	46,28	—
0207 31 10	1 597,10	443,00	3 (3)
0207 31 90	1 597,10	443,00	3 (3)
0207 39 11	280,12	83,08 (4)	—
0207 39 13	131,11	34,60 (4)	—
0207 39 15	90,48	25,90 (4)	—
0207 39 17	62,64	17,93 (4)	—
0207 39 21	180,49	47,64 (4)	—
0207 39 23	169,55	44,75 (4)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 25	278,40	79,68	—
0207 39 27	62,64	17,93 (4)	—
0207 39 31	305,34	70,94 (4)	—
0207 39 33	175,32	40,73 (4)	—
0207 39 35	90,48	25,90 (4)	—
0207 39 37	62,64	17,93 (4)	—
0207 39 41	232,64	54,05 (4)	—
0207 39 43	109,05	25,34 (4)	—
0207 39 45	196,29	45,60 (4)	—
0207 39 47	278,40	79,68 (4)	—
0207 39 51	62,64	17,93 (4)	—
0207 39 53	315,90	98,15 (4) (5)	—
0207 39 55	280,12	83,08 (4) (5)	—
0207 39 57	150,06	53,20	—
0207 39 61	165,47	51,41 (4) (5)	—
0207 39 63	184,79	50,91	—
0207 39 65	90,48	25,90 (4) (5)	—
0207 39 67	62,64	17,93 (4) (5)	—
0207 39 71	225,65	70,11 (4) (5)	—
0207 39 73	180,49	47,64 (4) (5)	—
0207 39 75	218,12	67,77 (4) (5)	—
0207 39 77	169,55	44,75 (4) (5)	—
0207 39 81	191,25	63,20 (4) (5)	—
0207 39 83	278,40	79,68	—
0207 39 85	62,64	17,93 (4) (5)	—
0207 39 90	160,08	45,82	10
0207 41 10	280,12	83,08 (4) (7)	—
0207 41 11	131,11	34,60 (4)	—
0207 41 21	90,48	25,90 (4)	—
0207 41 31	62,64	17,93 (4)	—
0207 41 41	180,49	47,64 (4) (7)	—
0207 41 51	169,55	44,75 (4) (5)	—
0207 41 71	278,40	79,68 (4) (5) (7)	—
0207 41 90	62,64	17,93 (4) (5)	—
0207 42 10	305,34	70,94 (4) (7)	—
0207 42 11	175,32	40,73 (4) (7)	—
0207 42 21	90,48	25,90 (4)	—
0207 42 31	62,64	17,93 (4)	—
0207 42 41	232,64	54,05 (4)	—
0207 42 51	109,05	25,34 (4)	—
0207 42 59	196,29	45,60 (4)	—
0207 42 71	278,40	79,68 (4) (7)	—
0207 42 90	62,64	17,93	—
0207 43 11	315,90	98,15 (4) (5)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 15	280,12	83,08 (4) (5)	—
0207 43 21	150,06	53,20	—
0207 43 23	165,47	51,41 (4) (5)	—
0207 43 25	184,79	50,91	—
0207 43 31	90,48	25,90 (4) (5)	—
0207 43 41	62,64	17,93 (4) (5)	—
0207 43 51	225,65	70,11 (4) (5)	—
0207 43 53	180,49	47,64 (4) (5)	—
0207 43 61	218,12	67,77 (4) (5)	—
0207 43 63	169,55	44,75 (4) (5)	—
0207 43 71	191,25	63,20 (4) (5)	—
0207 43 81	278,40	79,68	—
0207 43 90	62,64	17,93 (4) (5)	—
0207 50 10	1 597,10	443,00	3 (3)
0207 50 90	160,08	45,82	10
0209 00 90	139,20	39,84	—
0210 90 71	1 597,10	443,00	3
0210 90 79	160,08	45,82	10
1501 00 90	167,04	47,81	18
1602 31 11	290,80	67,56	17 (2)
1602 31 19	306,24	87,65	17
1602 31 30	167,04	47,81	17
1602 31 90	97,44	27,89	17
1602 39 11	275,30	82,72	—
1602 39 19	306,24	87,65	17 (2)
1602 39 30	167,04	47,81	17
1602 39 90	97,44	27,89	17

(1) The levy on products covered by CN codes 0207, 1602 31 and 1602 39 originating in the ACP countries and listed in Article 6 of Regulation (EEC) No 715/90 is reduced by 50 % within the limits of the quotas referred to in that Regulation.

(2) The duty of the Common Customs Tariff on products falling within this code, imported under Regulation (EC) No 1798/94, is limited under the conditions laid down in this Regulation.

(3) Products imported under the Interim Agreements concluded between Hungary, Poland, the Czech Republic, the Slovak Republic, Romania and Bulgaria or originating in the developing countries and listed in Regulation (EEC) No 3833/90 are suspended and no levy is to be collected.

(4) Products falling within this code, imported from Poland, Hungary, the Czech Republic and the Slovak Republic under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 2699/93 have been presented, are subject to the levies set out in the Annex to that Regulation.

(5) Products falling within this code, imported from Bulgaria and Romania under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR. 1 certificates issued in accordance with Regulation (EC) No 1559/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

(6) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(7) The levy on products falling within this code, imported under Council Regulation (EC) No 774/94 and Commission Regulation (EC) No 1431/94, is limited under the conditions laid down in this Regulation.