COMMISSION REGULATION (EC) No 661/95

of 28 March 1995

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 the Act of Accession of Austria, Finland and Sweden, 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 (2), as last amended by Regulation (EEC) No 3714/92 (3);

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EC) No 3338/94 (4), last fixed for the period 1 January to 31 March 1995, they must be fixed anew for the period 1 April to 30 June 1995; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 October 1994 to 28 February 1995;

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 April to 30 June 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 (5), 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 (6), 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 (7), as last amended by Regulation (EC) No 3282/94 (8), 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 (9), no levies shall apply on imports of products originating in the overseas countries and territories;

(1) OJ No L 282, 1. 11. 1975, p. 77.
(2) OJ No L 282, 1. 11. 1975, p. 84.
(3) OJ No L 378, 23. 12. 1992, p. 23.
(4) OJ No L 350, 31. 12. 1994, p. 73.
(5) OJ No L 84, 30. 3. 1990, p. 85.
(6) OJ No L 265, 15. 10. 1994, p. 3.
(7) OJ No L 370, 31. 12. 1990, p. 86.
(8) OJ No L 348, 31. 12. 1994.
(9) 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 481/95 [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 481/95, lays down detailed rules for applying the arrangements provided for in these Agreements as regards poultrymeat;

Whereas Council Regulation (EC) No 774/94 [10] 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 [11], as last amended by Regulation (EC) No 406/95 [12], 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 April 1995.

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

Done at Brussels, 28 March 1995.

For the Commission

Franz FISCHLER

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 49, 4. 3. 1995, p. 22.
[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 91, 8. 4. 1994, p. 1.
[11] OJ No L 156, 23. 6. 1994, p. 9.
[12] OJ No L 44, 28. 2. 1995, p. 10.

ANNEX

to the Commission Regulation of 28 March 1995 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	27,03	5,724	—
0105 11 19	27,03	5,724	—
0105 11 91	27,03	5,724	—
0105 11 99	27,03	5,724	—
0105 19 10	119,77	19,60	—
0105 19 90	27,03	5,724	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	93,56	23,14 (4)	—
0105 99 10	105,85	34,55	—
0105 99 20	136,99	35,32 (4)	—
0105 99 30	124,31	27,05 (4)	—
0105 99 50	143,96	36,90	—
0207 10 11	117,54	29,08 (4)	—
0207 10 15	133,66	33,06 (4)	—
0207 10 19	145,63	36,02 (4) (5)	—
0207 10 31	177,59	38,64 (4)	—
0207 10 39	194,66	42,35 (4)	—
0207 10 51	124,53	40,64 (4) (5)	—
0207 10 55	151,22	49,36 (4) (5)	—
0207 10 59	168,02	54,85 (4) (5)	—
0207 10 71	195,70	50,46 (4) (5)	—
0207 10 79	184,76	53,13 (4) (5)	—
0207 10 90	205,66	52,72	—
0207 21 10	133,65	33,06 (4) (5)	—
0207 21 90	145,62	36,02 (4) (5)	—
0207 22 10	177,59	38,64 (4)	—
0207 22 90	194,67	42,35 (4)	—
0207 23 11	151,22	49,36 (4) (5)	—
0207 23 19	168,02	54,85 (4) (5)	—
0207 23 51	195,71	50,46 (4) (5)	—
0207 23 59	184,77	53,13 (4) (5)	—
0207 23 90	205,67	52,72	—
0207 31 10	1 957,01	504,62	3 (3)
0207 31 90	1 957,01	504,62	3 (3)
0207 39 11	343,37	94,61 (4)	—
0207 39 13	160,19	39,62 (4)	—
0207 39 15	110,87	29,50 (4)	—
0207 39 17	76,76	20,42 (4)	—
0207 39 21	220,54	54,55 (4)	—
0207 39 23	207,17	51,25 (4)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 25	341,15	90,76	—
0207 39 27	76,76	20,42 (4)	—
0207 39 31	372,94	81,14 (4)	—
0207 39 33	214,13	46,58 (4)	—
0207 39 35	110,87	29,50 (4)	—
0207 39 37	76,76	20,42 (4)	—
0207 39 41	284,14	61,82 (4)	—
0207 39 43	133,19	28,98 (4)	—
0207 39 45	239,74	52,16 (4)	—
0207 39 47	341,15	90,76 (4)	—
0207 39 51	76,76	20,42 (4)	—
0207 39 53	388,00	111,57 (4) (5)	—
0207 39 55	343,37	94,61 (4) (5)	—
0207 39 57	184,83	60,33	—
0207 39 61	203,24	58,44 (4) (5)	—
0207 39 63	226,23	57,99	—
0207 39 65	110,87	29,50 (4) (5)	—
0207 39 67	76,76	20,42 (4) (5)	—
0207 39 71	277,14	79,70 (4) (5)	—
0207 39 73	220,54	54,55 (4) (5)	—
0207 39 75	267,90	77,04 (4) (5)	—
0207 39 77	207,17	51,25 (4) (5)	—
0207 39 81	235,18	71,75 (4) (5)	—
0207 39 83	341,15	90,76	—
0207 39 85	76,76	20,42 (4) (5)	—
0207 39 90	196,16	52,18	10
0207 41 10	343,37	94,61 (4) (7)	—
0207 41 11	160,19	39,62 (4)	—
0207 41 21	110,87	29,50 (4)	—
0207 41 31	76,76	20,42 (4)	—
0207 41 41	220,54	54,55 (4) (7)	—
0207 41 51	207,17	51,25 (4) (5)	—
0207 41 71	341,15	90,76 (4) (5) (7)	—
0207 41 90	76,76	20,42 (4) (5)	—
0207 42 10	372,94	81,14 (4) (7)	—
0207 42 11	214,13	46,58 (4) (7)	—
0207 42 21	110,87	29,50 (4)	—
0207 42 31	76,76	20,42 (4)	—
0207 42 41	284,14	61,82 (4)	—
0207 42 51	133,19	28,98 (4)	—
0207 42 59	239,74	52,16 (4)	—
0207 42 71	341,15	90,76 (4) (7)	—
0207 42 90	76,76	20,42	—
0207 43 11	388,00	111,57 (4) (5)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 15	343,37	94,61 (4) (5)	—
0207 43 21	184,83	60,33	—
0207 43 23	203,24	58,44 (4) (5)	—
0207 43 25	226,23	57,99	—
0207 43 31	110,87	29,50 (4) (5)	—
0207 43 41	76,76	20,42 (4) (5)	—
0207 43 51	277,14	79,70 (4) (5)	—
0207 43 53	220,54	54,55 (4) (5)	—
0207 43 61	267,90	77,04 (4) (5)	—
0207 43 63	207,17	51,25 (4) (5)	—
0207 43 71	235,18	71,75 (4) (5)	—
0207 43 81	341,15	90,76	—
0207 43 90	76,76	20,42 (4) (5)	—
0207 50 10	1 957,01	504,62	3 (3)
0207 50 90	196,16	52,18	10
0209 00 90	170,57	45,38	—
0210 90 71	1 957,01	504,62	3
0210 90 79	196,16	52,18	10
1501 00 90	204,69	54,45	18
1602 31 11	355,18	77,28	17 (2)
1602 31 19	375,26	99,83	17
1602 31 30	204,69	54,45	17
1602 31 90	119,40	31,76	17
1602 39 11	337,64	94,14	—
1602 39 19	375,26	99,83	17 (2)
1602 39 30	204,69	54,45	17
1602 39 90	119,40	31,76	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.