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COMMISSION REGULATION (EC) No 571/97

of 26 March 1997

establishing detailed rules for the application in the pigmeat sector of the Interim Agreement on Trade and Trade-related Measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part

(OJ L 85, 27.3.1997, p. 56)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 2868/2000 of 27 December 2000	L 333	17	29.12.2000
►**M2**	Commission Regulation (EC) No 1006/2001 of 23 May 2001	L 140	13	24.5.2001

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 410/97 of 24 February 1997 on certain procedures for applying the Interim Agreement on Trade and Trade-related Measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia [1], of the other part, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat [2], as last amended by Regulation (EC) No 3290/94 [3], and in particular Article 8 (2) thereof,

Whereas an Interim Agreement on trade and trade-related measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, signed in Brussels on 11 November 1996 [4], provides that, pending the entry into force of the Europe Agreement, the provisions of that Agreement as regards trade and trade-related measures are to enter into force; whereas those provisions are to apply temporarily from 1 January 1997;

Whereas provision should be made for the administration of the arrangements set up by the Interim Agreement, by means of import licences; whereas, to that end, notwithstanding Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products [5], as last amended by Regulation (EC) No 2350/96 [6], detailed rules for submission of the applications and the particulars which should appear in applications and licences should be laid down; whereas, in addition, provision should be made for licences to be issued after a period of consideration, applying, where necessary, a single acceptance rate;

Whereas, in order to ensure regular imports, the quantities of products benefiting under the arrangements should be staggered over the year;

Whereas, in order to ensure proper administration of the system, the security for import licences under the said system should be fixed at ECU 30 per 100 kilograms; whereas, in view of the likelihood of speculation inherent in the system in the pigmeat sector, precise conditions governing access by traders to the said system should be laid down;

Whereas the attention of traders should be drawn to the fact that licences may be used only for products that comply with all the veterinary requirements in force in the Community;

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

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[1] OJ No L 62, 4. 3. 1997, p. 5.
[2] OJ No L 282, 1. 11. 1975, p. 1.
[3] OJ No L 349, 31. 12. 1994, p. 105.
[4] OJ No L 344, 31. 12. 1996, p. 3.
[5] OJ No L 331, 2. 12. 1988, p. 1.
[6] OJ NoL 320, 11. 12. 1996, p. 4.

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HAS ADOPTED THIS REGULATION:

Article 1

All imports into the Community under the arrangements provided for in Protocol No 1 to the Interim Agreement between the Community and Slovenia of products with the CN codes and in the groups referred to in Annex I to this Regulation shall be subject to presentation of an import licence.

The quantities of products to which those arrangements apply and the rates of customs duty shall be those listed in Annex I.

Article 2

The quantities referred to in Article 1 shall be staggered as follows:

— 25 % in the period 1 January to 31 March,

— 25 % in the period 1 April to 30 June,

— 25 % in the period 1 July to 30 September,

— 25 % in the period 1 October to 31 December.

Article 3

1. Applicants for the import licences referred to in Article 1 shall be natural or legal persons who, at the time when applications are submitted, can prove to the satisfaction of the competent authorities of the Member States that they have been active in trade with third countries in the pigmeat sector for at least the preceding twelve months: however, retail establishments or restaurants selling their products to final consumers shall be excluded from this system.

2. The licence application may mention only one of the group numbers defined in Annex I hereto; it may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15 of the licence application.

A licence application must relate to at least 200 kilograms and to a maximum of 10 % of the quantity available for the group concerned and the period as specified in Article 2.

3. Section 8 of licence applications and licences shall indicate the country of origin; licences shall entail an obligation to import from the country indicated.

4. Section 20 of licence applications and licences shall show one of the following:

Reglamento (CE) nº 571/97

Forordning (EF) nr. 571/97

Verordnung (EG) Nr. 571/97

Κανονισμός (ΕΚ) αριθ. 571/97

Regulation (EC) No 571/97

Règlement (CE) nº 571/97

Regolamento (CE) n. 571/97

Verordening (EG) nr. 571/97

Regulamento (CE) nº 571/97

Asetus (EY) N:o 571/97

Förordning (EG) nr 571/97.

5. Section 24 of licences shall show one of the following:

Import duty reduced by 80 %:

Reglamento (CE) nº 571/97

Forordning (EF) nr. 571/97

Verordnung (EG) Nr. 571/97

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Κανονισμός (ΕΚ) αριθ. 571/97

Regulation (EC) No 571/97

Règlement (CE) nº 571/97

Regolamento (CE) n. 571/97

Verordening (EG) nr. 571/97

Regulamento (CE) nº 571/97

Asetus (EY) N:o 571/97

Förordning (EG) nr 571/97.

Article 4

▼M2

1. Licence applications shall be lodged during the first seven days of the month preceding each period as specified in Article 2.

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2. Licence applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any applications, in respect of the current period, concerning products in the same group in the Member State in which his application is lodged, or in other Member States.

Where the same applicant submits more than one application relating to products in the same group, all applications from that person shall be inadmissible.

3. ►M1 A security of EUR 20 per 100 kg shall be lodged for import licence applications for all products referred to in Article 1. ◄

4. Member States shall notify the Commission on the third working day following the end of the application submission period of applications submitted for each of the products in the group. Such notification shall include a list of applicants and a statement of the quantities applied for in each group.

All notifications, including nil returns, shall be made by telex or fax on the working day stipulated, using the model in Annex II in cases where no application has been submitted and the models in Annexes II and III in cases where applications have been submitted.

5. The Commission shall decide as quickly as possible to what extent the applications referred to in Article 3 may be granted.

If quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix as single acceptance rate as a percentage of quantities applied for.

6. Licences shall be issued as quickly as possible after the Commission has taken its decision.

7. Licences may be used only for products complying with all the veterinary requirements in force in the Community.

▼M2

8. Member States shall notify the Commission, before the end of the fourth month following each annual period defined in Annex I, of the quantities of actual imports of products under this Regulation for that period.

All notifications, including notifications that there have been no import, shall be made using the model shown in Annex IV.

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Article 5

▼M1

For the purposes of Article 21(2) of Regulation (EEC) No 3719/88 import licences shall be valid for 150 days from their actual date of issue.

▼**M1**

However, licences shall not be valid beyond 31 December of the year of issue.

Licences shall not be transferable.

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Article 6

Regulation (EEC) No 3719/88 shall apply without prejudice to the provisions of this Regulation.

Notwithstanding Article 8 (4) of that Regulation, the quantity imported under this Regulation may not exceed that shown in sections 17 and 18 of the import licence. The figure '0' shall accordingly be entered in section 19 of licences.

Article 7

The products shall benefit from the customs duties listed in Annex I upon presentation of a movement certificate EUR 1 issued by the exporting country in accordance with Protocol No 4 annexed to the Interim Agreement.

Article 8

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

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

▼M1

ANNEX I

Reductions to the Common Customs Tariff duty

Order No	Group No	CN code	Description (1)	Applicable duty (% of MFN)	Annual quantity for 2000 (tonnes)	Annual quantity for 2001 (tonnes)	Annual quantity for successive years (tonnes)	Special provisions
09.4113	23	0210 11 31	Domestic swine hams and cuts thereof, with bone in, dried or smoked	Free	200	400	400	(2)
09.4089	24	ex 1601 00 91 ex 1601 00 99	Sausages and similar products, of meat, offal or blood; other than poultry	20	130	140	150	
09.4114	25	0210 19 81	Dried or smoked boneless domestic swine meat	Free	75	150	150	(2)
09.4120	26	ex 1601 00	Sausages and similar produts, of meat, offal or blood; of poultry	Free	500	1 000	1 000	(2)

(1) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.
(2) For year 2000 the concession applies from 1 July 2000 on.

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ANNEX II

Application of Regulation (EC) No 571/97

SLOVENIA

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI.D.3 — PIGMEAT SECTOR

Application for import licences with a reduction in the duty fixed by the Common Customs Tariff

Date: ..... Period: .....

Member State: .....

Sender: .....

Responsible contact person: .....

Telephone: .....

Fax: .....

Addressee: DG VI.D.3 — Fax: (32 2) 296.62.79 or 296.12.27

(tonnes)

Group No	Quantity applied for
23	
24	

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ANNEX III

Application of Regulation (EC) No 571/97

SLOVENIA

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI.D.3 — PIGMEAT SECTOR

Application for import licences with a reduction in the duty fixed by the Common Customs Tariff

Date: ..... Period: .....

Member State: .....

(in tonnes)

Group No	CN code	Applicant (Name and address)	Quantity
		Total in tonnes by group number	

▼M2

ANNEX IV

Communication of actual imports

Member State: .....

Application of Article ..... of Regulation (EC) No .....

Quantities of products actually imported:

To: DG AGRI/D/2 — Fax No (32-2) 296 62 79

Group No	Quantity actually imported	Country of origin'