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COMMISSION REGULATION (EC) No 996/97

of 3 June 1997

on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91

(OJ L 144, 4.6.1997, p. 6)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 2048/97 of 20 October 1997	L 287	10	21.10.1997
►**M2**	Commission Regulation (EC) No 260/98 of 30 January 1998	L 25	42	31.1.1998
►**M3**	Commission Regulation (EC) No 1266/98 of 18 June 1998	L 175	9	19.6.1998
►**M4**	Commission Regulation (EC) No 649/2003 of 10 April 2003	L 95	13	11.4.2003
►**M5**	Commission Regulation (EC) No 1118/2004 of 16 June 2004	L 217	10	17.6.2004
►**M6**	Commission Regulation (EC) No 1965/2006 of 22 December 2006	L 408	26	30.12.2006
►**M7**	Commission Regulation (EC) No 568/2007 of 24 May 2007	L 133	15	25.5.2007

Corrected by:

►**C1** Corrigendum, OJ L 47, 16.2.2007, p. 21 (1965/2006)

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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COMMISSION REGULATION (EC) No 996/97

of 3 June 1997

on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ([1]), and in particular Article 1 (1) thereof,

Whereas, pursuant to Schedule CXL, the Community agreed to open an annual tariff quota of 1 500 tonnes for frozen thin skirt of bovine animal falling within CN code 0206 29 91; whereas that quota should be opened on a multiannual basis for periods of 12 months commencing on 1 July and the detailed rules of application laid down;

Whereas Commission Regulation (EEC) No 3719/88 ([2]), as last amended by Regulation (EC) No 495/97 ([3]), lays down detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products; whereas Commission Regulation (EC) No 1445/95 ([4]), as last amended by Regulation (EC) No 266/97 ([5]), lays down detailed rules for implementing the arrangements for import licences for beef and veal;

Whereas, in order to ensure efficient administration of the import of meat originating in and coming from Argentina, that country is required to issue certificates of authenticity guaranteeing the origin of the products concerned; whereas the layout of those certificates and the procedures for using them must be specified;

Whereas certificates of authenticity must be issued by an authority in Argentina; whereas that authority must present all the necessary guarantees to ensure that the arrangements in question operate properly;

Whereas, in order to ensure efficient administration of the import of frozen thin skirt originating in and coming from Argentina, it should be laid down that, where appropriate, the issue of import licences should be subject to verification inter alia of the information given on certificates of authenticity;

Whereas, for other countries, the quota should be managed only on the basis of Community import licences, with derogations in certain cases from the applicable rules;

Whereas experience has shown that importers do not always inform the competent authorities which have issued the import licences of the quantity and origin of the beef and veal imported under the quota concerned; whereas that information is important for assessing the market situation; whereas a security attached to compliance with that obligation should be provided for;

Whereas provision must be made for the Member States to forward information on the imports in question;

([1]) OJ No L 146, 20. 6. 1996, p. 1.
([2]) OJ No L 331, 2. 12. 1988, p. 1.
([3]) OJ No L 77, 19. 3. 1997, p. 12.
([4]) OJ No L 143, 27. 6. 1995, p. 35.
([5]) OJ No L 45, 15. 2. 1997, p. 1.

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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

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1. A Community import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 is hereby opened every year for an annual volume of 1 500 tonnes for periods from 1 July to 30 June of the following year, hereinafter referred to as the 'import tariff quota period'.

The order number of the quota shall be 09.4020.

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2. The ad valorem customs duty on the quota referred to in paragraph 1 shall be 4 %.

3. The annual quota shall be allocated as follows:

(a) 700 tonnes originating in and coming from Argentina;

(b) 800 tonnes originating in and coming from other third countries.

4. Only whole thin skirt may be imported under the quota.

5. For the purposes of this Regulation, thin skirt which is frozen, with an internal temperature of not above —12 °C when it enters the customs territory of the Community, shall be deemed to be 'frozen thin skirt'.

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6. For the import arrangements referred to in paragraph 3(a) of this Article, the provisions of Regulation (EC) No 1445/95, Commission Regulation (EC) No 1291/2000 ([1]) and Chapter III of Commission Regulation (EC) No 1301/2006 ([2]) shall apply, save as otherwise provided for in this Regulation.

For the import arrangements referred to in paragraph 3(b) of this Article, the provisions of Regulations (EC) No 1445/95, (EC) No 1291/2000 and (EC) No 1301/2006 shall apply, save as otherwise provided for in this Regulation.

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Article 2

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2. Licence applications and licences themselves shall contain the following entries:

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(a) in section 8, the country of origin and, for the import of the quantities referred to in Article 1(3)(a), the box 'yes' shall be ticked;

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(b) in Section 20 at least one of the entries listed in Annex III.

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([1]) OJ L 152, 24.6.2000, p. 1.

([2]) OJ L 238, 1.9.2006, p. 13.

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Article 3

1. The certificate of authenticity to be issued by Argentina shall be made out in one original and at least one copy on a form corresponding to the specimen at Annex I.

The form shall measure approximately 210 × 297 millimetres. The paper shall weigh not less than 40 grams per square metre.

2. Forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language of Argentina.

3. Each certificate of authenticity shall bear an individual serial number assigned by the issuing authority referred to at Annex II (hereinafter 'the issuing authority'). The copies shall bear the same serial number as the original.

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4. The original and copies thereof may be typed or hand-written. In the latter case, they must be completed in black ink and in block capitals.

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Article 4

1. Certificates of authenticity shall be valid only if they are duly completed and endorsed, in accordance with the instructions given at Annex I, by the issuing authority.

2. A certificate of authenticity shall be deemed to have been duly endorsed if it specifies the date and place of issue and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 5

1. Certificates of authenticity shall be valid for three months from the date of issue.

However, certificates may not be presented to the competent national authority after 30 June following the date of issue.

2. The original of the certificate of authenticity drawn up in accordance with Articles 3, 4 and 6 plus a copy thereof shall be presented to the competent national authority together with the application for the first import licence relating to the certificate of authenticity.

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A certificate of authenticity may be used for the issuing of more than one import licence for a total quantity not exceeding that shown on the certificate. Where more than one licence is issued in respect of a certificate, the competent national authority shall endorse the certificate of authenticity to show the quantity attributed.

The competent national authorities may issue import licences only after they are satisfied that all the information on the certificate of authen-

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ticity corresponds to that received each week from the Commission on the subject. The import licences shall be issued immediately thereafter.

3. Notwithstanding the fourth subparagraph of paragraph 2, the competent national authorities may, in exceptional cases and on duly reasoned application, issue import licences on the basis of the relevant certificates of authenticity before the information from the Commission is received. In such cases, the security for the import licences ►M3 ———— ◄ shall be ECU 50 per 100 kg net weight. After receiving the information concerning the certificate, the Member States shall replace the security by that of ECU 12 per 100 kg net weight ►M3 ———— ◄.

Article 6

1. The issuing authority shall:

(a) be recognized as such by Argentina;

(b) undertake to check the particulars on certificates of authenticity;

(c) undertake to supply the Commission and the Member States, on request, with any information enabling the particulars on certificates of authenticity to be evaluated.

2. The Commission shall revise Annex II if an issuing authority ceases to be recognized or fails to fulfil one of the obligations incumbent on it or if a new issuing authority is designated.

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Article 7

In order to qualify for the import arrangements referred to in Article 1 (3)(b), the licence application lodged by the applicant may relate to a maximum of 80 tonnes.

Article 8

1. The licence applications referred to in Article 7 shall be lodged only during the first 10 days of each import tariff quota period.

2. No later than 16.00, Brussels time, on the seventh working day following the end of the period for the lodging of applications, the Member States shall notify the Commission of the total quantity per country of origin covered by applications.

3. Import licences shall be issued as from the seventh and no later than the 16th working day following the end of the period for the notifications referred to in paragraph 2.

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Article 12

This Regulation shall enter into force on 1 July 1997.

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

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ANNEX I

1. Exporter (name and address)	2. Certificate No	**ORIGINAL**
	3. Issuing authority	
4. Consignee (name and address)		
6. Means of transport	5. **CERTIFICATE OF AUTHENTICITY** **BEEF AND VEAL** Thin skirt	

7. Marks, numbers, number and kind of packages; description of goods	8. Gross weight (kg)	9. Net weight (kg)

10. Net weight (in words)

11. CERTIFICATION BY THE ISSUING AUTHORITY

I hereby certify that the thin skirt described in this certificate complies with the specifications given in Article 1 (5) of Commission Regulation (EC) No 996/97 within the limit stipulated in Article 1 (3) (a) of that Regulation and that it originates in Argentina.

Place: Date:

Signature and stamp (or printed seal)

To be completed by typewriter or in block capitals.

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ANNEX II

LIST OF AUTHORITIES IN ARGENTINA EMPOWERED TO ISSUE CERTIFICATES OF AUTHENTICITY

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Secretaría de Agricultura, Ganadería, Pesca y Alimentos (SAGPyA)

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for thin skirt originating in Argentina as specified in Article 1 (3) (a).

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ANNEX III

Entries referred to in Article 2(2)(b)

— *in Bulgarian*:	Диафрагма [Регламент (ЕО) № 996/97]
— *in Spanish*:	Músculos del diafragma y delgados [Reglamento (CE) nº 996/97]
— *in Czech*:	Okruží a bránice (nařízení (ES) č. 996/97)
— *in Danish*:	Mellemgulv (forordning (EF) nr. 996/97)
— *in German*:	Saumfleisch (Verordnung (EG) Nr. 996/97)
— *in Estonian*:	Vahelihase kõõluseline osa (määrus (EÜ) nr 996/97)
— *in Greek*:	Διάφραγμα [κανονισμός (ΕΚ) αριθ. 996/97]
— *in English*:	Thin skirt (Regulation (EC) No 996/97)
— *in French*:	Hampe [règlement (CE) nº 996/97]
— *in Italian*:	Pezzi detti 'hampes' [regolamento (CE) n. 996/97]
— *in Latvian*:	Liellopu diafragmas plānā daļa (Regula (EK) Nr. 996/97)
— *in Lithuanian*:	Plonoji diafragma (Reglamentas (EB) Nr. 996/97)
— *in Hungarian*:	Sovány dagadó (996/97/EK rendelet)
— *in Maltese*:	Falda rqiqa (Regolament (KE) Nru 996/97)
— *in Dutch*:	Omloop (Verordening (EG) nr. 996/97)
— *in Polish*:	Cienka przepona (Rozporządzenie (WE) nr 996/97)
— *in Portuguese*:	Diafragma [Regulamento (CE) n.º 996/97]
— *in Romanian*:	Fleică (Regulamentul (CE) nr. 996/97)
— *in Slovak*:	Bránica [nariadenie (ES) č. 996/97]
— *in Slovenian*:	Vampi (Uredba (ES) št. 996/97)
— *in Finnish*:	Kuveliha (asetus (EY) N:o 996/97)
— *in Swedish*:	Mellangärde (förordning (EG) nr 996/97)