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►B ►M6 **COMMISSION REGULATION (EC) No 1279/98**

of 19 June 1998

laying down detailed rules for applying the tariff quotas for beef and veal provided for in Council Decisions 2003/286/EC and 2003/18/EC for Bulgaria and Romania ◄

(OJ L 176, 20.6.1998, p. 12)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EC) No 2857/2000 of 27 December 2000	L 332	55	28.12.2000
►M2	Commission Regulation (EC) No 1634/2002 of 13 September 2002	L 247	7	14.9.2002
►M3	Commission Regulation (EC) No 529/2003 of 24 March 2003	L 78	5	25.3.2003
►M4	Commission Regulation (EC) No 673/2003 of 14 April 2003	L 97	18	15.4.2003
►M5	Commission Regulation (EC) No 1144/2003 of 27 June 2003	L 160	44	28.6.2003
►M6	Commission Regulation (EC) No 1118/2004 of 16 June 2004	L 217	10	17.6.2004

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COMMISSION REGULATION (EC) No 1279/98

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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 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of Multilateral Trade Negotiations ([1]), as last amended by Regulation (EC) No 1595/97 ([2]), and in particular Article 8 thereof,

Whereas Regulation (EC) No 3066/95 provides for the opening of reduced-tariff quotas for beef and veal; whereas detailed rules should be adopted for their application on a multiannual basis; whereas, to that end, the provisions laid down annually for those quotas in the past should be used as a basis;

Whereas, in order to ensure that the quantities laid down are imported in an orderly fashion, they should be staggered over various periods;

Whereas provision should be made for the arrangements to be administered by means of import licences; whereas, to that end, rules should in particular be laid down on the way applications are to be submitted and on the information to be shown in applications and licences, where appropriate notwithstanding certain provisions 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 ([3]), as last amended by Regulation (EC) No 1044/98 ([4]), and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ([5]), as last amended by Regulation (EC) No 759/98 ([6]); whereas provision should also be made for the licences to be issued after a period for reflection and, where appropriate, once a uniform percentage reduction has been applied;

Whereas the risk of speculation inherent in the arrangements for the beef and veal sector requires that clear conditions be laid down governing access to the quotas;

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:

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Article 1

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Import licences shall be presented for imports into the Community of the products listed in Annex I hereto under the quotas provided for in

([1]) OJ L 328, 30. 12. 1995, p. 31.
([2]) OJ L 216, 8. 8. 1997, p. 1.
([3]) OJ L 331, 2. 12. 1988, p. 1.
([4]) OJ L 149, 20. 5. 1998, p. 11.
([5]) OJ L 143, 27. 6. 1995, p. 35.
([6]) OJ L 105, 4. 4. 1998, p. 7.

▼M6

Council Decisions 2003/286/EC and 2003/18/EC for Bulgaria and Romania.

▼M1

The quantities of products imported annually under those arrangements and the preferential rates of customs duty shall be as set out in Annex I hereto.

▼M5

Article 2

The quantities referred to in Article 1 for each period set out in Annex I shall be broken down as follows:

— 50 % from 1 July to 31 December,

— 50 % from 1 January to 30 June.

Where the quantities covered by import licence applications submitted in respect of the first tranche specified in the first subparagraph are lower than those available, the remaining quantities shall be added to those available for the second tranche.

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Article 3

1. In order to qualify under the import quotas:

(a) import licence applicants must be natural or legal persons who must prove to the satisfaction of the competent authorities of the Member State concerned when they submit their applications that they have traded in beef and veal with third countries at least once during the previous 12 months; the applicants must be entered in a national VAT register;

(b) licence applications may be presented only in the Member State in which the applicant is registered;

(c) licence applications for each group of products listed in Annex I shall relate to a minimum of 15 tonnes in product weight without exceeding the quantity available as defined in Article 2.

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Group of products within the meaning of point (c) shall mean:

— either products falling within CN codes 0201 or 0202 originating in one of the countries listed in Annex I,

— or products falling within CN codes 0206 10 95, 0206 29 91, 0210 20 or 0210 99 51 originating in Romania,

— or products falling within CN code 1602 50 originating in Romania;

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(d) box 8 of licence applications and licences shall show the country of origin; licences shall carry with them an obligation to import from the country indicated;

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(e) box 20 of licence applications and licences shall show at least one of the following:

— Reglamento (CE) nº 1279/98

— Nařízení (ES) č. 1279/98

— Forordning (EF) nr. 1279/98

— Verordnung (EG) Nr. 1279/98

— Määrus (EÜ) nr 1279/98

— Κανονισμός (ΕΚ) αριθ. 1279/98

— Regulation (EC) No 1279/98

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— Règlement (CE) nº 1279/98

— Regolamento (CE) n. 1279/98

— Regula (EK) Nr. 1279/98

— Reglamentas (EB) Nr. 1279/98

— 1279/98/EK rendelet

— Regolament (KE) Nru 1279/98

— Verordening (EG) nr. 1279/98

— Rozporządzenie (WE) nr 1279/98

— Regulamento (CE) n.º 1279/98

— Nariadenie (ES) č. 1279/98

— Uredba (ES) št. 1279/98

— Asetus (EY) N:o 1279/98

— Förordning (EG) nr 1279/98.

▼**M3**

2. Notwithstanding Article 5 of Regulation (EC) No 1445/95, box 16 of licence applications and licences shall show one of the following groups of CN codes:

— 0201, 0202,

— 0206 10 95, 0206 29 91, 0210 20 10, 0210 20 90, 0210 99 51, ►**M6** ——— ◄

— 0206 10 95, 0206 29 91, 0210 20, 0210 99 51,

— 1602 50.

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Article 4

1. Licence applications may only be submitted during the first 10 days of each period as referred to in Article 2.

2. Only one application may be submitted by each applicant per group of products. If an applicant submits more than one application per group of products, all applications from that applicant for products in the same group shall be inadmissible.

3. By the fifth working day following the end of the period for submission, the Member States shall notify the Commission of the applications submitted for the quantities available. Such notification shall comprise a list of applicants showing the quantity applied for per CN code and per country of origin of the products.

Notifications, including nil notifications, shall be made by telex or fax, using the model in Annex II hereto.

4. The Commission shall decide what percentage of quantities covered by licence applications can be granted.

If the quantities covered by licence applications exceed those available, the Commission shall set a uniform percentage reduction in the quantities applied for.

5. Subject to Commission acceptance of the applications, the licences shall be issued as soon as possible.

Article 5

1. Without prejudice to this Regulation, Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall be applicable.

▼**M5**

2. Import licences issued pursuant to this Regulation shall be valid for 180 days from their actual day of issue within the meaning of

▼M5

Article 23(2) of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products [1], as last amended by Regulation (EC) No 325/2003. However, no licence shall be valid after 30 June following the date of issue.

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3. Licences shall be valid throughout the Community.

Article 6

The products shall be released for free circulation on presentation of an EUR 1 movement certificate issued by the exporting country in accordance with Protocol 4 to the Europe Agreement concluded with that country or a declaration by the exporter drawn up in accordance with that Protocol.

Article 7

This Regulation shall enter into force on 1 July 1998.

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

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

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ANNEX I

Concessions applicable to imports into the Community of certain products originating in certain third countries

(MFN = most favoured nation duty)

Country of origin	Serial No	CN code	Description	Rate of duty applicable (% of MFN)	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Annual quantity from 1.7.2003 to 30.6.2004 (tonnes)	Annual increase from 1.7.2004 (tonnes)
Romania	09.4753	0201 0202	Meat of bovine animals, fresh, chilled or frozen	Free	3 500	4 000	0
	09.4765	0206 10 95 0206 29 91 0210 20 0210 99 51	Edible thick skirt and thin skirt of bovine animals, fresh or chilled Edible thick skirt and thin skirt of bovine animals, frozen Meat of bovine animals, salted or in brine, dried or smoked Thick skirt of bovine animals	Free	50	100	0
	09.4768	1602 50	Prepared or preserved meat or offal of bovine animals	Free	250	500	0
Bulgaria	09.4651	0201 0202	Meat of bovine animals, fresh, chilled or frozen	Free	250	250	0

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ANNEX II

Fax: (32-2) 296 60 27

(Application of Regulation (EC) No 1279/98)

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D/2 — BEEF AND VEAL SECTOR

IMPORT LICENCE APPLICATION

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

Member State: .....

Country of origin	Applicant number (1)	Applicant (name and address)	Quantity (tonnes)	CN code(s)
		Total		

Member State: fax number: .....

telephone number: .....

(1) Continuous numbering.