This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

►**B**

COMMISSION REGULATION (EC) No 1396/98

of 30 June 1998

laying down procedures for applying in the poultrymeat sector Council Regulation (EC) No 779/98 on the import into the Community of agricultural products originating in Turkey, repealing Regulation (EEC) No 4115/86 and amending Regulation (EC) No 3010/95

(OJ L 187, 1.7.1998, p. 41)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 1043/2001 of 30 May 2001	L 145	24	31.5.2001
►**M2**	Commission Regulation (EC) No 1722/2006 of 21 November 2006	L 322	3	22.11.2006
►**M3**	Commission Regulation (EC) No 1961/2006 of 20 December 2006	L 408	1	30.12.2006

Corrected by:

►**C1** Corrigendum, OJ L 47, 16.2.2007, p. 3 (1961/2006)

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).

▼B

COMMISSION REGULATION (EC) No 1396/98

of 30 June 1998

laying down procedures for applying in the poultrymeat sector Council Regulation (EC) No 779/98 on the import into the Community of agricultural products originating in Turkey, repealing Regulation (EEC) No 4115/86 and amending Regulation (EC) No 3010/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 779/98 of 7 April 1998 on the import into the Community of agricultural products originating in Turkey, repealing Regulation (EEC) No 4115/86 and amending Regulation (EC) No 3010/95 ([1]), and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ([2]), as last amended by Commission Regulation (EC) No 2916/95 ([3]), and in particular Article 15 thereof,

Whereas Decision No 1/98 of the EC-Turkey Association Council of 25 February 1998 on the trade regime for agricultural products ([4]) establishes the system of preferences applicable to imports into the Community of agricultural products originating in Turkey;

Whereas Regulation (EC) No 779/98 opens with effect from 1 January 1998 new annual tariff quotas for certain poultrymeat products; whereas the quotas are to apply for an indefinite period;

Whereas provision should be made for the administration of these arrangements 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 1044/98 ([6]), detailed rules for submission of 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 laid down in Annex I to this Regulation 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 20 per 100 kilograms; whereas, in view of the likelihood of speculation inherent in the system in the poultrymeat 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;

([1]) OJ L 113, 15. 4. 1998, p. 1.
([2]) OJ L 282, 1. 11. 1975, p. 77.
([3]) OJ L 305, 19. 12. 1995, p. 49.
([4]) OJ L 86, 20. 3. 1998, p. 1.
([5]) OJ L 331, 2. 12. 1988, p. 1.
([6]) OJ L 149, 20. 5. 1998, p. 11.

▼B

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:

▼M3
▼C1

Article 1

1. This Regulation lays down detailed rules for applying the import tariff quotas on the products falling within the CN codes listed in Annex I hereto, opened by Regulation (EC) No 779/98.

2. Commission Regulations (EC) No 1291/2000 ([1]) and (EC) No 1301/2006 ([2]) shall apply, save as otherwise provided for in this Regulation.

3. The quantity of products benefiting from the arrangements referred to in paragraph 1 and the rate of the reduction in the customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed for each quota shall be divided into four subperiods, as follows:

— 25 % from 1 January to 31 March,

— 25 % from 1 April to 30 June,

— 25 % from 1 July to 30 September,

— 25 % from 1 October to 31 December.

Article 3

1. For the purposes of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must supply proof, when making their first application for a given tariff quota period, that they have imported or exported at least 50 tonnes of products falling under Regulation (EEC) No 2777/75 in each of the two periods referred to in that Article 5.

2. Licence applications 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 licence applications and licences.

Applications must be for a minimum of 10 tonnes and a maximum of 10 % of the quantity available for the quota concerned and in the subperiod in question.

3. Section 8 of the licence application and the licence shall indicate the country of origin and ‘yes’ shall be marked with a cross.

4. Section 20 of the licence application and the licence shall contain one of the references shown in Annex II.A.

5. Section 24 of the licence shall contain one of the references shown in Annex II.B.

([1]) OJ L 152, 24.6.2000, p. 1.
([2]) OJ L 238, 1.9.2006, p. 13.

▼C1

Article 4

1. Licence applications may be lodged only in the first seven days of the month preceding each subperiod referred to in Article 2.

However, for the period from 1 January to 31 March 2007, licence applications shall be lodged during the first fifteen days of January 2007.

2. A security of EUR 20 per 100 kg shall be lodged against applications for import licences for any product indicated in Article 1.

3. Not later than the fifth working day following the end of the period for submission of applications, the Member States shall notify the Commission of the total quantities, in kilograms, applied for in respect of each quota.

4. Licences shall be issued as soon as possible after the Commission has taken a decision.

5. The Member States shall communicate to the Commission, before the end of the fourth month following each annual period, the quantities (expressed in kilograms) under each quota actually put into free circulation under this Regulation in the period concerned.

Article 5

Import licences shall be valid for 150 days from the actual day of issue under Article 23(2) of Regulation (EC) No 1291/2000.

Notwithstanding Article 9(1) of Regulation (EC) No 1291/2000, the transfer of rights deriving from licences or certificates shall be limited to holders who meet the eligibility criteria laid down in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.

———————

▼B

Article 7

The imported products shall be placed in free circulation on presentation of a EUR 1 movement certificate issued by the exporting country in accordance with Protocol 3 annexed to Decision No 1/98 of the EC-Turkey Association Council.

Article 8

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.

▼M3

▼C1

ANNEX I

Group No	Serial number	CN code	Applicable common customs tariff duty (EUR/tonne)	Annual tariff quota (tonnes)
T1	09.4103	0207 25 10	170	1 000
		0207 25 90	186	
		0207 27 30	134	
		0207 27 40	93	
		0207 27 50	339	
		0207 27 60	127	
		0207 27 70	230	

▼C1

ANNEX II

A. **Entries referred to in Article 3(4):**

— *in Bulgarian:*	Регламент (ЕО) № 1396/98.
— *in Spanish:*	Reglamento (CE) nº 1396/98.
— *in Czech:*	Nařízení (ES) č. 1396/98.
— *in Danish:*	Forordning (EF) nr. 1396/98.
— *in German:*	Verordnung (EG) Nr. 1396/98.
— *in Estonian:*	Määrus (EÜ) nr 1396/98.
— *in Greek:*	Κανονισμός (ΕΚ) αριθ. 1396/98.
— *in English:*	Regulation (EC) No 1396/98.
— *in French:*	Règlement (CE) nº 1396/98.
— *in Italian:*	Regolamento (CE) n. 1396/98.
— *in Latvian:*	Regula (EK) Nr. 1396/98.
— *in Lithuanian:*	Reglamentas (EB) Nr. 1396/98.
— *in Hungarian:*	1396/98/EK rendelet.
— *in Maltese:*	Regolament (KE) Nru 1396/98.
— *in Dutch:*	Verordening (EG) nr. 1396/98.
— *in Polish:*	Rozporządzenie (WE) nr 1396/98.
— *in Portuguese:*	Regulamento (CE) n.º 1396/98.
— *in Romanian:*	Regulament (CE) nr. 1396/98.
— *in Slovak:*	Nariadenie (ES) č. 1396/98.
— *in Slovenian:*	Uredba (ES) št. 1396/98.
— *in Finnish:*	Asetus (EY) N:o 1396/98.
— *in Swedish:*	Förordning (EG) nr 1396/98.

B. **Entries referred to in Article 3(5):**

— *in Bulgarian:*	намаляване на общата митническа тарифа съгласно предвиденото в Регламент (ЕО) № 1396/98.
— *in Spanish:*	reducción del arancel aduanero común prevista en el Reglamento (CE) nº 1396/98.
— *in Czech:*	snížení společné celní sazby podle Nařízení (ES) č. 1396/98.
— *in Danish:*	toldnedsættelse som fastsat i forordning (EF) nr. 1396/98.
— *in German:*	Ermäßigung des Zollsatzes nach dem GZT gemäß Verordnung (EG) Nr. 1396/98.
— *in Estonian:*	ühise tollitariifistiku maksumäära alandamine vastavalt määrusele (EÜ) nr. 1396/98.
— *in Greek:*	Μείωση του δασμού του κοινού δασμολογίου, όπως προβλέπεται στον κανονισμό (ΕΚ) αριθ. 1396/98.
— *in English:*	reduction of the common customs tariff as laid down in Regulation (EC) No 1396/98.
— *in French:*	réduction du tarif douanier commun comme prévu au règlement (CE) nº 1396/98.
— *in Italian:*	riduzione del dazio della tariffa doganale comune a norma del regolamento (CE) n. 1396/98.

▼C1

— *in Latvian:*	Regulā (EK) Nr. 1396/98 paredzētais vienotā muitas tarifa samazinājums.
— *in Lithuanian:*	Bendrojo muito tarifo muito sumažinimai, nustatyti Reglamente (EB) Nr. 1396/98.
— *in Hungarian:*	A közös vámtarifa csökkentése az 1396/98/EK rendelet alapján.
— *in Maltese:*	tnaqqis tat-tariffa doganali komuni kif jipprovdi r-Regolament (KE) Nru 1396/98.
— *in Dutch:*	Verlaging van het gemeenschappelijke douanetarief overeenkomstig Verordening (EG) nr. 1396/98.
— *in Polish:*	obniżenie cła WTC, jak przewidziano w rozporządzeniu (WE) nr 1396/98.
— *in Portuguese:*	redução da Pauta Aduaneira Comum como previsto no Regulamento (CE) n.º 1396/98.
— *in Romanian:*	reducerea tarifului vamal comun astfel cum este prevăzut de Regulamentul (CE) nr. 1396/98.
— *in Slovak:*	zníženie spoločnej colnej sadzby v súlade s nariadením (ES) č. 1396/98.
— *in Slovenian:*	znižanje skupne carinske tarife v skladu z Uredbo (ES) št. 1396/98.
— *in Finnish:*	Asetuksessa (EY) N:o 1396/98 säädetty yhteisen tullitariffin alennus.
— *in Swedish:*	nedsättning av den gemensamma tulltaxan i enlighet med förordning (EG) nr 1396/98.