COMMISSION REGULATION (EC) No 440/2001
of 2 March 2001
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], as last amended by Regulation (EC) No 2826/2000 [2],

Having regard to Commission Regulation (EC) No 1104/2000 of 25 May 2000 concerning a protective measure applicable to imports of garlic from China [3], and in particular Article 1(3) thereof,

Whereas:

(1) Pursuant to Commission Regulation (EEC) No 1859/93 [4], as amended by Regulation (EC) No 2872/2000 [5], the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence.

(2) Article 1(1) of Regulation (EC) No 1104/2000, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 29 May 2000 to 31 May 2001.

(3) Given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 26 February 2001 is in excess of the maximum quantity given in the Annex to that Regulation for the month of March 2001. It is therefore necessary to determine to what extent import licences may be issued in response to these applications. The issue of licences in response to applications lodged after 26 February 2001 and before 26 March 2001 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 26 February 2001 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,43199 % of the quantity applied for, having regard to the information available to the Commission on 28 February 2001.

For the abovementioned products applications for import licences lodged after 26 February 2001 and before 26 March 2001 shall be refused.

Article 2

This Regulation shall enter into force on 3 March 2001.

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

Done at Brussels, 2 March 2001.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 297, 21.11.1996, p. 1.
[2] OJ L 328, 23.12.2000, p. 2.
[3] OJ L 125, 26.5.2000, p. 21.
[4] OJ L 170, 13.7.1993, p. 10.
[5] OJ L 333, 29.12.2000, p. 49.