COMMISSION REGULATION (EC) No 478/2004

of 15 March 2004

on the release of securities for import licences for preferential sugar issued under Regulation (EEC) No 2782/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ([1]), and in particular Article 22(2)(b) thereof,

Whereas:

(1) One of the Regulations repealed by Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/2004, 2004/2005 and 2005/2006 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96 ([2]) was Commission Regulation (EEC) No 2782/76 ([3]), which laid down detailed implementing rules for the importation of preferential sugar.

(2) Article 28 of Regulation (EC) No 1159/2003 provides as a transitional measure that licences issued under Regulation (EEC) No 2782/76 may be used provided that loading took place and/or import declarations were accepted before 1 July 2003.

(3) It has become clear that these transitional measures do not cover the case where licences provided for by Regulation (EEC) No 2782/76 and issued before 1 July 2003 could not be used because of the entry into application of Regulation (EC) No 1159/2003.

(4) Provision should therefore be made for the securities on licences which have been unusable since 1 July 2003 to be released.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The securities on import licences issued under Regulation (EEC) No 2782/76 which could not be used because of the entry into application of Regulation (EC) No 1159/2003 may be released forthwith.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2003.

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

Done at Brussels, 15 March 2004.

For the Commission

Franz FISCHLER

Member of the Commission

([1]) OJ L 178, 30.6.2001, p. 1, Regulation last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).
([2]) OJ L 162, 1.7.2003, p. 25.
([3]) OJ L 318, 18.11.1976, p. 13.