Commission Implementing Regulation (EU) No 302/2013 of 27 March 2013 amending Regulation (EC) No 616/2007 opening and providing for the administration of Community tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries

COMMISSION IMPLEMENTING REGULATION (EU) No 302/2013

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amending Regulation (EC) No 616/2007 opening and providing for the administration of Community tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)[(1)], and in particular Articles 144(1) and 148, in conjunction with Article 4 thereof,

Whereas:

(1) Commission Regulation (EC) No 616/2007[(2)] provides for the administration of tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries.

(2) The minimum and maximum quantities applicable to applications for import rights and import licences should be amended and harmonised in order to avoid inconsistencies.

(3) With the view of improving and harmonising the management of the quotas, the security for certain quotas and the validity of the import licences should be adjusted and the import licences for certain groups should not be transferable.

(4) It should be specified in the Annex that the allocation of certain quotas for other countries should, in some cases, include also either Brazil or Thailand.

(5) Regulation (EC) No 616/2007 should therefore be amended accordingly.

(6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 616/2007 is amended as follows:

(1) Article 4 is amended as follows:

(a) paragraph 5 is replaced by the following:

Changes to legislation: *Commission Implementing Regulation (EU) No 302/2013 is up to date with all changes known to be in force on or before 03 February 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

5. Each application for an import licence or import right must respect the requirement for a minimum quantity in tonnes as well the requirement for a maximum percentage of the quantity available for the quota period or subperiod concerned. These requirements for each separate quota are laid down in Annex I.;

(b) paragraph 7 is replaced by the following:

7. Box 20 of the licence application and the licence shall contain one of the entries given in Annex II, Part A.

Box 24 of the licences shall contain one of the entries listed in Annex II, Part B.

For Groups Nos 3 and 6A, and for 6B quota with order number 09.4262, box 24 of the licence shall contain one of the entries given in Annex II, Part C.

For Group No 8 and for 6B quota with order number 09.4261, box 24 of the licence shall contain one of the entries given in Annex II, Part D.

For Group 6B quotas with order numbers 09.4263, 09.4264 and 09.4265, box 24 of the licence shall contain one of the entries given in Annex II, Part E.;

(2) in Article 5, paragraph 2 is replaced by the following:

2. A security of EUR 50 per 100 kilograms shall be lodged at the time of submission of the licence application for Groups Nos 2, 3, 6A, 6B and 8. For Groups Nos 1, 4A, 4B and 7, the security shall be set at EUR 10 per 100 kilograms and for import rights applications for Groups Nos 5A and 5B the security shall be set at EUR 35 per 100 kilograms.;

(3) Article 7 is replaced by the following:

Article 7

1 By way of derogation from Article 22 of Commission Regulation (EC) No 376/2008[(3)], the import licences and import rights shall be valid from the first day of the quota period or subperiod for which the application was lodged, and until 30 June of the same quota period.

However, for Groups Nos 5A and 5B licences shall be valid for 15 working days from the actual date of issuing of the licence, in accordance with Article 22(2) of Regulation (EC) No 376/2008.

2 By way of derogation from Article 8(1) of Regulation (EC) No 376/2008, the rights deriving from licences for groups other than Groups Nos 5A and 5B are not transferable.

3 Without prejudice to Article 8(1) of Regulation (EC) No 376/2008, the rights deriving from the licences for Group Nos 5A and 5B may be transferred only to transferees satisfying the eligibility conditions set out in Article 5 of Regulation (EC) No 1301/2006 and Article 4(1) and (2) of this Regulation.;

(4) Annex I is replaced by the text set out in the Annex I to this Regulation;

(5) Annex II to this Regulation is added as Part E to Annex II.

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Article 2

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

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

Done at Brussels, 27 March 2013.

For the Commission

The President

José Manuel BARROSO

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ANNEX I

ANNEX **P**oultry meat, salted or in brineApplicability of the preferential arrangements is determined on the basis of the CN code and is subject to the meat salted or in brine being poultrymeat of CN 0207.CountryGroup NoManagement periodicityOrder numberCN CodeCustoms dutyAnnual quantity(tonnes)Minimum per applicationMaximum per applicationBrazil1Quarterly09.4211ex 0210 99 3915,4 %170 807100 t10 %Thailand2Quarterly09.4212ex 0210 99 3915,4 %92 610100 t5 %Other3Annual09.4213ex 0210 99 3915,4 %82810 t10 %

PREPARATIONS OF POULTRY MEAT OTHER THAN TURKEY

Country	Group No	Management periodicity	Order number	CN Code	Customs duty	Annual quantity (tonnes)	Minimum per application	Maximum per application
Brazil	4A	Quarterly	09.4214	1602 32 19	8 %	79 477	100 t	10 %
			09.4251	1602 32 11	630 EUR/t	15 800	100 t	10 %
			09.4252	1602 32 30	10,9 %	62 905	100 t	10 %
	4B	Annual	09.4253	1602 32 90	10,9 %	295	10 t	100 %
Thailand	5A	Quarterly	09.4215	1602 32 19	8 %	160 033	100 t	10 %
			09.4254	1602 32 30	10,9 %	14 000	100 t	10 %
			09.4255	1602 32 90	10,9 %	2 100	10 t	10 %
			09.4256	1602 39 29	10,9 %	13 500	100 t	10 %
	5B	Annual	09.4257	1602 39 21	630 EUR/t	10	10 t	100 %
			09.4258	ex 1602 39 85[a]	10,9 %	600	10 t	100 %
			09.4259	ex 1602 39 85[b]	10,9 %	600	10 t	100 %
Other	6A	Quarterly	09.4216	1602 32 19	8 %	11 443	10 t	10 %

a	Processed duck, geese, guinea fowl meat, containing 25 % or more but less than 57 % by weight of poultry meat or offal.
b	Processed duck, geese, guinea fowl meat, containing less than 25 % by weight of poultry meat or offal.
c	Other than Brazil, including Thailand.
d	Other than Thailand, including Brazil.