COMMISSION REGULATION (EC) No 1940/2006

of 21 December 2006

amending Commission Regulation (EC) No 1556/2006 laying down detailed rules for the application of Council Regulation (EC) No 774/94 concerning the import arrangements for pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organisation of the market in pigmeat[1], and in particular Article 22 thereof,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues[2], and in particular Article 7 thereof,

Whereas:

(1) Commission Regulation (EC) No 1556/2006[3] lays down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products.

(2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences[4] applies to import licences for import tariff quota periods starting from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular rules on applications for import licences, the status of applicants and the issue of licences and limits the validity of the licences to the final day of the tariff quota period. Regulation (EC) No 1301/2006 must apply to import licences issued under Regulation (EC) No 1556/2006, save as otherwise provided for in that Regulation. It is therefore necessary to bring Regulation (EC) No 1556/2003 into line with Regulation (EC) No 1301/2006, where appropriate.

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1 OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

2 OJ L 91, 8.4.1994, p. 1. Regulation as amended by Commission Regulation (EC) No 2198/95 (OJ L 221, 19.9.1995, p. 3).

3 OJ L 288, 19.10.2006, p. 7. Regulation as amended by Regulation (EC) No 1711/2006 (OJ L 321, 21.11.2006, p. 5).

4 OJ L 238, 1.9.2006, p. 13.

(3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, provision must be made to add entries on the licence applications and the licences themselves in Bulgarian and Romanian.

(4) Regulation (EC) No 1556/2006 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1556/2006 is hereby amended as follows:

1. Articles 1, 2, 3, 4, 5 and 5 are replaced by the following:

"Article 1

1. This Regulation lays down detailed rules for applying the import tariff quota for fresh, chilled or frozen pigmeat covered by CN codes 0203 19 13 and 0203 29 15 opened by Regulation (EC) No 774/94.

2. Commission Regulations (EC) Nos 1291/2000[5] and 1301/2006 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 customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed in Annex I shall be divided into the following subperiods in the import tariff quota period:

– 25% in the period 1 January to 31 March,

– 25% in the period 1 April to 30 June,

– 25% in the period 1 July to 30 September,

– 25% in the period 1 October to 31 December.

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

Article 3

1. Notwithstanding Article 5 of Regulation (EC) No 1301/2006, retail establishments or restaurants selling their products to final consumers shall be excluded from the tariff quota referred to in Article 1(1) of this Regulation and may not submit import licence applications to this end.

2. Licence applications must mention the serial number, and may relate to products covered by the two different CN codes and originating in only one country. In such cases, all the CN codes shall be indicated in section 16 and their descriptions in section 15. Licence applications must be a minimum of 20 tonnes and a maximum of 20% of the quantity available for the import tariff quota subperiod.

3. Section 8 of licence applications and licences shall show the country of origin.

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

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

Article 4

1. Licence applications shall be lodged 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 Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, each applicant may lodge several applications for import licences for products referred to in Annex I, if these products originate in different countries. The applications, one each for a single country of origin, shall be submitted together to the competent authority of a Member State. They shall be considered, as regards the maximum referred to in Article 3(2), as a single application.

3. The Member States shall notify to the Commission, no later than the third working day following the end of the period for submission of applications, the total quantities, in kilograms, applied for.

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

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