COMMISSION REGULATION (EC) No 1939/2006

of 21 December 2006

amending Regulation (EC) No 462/2003 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the ACP States

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 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98[2], and in particular Article 5 thereof,

Whereas:

(1) Commission Regulation (EC) No 462/2003[3] lays down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the ACP States.

(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 462/2003, save as otherwise provided for in that Regulation. It is therefore necessary to bring Regulation (EC) No 462/2003 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 348, 21.12.2002, p. 5.

3 OJ L 70, 14.3.2003, p. 8. 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 462/2003 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 462/2003 is hereby amended as follows:

1. Articles 1, 2, 3, 4, 5 and 6 are replaced by the following:

"Article 1

1. All imports into the Community within the framework of Regulation (EC) No 2286/2002 of products covered by CN codes listed in Annex I to this Regulation shall qualify for reduced customs duties on presentation of an import licence.

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 above arrangements and the rate of customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed in part B of 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 reduction in customs duties referred to in Article 1(1) of this Regulation and may not submit import licence applications to this end.

2. Import licence applications may mention only one of the serial numbers referred to in Annex I. They may involve several products covered by different combined nomenclature (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.

3. Applications must be for a minimum of one tonne and a maximum of 100% of the quantity available for the subperiod specified in Article 2.

Article 4

1. Section 8 of the licence application and the licence shall indicate the country of origin and "yes" shall be marked with a cross.

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

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

Article 5

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. 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 in respect of each quota.

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

4. The Member States shall notify 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.