COMMISSION REGULATION (EC) No 1937/2006

of 20 December 2006

amending Regulation (EC) No 2497/96 laying down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat[1], and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 2398/96 of 12 December 1996 opening a tariff quota for turkey meat originating in and coming from Israel as provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel[2],

Whereas:

(1) Commission Regulation (EC) No 2497/96[3] lays down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel.

(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 the tariff quota periods commencing from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular detailed rules for applications for import licences, the status of applicants and the issue of licences. The Regulation limits the validity of licences to the final day of the tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued under Regulation (EC) No 2497/96, unless otherwise provided for in that Regulation. The provisions of Regulation (EC) No 2497/96 must therefore be aligned on Regulation (EC) No 1301/2006 where necessary.

(3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, there should be provision for entries in Bulgarian and Romanian on the applications and licences.

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1 OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.
2 OJ L 327, 18.12.1996, p. 7.
3 OJ L 338, 28.12.1996, p. 48.
4 OJ L 238, 1.9. 2006, p. 13.

(4) Regulation (EC) No 2497/96 should therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2497/96 is amended as follows:

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

"Article 1

1. This Regulation lays down detailed rules for the application of the tariff quotas for the import of products under the CN codes in Annex I opened by Regulation (EC) No 2398/96.

2. Commission Regulations (EC) Nos 1291/2000[5] and 1301/2006 shall apply, except as otherwise provided for in this Regulation.

3. The quantity of products covered by the arrangements referred to in paragraph 1 and the rate of reduction in customs duty shall be as laid down in Annex I.

Article 2

The quantity fixed for each group shall be divided as follows into four subperiods:

— 25% from 1 January to 31 March,

— 25% from 1 April to 30 June,

— 25% from 1 July to 30 September,

— 25% from 1 October to 31 December.

Article 3

1. For the application of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must prove, when submitting the first application for a given tariff quota period, that they imported or exported not less than 50 tonnes of products referred to in Regulation (EEC) No 2777/75 in each of the two periods referred to in the said Article 5.

2. Licence applications may refer to only one of the groups defined in Annex I to this Regulation; they may relate to several products under different CN codes. If they do, all the CN codes and their designations must be entered in sections 16 and 15 respectively of the licence application and the licence.

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

Licence applications must relate to a minimum of 10 tonnes and to a maximum of 10% of the quantity available for the group and subperiod concerned of the import tariff quota.

3. In Section 8 of licence applications and licences, the country of origin shall be indicated and "Yes" shall be marked with a cross.

4. Section 20 of licence applications and licences shall contain one of the entries given in Annex II, Part A.

5. Section 24 of the licence shall contain one of the entries given in Annex II, Part B.

Article 4

1. Licence applications shall be lodged during the first seven days of the month preceding each subperiod of the import tariff quota referred to in Article 2.

However, for the subperiod between 1 January and 31 March 2007, licence applications must be lodged during the first fifteen days of January 2007.

2. A security of EUR 20 per 100 kilograms shall be lodged for import licence applications for all products referred to in Article 1.

3 Member States shall notify the Commission, by the fifth working day following the end of the period for lodging applications, of the total quantities in kilograms requested, broken down by group.

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

5. Member States shall notify the Commission, before the end of the fourth month following each annual period, of the quantities in kilograms actually released for free circulation under this Regulation during the period concerned, broken down by group.

Article 5

Import licences shall be valid for 150 days from the date of actual issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

Without prejudice to Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from the licences may be transferred only to transferees satisfying the eligibility conditions defined in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation."

2. Article 6 is deleted.

3. Annex II is replaced by the Annex hereto.

4. Annexes III and IV are deleted.