Commission Regulation (EC) No 1884/2006 of 19 December 2006 amending Regulations (EC) No 2402/96, (EC) No 2449/96 and (EC) No 2390/98 as regards the administration of import tariff quotas for manioc and sweet potatoes

COMMISSION REGULATION (EC) No 1884/2006

of 19 December 2006

amending Regulations (EC) No 2402/96, (EC) No 2449/96 and (EC) No 2390/98 as regards the administration of import tariff quotas for manioc and sweet potatoes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII[(1)], and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations[(2)], and in particular Article 1(1) 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[(3)], and in particular Article 5 thereof,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals[(4)], and in particular Articles 9(2) and 12(1) thereof,

Whereas:

(1) 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[(5)] applies to import licences for tariff quota periods starting from 1 January 2007.

(2) The common rules adopted by Regulation (EC) No 1301/2006, in particular the detailed rules for applications for import licences, the status of applicants and the issue of licenses, limiting the period of validity of import licences to the final day of the tariff quota period, apply without prejudice to additional conditions or derogations laid down by the sectoral regulations. To avoid a situation whereby differing rules continue to exist in certain sectoral regulations, Commission Regulations (EC) No 2402/96 of 17 December 1996 opening and setting administrative rules for certain annual tariff quotas for sweet potatoes and manioc starch[(6)], (EC) No 2449/96 of 18 December 1996 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand[(7)] and (EC) No 2390/98 of 5 November 1998 (EC)

Changes to legislation: *Commission Regulation (EC) No 1884/2006 is up to date with all changes known to be in force on or before 20 March 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*

No 1706/98 as regards the arrangements for importing certain cereal substitute products and processed cereal and rice products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and repealing Regulation (EEC) No 2245/90[8] should be amended with a view to specifying the serial numbers of each quota and subquota and redefining the specific rules which apply, in particular to the drawing-up of licence applications, their issue, their period of validity and the notification of information to the Commission.

(3) These measures should be applied from 1 January 2007, which is the date from which the measures provided for in Regulation (EC) No 1301/2006 apply.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2402/96 is amended as follows:

1. The following paragraphs are added to Article 1:

The following serial numbers are assigned to the quotas referred to in the first paragraph:

— serial number 09.4014 for the quota referred to in point 1,

— serial number 09.4013 for the quota referred to in point 2,

— serial number 09.4064 for the 10 000 tonnes of manioc starch referred to in point 3 and the 500 tonnes of manioc starch not reserved for Thailand in accordance with point 4,

— serial number 09.4065 for the 10 000 tonnes of manioc starch reserved for Thailand and referred to in point 4.

2. The following Article 1a is added before Title 1:

Article 1a

Commission Regulations (EC) No 1291/2000[9], (EC) No 1342/2003[10] and (EC) No 1301/2006[11] shall apply, save as otherwise provided for in this Regulation.

3. Article 4(2) is replaced by the following:

2. Section 24 of the licences shall contain one of the entries shown in Annex III.

4. Article 7 is replaced by the following:

Article 7

No later than 18.00 (Brussels time) on the working day following that set by Article 3 for the lodging of applications, Member States shall send the Commission the following information:

(a) the total quantities covered by licence applications, by origin and product code,

(b) for products originating in the People's Republic of China, the reference numbers of the export certificate and the name of the vessel.

5. Article 8 is replaced by the following:

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Article 8

1 Import licences shall be issued on the fourth working day following the notification referred to in Article 7.

2 Licences shall be valid throughout the Community from their actual day of issue pursuant to Article 23(2) of Regulation (EC) No 1291/2000 to the end of the fourth month following, but only up to the end of the year of issue.

6. Article 12 is replaced by the following:

Article 12

No later than 18.00 (Brussels time) on the working day following that set by Article 9 for the lodging of applications, Member States shall send the Commission the following information:

(a) the total quantities covered by licence applications, by origin and product code;

(b) the reference numbers of the export certificates issued by the Thai authorities and the corresponding quantities, and the name of the vessel.

7. Article 13 is replaced by the following:

Article 13

1 Import licences shall be issued on the fourth working day following the notification referred to in Article 12.

2 Licences shall be valid throughout the Community from their actual day of issue pursuant to Article 23(2) of Regulation (EC) No 1291/2000 to the end of the third month following, but only up to the end of the year of issue.

8. Annex III, shown in Annex I to this Regulation, is added.

Article 2

Regulation (EC) No 2449/96 is amended as follows:

1. The following paragraphs are added to Article 1:

The quotas referred to in points 1, 2 and 3 of the first subparagraph shall bear the serial numbers 09.4009, 09.4011 and 09.4010 respectively.

For the quota referred to in point 4 of the first subparagraph, the serial numbers 09.4021 and 09.4012 shall be allocated to the part of the quota reserved for the import of products of a kind used for human consumption (2 000 tonnes) and to the other part which is not so reserved (30 000 tonnes) respectively.

Commission Regulations (EC) No 1291/2000[(12)], (EC) No 1342/2003[(13)] and (EC) No 1301/2006[(14)] shall apply, save as otherwise provided for in this Regulation.

2. Article 6(b) is replaced by the following:

(b) in section 24, one of the entries shown in Annex IV.

3. Article 8 is amended as follows:

(a) Paragraph 3 is replaced by the following:

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3. On the day following the day on which applications are lodged, and no later than 13.00 on the Thursday following the deadline for lodging applications laid down in the first subparagraph of paragraph 1, Member States shall send the Commission the following information:

a the total quantities covered by licence applications, by origin and product code;

b the number of the certificate of origin submitted and the total quantity entered in the original document or an extract thereof;

c the reference numbers of the export certificates issued by the Indonesian or Chinese authorities and the corresponding quantities, and the name of the vessel.

(b) Paragraph 4 is replaced by the following:

Import licences shall be issued on the fourth working day following the notification referred to in paragraph 3.

4. In the third subparagraph of Article 10(2), the last sentence is replaced by the following:

'Section 20 of additional import licences shall also contain one of the entries shown in Annex V.'

5. Article 11 is amended as follows:

(a) The second paragraph is replaced by the following:

Licences issued pursuant to this Regulation shall be valid throughout the Community for 60 days from their actual day of issue pursuant to Article 23(2) of Regulation (EC) No 1291/2000.

(b) The following paragraph is added:

The final day of validity of the import licences may not exceed 31 December of the year of issue.

6. Annexes IV and V, as shown in Annex II to this Regulation, are added.

Article 3

Regulation (EC) No 2390/98 is amended as follows:

1. In Article 1, the following paragraph is added:

Commission Regulations (EC) No 1291/2000[(15)], (EC) No 1342/2003[(16)] and EC (No) 1301/2006[(17)] shall apply, save as otherwise provided for in this Regulation.

2. Article 2(2) is replaced by the following:

2. Section 24 of additional import licences shall contain one of the entries shown in Annex I.

3. Article 4 is replaced by the following:

Article 4

The following special provisions shall apply to the release for free circulation in the French overseas departments pursuant to Article 3(4) of Regulation (EC) No 2286/2002 of products falling within CN codes 0714 10 91 and 0714 90 11:

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(a) monitoring of these imports shall be carried out under the same conditions as those applicable to the import quotas, under serial number 09.4192;

(b) licence applications shall be for a quantity not exceeding 500 tonnes per applicant;

(c) section 8 of licence applications and import licences shall contain the name of the ACP State or the overseas country or territory in which the product originates. Licences shall entail an obligation to import from that country or territory;

(d) section 24 of additional import licences shall contain one of the entries shown in Annex II.

4. Article 5 is amended as follows:

(a) Paragraph 2 is replaced by the following:

2. No later than 13.00 (Brussels time) on the working day following the day on which the licence application is lodged, Member States shall send the Commission the total quantities covered by licence applications, by origin and product code.

(b) Paragraph 3 is deleted.

(c) Paragraph 4 is replaced by the following:

4. Import licences shall be issued on the fourth working day following the notification referred to in Article 5(2).

(d) Paragraph 5 is replaced by the following:

5. Licences shall be valid exclusively for release for free circulation in the French overseas departments from their actual day of issue pursuant to Article 23(2) of Regulation (EC) No 1291/2000 to the end of the second month following, but only up to the end of the year of issue.

5. Annexes I and II, as shown in Annex III to this Regulation, are added.

Article 4

This Regulation shall enter into force on 1 January 2007.

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

Done at Brussels, 19 December 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission