Commission Regulation (EC) No 1749/2006 of 27 November 2006 amending Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector

COMMISSION REGULATION (EC) No 1749/2006

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amending Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal[(1)], and in particular Article 33(12) thereof,

Whereas:

(1) Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80[(2)] sets out the conditions for the operation of the system of import and export licences in the beef and veal sector.

(2) Since the start of 2005, the level of export refunds in the beef and veal sector has been reduced several times. The level of the security for export licences with advance fixing of the refund has not, however, been adapted to this new situation. The levels of that security should be adapted to take account of these reductions, maintaining a ratio between the level of the security and the level of the refund similar to that which applied prior to the reduction of the refunds.

(3) Exports in the beef and veal sector have been declining steadily since 2000. In the interests of simplification and efficient management, in the current context it would also appear appropriate to review the rules for issuing those export licences which do not have to be issued immediately. In this context, the communication by the Member States to the Commission of applications for export licences should be limited to one notification per week. Similarly, the quantities for which export licences may, at the request of the operator, be issued immediately should be increased from 22 to 25 tonnes.

(4) Commission Regulation (EC) No 1741/2006[(3)] lays down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export. To allow the smooth operation of that system, it should be laid down that licences which are to be issued immediately, with a validity restricted to five working days, do not allow access to the customs warehousing procedure prior to export provided for in Regulation (EC) No 1741/2006.

(5) For the same reasons, it should also be laid down that the reduction of the refund provided for in Article 18(3) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1749/2006. (See end of Document for details)*

export refunds on agricultural products[4] where the destination of the beef and veal has changed from that initially indicated on the export certificate does not apply to the beef and veal placed under that system.

(6) Regulation (EC) No 1445/95 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1445/95 is hereby amended as follows:

1. Article 9(1) is amended as follows:

   (a) in point (a), ‘ECU 44’ is replaced by ‘EUR 26’;

   (b) in point (b), ‘ECU 29’ is replaced by ‘EUR 15’;

   (c) in point (c), ‘ECU 16’ is replaced by ‘EUR 9’.

2. Article 10 is amended as follows:

   (a) paragraph 1 is replaced by the following:

   1. Applications for export licences with advance fixing of the refund as referred to in Article 8(1) may be lodged with the competent authorities from Monday to Friday each week.

   Export licences shall be issued on the Wednesday following the week in which the application is lodged, provided that none of the particular measures referred to in paragraphs 2 or 2a have since been taken by the Commission.

   However, licences applied for within the framework of Article 16 of Regulation (EC) No 1291/2000 shall be issued immediately.

   By way of derogation from the second subparagraph, the Commission may, in accordance with the procedure laid down in Article 43(2) of Regulation (EC) No 1254/1999, set a day other than Wednesday for the issuing of export licences when it is not possible to respect this day.;

   (b) paragraph 5 is replaced by the following:

   5. Notwithstanding paragraph 1, licences in respect of applications for a quantity not exceeding 25 tonnes of products falling within CN codes 0201 and 0202 shall be issued immediately. In such cases, notwithstanding Article 8, the term of validity of the licences shall be limited to five working days from their actual day of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000, and box 20 of licence applications and licences shall indicate at least one of the entries listed in Annex IIIa to this Regulation.

3. In Article 11, the following paragraph 2 is added:

2. The second indent of Article 18(3)(b) of Commission Regulation (EC) No 800/1999[(5)] shall not apply to special export refunds granted to products falling within CN codes 0201 30 00 91 00 and 0201 30 00 91 20 of the agricultural product nomenclature for export refunds established by Commission Regulation (EEC) No 3846/87[(6)] where these products have been placed under the customs warehousing procedure in accordance with Article 4 of Commission Regulation (EC) No 1741/2006[(7)].

4. In the first indent of Article 13(1)", the words 'and Thursday' are deleted.

5. Annex IIIa, as set out in the Annex to this Regulation, is added.

6. Annex IV is amended as follows:

(a) 'Addressee: DG VI/D/2; Fax (32-2) 296 60 27' is replaced by:

Addressee: DG AGRI/D/2; Fax (32-2) 292 17 22; e-mail: AGRI-EXP-BOVINE@ec.europa.eu;

(b) In the title of Part A, 'Thursday' is deleted.

Article 2

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

It shall apply from 1 January 2007.

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

Done at Brussels, 27 November 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission