Commission Regulation (EC) No 1713/2006 of 20 November 2006 abolishing the prefinancing of export refunds in respect of agricultural products

COMMISSION REGULATION (EC) No 1713/2006

of 20 November 2006

abolishing the prefinancing of export refunds in respect of agricultural products

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 thereof, and the corresponding provisions of the other Regulations on the common organisation of the market in respect of agricultural products,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products[(2)], and in particular the first subparagraph of Article 8(3) thereof,

Whereas:

(1) At the time of the introduction of the system of prefinancing of export refunds, it was considered necessary to follow the principle whereby a balance was ensured between the use of Community basic products with a view to exporting processed products to third countries and the use of basic products from such countries admitted under inward processing arrangements. To this end an amount equal to the export refund was to be paid as soon as the Community basic products, from which processed products or goods intended for export would be obtained, were placed under customs control.

(2) At that time it was also considered necessary to provide for the possibility that when products covered by a common market organisation and imported from third countries could, under certain conditions, be brought under a customs warehousing or a free zone procedure, whereby collection of the import duties was suspended, to introduce a provision made for payment of an amount equal to the export refund as soon as Community products or goods intended for export were brought under such a procedure.

(3) The prefinancing system has since evolved from its initial intention of putting Community goods on an equal price footing with cheaper non-Community goods temporarily imported under the Inward Processing Relief arrangements, into a complex system with different aims whereby the reasons for the introduction of prefinancing are not the prime reasons for its current use.

(4) The system of prefinancing is now used primarily to increase control on beef exports, while the need for increased controls, in itself, is not sufficient justification for payment of refunds in advance under the prefinancing arrangements. It is considered not to be appropriate to use the prefinancing arrangements to achieve these other aims.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1713/2006. (See end of Document for details)*

(5) The situation in the agricultural product markets concerned has changed; as a consequence there is no continued economic justification to continue the system of prefinancing export refunds.

(6) Commission Regulations (EEC) No 32/82 of 7 January 1982 laying down the conditions for granting special export refunds for beef and veal[3], (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals[4], (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products[5], (EEC) No 2723/87 of 10 September 1987 laying down special detailed rules for the application of the system of export refunds on cereals exported in the form of pasta products falling within heading No 19.03 of the Common Customs Tariff[6], (EC) No 3122/94 of 20 December 1994 laying down criteria for risk analysis as regards agricultural products receiving refunds[7], (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licenses in the beef and veal sector and repealing Regulation (EEC) No 2377/80[8], (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products[9], (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products[10], (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms[11], (EC) No 2090/2002 of 26 November 2002 laying down detailed rules for applying Council Regulation (EEC) No 386/90 as regards physical checks carried out when agricultural products qualifying for refunds are exported[12], (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice[13], (EC) No 1518/2003 of 28 August 2003 laying down detailed rules for implementing the system of export licences in the pigmeat sector[14], (EC) No 2236/2003 of 23 December 2003 laying down detailed rules for the application of Council Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch[15] (EC) No 596/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the egg sector[16], (EC) No 633/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the poultry meat sector[17] and (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds[18] should therefore be amended.

(7) By the same reasons, Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products[19] and Commission Regulations (EEC) No 2388/84 of 14 August 1984 on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products[20], (EC) No 456/2003 of 12 March 2003 laying down special rules on the prefinancing of export refunds for certain beef and veal products placed under a customswarehousing or free zoneprocedure[21], (EC) No 500/2003 of 19 March 2003

on the periods for which certain cereal and rice products may remain under customs control arrangements for the advance payment of refunds[22] and (EC) No 1994/2005 of 7 December 2005 fixing the basic products which do not qualify for advance payment of export refunds[23] should be repealed.

(8) The measures provided for in this Regulation are in accordance with the opinions of all Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2(2) of Regulation (EEC) No 32/82, the second subparagraph is deleted.

[F1]Article 2

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Textual Amendments

F1 Deleted by Commission Regulation (EC) No 1359/2007 of 21 November 2007 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals (Codified version).

[F2]Article 3

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Textual Amendments

F2 Deleted by Commission Implementing Regulation (EU) No 282/2012 of 28 March 2012 laying down common detailed rules for the application of the system of securities for agricultural products (codification).

Article 4

The second indent of Article 1(1) of Regulation (EEC) No 2723/87 is deleted.

Article 5

The first indent of Article 1, point 7, of Regulation (EC) No 3122/94 is deleted.

Article 6

In Article 11 of Regulation (EC) No 1445/95, paragraph 2 is deleted.

[F3]Article 7

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Textual Amendments

F3 Deleted by Commission Regulation (EC) No 612/2009 of 7 July 2009 on laying down common detailed rules for the application of the system of export refunds on agricultural products (Recast).

F4 Article 8

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Textual Amendments

F4 Deleted by Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products (Codified version).

Article 9

Article 26(4) of Regulation (EC) No 1623/2000 is deleted.

Article 10

In Annex III to Regulation (EC) No 2090/2002, point 10 is deleted.

Article 11

In Article 7(2) of Regulation (EC) No 1342/2003, the third subparagraph is deleted.

F5 Article 12

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Textual Amendments

F5 Deleted by Commission Implementing Regulation (EU) No 1373/2013 of 19 December 2013 laying down detailed rules for implementing the system of export licences in the pigmeat sector (codification).

Article 13

Article 14 of Regulation (EC) No 2236/2003 is deleted.

F6 Article 14

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Textual Amendments

F6 Deleted by Commission Regulation (EU) No 1178/2010 of 13 December 2010 laying down detailed rules for implementing the system of export licences in the egg sector (codification).

F7 Article 15

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Textual Amendments

F7 Deleted by Commission Regulation (EU) No 90/2011 of 3 February 2011 laying down detailed rules for implementing the system of export licences in the poultrymeat sector (codification).