Commission Regulation (EC) No 969/2006 of 29 June 2006 opening and providing for the administration of a Community tariff quota for imports of maize from third countries

COMMISSION REGULATION (EC) No 969/2006

of 29 June 2006

opening and providing for the administration of a Community tariff quota for imports of maize from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994[(2)], approved by Council Decision 2006/333/EC[(3)], provides for the opening of a Community tariff quota for the import of a maximum annual quantity of 242 074 tonnes of maize.

(2) To ensure that imports of the maize covered by this tariff quota are orderly and not speculative, they should be made subject to the issue of import licences. These licences should be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of an allocation coefficient in respect of the quantities applied for.

(3) To ensure the proper management of this quota, deadlines should be laid down for the lodging of licence applications and the information to be included in applications and licences should be specified.

(4) In order to ensure that the actual quantities being requested by individual traders may be verified, it is necessary to specify that traders must submit only one import licence application per weekly period and to provide for a penalty in the event of failure to meet this requirement.

(5) To take account of supply conditions, a derogation should be made concerning the period of validity of the licences.

(6) In order to ensure the sound management of the quota, a derogation should be made from Commission Regulation (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[(4)] as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.

(7) With a view to the sound management of the quota, the security for import licences should be set at a relatively high level, by way of derogation from Article 12 of Commission Regulation (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[5].

(8) Rapid two-way communication, including electronic communication, should be established between the Commission and the Member States regarding the quantities applied for and imported.

(9) The origin of the products covered by this Regulation should be determined in accordance with the rules in force in the Community. In order to verify the origin of the products concerned, a certificate of origin issued by the authorities of the country from which the maize originates should be required on import, in accordance with Community rules.

(10) Since the Agreement approved by Decision 2006/333/EC provides for implementation on 1 July 2006, this Regulation must apply from the date of its publication in the *Official Journal of the European Union*.

(11) 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

[F1 1 A tariff quota is hereby opened for the import of 277 988 tonnes of maize falling under CN codes 1005 10 90 and 1005 90 00 (order number 09.4131).**]**

2 The tariff quota shall be opened on 1 January each year. The duty on imports within the tariff quota shall be zero.

[F2 3 Commission Regulations (EC) Nos 1291/2000, 1342/2003 and 1301/2006[6] shall apply, save as otherwise provided for in this Regulation.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 1253/2011 of 1 December 2011 amending Regulations (EC) No 2305/2003, (EC) No 969/2006, (EC) No 1067/2008 and (EC) No 1064/2009 opening and providing for the administration of EU tariff quotas for cereal imports from third countries.

F2 Inserted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

*[*F3 *Article 2*

[F1 1 The quota shall be divided into two six-monthly subperiods of 138 994 tonnes, covering the following dates:

a subperiod No 1: from 1 January to 30 June;

b subperiod No 2: from 1 July to 31 December.**]**

2 Where the quantities for subperiod 1 are exhausted, the Commission may bring forward the opening of the following subperiod in accordance with the procedure laid down in Article 25(2) of Regulation (EC) No 1784/2003.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 1253/2011 of 1 December 2011 amending Regulations (EC) No 2305/2003, (EC) No 969/2006, (EC) No 1067/2008 and (EC) No 1064/2009 opening and providing for the administration of EU tariff quotas for cereal imports from third countries.

F3 Substituted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

[F4 Article 3

. . . . . .

Textual Amendments

F4 Deleted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

[F3 Article 4

1 Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, applicants may not submit more than one licence application per week. Where applicants lodge more than one application, none of those applications shall be admissible and the securities lodged when the applications were submitted shall be forfeited to the Member State concerned.

Import licence applications shall be lodged with the competent authorities of the Member States each week no later than **[**F5Friday**]** at 13.00 (Brussels time).

[F6. . . . .**]**

2 Each licence application shall indicate a quantity in kilograms (whole numbers).

The import licence application and the import licence shall mention a single country of origin.

[F53 No later than 18:00 (Brussels time) on the Monday following the week in which the licence application was lodged, the competent authorities shall send the Commission, by electronic means, a notification showing each application, with the origin of the product and the quantity applied for, including 'nil' notifications.**]**

[F54 Licences shall be issued on the fourth working day following the deadline for the notification referred to in paragraph 3.

Member States shall communicate to the Commission, by electronic means, on the day of issue of the import licences, the information on the licences issued as referred to in Article 11(1)(b) of Regulation (EC) No 1301/2006, with the total quantities for which import licences have been issued.**]]**

Textual Amendments

F3 Substituted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

F5 Substituted by Commission Regulation (EC) No 1456/2007 of 10 December 2007 amending Regulations (EC) No 2058/96, (EC) No 2375/2002, (EC) No 2377/2002, (EC) No 2305/2003, (EC) No 955/2005, (EC) No 969/2006 and (EC) No 1964/2006 opening and providing for the administration of tariff quotas for imports of rice and cereals.

F6 Deleted by Commission Regulation (EC) No 1456/2007 of 10 December 2007 amending Regulations (EC) No 2058/96, (EC) No 2375/2002, (EC) No 2377/2002, (EC) No 2305/2003, (EC) No 955/2005, (EC) No 969/2006 and (EC) No 1964/2006 opening and providing for the administration of tariff quotas for imports of rice and cereals.

[F3 Article 5

In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual day of issue.**]**

Textual Amendments

F3 Substituted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

F4 Article 6

. . . . . .

Textual Amendments

F4 Deleted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

F4 Article 7

. . . . . .

Textual Amendments

F4 Deleted by Commission Regulation (EC) No 2022/2006 of 22 December 2006 amending Regulations (EC) Nos 2375/2002, 2377/2002, 2305/2003 and 969/2006 opening and providing for the administration of Community tariff quotas for imports of cereals.

[F3 Article 8

Section 8 of the import licence application and the import licence shall contain the name of the country of origin and ‘Yes’ shall be marked with a cross. Licences shall be valid only for products originating in the country indicated in section 8.**]**