Commission Regulation (EC) No 2247/2003 of 19 December 2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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)

COMMISSION REGULATION (EC) No 2247/2003

of 19 December 2003

laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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[(1)], and in particular Article 5 thereof,

Whereas:

(1) Regulation (EC) No 2286/2002 implements the arrangements for imports from the ACP States made as a result of the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000[(2)] (hereinafter referred to as 'the Cotonou Agreement'). Article 1(3) of that Regulation introduces general arrangements for reducing customs duties on the products listed in Annex I thereto and specific arrangements for reducing customs duties on certain products covered by tariff quotas listed in Annex II thereto. Provision is made for an annual quota of 52 100 tonnes of boneless meat.

(2) Prior to the Cotonou Agreement, Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96[(3)] laid down detailed rules for implementing the concessions in the beef and veal sector. For the sake of clarity, Regulation (EC) No 1918/98 should be repealed and replaced by a new Regulation.

(3) That scheme should be managed using import licences. To this end rules should be set on the submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for application of the system of import and export licences and advance fixing certificates for agricultural products[(4)], and of 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[5].

(4) To allow optimum management of the tariff quotas, this Regulation should apply from 1 January 2004 on a multiannual basis.

(5) 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

1 Import licences shall be issued for the products listed in the Annex originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boneless meat, fixed in Annex II to Regulation (EC) No 2286/2002. The country by country allocation, expressed in boneless meat, is as follows: Botswana: 18 916 tonnes, Kenya: 142 tonnes, Madagascar: 7 579 tonnes, Swaziland: 3 363 tonnes, Zimbabwe 9 100 tonnes and Namibia: 13 000 tonnes.

The annual quantities from the countries referred to in the first subparagraph shall bear the following serial numbers: the quota for Botswana: 09.4052; for Kenya: 09.4054; for Madagascar: 09.4051; for Swaziland: 09.4053; for Zimbabwe: 09.4055 and for Namibia: 09.4056.

2 For the purposes of calculating the quantities referred to in Article 1(1), 100 kilograms of boneless beef shall be equal to:

— 130 kilograms of bone-in beef,

— 260 kilograms of live bovine animals,

— 100 kilograms of products falling within CN codes 0206, 0210 and 1602.

Article 2

1 Within the limits of the quota, the specific amounts of customs duty fixed in the common customs tariff shall be reduced by 92 % and the *ad valorem* duty by 100 %, for products referred to in the Annex and being imported pursuant to the present Regulation.

F1 2 . . . . . .

Textual Amendments

F1 Deleted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

F2 Article 3

Except as otherwise provided for in this Regulation, Regulations (EC) No 1445/95 and (EC) No 1291/2000 and Commission Regulation (EC) No 1301/2006[6] shall apply.

Textual Amendments

F2 Substituted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

Article 4

1 Applications for import licences and import licences for products qualifying for a reduction of the specific rate of customs duties fixed in the Common Customs Tariff in accordance with Article 1(3) of Regulation (EC) No 2286/2002 shall contain:

[F3**[**X1a under the heading 'notes' and in section 20 respectively, one of the entries listed in Annex II;**]]**

[F2b in section 8, the country of origin and the mention 'yes' is marked by a cross. Licences shall carry with them an obligation to import from the country indicated;**]**

c in Section 17, in addition to the number of animals, their live weight.

2 Applications for licences may be lodged only during the first 10 days of each month.

[F4Notwithstanding Article 5(1) of Regulation (EC) No 1445/95, applications may cover, for the same quota order number, one or several of the products covered by the CN codes or groups of CN codes listed in Annex I to this Regulation. In case applications cover several CN codes, the respective quantity applied for per CN code or group of CN codes shall be specified. In all cases, all the CN codes shall be indicated in section 16 and their description in section 15 of licence applications and licences.**]**

[F23 Member States shall notify to the Commission, no later than the third working day following the end of the period for the submission of applications, the quantities applied for, broken down by origin and by CN code or group of CN codes as necessary, and expressed in kilogram.**]**

F14 . . . . . .

Editorial Information

X1 Substituted by Corrigendum to Commission Regulation (EC) No 1965/2006 of 22 December 2006 adapting several regulations concerning the beef and veal sector by reason of the accession of Bulgaria and Romania to the European Union (Official Journal of the European Union L 408 of 30 December 2006).

Textual Amendments

F1 Deleted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

F2 Substituted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

F3 Substituted by Commission Regulation (EC) No 1965/2006 of 22 December 2006 adapting several regulations concerning the beef and veal sector by reason of the accession of Bulgaria and Romania to the European Union.

F4 Inserted by Commission Regulation (EC) No 206/2007 of 27 February 2007 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

Article 5

F1 1 . . . . . .

[F2 2 Import licences shall be issued on the 21st day of each month.

[F4 Each licence issued shall specify per CN code or group of CN codes the quantity concerned.]]

Textual Amendments

F1 Deleted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

F2 Substituted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

F4 Inserted by Commission Regulation (EC) No 206/2007 of 27 February 2007 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 2286/2002 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).

Article 6

Importation under the arrangements for a reduction in import duties provided for in this Regulation may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 of Annex V to the Cotonou Agreement.

[F2 Article 7

The import licences issued in accordance with this Regulation shall be valid for 90 days from their actual date of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.]

Textual Amendments

F2 Substituted by Commission Regulation (EC) No 1868/2006 of 15 December 2006 amending Regulation (EC) No 2247/2003 laying down detailed rules for the application in the beef and veal

sector of Council Regulation (EC) No 2286/2002 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).

Article 8

Regulation (EC) No 1918/98 is repealed.

Article 9

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

It shall apply from 1 January 2004.

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