COMMISSION REGULATION (EC) No 1634/2002

of 13 September 2002

amending — in the light of the new concessions for which Council Regulation (EC) No 1408/2002 provides in respect of the Republic of Hungary — Regulations (EC) No 1279/98, (EC) No 1128/1999 and (EC) No 1247/1999 regarding certain tariff quotas for the importation of beef and veal 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], as last amended by Regulation (EC) No 2345/2001 [2], and in particular Article 32(1) thereof,

Having regard to Council Regulation (EC) No 1408/2002 of 29 July 2002 establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Hungary [3], and in particular Article 1(3) thereof,

Whereas:

(1) Regulation (EC) No 1408/2002 provided for new concessions as regards the importation of certain beef and veal products under the tariff quotas opened by the Europe Agreement with Hungary. The new concessions took effect on 1 July 2002, except as regards the concession which involves opening the tariff quota covered by serial number 09.4774.

(2) It is therefore necessary to amend the following Commission implementing Regulations:

— Commission Regulation (EC) No 1279/98 of 19 June 1998 laying down detailed rules for applying the tariff quotas for beef and veal applicable under Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 for the Republic of Hungary, Bulgaria, the Czech Republic, Slovakia, Romania and the Republic of Poland [4], as amended by Regulation (EC) No 2857/2000 [5].

— Commission Regulation (EC) No 1128/1999 of 28 May 1999 laying down detailed rules of application for a tariff quota for calves weighing not more than 80 kilograms originating in certain third countries [6], as last amended by Regulation (EC) No 1096/2001 [7].

— Commission Regulation (EC) No 1247/1999 of 16 June 1999 laying down detailed rules for the application of a tariff quota for live bovine animals weighing from 80 to 300 kilograms and originating in certain third countries [8], as last amended by Regulation (EC) No 1096/2001.

(3) Full or partial repayment of import duty resulting from the reduction in duty which took effect on 1 July 2002 is to be granted in accordance with Article 236 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code [9], as last amended by Regulation (EC) No 2700/2000 [10], and with Articles 878 *et seq*. of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [11], as last amended by Regulation (EC) No 2787/2000 [12].

(4) 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 1279/98 shall be amended as follows:

1. the title shall be replaced by:

'Commission Regulation (EC) No 1279/98 of 19 June 1998 laying down detailed rules for applying the tariff quotas for beef and veal provided for in Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000, (EC) No 2851/2000 and (EC) No 1408/2002 for Bulgaria, the Czech Republic, Slovakia, Romania, the Republic of Poland and the Republic of Hungary;'

[1] OJ L 160, 26.6.1999, p. 21.
[2] OJ L 315, 1.12.2001, p. 29.
[3] OJ L 205, 2.8.2002, p. 9.
[4] OJ L 176, 20.6.1998, p. 12.
[5] OJ L 332, 28.12.2000, p. 55.
[6] OJ L 135, 29.5.1999, p. 50.
[7] OJ L 150, 6.6.2001, p. 33.
[8] OJ L 150, 17.6.1999, p. 18.
[9] OJ L 302, 19.10.1992, p. 1.
[10] OJ L 311, 12.12.2000, p. 17.
[11] OJ L 253, 11.10.1993, p. 1.
[12] OJ L 330, 27.12.2000, p. 1.

2. the first paragraph of Article 1 shall be replaced by:

'*Article 1*

Import licences must be presented for imports into the Community of the products listed in Annex I hereto under the quotas provided for in Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000, (EC) No 2851/2000 and (EC) No 1408/2002;'

3. the second paragraph of Article 3(1)(c) shall be replaced by:

'Group of products' means products originating in only one of the countries listed in Annex I; a group of products shall cover either products under CN codes 0201 and 0202, or products under CN codes 0206 10 95, 0206 29 91, 0210 20 10, 0210 20 90, 0210 99 51, 0210 99 59 and 0210 99 90 originating in Hungary, or products under CN codes 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania, or products under CN code 1602 50 originating in Poland;'

4. Article 3(2) shall be replaced by:

'2. Notwithstanding Article 5 of Regulation (EC) No 1445/95, box 16 of licence applications and licences shall show one of the groups of CN codes listed in the same indent below:

— 0201, 0202,

— 0206 10 95, 0206 29 91, 0210 20 10, 0210 20 90, 0210 99 51, 0210 99 59, 0210 99 90,

— 1602 50 31, 1602 50 39, 1602 50 80,

— 1602 50.'

5. Annex I shall be replaced by the Annex hereto.

Article 2

Article 2(2) of Regulation (EC) No 1128/1999 shall be replaced by:

'2. For the quantity referred to in paragraph 1, the rate of customs duty shall be reduced by:

— 80 % for animals originating in the Czech Republic, Slovakia, Bulgaria, Romania, Estonia, Latvia and Lithuania,

— 90 % for animals originating in Poland and Hungary.'

Article 3

Article 1(2) of Regulation (EC) No 1247/1999 shall be replaced by:

'2. For the quantity referred to in paragraph 1, the rate of customs duty shall be reduced by:

— 80 % for animals originating in the Czech Republic, Slovakia, Bulgaria, Romania, Estonia, Latvia and Lithuania,

— 90 % for animals originating in Poland and Hungary.'

Article 4

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

The provisions of this Regulation shall apply from 1 July 2002. However, the concession covered by serial number 09.4774 shall apply from the date on which this Regulation enters into force.

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

Done at Brussels, 13 September 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

'ANNEX I

Community import concessions by product and country of origin

(MFN = most favoured nation rate of duty)

Country of origin	Serial No	CN code	Description	Duty (% of MFN)	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Annual increase from 1.7.2003 (tonnes)
Hungary	09.4707	0201 0202	Meat of bovine animals, fresh, chilled or frozen	Exempt	13 655	1 365
	09.4774	0206 10 95	Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt	Exempt	1 000	100
		0206 29 91	Edible offal of bovine animals, frozen, other, thick skirt and thin skirt			
		0210 20 10 0210 20 90	Meat of bovine animals, salted or in brine, dried or smoked			
		0210 99 51	Thin skirt and thick skirt of bovine animals			
		0210 99 59	Other offal of bovine animals			
		0210 99 90	Edible flour and meal from meat or offal			
Poland	09.4824	0201 0202	Meat of bovine animals, fresh, chilled or frozen	Exempt	19 200	1 600
		1602 50	Other prepared or preserved meat, offal or blood offal or blood of bovine animals (1)			
Czech Republic	09.4623	0201 0202	Meat of bovine animals, fresh, chilled or frozen	20	3 500	0
Slovakia	09.4624	0201 0202	Meat of bovine animals, fresh, chilled or frozen	20	3 500	0
Romania	09.4753	0201 0202	Meat of bovine animals, fresh, chilled or frozen	Exempt	3 000	250
		1602 50 31 1602 50 39 1602 50 80	Prepared or preserved meat of bovine animals			
Bulgaria	09.4651	0201 0202	Meat of bovine animals, fresh, chilled or frozen	20	250	0

(1) Coefficient for conversion into fresh meat = 2,14.'