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► B **COMMISSION REGULATION (EC) No 1431/94**
of 22 June 1994

laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products

(OJ L 156, 23.6.1994, p. 9)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Regulation (EC) No 2389/94 of 30 September 1994	L 255	104	1.10.1994
► <u>M2</u>	Commission Regulation (EC) No 406/95 of 27 February 1995	L 44	10	28.2.1995
► <u>M3</u>	Commission Regulation (EC) No 1244/95 of 31 May 1995	L 121	65	1.6.1995
► <u>M4</u>	Commission Regulation (EC) No 2916/95 of 18 December 1995	L 305	49	19.12.1995
► <u>M5</u>	Commission Regulation (EC) No 958/96 of 30 May 1996	L 130	6	31.5.1996
► <u>M6</u>	Commission Regulation (EC) No 997/97 of 3 June 1997	L 144	11	4.6.1997
► <u>M7</u>	Commission Regulation (EC) No 1514/97 of 30 July 1997	L 204	16	31.7.1997
► <u>M8</u>	Commission Regulation (EC) No 2719/1999 of 20 December 1999	L 327	48	21.12.1999
► <u>M9</u>	Commission Regulation (EC) No 1043/2001 of 30 May 2001	L 145	24	31.5.2001
► <u>M10</u>	Commission Regulation (EC) No 1255/2006 of 21 August 2006	L 228	3	22.8.2006
► <u>M11</u>	Commission Regulation (EC) No 1722/2006 of 21 November 2006	L 322	3	22.11.2006
► <u>M12</u>	Commission Regulation (EC) No 1938/2006 of 20 December 2006	L 407	148	30.12.2006
► <u>M13</u>	Commission Regulation (EC) No 249/2007 of 8 March 2007	L 69	16	9.3.2007

Corrected by:

- **C1** Corrigendum, OJ L 174, 8.7.1994, p. 39 (1431/94)
- **C2** Corrigendum, OJ L 189, 23.7.1994, p. 91 (1431/94)
- **C3** Corrigendum, OJ L 55, 11.3.1995, p. 46 (1431/94)
- **C4** Corrigendum, OJ L 123, 3.6.1995, p. 31 (1431/94)
- **C5** Corrigendum, OJ L 44, 15.2.2007, p. 67 (1938/2006)

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

**COMMISSION REGULATION (EC) No 1431/94****of 22 June 1994**

laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues ⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽²⁾, as last amended by Commission Regulation (EEC) No 1574/93 ⁽³⁾, and in particular Article 15 thereof,

Whereas Council Regulation (EC) No 774/94 opened, from 1 January 1994, new annual tariff quotas for certain poultry products; whereas the said quotas are to apply for an unspecified period;

Whereas the administration of the arrangements should be based on import licences; whereas, to that end, the detailed rules for submission of the applications and the information which must appear on the applications and licences, by way of derogation from Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 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 last amended by Regulation (EC) No 3519/93 ⁽⁵⁾, should be laid down; whereas, in addition, provision should be made for the licences to be issued after a period of consideration, applying, where necessary, a single percentage of acceptance; whereas it is in the interest of importers and exporters to allow the licence application to be withdrawn after the coefficient of acceptance has been fixed;

Whereas Regulation (EC) No 774/94 provides for the levy to be fixed at 0 % for imports of certain poultry products, up to a certain quantity; whereas, in order to ensure the regularity of imports, the quantity in question should be staggered over one year;

Whereas, to ensure that such quantities are used in accordance with traditional import flows to the Community market, they should be distributed according to the origin of the imports on the basis of imports during the last three years;

Whereas, in order to ensure proper administration of the system, the security for import licences under the said system should be fixed at ECU 50 per 100 kilograms; whereas, in view of the risk of speculation inherent in the system in the poultrymeat sector, precise conditions governing access by traders to the said system should be laid down;

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽³⁾ OJ No L 152, 24. 6. 1993, p. 1.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 16.

▼B

Whereas the Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by the chairman,

HAS ADOPTED THIS REGULATION:

▼M12**▼C5***Article 1*

1. This Regulation lays down detailed rules for the application of tariff quotas for importing products under the CN codes referred to in Annex I, opened by Regulation (EC) No 774/94.
2. The provisions of Regulation (EC) Nos 1291/2000 ⁽¹⁾ and 1301/2006 ⁽²⁾ shall apply, except where otherwise provided for in this Regulation.
3. The quantity of products covered by the arrangements referred to in paragraph 1 and the reduction rate of the customs duty shall be as laid down in Annex I.

Article 2

The quantity fixed for each group shall be divided among the following four quarters:

- 25 % from 1 January to 31 March,
- 25 % from 1 April to 30 June,
- 25 % from 1 July to 30 September,
- 25 % from 1 October to 31 December.

Article 3

1. For the application of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must prove, when submitting the first application for a given tariff quota period, that they imported or exported not less than 50 tonnes of products referred to in Regulation (EEC) No 2777/75 in each of the two periods referred to in the said Article 5.
2. Licence applications must not involve more than one of the groups referred to in Annex I to this Regulation, but may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in box 16 and their description in box 15 of licence applications and licences.

The application must be for a minimum of 10 tonnes and a maximum of 10 % of the quantity available for the group concerned during the quarter in question.
3. The country of origin shall be entered in box 8 of the licence application and the licence, and the word 'yes' shall be marked with a cross, except for groups 3, 5 and 6.
4. Box 20 of the licence application and the licence shall contain one of the entries given in Annex II, Part A.
5. Box 24 of the licence shall contain one of the entries given in Annex II, Part B.
6. For group 3 products, box 24 of the licence shall contain one of the entries given in Annex II, Part C.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

▼ C5

7. For group 5 products, box 24 of the licence shall contain one of the entries given in Annex II, Part D.

Article 4

1. Licence applications may be lodged only in the first seven days of the month preceding each quarter referred to in Article 2.

However, for the period from 1 January to 31 March 2007, licence applications shall be lodged during the first 15 days of January 2007.

2. Licence applications must be accompanied by a supply contract specifying that the poultry supplies requested are available for delivery within the European Union during the quota period from the origin and for the quantity requested.

This paragraph shall apply only to group 1, 2 and 4 products.

3. By way of derogation from Article 6(1) of Regulation (EC) No 1301/2006, in the case of groups 3, 5 and 6, each applicant may lodge more than one application for import licences for products in one group where such products originate in more than one country. Separate applications for each country of origin must be submitted simultaneously to the competent authority of a Member State. They shall be considered, as regards the maximum referred to in Article 3(2), as a single application.

4. Member States shall notify the Commission, by the fifth working day following the end of the period for submitting applications, of the total quantities in kilograms requested, broken down by group and origin.

5. Licences shall be issued as soon as possible after the Commission has taken a decision.

6. Member States shall notify the Commission, by the end of the fourth month following each annual period, of the quantities in kilograms actually released for free circulation under this Regulation during the period concerned, broken down by group and origin.

Article 5

Import licences shall be valid for 150 days from the actual day of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

Without prejudice to Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from the licences may be transferred only to transferees satisfying the eligibility conditions defined in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.

Article 6

A security of EUR 50 per 100 kilograms shall be lodged for applications for import licences for any product indicated in Article 1.

▼ B*Article 8*

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

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

▼ **M13***ANNEX I***Reduction in customs duty set at 100 %****Chicken**

Country	Group No	Serial number	CN code	Annual quantities (tonnes)
Brazil	1	09.4410	0207 14 10 0207 14 50 0207 14 70	9 432
Thailand	2	09.4411	0207 14 10 0207 14 50 0207 14 70	5 100
Other	3	09.4412	0207 14 10 0207 14 50 0207 14 70	3 300

Turkey

Country	Group No	Serial number	CN code	Annual quantities (tonnes)
Brazil	4	09.4420	0207 27 10 0207 27 20 0207 27 80	1 800
Other	5	09.4421	0207 27 10 0207 27 20 0207 27 80	700
Erga omnes	6	09.4422	0207 27 10 0207 27 20 0207 27 80	2 485

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ANNEX II

A. Entries referred to in Article 3(4):

<i>In Bulgarian:</i>	Регламент (ЕО) № 1431/94.
<i>In Spanish:</i>	Reglamento (CE) nº 1431/94.
<i>In Czech:</i>	Nářízení (ES) č. 1431/94.
<i>In Danish:</i>	Forordning (EF) nr. 1431/94.
<i>In German:</i>	Verordnung (EG) Nr. 1431/94.
<i>In Estonian:</i>	Määrus (EÜ) nr 1431/94.
<i>In Greek:</i>	Κανονισμός (ΕΚ) αριθ. 1431/94.
<i>In English:</i>	Regulation (EC) No 1431/94.
<i>In French:</i>	règlement (CE) nº 1431/94.
<i>In Italian:</i>	Regolamento (CE) n. 1431/94.
<i>In Latvian:</i>	Regula (EK) Nr. 1431/94.
<i>In Lithuanian:</i>	Reglamentas (EB) Nr. 1431/94.
<i>In Hungarian:</i>	1431/94/EK rendelet.
<i>In Maltese:</i>	Ir-Regolament (KE) Nru 1431/94.
<i>In Dutch:</i>	Verordening (EG) nr. 1431/94.
<i>In Polish:</i>	Rozporządzenie (WE) nr 1431/94.
<i>In Portuguese:</i>	Regulamento (CE) n.º 1431/94.
<i>In Romanian:</i>	Regulamentul (CE) nr. 1431/94.
<i>In Slovak:</i>	Nariadenie (ES) č. 1431/94.
<i>In Slovenian:</i>	Uredba (ES) št. 1431/94.
<i>In Finnish:</i>	Asetus (EY) N:o 1431/94.
<i>In Swedish:</i>	Förordning (EG) nr 1431/94.

B. Entries referred to in Article 3(5):

<i>In Bulgarian:</i>	фиксиран на 0 % в съответствие с Регламент (ЕО) № 1431/94.
<i>In Spanish:</i>	exacción reguladora del 0 % en aplicación del Reglamento (CE) nº 1431/94.
<i>In Czech:</i>	dávka stanovená na 0 % v souladu s nařízením (ES) č. 1431/94.
<i>In Danish:</i>	Importafgift fastsat til 0 % i henhold til forordning (EF) nr. 1431/94.
<i>In German:</i>	Gemäß der Verordnung (EG) Nr. 1431/94 auf 0 v. H. festgesetzte Abschöpfung.
<i>In Estonian:</i>	0 % maks on kehtestatud vastavalt määrusele (EÜ) nr 1431/94.
<i>In Greek:</i>	Εισφορά καθοριζόμενη σε 0 % κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1431/94.
<i>In English:</i>	Levy fixed at 0 % pursuant to Regulation (EC) No 1431/94.
<i>In French:</i>	prélèvement fixé à 0 % en application du règlement (CE) nº 1431/94.
<i>In Italian:</i>	Prelievo fissato allo 0 % in applicazione del regolamento (CE) n. 1431/94.
<i>In Latvian:</i>	Piemērojot Regulu (EK) Nr. 1431/94, ir noteikts 0 % ieturējums.

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<i>In Lithuanian:</i>	nulinis mokestis nustatytas pagal Reglamentą (EB) Nr. 1431/94.
<i>In Hungarian:</i>	0 %-os lefölközés az 1431/94/EK rendelet szerint.
<i>In Maltese:</i>	ħlas stabbilit fil-livell ta' 0 % b'applikazzjoni tar-Regolament (KE) Nru 1431/94.
<i>In Dutch:</i>	Heffing 0 % op grond van Verordening (EG) nr. 1431/94.
<i>In Polish:</i>	opłata według stawki 0 % zgodnie z rozporządzeniem (WE) nr 1431/94.
<i>In Portuguese:</i>	Taxa fixada em 0 %, em aplicação do Regulamento (CE) n.º 1431/94.
<i>In Romanian:</i>	Taxă stabilită la 0 % în aplicarea Regulamentului (CE) nr. 1431/94.
<i>In Slovak:</i>	Poplatok stanovený na 0 % podľa nariadenia (ES) č. 1431/94.
<i>In Slovenian:</i>	Prelevman, določen na 0 % v skladu z Uredbo (ES) št. 1431/94.
<i>In Finnish:</i>	Maksu vahvistettu 0 prosentiksi asetuksen (EY) N:o 1431/94 mukaisesti.
<i>In Swedish:</i>	Avgiften fastställd till 0 % i enlighet med förordning (EG) nr 1431/94.

C. Entries referred to in Article 3(6):

<i>In Bulgarian:</i>	Не следва да се използва за продукти с произход от Бразилия и Тайланд в съответствие с Регламент (EO) № 1514/97.
<i>In Spanish:</i>	No puede utilizarse para productos originarios de Brasil o Tailandia en aplicación del Reglamento (CE) n° 1514/97.
<i>In Czech:</i>	Nepoužije se u produktů pocházejících z Brazílie a Thajska v souladu s nařízením (ES) č. 1514/97.
<i>In Danish:</i>	Kan ikke anvendes for produkter med oprindelse i Brasilien og Thailand i henhold til forordning (EF) nr. 1514/97.
<i>In German:</i>	Gemäß der Verordnung (EG) Nr. 1514/97 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien und Thailand.
<i>In Estonian:</i>	Ei ole kasutatav Brasiilia ja Tai päritolu toodete puhul vastavalt määrusele (EÜ) nr 1514/97.
<i>In Greek:</i>	Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας και Ταϊλάνδης κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1514/97.
<i>In English:</i>	Not to be used for products originating in Brazil or Thailand pursuant to Regulation (EC) No 1514/97.
<i>In French:</i>	n'est pas utilisable pour des produits originaires du Brésil et de Thaïlande en application du règlement (CE) n° 1514/97.
<i>In Italian:</i>	Da non utilizzare per prodotti originari del Brasile e della Tailandia in applicazione del regolamento (CE) n. 1514/97.
<i>In Latvian:</i>	Piemērojot Regulu (EK) Nr. 1514/97, neizmanto Brazīlijas un Taizemes izcelsmes produktiem.
<i>In Lithuanian:</i>	Nenaudojama produktams, kurių kilmės šalys yra Brazilija ir Tailandas, taikant Reglamentą (EB) Nr. 1514/97.
<i>In Hungarian:</i>	Nem alkalmazandó a Brazíliából és Thaiföldről származó termékekre az 1514/97/EK rendelet alapján.
<i>In Maltese:</i>	Ma jistax jintuża għall-prodotti ta' oriġini mill-Brazil u mit-Tajlandja, b'applikazzjoni tar-Regolament (KE) Nru 1514/97.
<i>In Dutch:</i>	Mag niet worden gebruikt voor producten van oorspong uit Brazilië en Thailand overeenkomstig Verordening (EG) nr. 1514/97.

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- In Polish:* Nie stosuje się w przypadku produktów pochodzących z Brazylii i Tajlandii zgodnie z rozporządzeniem (WE) nr 1514/97.
- In Portuguese:* Não utilizável para produtos originários do Brasil e da Tailândia, em aplicação do Regulamento (CE) n.º 1514/97.
- In Romanian:* Nu se utilizează pentru produsele originare din Brazilia și Tailanda în aplicarea Regulamentului (CE) nr. 1514/97.
- In Slovak:* Podľa nariadenia (ES) č. 1514/97 nepoužívať pre výrobky pochádzajúce z Brazílie a z Thajska.
- In Slovenian:* V skladu z Uredbo (ES) št. 1514/97 se ne uporablja za proizvode s poreklom iz Brazílije in Tajske.
- In Finnish:* Ei voimassa Brasiliasta ja Thaimaasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1514/97 mukaisesti.
- In Swedish:* Får inte användas för produkter med ursprung i Brasilien och Thailand i enlighet med förordning (EG) nr 1514/97.

D. Entries referred to in Article 3(7):

- In Bulgarian:* Не следва да се използва за продукти с произход от Бразилия в съответствие с Регламент (ЕО) № 1514/97.
- In Spanish:* No puede utilizarse para productos originarios de Brasil en aplicación del Reglamento (CE) nº 1514/97.
- In Czech:* Nepoužije se u produktů pocházejících z Brazílie v souladu s nařízením (ES) č. 1514/97.
- In Danish:* Kan ikke anvendes for produkter med oprindelse i Brasilien i henhold til forordning (EF) nr. 1514/97.
- In German:* Gemäß der Verordnung (EG) Nr. 1514/97 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien.
- In Estonian:* Ei ole kasutatav Brasiilia päritolu toodete puhul vastavalt määrusele (EÜ) nr 1514/97.
- In Greek:* Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1514/97.
- In English:* Not to be used for products originating in Brazil pursuant to Regulation (EC) No 1514/97.
- In French:* n'est pas utilisable pour des produits originaires du Brésil en application du règlement (CE) nº 1514/97.
- In Italian:* Da non utilizzare per prodotti originari del Brasile in applicazione del regolamento (CE) n. 1514/97.
- In Latvian:* Piemērojot Regulu (EK) Nr. 1514/97, neizmanto Brazīlijas izcelsmes produktiem.
- In Lithuanian:* Nenaudojama produktams, kurių kilmės šalis yra Brazilija, taikant Reglamentą (EB) Nr. 1514/97.
- In Hungarian:* Nem alkalmazandó a Brazíliából származó termékekre az 1514/97/EK rendelet alapján.
- In Maltese:* Ma jistax jintuza għall-prodotti ta' oriġini mill-Brazil, b'applikazzjoni tar-Regolament (KE) Nru 1514/97.
- In Dutch:* Mag niet worden gebruikt voor producten van oorspong uit Brazilië overeenkomstig Verordening (EG) nr. 1514/97.
- In Polish:* Nie stosuje się w przypadku produktów pochodzących z Brazylii zgodnie z rozporządzeniem (WE) nr 1514/97.
- In Portuguese:* Não utilizável para produtos originários do Brasil, em aplicação do Regulamento (CE) n.º 1514/97.
- In Romanian:* Nu se utilizează pentru produsele originare din Brazilia în aplicarea Regulamentului (CE) nr. 1514/97.
- In Slovak:* Podľa nariadenia (ES) č. 1514/97 nepoužívať pre výrobky pochádzajúce z Brazílie.

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In Slovenian: V skladu z Uredbo (ES) št. 1514/97 se ne uporabljajo za proizvode s poreklom iz Brazilije.

In Finnish: Ei voimassa Brasiliasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1514/97 mukaisesti.

In Swedish: Får inte användas för produkter med ursprung i Brasilien i enlighet med förordning (EG) nr 1514/97.
