

COMMISSION REGULATION (EC) No 1992/94

of 29 July 1994

amending Regulation (EC) No 1213/94 concerning a protective measure applicable to imports of garlic from China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas improper licence applications must be prevented,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 29 (2) thereof,

Article 1

Article 1 of Regulation (EC) No 1213/94 is hereby amended as follows:

Whereas, by Regulation (EC) No 1213/94⁽³⁾, on 27 May 1994 the Commission adopted a protective measure applicable to imports of garlic from China limiting the quantity for which import licences may be issued before 31 May 1995 to 10 000 tonnes, of which no more than 5 000 tonnes may be delivered before 31 August 1994;

1. paragraph 2 is replaced by the following:

'2. For licence applications lodged from 25 August 1994 to 24 May 1995, licences shall be issued for no more than a maximum monthly quantity.'

Whereas import licences have been issued for the first quantity of 5 000 tonnes since 2 June 1994, and, by Regulation (EC) No 1270/94⁽⁴⁾, the Commission has suspended the issuing of the certificates concerned until 31 August 1994;

2. the following 3, 4 and 5 paragraphs are added:

'3. For each month, the maximum quantity referred to in paragraph 2 shall be the sum of:

- (a) the quantities referred to in the Annex;
- (b) the quantities not claimed during the preceding month; and
- (c) the quantities not used, of which the Commission has been informed, under licences issued previously.

Whereas the reoccurrence of such demand after 1 September can only aggravate the situation which was the reason for Regulation (EC) No 1213/94; whereas that Regulation should be amended to provide for administration of the issuing of licences on a monthly basis;

4. Where the Commission establishes, on the basis of information forwarded to it by the Member States pursuant to Article 4 of Regulation (EEC) No 1859/93, that there is a risk of a maximum monthly quantity being exceeded, it shall lay down the conditions under which licences may be issued.

Whereas, therefore, monthly quantities for which licences may be issued from 1 September 1994 should be fixed for the remainder of the total quantity of 10 000 tonnes;

5. Operators may not submit more than two licence applications per month, separated by a minimum of five days, in respect of the products referred to in paragraph 1; each of those applications may not cover a quantity greater than 50 % of the monthly quantities given in the Annex.'

Whereas those monthly quantities must be increased, where applicable, by the quantities not claimed during the preceding month and by the quantities covered by licences which are not used or used only in part;

Article 2

This Regulation shall enter into force on 25 August 1994.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.⁽³⁾ OJ No L 133, 28. 5. 1994, p. 36.⁽⁴⁾ OJ No L 138, 2. 6. 1994, p. 32.

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

Done at Brussels, 29 July 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

(in tonnes)

Month	Periods of lodging of applications	Quantity
September	25. 8. 1994 — 23. 9. 1994	800
October	26. 9. 1994 — 24. 10. 1994	800
November	25. 10. 1994 — 23. 11. 1994	500
December	24. 11. 1994 — 23. 12. 1994	500
January	26. 12. 1994 — 24. 1. 1995	500
February	25. 1. 1995 — 21. 2. 1995	500
March	22. 2. 1995 — 24. 3. 1995	500
April	27. 3. 1995 — 21. 4. 1995	500
May	24. 4. 1995 — 24. 5. 1995	400