

## COMMISSION REGULATION (EC) No 2702/95

of 22 November 1995

amending Regulation (EC) No 1488/95 with regard to the detailed rules for  
licence applications

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European  
Community,

Having regard to Council Regulation (EEC) No 1035/72  
of 18 May 1972 on the common organization of the  
market in fruit and vegetables<sup>(1)</sup>, as last amended by  
Commission Regulation (EC) No 1363/95<sup>(2)</sup>, and in parti-  
cular Article 26 (11) thereof,

Whereas, in order to prevent the submission of exagge-  
rated applications for licences with advance fixing of the  
refund, referred to in Article 3 of Commission Regulation  
(EC) No 1488/95 of 28 June 1995 on implementing rules  
for export refunds on fruit and vegetables<sup>(3)</sup>, as last  
amended by Regulation (EC) No 2349/95<sup>(4)</sup>, a limit  
should be placed on the total quantity of each product for  
which applications can be accepted from an operator;  
whereas, in the case of licences without advance fixing of  
the refund, referred to in Article 5 of the abovementioned  
Regulation, the period of one working day laid down for  
submission of the licence application has been found to  
be too short and should be extended; whereas, when  
these new arrangements were introduced, it was laid down  
that the licence application should be accompanied by  
the lodging of a security; whereas it no longer seems  
necessary to maintain this requirement;

Whereas the measures provided for in this Regulation are  
in accordance with the opinion of the Management  
Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1488/95 is hereby amended as  
follows:

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

Done at Brussels, 22 November 1995.

1. The following paragraph 4 is inserted at the end of  
Article 3:

'4. An exporter may not submit licence applications  
in respect of a product for a quantity exceeding that  
laid down for that product during the allocation period  
concerned.

Member States shall reject all applications from any  
exporter not fulfilling this condition for the applica-  
tion period and product concerned.'

2. In Article 5:

(a) in paragraph 2, the words 'the working day fol-  
lowing the date on which the export declaration for  
the products was completed' are replaced by 'the  
fifth working day following that on which the  
export declaration for the products was accepted';

(b) paragraph 3 is deleted;

(c) in the final subparagraph of paragraph 5, the words  
'and the securities released' are deleted.

3. In Article 8, the first indent is replaced by the fol-  
lowing:

'— the quantities for which licences have been  
applied for, with or without advance fixing of the  
refund, with the exception of those covered by  
applications rejected pursuant to Article 3 (4), or,  
where applicable, the absence of applications'.

*Article 2*

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

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 132, 16. 6. 1995, p. 8.

<sup>(3)</sup> OJ No L 145, 29. 6. 1995, p. 68.

<sup>(4)</sup> OJ No L 239, 7. 10. 1995, p. 1.