

**COMMISSION REGULATION (EC) No 2704/2000
of 11 December 2000**

amending Regulation (EC) No 1899/97 laying down rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulations (EC) No 1727/2000 and (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EEC) No 1559/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations ⁽¹⁾, as last amended by Regulation (EC) No 2435/98 ⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 2290/2000 of 9 October 2000 establishing certain 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 Bulgaria ⁽³⁾, and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2433/2000 of 17 October 2000 establishing certain 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 the Czech Republic ⁽⁴⁾, and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2434/2000 of 17 October 2000 establishing certain 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 the Slovak Republic ⁽⁵⁾, and in particular Article 1(3) thereof,

Having regard to Council Regulation (EC) No 2435/2000 of 17 October 2000 establishing certain 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 Romania ⁽⁶⁾, and in particular Article 1(3) thereof,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽⁷⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽⁸⁾, and in particular Article 22 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽⁹⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽¹⁰⁾, and in particular Article 22 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1899/97 of 29 September 1997 laying down rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulations (EC) No 1727/2000 and (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 ⁽¹¹⁾, as last amended by Regulation (EC) No 1773/2000 ⁽¹²⁾, lays down rules of application in these sectors for the arrangements in the Europe Agreements. It must be modified in line with the provisions on poultrymeat and egg products adopted in Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000 and (EC) No 2435/2000.
- (2) To prevent licences being used after the end of the period for which they have been applied for, they should not be valid beyond 30 June of the current year and the date for lodging applications for the following period should be brought forward.
- (3) 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 ⁽¹³⁾, as last amended by Regulation (EC) No 1602/2000 ⁽¹⁴⁾, codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations.
- (4) To allow the application of the arrangements provided for in the above Regulations once this Regulation has been published, the tariff quotas with the serial numbers 09.4672, 09.4627, 09.4630, 09.4633 and 09.4771 should be administered in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

⁽¹⁾ OJ L 328, 30.12.1995, p. 31.

⁽²⁾ OJ L 303, 13.11.1998, p. 1.

⁽³⁾ OJ L 262, 17.10.2000, p. 1.

⁽⁴⁾ OJ L 280, 4.11.2000, p. 1.

⁽⁵⁾ OJ L 280, 4.11.2000, p. 9.

⁽⁶⁾ OJ L 280, 4.11.2000, p. 17.

⁽⁷⁾ OJ L 282, 1.11.1975, p. 49.

⁽⁸⁾ OJ L 189, 30.7.1996, p. 99.

⁽⁹⁾ OJ L 282, 1.11.1975, p. 77.

⁽¹⁰⁾ OJ L 305, 19.12.1995, p. 49.

⁽¹¹⁾ OJ L 267, 30.9.1997, p. 67.

⁽¹²⁾ OJ L 205, 12.8.2000, p. 3.

⁽¹³⁾ OJ L 253, 11.10.1993, p. 1.

⁽¹⁴⁾ OJ L 188, 26.7.2000, p. 1.

- (5) Repayment of import duties on products of groups 19, 21, 23, 24, 28, 30, 32, 33, 37, 38, 39 and 43 and hatching eggs of group 25 listed in Annex I to Regulation (EC) No 1899/97 as it existed before the entry into force of this Regulation and imported under licences used from 1 July 2000 falls within the scope of Articles 878 to 898 of Regulation (EEC) No 2454/93.
- (6) To limit the potential trade problems that might temporarily arise from the parallel existence of two different management procedures for some tariff quotas in the poultrymeat sector, i.e. management via the quarterly issue of import licences and management according to the 'first come first served' principle in line with Article 308a, 308b and 308c of Regulation (EEC) No 2454/93, import licence holders should be given the possibility of cancellation with release of the security.
- (7) A deadline should be laid down for the submission of request for cancellation, giving traders a reasonable time for submission.
- (8) This Regulation should be applied from 1 July 2000 in parallel with Regulations (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000 and (EC) No 2435/2000.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1899/97 is hereby amended as follows:

1. The title is replaced by the following:

'laying down rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulations (EC) No 1727/2000, (EC) No 3066/95, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000 and (EC) No 2435/2000 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94'.

2. The first paragraph of Article 1 is replaced by the following:

'All imports into the Community under the arrangements laid down by Regulations (EC) No 1727/2000, (EC) No 3066/95, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000 and (EC) No 2435/2000 of products covered by Annex I to this Regulation shall be subject to presentation of an import licence.'

3. The following paragraph is added to Article 1:

'Tariff quotas with the serial numbers 09.4672, 09.4627, 09.4630, 09.4633 and 09.4771 shall be administered in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.'

4. Article 2 is replaced by the following:

The quantities referred to in Article 1 are for each period referred to in Annex I to this Regulation staggered as follows:

Group 12:

- 1 July to 30 September: 35 %
- 1 October to 31 December: 35 %,
- 1 January to 31 March: 15 %,
- 1 April to 30 June: 15 %.

Other groups:

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

5. The following subparagraph is added to Article 4(1):

'However, from 2001, for the period 1 July to 30 September licence applications may be lodged only in the first 10 days of the month of June of the current year.'

6. The following paragraph is inserted after the first paragraph of Article 5:

'However, from 2001, licences issued for the periods 1 January to 31 March and 1 April to 30 June may not be valid beyond 30 June of the current year.'

7. Annex I is replaced by Annex I hereto.

Article 2

The quantities available for applications in the period 1 January to 31 March 2001 are laid down in Annex II to this Regulation.

Article 3

Holders of import licences issued under Regulation (EC) No 1899/97 for groups 19, 21, 23, 24, 25, 28, 30, 32, 33, 37, 38, 39 and 43 listed in Annex I to Regulation (EC) No 1899/97 as it existed before the entry into force of this Regulation and applied for between 1 and 10 July 2000 or between 1 and 10 October 2000 may, before 31 March 2001, request their cancellation and release of the security.

Member States shall notify to the Commission before the end of the following month the monthly volume of cancelled licences for each of the above groups, indicating the application period concerned.

Article 4

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

It shall apply from 1 July 2000, with the exception of point 4 of Article 1.

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

Done at Brussels, 11 December 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX I

A. Products originating in Hungary

Duty applicable: 20 % of MFN

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4716	10	0407 00 30	2 625	265
09.4717	11	0408 91 80	625	65

B. Products originating in Poland

Duty applicable: 20 % of MFN

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4801	12	0207 32 11 0207 32 15 0207 32 19 0207 33 11 0207 33 19 ex 0207 35 15 ex 0207 36 15 ex 0207 35 53 ex 0207 36 53 ex 0207 35 63 ex 0207 36 63 ex 0207 35 79 ⁽¹⁾ ex 0207 36 79 ⁽¹⁾	1 875	—
09.4810	14	0105 92 00 0105 93 00 0207 11 10 0207 11 30 0207 11 90 0207 12 10 0207 12 90	4 375	—
09.4811	15	0207 13 10 0207 13 20 0207 13 30 0207 13 40 0207 13 50 0207 13 60 0207 13 99 0207 14 10 0207 14 20 0207 14 30 0207 14 40 0207 14 50 0207 14 60 0207 14 70 0207 14 99	6 125	—

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4812	16	0105 99 30 0207 24 10 0207 24 90 0207 25 10 0207 25 90 0207 26 10 0207 26 20 0207 26 30 0207 26 40 0207 26 50 0207 26 60 0207 26 70 0207 26 80 0207 26 99 0207 27 10 0207 27 20 0207 27 30 0207 27 40 0207 27 50 0207 27 60 0207 27 70 0207 27 80	1 750	—
09.4816	17	0407 00 11 0407 00 19 0407 00 30	1 875	—
09.4825	18	0408 91 80 0408 99 80	375 ^(?)	—

⁽¹⁾ Duty applicable: 20 % of MFN for CN code 0207 35 53.

^(?) In dried egg equivalent (1 kg liquid or frozen egg = 0,25 kg dried egg).

C. Products originating in the Czech Republic

Duty applicable: 20 % of MFN

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4628	25	0407 00 30	6 625	—
09.4615	26	0408 11 80 0408 19 81 0408 19 89	375 ⁽¹⁾	—
09.4616	27	0408 91 80 0408 99 80	2 750 ^(?)	—

⁽¹⁾ In liquid egg yolk equivalent (1 kg dried egg yolk = 2,12 kg liquid or frozen egg yolk).

^(?) In liquid egg equivalent (1 kg dried egg = 3,9 kg liquid or frozen egg).

D. Products originating in the Slovak Republic

Duty applicable: 20 % of MFN

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4614	34	0407 00 11 0407 00 19 0407 00 30	3 125	—
09.4615	35	0408 11 80 0408 19 81 0408 19 89	250 ⁽¹⁾	—
09.4616	36	0408 91 80 0408 99 80	1 250 ⁽²⁾	—

⁽¹⁾ In liquid egg yolk equivalent (1 kg dried egg yolk = 2,12 kg liquid or frozen egg yolk).⁽²⁾ In liquid egg equivalent (1 kg dried egg = 3,9 kg liquid or frozen egg).**E. Products originating in Bulgaria**

Duty applicable: 20 % of MFN

Serial No	Group No	CN code	Annual quantity from 1.7.2000 (tonnes)	Annual increase from 1.7.2001 (tonnes)
09.4656	40	0408 91 80 0408 99 80	750 ⁽¹⁾	—

⁽¹⁾ 1 kg dried egg = 3,9 kg liquid for frozen egg.

ANNEX II

(tonnes)

Group	Total available quantity in the period 1 January to 31 March 2001
10	1 782,30
11	436,55
12	1 461,26
14	3 281,25
15	2 557,56
16	437,50
17	1 406,25
18	281,25
25	4 761,13
26	237,99
27	2 062,50
34	2 343,75
35	187,50
36	937,50
40	525,00