

COUNCIL REGULATION (EC) No 1921/2004

of 25 October 2004

amending Regulation (EC) No 499/96 opening and providing for the administration of Community tariff quotas for certain fishery products and live horses originating in Iceland

THE COUNCIL OF THE EUROPEAN UNION,

mentioned tariff quota is therefore unnecessary during that period.

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

(6) Regulation (EC) No 499/96 should be amended accordingly.

Having regard to the proposal from the Commission,

(7) Since the EEA Enlargement Agreement has taken effect from 1 May 2004, this Regulation should be applicable from the same date and should enter into force without delay,

Whereas:

(1) Pursuant to Council Regulation (EC) No 499/96 of 19 March 1996 opening and providing for the administration of Community tariff quotas for certain fishery products and live horses originating in Iceland⁽¹⁾, Community tariff quotas were opened for such fishery products and live horses.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 499/96 is amended as follows:

(2) Participation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia and Slovenia (hereinafter the Acceding States) in the European Economic Area was agreed by means of the EEA Enlargement Agreement, signed between the Community and its Member States, Iceland, Liechtenstein, and Norway and the Acceding States on 14 October 2003.

1. in Article 1 the following paragraph 4 shall be added:

‘4. The benefit of the tariff quota with order number 09.0792 shall not be granted for goods declared for release for free circulation during the period 15 February to 15 June.’;

(3) Pending the completion of the procedures required for the adoption of the EEA Enlargement Agreement, an Agreement in the form of an Exchange of Letters was agreed, which provides for a provisional application of the EEA Enlargement Agreement. That Agreement has been approved by Decision 2004/368/EC⁽²⁾.

2. the Annex shall be amended in accordance with the Annex to this Regulation.

Article 2

(4) The EEA Enlargement Agreement provides for an additional Protocol to the EC-Iceland Free Trade Agreement of 1972, which provides for a new Community tariff quota for a fishery product. That tariff quota should be opened.

For 2004, the annual volume of the tariff quota with order number 09.0792 shall be reduced in proportion to the part of the quota period in whole weeks which has elapsed before the date given in the second paragraph of Article 3.

Article 3

(5) The conventional duty of the Common Customs Tariff for that fishery product during the period 15 February to 15 June of each year is ‘free’, and usage of the above-

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

⁽¹⁾ OJ L 75, 23.3.1996, p. 8.

⁽²⁾ OJ L 130, 29.4.2004, p. 1.

It shall apply from 1 May 2004.

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

Done at Luxembourg, 25 October 2004.

For the Council
The President
R. VERDONK

ANNEX

In the Annex to Regulation (EC) No 499/96 the following item is inserted:

09.0792	ex 0303 50 00	0303 50 00 20	Herrings of the species <i>Clupea harengus</i> or <i>Clupea pallasii</i> , frozen, excluding livers and roes, for industrial manufacture ^(a) ⁽¹⁾	950	0
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^(a) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1)).

⁽¹⁾ The benefit of the tariff quota shall not be granted for goods declared for release for free circulation during the period from 15 February to 15 June.'
