

**REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>**

Notification under Article 7.3 of the Agreement  
on Import Licensing Procedures

EUROPEAN COMMUNITIES

Addendum

Import Licensing Procedures for WTO Tariff Quotas  
Covering Live Bovine Animals

Outline of system

1. The object of the import licensing system is to ensure a sound administration of the EC's WTO tariff rate quotas listed in reply 2. The relevant legislation related to the import licensing system for these tariff quotas is mentioned in the reply 5. As regards the requirements for applicants for import licences see reply 6.

Purpose and coverage of licensing

2. See reply 1. The products covered by the tariff quotas mentioned in reply 1 are as follows:

Description of products	Tariff item number(s)
(a) Heifers and cows (other than for slaughter) of the mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau -----	ex 0102 90 30 -----
(b) Bulls, cows and heifers (other than for slaughter) of the following mountain breeds: spotted Simmental, Schwyz and Fribourg	ex 0102 90 30

3. The system applies in the European Community to the above-mentioned products originating in third countries.

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<sup>1</sup> See G/LIC/3, Annex, for the Questionnaire.

4. See reply 1. As referred to in reply 1, the licensing system covers the relevant WTO tariff quotas. The EC considers the method adopted to be the most appropriate to administer these tariff rate quotas.

5. The relevant legislation for the administration of import licences for the tariff quotas mentioned in reply 1 is:

Commission Regulation (EC) No 1012/98 of 14 May 1998 (OJ L 145).

The licensing is statutorily required. The legislation does not leave designation of products to be subjected to licensing to administrative discretion. The system cannot be abolished without legislative approval.

#### Procedures

6. Answer to questions 6.I to VIII and to 6. XI. Questions 6.IX and X are not relevant.

The information related to the allocation of the quotas, the formalities for licence application, the amount of goods allocated to each importer is published in the Official Journal of the European Communities (see answer to question 5). There is no derogation from the licensing requirement. The two tariff quota volumes are each divided into two parts. 80% of each of the tariff quotas are allocated to importers from the Community who are able to furnish proof of having imported animals covered by the quotas during the 36 months preceding the year of import, starting 1 July of each year. The allocation among these importers is made in proportion to their imports of animals covered by the tariff quotas during the 36 months preceding the year of import. 20% of the volume of each quota is allocated to applicants who can furnish the proof of having imported during the 12 month preceding the year of import in question, at least 15 live bovine animals covered by CN code 0102 and the allocation of these 20% of the volume of each of these quotas is made on the basis of the same criteria. The tariff quotas are annual tariff quotas, opened on 1 July of each year (year of import). Applicants for import licences must be entered in a national VAT register. An application for an import licence can only be submitted to the competent authorities in the Member State in which the applicant is entered in a national VAT register and must be submitted by 15 July of each year of import. The competent authorities in the Member States communicate to the Commission all the applications for the right to import not later than 1 August of each year of import. The Commission calculates to what extent applications can be accepted. If the quantities in respect of which applications are made exceed the quantities available, the Commission applies a reduction coefficient. After the notification of allocations from the Commission, import licences are issued as soon as possible.

7. Question 7 is not relevant in the present case.

8. The application for an import licence can only be refused if either the relevant criteria are not fulfilled or the licence security has not been lodged. Applicants can appeal to courts in the Member States according to the legislation in force in the respective Member States.

#### Eligibility of importers to apply for licence

9. See reply 6. Importers must be registered in a national VAT register and there is no registration fee.

Documentational and other requirements for application for licence

10. The application for an import licence has to be submitted to the competent authorities in the Member States conforming to the specimen set out at Annex XI to the Community's general Article 7.3 notification for 1999 (G/LIC/N/3/EEC/2). Regarding the information required in applications, see the application form and Commission Regulation (EC) No 1012/98 of 15.05.98 (published in OJ L 145, page 13).

11. The import licence plus appropriate veterinary certificates plus (17).

12. No.

13. To ensure compliance with the obligation not to slaughter the imported animals, importers must lodge a security. The security is released immediately if proof is supplied that the animals (a) have not been slaughtered within four months of the date of release for free circulation or (b) have been slaughtered within that period in cases of force majeure.

Conditions of licensing

14. Import licences are valid 90 days, but not beyond the 30 June following their date of issue and the period of validity cannot be extended.

15. In case of non-utilisation of an import licence, the security is not released. In the case of partial use of the import licence, the security is partially released.

16. Import licences are not transferable.

17. No. To benefit from the tariff quota mentioned under (b) in reply 2, the following must be presented:

- for bulls: a pedigree certificate
- for female animals: a pedigree certificate or a certificate of registration in a herdbook certifying the purity of the breed.

Other procedural requirements

18. No.

19. Not relevant.

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