

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

Notification under Article 7.3 of the Agreement
on Import Licensing Procedures

EUROPEAN COMMUNITIES

Addendum

Import Licensing Procedures for WTO Tariff Quotas
Covering Live Young Male 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 quota for 169,000 head of live bovine animals of CN code ex 0102 90. The relevant legislation related to the import licensing system is mentioned in 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 quota mentioned in reply 1 are as follows:

Description of products	Tariff item number(s)
Live young male bovine animals of a weight not exceeding 300 kg intended for fattening	ex 0102 90

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

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

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

Commission Regulation (EC) No 1043/98 of 19 May 1998 (OJ L 149).

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.

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

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 quota and the formalities for licence application is published in the Official Journal of the European Communities (see reply 5). There is no derogation from the licensing requirement.

The quota volume is allocated for imports into the Member States as follows:

(a) Italy: 143.650 head; (b) Greece: 21.970 head and (c) other Member States.

Within each of the quantities referred to under (a), (b) and (c), import rights relating to 80% of the quantity are allocated upon application directly to importers who furnish proof of having imported animals covered by the tariff quota during the last three calendar years; the number of head is allocated in proportion to the number of head imported in the three years concerned. 20% of the quantities are allocated upon application directly to traders who furnish the proof that in 1997 they exported or imported from third countries at least 50 live animals falling within CN code 0102 90, excluding imports under the regulations referred to in annex to regulation (EC) No 1043/98 of 19 May 1998. The quantities referred to under (c) are allocated to traders having imported or exported at least 50 animals under CN code 01 02 90 in 1997. Applications for import rights have to be presented in Italy for quantities referred to under (a) above and in Greece for quantities referred to under (b) above. The application for import rights for the other quantities have to be presented in Member States other than Italy and Greece.

The tariff quotas are annual tariff quotas, opened on 1 July of each year.

Applicants for import rights must be entered in a national VAT register. Applications for those rights have to be submitted to the competent authorities in the Member States. The competent authorities in the Member States communicate to the Commission all the applications for the right to import not later than 24 June. The Commission calculates as soon as possible 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.

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

8. The application for an import licence can only be refused if the relevant criteria are not fulfilled. 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 are no registration fees.

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 1043/98 of 19.5.98 (published in OJ L 149, page 7).

11. The import licence plus appropriate veterinary certificates.
12. No.
13. To ensure compliance with the obligation that the imported animals will be fattened, importers must lodge a security. The security is released immediately if proof is supplied that the young bovine animals (a) have been fattened in the importing Member State for a period of at least 120 days from the date of importation or (b) have been slaughtered before the expiry of that period for health reasons or have died as a result of sickness or accident.

Conditions of licensing

14. Import licences are valid 90 days from their date of issue and no licence is valid after June 1999. The period of validity of the import licence 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 transferable, to be used, however, only in the issuing Member State.

17. No.

Other procedural requirements

18. No.

19. Not relevant.
