

REPLIES TO THE 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 for
Frozen Meat of Bovine Animals

Outline of systems

1. The object of the import licensing system is to ensure a sound administration of the EC's WTO tariff rate quota for 53,000 tonnes of frozen meat of bovine animals. The relevant legislation related to the import licensing system for this tariff quota is mentioned in the reply to question 5. As regards the requirements for applicants for import licences see reply to question 6.

Purpose and coverage of licensing

2. See answer to question 1. The products covered by the tariff quota mentioned in answer to question 1 are as follows:

Description of products	Tariff item number(s)
Meat of bovine animals, frozen	0202
Edible offal	
- Of bovine animals, frozen	
-- Thick skirt and thin skirt	0206 29 91

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

4. See answer to question 1. As referred to in the answer to question 1, the licensing system covers the relevant WTO tariff quota. 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 the answer to question 1 is:

Commission Regulation (EC) No 980/2000 of 11 May 2000 (OJ L 113).

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

The tariff quota is an annual tariff quota, opened on 1 July of each year. The tariff quota is divided into two parts. The first, equalling to 80% or 42,400 tonnes is apportioned among Community importers in proportion to the quantities imported by them under Commission Regulations 1042/97, 1142/98 and 995/1999 before 1 April 2000 (traditional importers). The second, equalling 20% or 10,600 tonnes is apportioned among traders who can prove that they have been engaged for a certain period in trade with third countries in beef and veal according to the conditions of R980/2000 (newcomers). This quantity is allocated in proportion to the quantities applied for by eligible traders

Applications for import rights have to be submitted before 29 May 2000 to the competent authority in the Member State where the applicant is entered in a VAT register. After the documents submitted have been verified, the competent authority in the Member States has to forward to the Commission before 12 June 2000 the list of traditional importers and the information related to the quantities of eligible meat they have imported during the reference period as well as the list of newcomer applicants and the quantities applied for. 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 fixed reduction coefficient. After the notification of allocations from the Commission, import licences may be issued as soon as possible by the competent authority in the Member States. Licence applications can be lodged solely in the Member State where the applicant has applied for import rights. Applicants have to approach only one administrative organ. Imports are only known to the competent authority in the Member States and to the Commission.

7. Question 7 related to no quantitative limits 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 answer to question 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. A specimen of the import licence is included in the EC Regulations set out in answer to question 10 of the main notification for 2000. Regarding the information required, see the import licence and Commission Regulation (EC) No 980/2000 of 11 May 2000 (published in OJ L 113, page 27).

11. The import licence plus appropriate health certificates.

12. No.

13. The issuing of the import licence is subject to a security in order to guarantee that the undertaking to import will be fulfilled during the period of validity of the licence. The security is released when the obligation to import has been fulfilled.

Conditions of licensing

14. Import licences are valid 90 days from their date of issue. However, no licence is valid before 1 July 2000 or after 30 June 2001 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 transferable without limitation.

17. No.

Other procedural requirements

18. No.

19. Not relevant.
