

WORLD TRADE ORGANIZATION

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Committee on Import Licensing

Original: English

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 Thin Skirt 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 1,500 tonnes of frozen thin skirt 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 rate quota are as follows:

Description of products	Tariff item number(s)
Edible offal - Of bovine animals, frozen -- Thin skirt (whole)	ex 0206 29 91

3. The system applies in the European Community to the above-mentioned products originating in Argentina and in other 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 this tariff rate quota.

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

Commission Regulation (EC) No 996/97 of 3 June 1997 (OJ L 144), as last amended by Commission Regulation (EC) 1266/98 (OJ L 175).

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 and 6. X. Question 6.IX is 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 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.

700 tonnes of the tariff quota are allocated to Argentina and 800 tonnes are allocated to other third countries. The imports under the tariff quota are subject to the presentation of an import licence. In the case of imports from Argentina, imports are subject to the presentation of a certificate of authenticity issued by the empowered authority in Argentina. The competent authorities in the Member States may issue import licences only after they are satisfied that all the information on the certificate of authenticity is correct. The import licence is issued immediately thereafter.

In the case of imports from other third countries, applicants for import licences must be natural or legal persons who, when submitting their application must prove to the satisfaction of the competent authorities in the Member State concerned that they have traded in beef and veal with non-member countries at least once during the previous 12 months. They must be entered in a national VAT register. The application for an import licence must be lodged within the competent authorities in the Member State in which the applicant is registered, only during the first ten days of each year of import (1 July to 30 June). The competent authorities in the Member States have to notify to the Commission on 10th working day following the end of the period for lodging the applications of the total of the quantity covered by the applications. The Commission calculates as soon as possible to what extent applications may be accepted. If the quantities in respect of which applications are made exceed the quantities available, the Commission fixes a single percentage reduction to be applied to the quantities applied for. Following the Commission's decision on acceptance of applications, licences are issued as rapidly as possible by the competent authorities in the Member States.

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. Applicants for an import licence related to imports from "other third countries" must be registered in a VAT register in the Member States 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 included in the EC Regulations set out in answer to question 10 of the main notification for 2000. Regarding the information required in applications, see the application form and Commission Regulation (EC) No 996/97 of 3.06.97 (published in OJ L 144, page 6), as at last amended by Commission Regulation (EC) 1266/98 of 18.06.98 (published in OJ L 175, page 9).

- 11. The import licence plus appropriate health certificate.
- 12. No.
- 13. The issuing of 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 expire on 30 June following the date of issue and the validity of the licences 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.

Other procedural requirements

- 18. No.
 - 19. Not relevant.
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