

COMMISSION REGULATION (EC) No 1009/98
of 14 May 1998
amending Regulation (EC) No 1372/95 laying down detailed rules for
implementing the system of export licences in the poultrymeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat⁽¹⁾, as last amended by Commission Regulation (EC) 2916/95⁽²⁾, and in particular Article 3(2) thereof,

Regulation (EC) No 1372/95 is hereby amended as follows:

Whereas Commission Regulation (EC) No 1372/95⁽³⁾, as last amended by Regulation (EC) No 2370/96⁽⁴⁾, lays down detailed rules for implementing the system of export licences in the poultrymeat sector;

1. in Articles 1 and 9(1), 'CN codes 0105 11 and 0105 19' is replaced by 'CN codes 0105 11, 0105 12 and 0105 19';
2. in Article 4(3)(a), the references to Sections 17 and 18 are replaced by references to Sections 15 and 16;

Whereas Commission Regulation (EEC) No 3665/87⁽⁵⁾, as last amended by Regulation (EC) No 604/98⁽⁶⁾, lays down common detailed rules for the application of the system of export refunds on agricultural products; whereas Article 3 thereof defines the day of export; whereas the text of Regulation (EC) No 1372/95 should be amended to adjust it to that definition;

3. in Article 9:

(a) in the first subparagraph of paragraph 2:

- the reference to Section 22 is replaced by a reference to Section 20,
- the phrase 'the date on which they took place' is replaced by 'the date of export within the meaning of Article 3 of Regulation (EEC) No 3665/87';

Whereas Commission Regulation (EC) No 2448/95 of 10 October 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁷⁾ establishes new subdivisions of CN code 0105 with effect from 1 January 1996; whereas Articles 1 and 9 of Regulation (EC) No 1372/95 should therefore be adjusted;

(b) in the first subparagraph of paragraph 3, the first sentence is replaced by the following:

'Member States shall communicate to the Commission, each Friday from 1 p.m., by fax, the number of 'ex-post' export licences applied for or the absence of such applications, during the current week.';

Whereas Articles 4 and 9 of and Annex II to Regulation (EC) No 1372/95 contain errors which should be corrected;

(c) in paragraph 4, the second subparagraph is replaced by the following:

'This licence accords entitlement to payment of the refund applicable on the day of export within the meaning of Article 3 of Regulation (EEC) No 3665/87.';

Whereas the time limit for notification by Member States to the Commission of applications for 'ex-post' export licences should be the same as for other export licences;

Whereas the measures provided for in this Regulation are in accordance with the opinion of Management Committee for Poultrymeat and Eggs,

4. in Annex II, Part A, 'ECU/100 kg' is replaced by 'ECU/100 kg or 100 pieces'.

Article 2

This Regulation shall enter into force on 1 June 1998.

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ L 323, 13. 12. 1996, p. 12.

⁽⁵⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ L 80, 18. 3. 1998, p. 19.

⁽⁷⁾ OJ L 259, 30. 10. 1995, p. 1.

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

Done at Brussels, 14 May 1998.

For the Commission
Franz FISCHLER
Member of the Commission
