

**COMMISSION REGULATION (EC) No 1385/2007****of 26 November 2007****laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat***Article 1*

1. The tariff quotas in Annex I are opened by Regulation (EC) No 774/94 for the import of poultrymeat products under the CN codes indicated therein.

The tariff quotas shall be open on an annual basis for the period from 1 January to 31 December.

2. The quantity of products covered by the quotas referred to in paragraph 1, the applicable reduction in customs duty, the serial numbers and the group numbers shall be as set out in Annex I.

Article 2

The provisions of Regulations (EC) Nos 1291/2000 and 1301/2006 shall apply, save as otherwise provided for in this Regulation.

Article 3

The quantity fixed for the annual quota period for each serial number shall be divided among four subperiods, as follows:

- (a) 25 % from 1 January to 31 March;
- (b) 25 % from 1 April to 30 June;
- (c) 25 % from 1 July to 30 September;
- (d) 25 % from 1 October to 31 December.

Article 4

1. For the purposes of applying Article 5 of Regulation (EC) No 1301/2006, applicants for import licences shall, when submitting the first application for a given tariff quota period, provide proof that they imported or exported at least 50 tonnes of products covered by Regulation (EEC) No 2777/75 in each of the two periods referred to in the said Article 5.

2. Licence applications may refer to only one of the serial numbers indicated in Annex I to this Regulation. They may concern several products covered by different CN codes. If they do, all the CN codes and their designations must be entered in boxes 16 and 15 of the licence application and the licence respectively.

▼B

Licence applications must be for a minimum of 10 tonnes and a maximum of 10 % of the quantity available for the quota concerned in the subperiod in question.

3. By way of derogation from Article 6(1) of Regulation (EC) No 1301/2006, in the case of groups 3, 5 and 6, each applicant may lodge more than one application for import licences for products in one group where such products originate in more than one country. Separate applications for each country of origin must be submitted simultaneously to the competent authority of a Member State. They shall be regarded as a single application, for the purposes of the maximum referred to in paragraph 5 of this Article.

4. Except for Group Numbers 3, 5 and 6, licences shall carry an obligation to import from the country that is specified. For the groups concerned by this obligation, the country of origin shall be entered in box 8 of the application and of the licence itself, and the word 'yes' shall be marked with a cross.

5. Box 20 of the licence application and the licence shall contain one of the entries indicated in Annex II, Part A.

Box 24 of the licence shall contain one of the entries indicated in Annex II, Part B.

For group 3 products, box 24 of the licence shall contain one of the entries indicated in Annex II, Part C.

For group 5 products, box 24 of the licence shall contain one of the entries indicated in Annex II, Part D.

Article 5

1. Licence applications may be submitted only in the first seven days of the month preceding each of the subperiods referred to in Article 3.

2. Licence applications must be accompanied by a supply contract specifying that the poultry supplies requested are available for delivery within the European Union during the quota period from the origin and for the quantity requested.

The first subparagraph shall apply only to group 1, 2 and 4 products.

3. A security of EUR 50 per 100 kilograms shall be lodged when an application for a licence is submitted.

4. Not later than the fifth day following the end of the period for submission of applications, Member States shall notify the Commission of the total quantities, in kilograms, applied for in respect of each group.

5. Licences shall be issued as of the seventh working day and at the latest by the eleventh working day following the end of the notification period provided for in paragraph 4.

6. If necessary, the Commission shall establish any quantities that have not been applied for, and these shall be added automatically to the quantity for the following quota subperiod.



Article 6

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission by the end of the first month of each quota subperiod of the total quantities, in kilograms, for which licences have been issued, as referred to in Article 11(1)(b) of that Regulation.
2. Member States shall notify the Commission, before the end of the fourth month following each annual quota period, of the quantities, in kilograms, under each serial number actually released into free circulation under this Regulation in the period concerned.
3. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission of the quantities, in kilograms, to which unused or partially used import licences relate, first when the application for the last subperiod is sent, and again before the end of the fourth month following each annual period.

Article 7

1. By way of derogation from Article 23 of Regulation (EC) No 1291/2000, import licences shall be valid for 150 days from the first day of the subperiod for which they are issued.
2. Without prejudice to Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from the licences may be transferred only to transferees satisfying the eligibility conditions set out in Article 5 of Regulation (EC) No 1301/2006 and Article 4(1) of this Regulation.

Article 8

Regulation (EC) No 1431/94 is hereby repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Article 9

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

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

▼ **M3**

ANNEX I

For the quota period 1 January 2017-31 December 2017:

REDUCTION IN CUSTOMS DUTY SET AT 100 %

Chicken

(tonnes)

Country	Group number	Order number	CN Code	Annual quantities for 2017	Additional quantity available for the fourth quota sub-period in 2017 ⁽¹⁾
Brazil	1	09.4410	0207 14 10 0207 14 50 0207 14 70	11 932	2 396

⁽¹⁾ The additional quantity is made available pursuant to the Agreement between the European Union and Brazil in force on 30 June 2017. This additional quantity is calculated on pro rata basis for the period 30 June 2017 until 31 December 2017 and is available for licence applications submitted for the quota subperiod commencing 1 October 2017.

Country	Group number	Order number	CN Code	Annual quantities for 2017
Thailand	2	09.4411	0207 14 10 0207 14 50 0207 14 70	5 100
Other	3	09.4412	0207 14 10 0207 14 50 0207 14 70	3 300

Turkey

(tonnes)

Country	Group number	Order number	CN Code	Annual quantities for 2017	Additional quantity available for the fourth quota sub-period in 2017 ⁽¹⁾
Brazil	4	09.4420	0207 27 10 0207 27 20 0207 27 80	4 300	307

⁽¹⁾ The additional quantity is made available pursuant to the Agreement between the European Union and Brazil in force on 30 June 2017. This additional quantity is calculated on pro rata basis for the period 30 June 2017 until 31 December 2017 and is available for licence applications submitted for the quota subperiod commencing 1 October 2017.

Country	Group number	Order number	CN Code	Annual quantities for 2017
Other	5	09.4421	0207 27 10 0207 27 20 0207 27 80	700
Erga omnes	6	09.4422	0207 27 10 0207 27 20 0207 27 80	2 485

▼ M3

For the quota period commencing 1 January 2018:
REDUCTION IN CUSTOMS DUTY SET AT 100 %

Chicken

(tonnes)

Country	Group number	Order number	CN Code	Annual quantities
Brazil	1	09.4410	0207 14 10	16 698
			0207 14 50	
			0207 14 70	
Thailand	2	09.4411	0207 14 10	5 100
			0207 14 50	
			0207 14 70	
Other	3	09.4412	0207 14 10	3 300
			0207 14 50	
			0207 14 70	

Turkey

(tonnes)

Country	Group number	Order number	CN Code	Annual quantities
Brazil	4	09.4420	0207 27 10	4 910
			0207 27 20	
			0207 27 80	
Other	5	09.4421	0207 27 10	700
			0207 27 20	
			0207 27 80	
Erga omnes	6	09.4422	0207 27 10	2 485
			0207 27 20	
			0207 27 80	

▼B*ANNEX II*

A. Entries referred to in Article 4(5), first subparagraph:

<i>In Bulgarian:</i>	Регламент (ЕО) № 1385/2007.
<i>In Spanish:</i>	Reglamento (CE) nº 1385/2007.
<i>In Czech:</i>	Nařízení (ES) č. 1385/2007.
<i>In Danish:</i>	Forordning (EF) nr. 1385/2007.
<i>In German:</i>	Verordnung (EG) Nr. 1385/2007.
<i>In Estonian:</i>	Määrus (EÜ) nr 1385/2007.
<i>In Greek:</i>	Κανονισμός (ΕΚ) αριθ. 1385/2007.
<i>In English:</i>	Regulation (EC) No 1385/2007.
<i>In French:</i>	Règlement (CE) n° 1385/2007.

▼M2

In Croatian: Uredba (EZ) br. 1385/2007.

▼B

<i>In Italian:</i>	Regolamento (CE) n. 1385/2007.
<i>In Latvian:</i>	Regula (EK) Nr. 1385/2007.
<i>In Lithuanian:</i>	Reglamentas (EB) Nr. 1385/2007.
<i>In Hungarian:</i>	1385/2007/EK rendelet.
<i>In Maltese:</i>	Ir-Regolament (KE) Nru 1385/2007.
<i>In Dutch:</i>	Verordening (EG) nr. 1385/2007.
<i>In Polish:</i>	Rozporządzenie (WE) nr 1385/2007.
<i>In Portuguese:</i>	Regulamento (CE) n.º 1385/2007.
<i>In Romanian:</i>	Regulamentul (CE) nr. 1385/2007.
<i>In Slovak:</i>	Nariadenie (ES) č. 1385/2007.
<i>In Slovenian:</i>	Uredba (ES) št. 1385/2007.
<i>In Finnish:</i>	Asetus (EY) N:o 1385/2007.
<i>In Swedish:</i>	Förordning (EG) nr 1385/2007.

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B. Entries referred to in the second subparagraph of Article 4(5):

<i>In Bulgarian:</i>	Мито, определено на 0 %, съгласно Регламент (ЕО) № 1385/2007.
<i>In Spanish:</i>	derecho del 0 % en aplicación del Reglamento (CE) nº 1385/2007.
<i>In Czech:</i>	Clo stanovené na 0 % v souladu s nařízením (ES) č. 1385/2007.
<i>In Danish:</i>	Told fastsat til 0 % i henhold til forordning (EF) nr. 1385/2007.
<i>In German:</i>	Gemäß der Verordnung (EG) Nr. 1385/2007 auf 0 v. H. festgesetzter Zoll.
<i>In Estonian:</i>	0 %line maks kehtestatud vastavalt määrusele (EÜ) nr 1385/2007.
<i>In Greek:</i>	δασμός που καθορίζεται σε 0 % κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1385/2007.
<i>In English:</i>	Duty fixed at 0 % pursuant to Regulation (EC) No 1385/2007.
<i>In French:</i>	droit fixé à 0 % en application du règlement (CE) nº 1385/2007.

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<i>In Croatian:</i>	Nulta stopa carine u skladu s Uredbom (EZ) br. 1385/2007.
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<i>In Italian:</i>	Dazio fissato allo 0 % in applicazione del regolamento (CE) n. 1385/2007.
<i>In Latvian:</i>	piemērojot Regulu (EK) Nr. 1385/2007, ir noteikts 0 % nodoklis.
<i>In Lithuanian:</i>	nulinis muitas, nustatytas pagal Reglamentą (EB) Nr. 1385/2007.
<i>In Hungarian:</i>	0 %-os vám az 1385/2007/EK rendelet szerint.
<i>In Maltese:</i>	ħlas stabbilit fil-livell ta' 0 % b'applikazzjoni tar-Regolament (KE) Nru 1385/2007.
<i>In Dutch:</i>	recht 0 % op grond van Verordening (EG) nr. 1385/2007.
<i>In Polish:</i>	cło według stawki 0 % zgodnie z rozporządzeniem (WE) nr 1385/2007.
<i>In Portuguese:</i>	direito fixado em 0 %, em aplicação do Regulamento (CE) n.º 1385/2007.
<i>In Romanian:</i>	taxă stabilită la 0 % în temeiul Regulamentului (CE) nr. 1385/2007.
<i>In Slovak:</i>	clo stanovené vo výške 0 % na základe nariadenia (ES) č. 1385/2007.
<i>In Slovenian:</i>	dajatev, določena na 0 % v skladu z Uredbo (ES) št. 1385/2007.
<i>In Finnish:</i>	Tulli vahvistettu 0 prosentiksi asetuksen (EY) N:o 1385/2007 mukaisesti.
<i>In Swedish:</i>	Tullsatsen fastställd till 0 % i enlighet med förordning (EG) nr 1385/2007.

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C. Entries referred to in the third subparagraph of Article 4(5):

<i>In Bulgarian:</i>	Не следва да се използва за продукти с произход от Бразилия и Тайланд в съответствие с Регламент (ЕО) № 1385/2007.
<i>In Spanish:</i>	No puede utilizarse para productos originarios de Brasil o Tailandia en aplicación del Reglamento (CE) nº 1385/2007.
<i>In Czech:</i>	Nepoužije se u produktů pocházejících z Brazílie a Thajska v souladu s nařízením (ES) č. 1385/2007.
<i>In Danish:</i>	Kan ikke anvendes for produkter med oprindelse i Brasilien og Thailand i henhold til forordning (EF) nr. 1385/2007.
<i>In German:</i>	Gemäß der Verordnung (EG) Nr. 1385/2007 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien und Thailand.
<i>In Estonian:</i>	Ei ole kasutatav Brasiilia ja Tai päritolu toodete puhul vastavalt määrusele (EÜ) nr 1385/2007.
<i>In Greek:</i>	Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας και Ταϊλάνδης κατ'εφαρμογή του κανονισμού (ΕΚ) αριθ. 1385/2007.
<i>In English:</i>	Not to be used for products originating in Brazil or Thailand pursuant to Regulation (EC) No 1385/2007.
<i>In French:</i>	N'est pas utilisable pour des produits originaires du Brésil et de Thaïlande en application du règlement (CE) nº 1385/2007.

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<i>In Croatian:</i>	Ne primjenjuje se na proizvode podrijetlom iz Brazila ili Tajlanda u skladu s Uredbom (EZ) br. 1385/2007.
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<i>In Italian:</i>	da non utilizzare per prodotti originari del Brasile e della Tailandia in applicazione del regolamento (CE) n. 1385/2007.
<i>In Latvian:</i>	Piemērojot Regulu (EK) Nr. 1385/2007, neizmanto Brazīlijas un Taizemes izcelsmes produktiem.
<i>In Lithuanian:</i>	Nenaudojama produktams, kurių kilmės šalys yra Brazilija ir Tailandas, taikant Reglamentą (EB) Nr. 1385/2007.
<i>In Hungarian:</i>	Nem alkalmazandó a Brazíliaból és Thaiföldről származó termékekre az 1385/2007/EK rendelet alapján.
<i>In Maltese:</i>	Ma jistax jintuza għall-prodotti ta' orġini mill-Brazil u mit-Tajlandja, b'applikazzjoni tar-Regolament (KE) Nru 1385/2007.
<i>In Dutch:</i>	Mag niet worden gebruikt voor producten van oorspong uit Brazilië en Thailand overeenkomstig Verordening (EG) nr. 1385/2007.
<i>In Polish:</i>	Nie stosuje się w przypadku produktów pochodzących z Brazylii i Tajlandii zgodnie z rozporządzeniem (WE) nr 1385/2007.

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<i>In Portuguese:</i>	Não utilizável para produtos originários do Brasil e da Tailândia, em aplicação do Regulamento (CE) n.º 1385/2007.
<i>In Romanian:</i>	Nu se utilizează pentru produsele originare din Brazilia și Thailanda în aplicarea Regulamentului (CE) nr. 1385/2007.
<i>In Slovak:</i>	Podľa nariadenia (ES) č. 1385/2007 nepoužívať pre výrobky pochádzajúce z Brazílie a z Thajska.
<i>In Slovenian:</i>	V skladu z Uredbo (ES) št. 1385/2007 se ne uporabljajo za proizvode s poreklom iz Brazilije in Tajske.
<i>In Finnish:</i>	Ei voimassa Brasiliasta ja Thaimaasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1385/2007 mukaisesti.
<i>In Swedish:</i>	Får inte användas för produkter med ursprung i Brasilien och Thailand i enlighet med förordning (EG) nr 1385/2007.

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D. Entries referred to in the fourth subparagraph of Article 4(5)

<i>In Bulgarian:</i>	Не следва да се използва за продукти с произход от Бразилия в съответствие с Регламент (ЕО) № 1385/2007.
<i>In Spanish:</i>	No puede utilizarse para productos originarios de Brasil en aplicación del Reglamento (CE) nº 1385/2007.
<i>In Czech:</i>	Nepoužije se u produktů pocházejících z Brazílie v souladu s nařízením (ES) č. 1385/2007.
<i>In Danish:</i>	Kan ikke anvendes for produkter med oprindelse i Brasilien i henhold til forordning (EF) nr. 1385/2007.
<i>In German:</i>	Gemäß der Verordnung (EG) Nr. 1385/2007 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien.
<i>In Estonian:</i>	Ei ole kasutatav Brasiilia päritolu toodete puhul vastavalt määrusele (EÜ) nr 1385/2007.
<i>In Greek:</i>	Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1385/2007.
<i>In English:</i>	Not to be used for products originating in Brazil pursuant to Regulation (EC) No 1385/2007.
<i>In French:</i>	N'est pas utilisable pour des produits originaires du Brésil en application du règlement (CE) nº 1385/2007.

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<i>In Croatian:</i>	Ne primjenjuje se na proizvode podrijetlom iz Brazila u skladu s Uredbom (EZ) br. 1385/2007.
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<i>In Italian:</i>	da non utilizzare per prodotti originari del Brasile in applicazione del regolamento (CE) n. 1385/2007.
<i>In Latvian:</i>	Piemērojot Regulu (EK) Nr. 1385/2007, neizmanto Brazīlijas izcelsmes produktiem.
<i>In Lithuanian:</i>	Nenaudojama produktams, kurių kilmės šalis yra Brazilija, taikant Reglamentą (EB) Nr. 1385/2007.
<i>In Hungarian:</i>	Nem alkalmazandó a Brazíliaból származó termékekre az 1385/2007/EK rendelet alapján.
<i>In Maltese:</i>	Ma jistax jintuża għall-prodotti ta' oriġini mill-Brazil, b'applikazzjoni tar-Regolament (KE) Nru 1385/2007.
<i>In Dutch:</i>	Mag niet worden gebruikt voor producten van oorspong uit Brazilië overeenkomstig Verordening (EG) nr. 1385/2007.
<i>In Polish:</i>	Nie stosuje się w przypadku produktów pochodzących z Brazylii zgodnie z rozporządzeniem (WE) nr 1385/2007.
<i>In Portuguese:</i>	Não utilizável para produtos originários do Brasil, em aplicação do Regulamento (CE) n.º 1385/2007.

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<i>In Romanian:</i>	Nu se utilizează pentru produsele originare din Brazilia în aplicarea Regulamentului (CE) nr. 1385/2007.
<i>In Slovak:</i>	Podľa nariadenia (ES) č. 1385/2007 nepoužívať pre výrobky pochádzajúce z Brazílie.
<i>In Slovenian:</i>	V skladu z Uredbo (ES) št. 1385/2007 se ne uporabljajo za proizvode s poreklom iz Brazilije.
<i>In Finnish:</i>	Ei voimassa Brasiliasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1385/2007 mukaisesti.
<i>In Swedish:</i>	Får inte användas för produkter med ursprung i Brasilien i enlighet med förordning (EG) nr 1385/2007.



ANNEX III

Correlation table

Regulation (EC) No 1431/94	This Regulation
Article 1	Article 1
Article 2	Article 3
Article 3	—
Article 3(1)(a)	Article 4(1)
Article 3(1)(b)	Article 4(2)
Article 3(1)(c)	Article 4(4)
Article 3(1)(d)	Article 4(5), first subparagraph
Article 3(1)(e)	Article 4(5), second subparagraph
Article 3(1)(f)	Article 4(5), third subparagraph
Article 3(1)(g)	Article 4(5), fourth subparagraph
Article 4(1), first subparagraph	Article 5(1)
Article 4(1a)	Article 5(2)
Article 4(2), first and second subparagraphs	—
Article 4(2), third subparagraph	Article 4(3)
Article 4(3)	Article 5(4)
Article 4(4)	—
Article 4(5)	Article 5(5)
Article 4(6)	—
Article 4(7)	Article 6(2)
Article 5, first paragraph	Article 7(1)
Article 5, second paragraph	—
Article 6	Article 5(3)
Article 7	—
Article 8	Article 9
Annex I	Annex I
Annex II	—
Annex III	—
Annex IV	—