

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1574/93**

of 14 June 1993

amending Regulation (EEC) No 2771/75 on the common organization of the market in eggs, Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat, Regulation (EEC) No 827/68 on the common organization of the market in certain products listed in Annex II to the EEC Treaty and Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas it has recently been detected that classification of certain egg products falling within CN code 0408 in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(4)</sup> creates problems for the competent authorities; whereas to remedy that situation the structure of the subheadings falling within CN code 0408 should be improved;

Whereas Regulations (EEC) No 2771/75 <sup>(5)</sup>, and (EEC) No 2777/75 <sup>(6)</sup>, have not provided up to the present for a system of import licences; whereas in view of the increasing number of international agreements concerning *inter alia* trade in eggs and poultrymeat such a system involving the provision of security as a guarantee that importa-

tion will be effected should be introduced in these sectors too in order that a check may be kept on the volume of imports;

Whereas Article 9 of Regulation (EEC) No 2771/75 provides for refunds on exports to third countries of eggs and egg products also in the form of further processed products listed in the Annex thereto; whereas in order to facilitate future amendments to this list, it should be adopted in accordance with Article 17 of the said Regulation;

Whereas prepared goose or duck livers falling within CN code 1602 20 10 are covered by Regulation (EEC) No 827/68 <sup>(7)</sup>; whereas these preparations should be brought under Regulation (EEC) No 2777/75 in order to be able to lay down common marketing standards for these products necessary for ensuring harmonized information of consumers and fair competition; whereas the Annex to Regulation (EEC) No 827/68 should be adapted accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2771/75 is hereby amended as follows:

1. Article 1 (1) shall be replaced by the following:

'1. The common organization of the market in eggs shall cover the following products:

<sup>(1)</sup> OJ NoC 326, 11. 12. 1992, p. 13.

<sup>(2)</sup> OJ No C 115, 26. 4. 1993.

<sup>(3)</sup> OJ No C 129, 10. 5. 1993, p. 5.

<sup>(4)</sup> OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 697/93 (OJ No L 76, 30. 3. 1993, p. 12).

<sup>(5)</sup> OJ No L 282, 1. 11. 1975, p. 49. Regulation as last amended by Regulation (EEC) No 1235/89 (OJ No L 128, 11. 5. 1989, p. 29).

<sup>(6)</sup> OJ No L 282, 1. 11. 1975, p. 77. Regulation as last amended by Regulation (EEC) No 3714/92 (OJ No L 378, 23. 12. 1992, p. 23).

<sup>(7)</sup> OJ No L 151, 30. 6. 1968, p. 16. Regulation as last amended by Regulation (EEC) No 638/92 (OJ No L 69, 20. 3. 1993, p. 7).

CN code	Description
(a) 0407 00 11 0407 00 19 0407 00 30	Poultry eggs, in shell, fresh, preserved or cooked
(b) 0408 11 80 0408 19 81 0408 19 89 0408 91 80 0408 99 80	Other eggs, not in shell, and other egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter

2. the following Article shall be inserted:

*Article 8a*

1. The importation into the Community of any of the products listed in Article 1 (1) may be made conditional on the submission of an import licence which shall be issued by Member States to any applicant irrespective of the place of his establishment in the Community.

Such licence shall be valid for an importation carried out anywhere in the Community.

The issue of such licences shall be conditional on the provision of security as a guarantee that importation will be effected during the period of validity of the licence; the security shall be wholly or partially forfeit if importation is not effected, or is only partially effected, within that period.

2. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 17;

3. Article 9 (3) shall be replaced by the following:

'3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 17; Annex I shall be amended in accordance with that procedure.'

*Article 2*

Regulation (EEC) No 2777/75 is hereby amended as follows:

1. Article 1 is hereby amended as follows:

(a) paragraph 1 shall be replaced by the following:

'1. The common organization of the market in poultrymeat shall cover the following products:

CN code	Description of goods
(a) 0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowl
(b) ex 0207	Meat and edible offal, of the poultry of heading No 0105 fresh, chilled or frozen, excluding livers falling within CN codes 0207 31, 0207 39 90 and 0207 50
(c) 0207 31 0207 39 90 0207 50	Poultry livers, fresh, chilled or frozen
0210 90 71 0210 90 79	Poultry livers, salted, in brine, dried or smoked
(d) 0209 00 90	Poultry fat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked
(e) 1501 00 90	Poultry fat, rendered whether or not pressed or solvent-extracted
(f) 1602 20 11 1602 20 19	Other prepared or preserved goose or duck livers
1602 31 1602 39	Other prepared or preserved meat, or meat offal of poultry of heading No 0105

(b) in paragraph 2 (d) point 6 shall be replaced by the following :

'6. Products referred to in paragraph 1 (f), other than those products falling within CN codes 1602 20 11 and 1602 20 19';

2. Article 3 shall be replaced by the following :

*Article 3*

For products referred to in Article 1 (1) other than those falling within CN codes 1602 20 11 and 1602 20 19, a levy fixed in advance for each quarter in accordance with the procedure laid down in Article 17 shall be charged on imports into the Community.

The customs duties set out in the Common Customs Tariff shall apply to the products falling within CN codes 1602 20 11 and 1602 20 19';

3. the following Article shall be inserted :

*Article 8a*

1. The importation into the Community of any of the products listed in Article 1 (1) may be made conditional on the submission of an import licence which shall be issued by Member States to any applicant irrespective of the place of his establishment in the Community.

Such licence shall be valid for an importation carried out anywhere in the Community.

The issue of such licences shall be conditional on the provisions of security as a guarantee that importation will be effected during the period of validity of the licence ; the security shall be wholly or partially forfeit if importation is not effected, or is only partially effected, within that period.

2. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 17.'

*Article 3*

In the Annex to Regulation (EEC) No 827/68, the following CN codes shall be deleted :

'ex 1602 20	— of liver of any animal :
	— — of goose or duck liver :
1602 20 11	— — — containing 75 % or more by weight of "foie gras"
1602 20 19	— — — other'

*Article 4*

In Annex I to Regulation (EEC) No 2658/87, CN code 0408 shall be replaced by the following :

'CN code	Description	Rate of duty		Supplementary unit
		Autonomous (%) or levy (AGR)	Conventional (%)	
1	2	3	4	5
0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :			
	— Egg yolks :			
0408 11	— — Dried :			
0408 11 20	— — — Unfit for human consumption <sup>(?)</sup>	free	free	—
0408 11 80	— — — Other	22 (AGR)	—	—
0408 19	— — Other :			
0408 19 20	— — — Unfit for human consumption <sup>(?)</sup>	free	free	—
	— — — Other :			
0408 19 81	— — — Liquid	22 (AGR)	—	—
0408 19 89	— — — — Other, including frozen	22 (AGR)	—	—
	— Other :			
0408 91	— — Dried :			
0408 91 20	— — — Unfit for human consumption <sup>(?)</sup>	free	free	—
0408 91 80	— — — Other	22 (AGR)	—	—
0408 99	— — Other :			
0408 99 20	— — — Unfit for human consumption <sup>(?)</sup>	free	free	—
0408 99 80	— — — Other	22 (AGR)	—	—

<sup>(?)</sup> Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

*Article 5*

This Regulation shall enter into force on 1 January 1994.

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

Done at Luxembourg, 14 June 1993.

*For the Council*

*The President*

B. WESTH

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