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**COUNCIL REGULATION (EC) No 774/94  
of 29 March 1994**

**opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues**

(OJ L 91, 8.4.1994, p. 1)

Amended by:

		Official Journal		
		No	page	date
► <b><u>M1</u></b>	Commission Regulation (EC) No 2198/95 of 18 September 1995	L 221	3	19.9.1995
► <b><u>M2</u></b>	Regulation (EU) No 252/2014 of the European Parliament and of the Council of 26 February 2014	L 84	35	20.3.2014



**COUNCIL REGULATION (EC) No 774/94**  
**of 29 March 1994**

**opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community negotiated new tariff concessions under Article XXVIII of the GATT; whereas these negotiations led to agreements with Argentina, Brazil, Canada, Poland, Sweden and Uruguay; whereas these agreements were approved by Council Decision of 20 December 1993 <sup>(1)</sup>;

Whereas the agreements in question provide for the opening on 1 January 1994, under certain conditions, of annual tariff quotas for high-quality beef falling within CN codes 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91, pigmeat falling within CN codes 0203 19 13 and 0203 29 15, poultrymeat falling within CN codes 0207 41 10, 0207 41 41, 0207 41 71, 0207 42 10, 0207 42 11 and 0207 42 71, wheat and meslin falling within CN codes 1001 10 00 and 1001 90 99, and brans, sharps and other residues falling within CN codes 2302 30 10, 2302 30 90, 2303 40 10 and 2303 40 20; whereas these quotas have therefore to be opened with effect from 1 January 1994;

Whereas the agreements in question cover an undetermined period; whereas in the interests of rationalization and efficiency, the quotas should therefore be opened on a multiannual basis;

Whereas a system guaranteeing the nature, provenance and origin of the products may prove to be appropriate; whereas to that end imports within the framework of these new tariff concessions should be subject, where appropriate, to the presentation of a certificate of authenticity;

Whereas it may be appropriate to spread out these imports over the year on the basis of the needs of the Community market; whereas to that end a system for using up quotas based on the presentation of an import licence may prove appropriate;

Whereas the Council's approval of the abovementioned agreements renders redundant the system provided for in Council Regulation (EEC) No 1058/88 of 28 March 1988 on the import of bran, sharps and other residues derived from sifting, milling or other working of cereals other than maize and rice and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(2)</sup>; whereas that Regulation should consequently be repealed;

<sup>(1)</sup> OJ No L 47, 18.2.1994, p. 1.

<sup>(2)</sup> OJ No L 104, 23.4.1988, p. 1.

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Whereas detailed rules for the application of this Regulation and, in particular, the provisions required for the sound administration of the quotas must be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup> or in the corresponding Articles of the other Regulations on the common organization of the markets affected by the opening of the quotas;

Whereas Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products<sup>(2)</sup> and Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(3)</sup> already provide that the Commission may make the technical amendments and adjustments to this Regulation as are necessary following the amendments to the combined nomenclature and to the Taric codes; whereas any adjustments to the quota volumes and other quota requirements adopted by the Council will also require that amendments be made to this regulation; whereas, for the purpose of simplifying matters, provision should be made for the Commission to make such amendments and adjustments to this regulation in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 or in the other abovementioned Regulations,

HAS ADOPTED THIS REGULATION:

**▼M1***Article 1*

1. An annual Community tariff quota of a total of 20 000 tonnes, expressed in product weight, is hereby opened for high-quality fresh, chilled or frozen beef covered by CN codes 0201 and 0202 and for the products covered by CN codes 0206 10 95 and 0206 29 91.

2. The Common Customs Tariff duty applicable to that quota shall be 20 %.

*Article 2*

1. An annual Community tariff quota of a total of 7 000 tonnes is hereby opened for fresh, chilled or frozen pigmeat covered by CN codes 0203 19 13 and 0203 29 15.

2. The Common Customs Tariff duty applicable to that quota shall be 0 %.

*Article 3*

1. An annual Community tariff quota of a total of 15 500 tonnes is hereby opened for poultrymeat covered by CN codes 0207 41 10, 0207 41 41 and 0207 41 71.

<sup>(1)</sup> OJ No L 148, 28.6.1968, p. 24. Regulation as last amended by Regulation (EEC) (SIC! (EC)) No 3611/93 (OJ No L 328, 29.12.1993, p. 7).

<sup>(2)</sup> OJ No L 34, 9.2.1979, p. 2. Regulation as last amended by Regulation (EEC) No 3209/89, (OJ No L 312, 27.10.1989, p. 5).

<sup>(3)</sup> OJ No L 256, 7.9.1987, p. 1. Regulation as last amended by Commission Regulation (EEC) (SIC! (EC)) No 534/94, (OJ No L 68, 11.3.1994, p. 5).

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2. The Common Customs Tariff duty applicable to that quota shall be 0 %.

*Article 4*

1. An annual Community tariff quota of a total of 2 500 tonnes is hereby opened for turkeymeat covered by CN codes 0207 42 10, 0207 42 11 and 0207 42 71.

2. The Common Customs Tariff duty applicable to that quota shall be 0 %.

*Article 5*

1. An annual Community tariff quota of a total of 300 000 tonnes is hereby opened for quality wheat covered by CN codes 1001 10 00 and 1001 90 99.

2. The Common Customs Tariff duty applicable to that quota shall be 0 %.

*Article 6*

1. An annual Community tariff quota of a total of 475 000 tonnes is hereby opened for brans, sharps and other residues of wheat and cereals other than maize and rice covered by CN codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90.

2. The Common Customs Tariff duty applicable to that quota shall be ECU 30,60 per tonne in the case of products covered by CN codes 2302 30 10 and 2302 40 10 and ECU 62,25 per tonne in the case of products covered by CN codes 2302 30 90 and 2302 40 90.

**▼ M2***Article 7*

The Commission shall, by means of implementing acts, adopt rules necessary for the administration of the quota arrangements referred to in this Regulation and, as appropriate:

- (a) the provisions guaranteeing the nature, provenance and origin of the product;
- (b) the provision relating to the recognition of the document allowing the guarantees referred to in point (a) to be verified; and
- (c) the issue of import licences and their term of validity.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 8b(2).

*Article 8*

In order to comply with international commitments and where the volumes and other conditions of the quota arrangements referred to in this Regulation are adjusted by the European Parliament and the Council or by the Council, in particular by a Council decision

▼ M2

concluding an agreement with one or more third countries, the Commission shall be empowered to adopt delegated acts in accordance with Article 8a concerning the resulting amendments to this Regulation.

*Article 8a*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission for a period of five years from 9 April 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Article 8b*

1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>(1)</sup>. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>(2)</sup>.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or at least a quarter of committee members so request.

<sup>(1)</sup> Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

<sup>(2)</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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*Article 9*

Regulation (EEC) No 1058/88 is hereby repealed.

*Article 10*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1994.

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