

Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC

[<sup>F1</sup>COMMISSION REGULATION (EC) No 1484/95

of 28 June 1995

laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC]

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Council Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Articles 5 (4) and 15 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat<sup>(3)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Articles 5 (4) and 15 thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin<sup>(4)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Article 3 (4) and 10 thereof,

Whereas Regulations (EEC) No 2771/75, (EEC) No 2777/75 and (EEC) No 2783/75 provide that from 1 July 1995 imports of one or more of the products falling under these Regulations at the rate of duty of the Common Customs Tariff shall be subject to the payment of an additional import duty if certain conditions set out in the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations have been fulfilled, unless the imports are unlikely to disturb the Community market, or where the effects would be disproportionate to the intended objective; whereas these additional import duties may be imposed in particular if the import prices fall below the trigger prices;

Whereas, therefore, specific implementing rules should be laid down for the poultrymeat and egg sectors as well as for egg albumin and the trigger prices should be published;

Whereas the import prices to be taken into consideration for imposing an additional import duty should be checked against the representative prices on the world market or on the Community import market for the products in question; whereas it is necessary that Member States communicate the prices at various stages of marketing at regular intervals in order to be able to determine the representative prices and the corresponding additional duties;

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**Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1484/95. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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Whereas the importer may choose that the additional duty is calculated on a basis which is different from the representative price; whereas, however, in that case there should be provision for the lodging of a security equal to the amount of additional duty which he would have paid if the additional duty had been determined on the basis of the representative price; whereas the security will be reimbursed if, within a certain time limit, proof is provided that the conditions for the disposal of the consignment have been met; whereas, as part of *a posteriori* checks, additional duty due will be recovered pursuant to Article 220 of Council Regulation (EEC) No 2913/92<sup>(5)</sup> establishing the Community customs code; whereas it is only fair that, within the framework of such checks, interest will be added to the duty due;

Whereas the provisions of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries<sup>(6)</sup>, as last amended by Regulation (EEC) No 3821/92<sup>(7)</sup>, are replaced by the provisions of this Regulation; whereas the aforementioned Regulation should, therefore, be replaced as from the date of entry into force of the Agreement on Agriculture of the Uruguay Round;

Whereas it results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors as well as for egg albumin that additional duties should be imposed on the import of certain products, taking into account variation of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published for those products;

Whereas additional duties may not be imposed in particular on products imported within tariff quotas agreed upon in the framework of the Uruguay Round of multilateral trade negotiations;

Whereas the Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by the chairman,

HAS ADOPTED THIS REGULATION:

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**Textual Amendments**

- F1** Substituted by [Commission Regulation \(EC\) No 493/1999 of 5 March 1999 amending Regulation \(EC\) No 1484/95 laying down detailed rules for implementing the system of additional import duties and fixing additional import duties in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC.](#)

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- (1) OJ No L 282, 1.11.1975, p. 49.
- (2) OJ No L 349, 31.12.1994, p. 105.
- (3) OJ No L 282, 1.11.1975, p. 77.
- (4) OJ No L 282, 1.11.1975, p. 104.
- (5) OJ No L 302, 19.10.1992, p. 1.
- (6) OJ No 129, 28.6.1967, p. 2577/67.
- (7) OJ No L 387, 31.12.1992, p. 24.

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