

Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas

## TITLE 2

### SPECIFIC RULES ON IMPORTS AT REDUCED DUTY

#### CHAPTER III

##### **Imports under an import licence covered by an inward-monitoring arrangement (IMA 1) certificate**

###### Section 1

###### *[<sup>F1</sup>Article 24*

1 This section shall apply to imports under the quotas for specified countries of origin listed in the CXL schedule referred to in Annex III.B.

2 Annex III.B to this Regulation sets out the duties to be applied and the maximum quantities to be imported by import tariff quota period.

<sup>F23</sup> No application for a licence or certificate shall be accepted unless a security of 10 euros per 100 kilograms net of product has been lodged with the competent body not later than 1 p.m. on the day the application is lodged.

4 Licences shall be valid from the actual day of issue within the meaning of Article 22(2) of Regulation (EC) No 376/2008 until the end of the third month following that day.]

#### **Textual Amendments**

- F1** Substituted by Commission Regulation (EC) No 2020/2006 of 22 December 2006 amending Regulation (EC) No 2535/2001 as regards the management of the WTO tariff quota for New Zealand butter.
- F2** Inserted by Commission Regulation (EC) No 514/2008 of 9 June 2008 amending Regulation (EC) No 376/2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as well as Regulations (EC) No 1439/95, (EC) No 245/2001, (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 951/2006, (EC) No 1918/2006, (EC) No 341/2007 (EC) No 1002/2007, (EC) No 1580/2007 and (EC) No 382/2008 and repealing Regulation (EEC) No 1119/79.

#### *Article 25*

1 Import licences for the products listed in Annex III.B at the rate of duty indicated shall be issued only on presentation of a corresponding IMA 1 certificate, for the total net quantity indicated therein.

IMA 1 certificates must meet the requirements laid down in Articles 29 to 33. Import licences must show the number and date of issue of the corresponding IMA 1 certificate.

*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001, Section 1. (See end of Document for details)*

2 Import licences may be issued only after the competent authority has verified that Article 33(1)(e) has been complied with.

The licence issuing bodies shall transmit to the Commission a copy of the IMA 1 certificate lodged with each import licence application no later than 18.00 (Brussels time) on the day it is lodged.

Licence issuing bodies shall issue import licences on the fourth working day following, provided the Commission has not taken any special measures before that date.

[<sup>F3</sup>[<sup>X1</sup>The competent import licence issuing body shall retain the original of each IMA 1 presented.]]]

#### Editorial Information

- X1** Substituted by [Corrigendum to Commission Regulation \(EC\) No 1984/2006 of 20 December 2006 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas \(Official Journal of the European Union L 387 of 29 December 2006\).](#)

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 2020/2006 of 22 December 2006 amending Regulation \(EC\) No 2535/2001 as regards the management of the WTO tariff quota for New Zealand butter.](#)
- F3** Substituted by [Commission Regulation \(EC\) No 1984/2006 of 20 December 2006 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas.](#)

### Article 26

1 IMA 1 certificates shall be valid from the date of issue up to the end of the eighth month following, but in no case may they remain valid for longer than the corresponding import licence or beyond 31 December of the import year for which they are issued.

2 From 1 November each year, IMA 1 certificates valid from the following 1 January may be issued for quantities covered by the quota for that import year. However, import licence applications may be lodged only from the first working day of the import year.

[<sup>F4</sup> . . . . .]

3 Annex VIII to this Regulation sets out the circumstances in which IMA 1 certificates may be cancelled, amended, replaced or corrected.

#### Textual Amendments

- F4** Deleted by [Commission Regulation \(EC\) No 2020/2006 of 22 December 2006 amending Regulation \(EC\) No 2535/2001 as regards the management of the WTO tariff quota for New Zealand butter.](#)

### Article 27

As an exception to Article 8(4) of Regulation (EC) No 1291/2000, the quantity imported may not exceed that shown in boxes 17 and 18 of the import licence. To that end, the figure '0' shall be entered in box 19 of licences.

*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001, Section 1. (See end of Document for details)*

### Article 28

- 1 Licence applications and licences shall show:
  - a in boxes 7 and 8, the country of provenance and the country of origin;
  - b in box 15, the product description as given in Annex III;
  - c in box 16, the CN code as given in Annex III, preceded by 'ex' where appropriate;
  - [<sup>F5</sup>d in box 20, where applicable, the quota number, the number of the IMA 1 certificate and its date of issue, in one of the entries listed in Annex XVII.]
- 2 Licences shall carry an obligation to import from the country of origin indicated in box 8.
- x<sub>2</sub>3 .....

#### Editorial Information

**X2** Deleted by [Corrigendum to Commission Regulation \(EC\) No 1984/2006 of 20 December 2006 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas \(Official Journal of the European Union L 387 of 29 December 2006\)](#).

#### Textual Amendments

**F5** Substituted by [Commission Regulation \(EC\) No 1919/2006 of 11 December 2006 adapting several Regulations concerning the common organisation of the milk and milk products market by reason of the accession of Bulgaria and Romania to the European Union](#).

### Article 29

- 1 IMA 1 certificates shall be drawn up on forms according to the specimen in Annex IX, except in the case of New Zealand butter, and in accordance with the requirements laid down in this Chapter.
- [<sup>F6</sup>2 Box 3 of IMA 1 certificates, relating to the buyer, and box 6, relating to the country of destination, shall not be completed.]

#### Textual Amendments

**F6** Substituted by [Commission Implementing Regulation \(EU\) 2017/1588 of 19 September 2017 amending Regulation \(EC\) No 2535/2001 as regards the concessions on dairy products originating in Canada](#).

### Article 30

- 1 The dimensions of the form referred to in Article 29 shall be 210 × 297 mm. The paper used shall weigh at least 40 g/m<sup>2</sup> and shall be white in colour.
- 2 The forms shall be printed and completed in one of the official languages of the Community. They may also be printed and completed in the official language or one of the official languages of the exporting country.
- 3 The form shall be completed either in typescript or in manuscript. Block letters shall be used if the form is completed in manuscript.
- 4 Each IMA 1 certificate shall bear a serial number assigned by the issuing body.

*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001, Section 1. (See end of Document for details)*

### Article 31

1 A separate IMA 1 certificate must be drawn up for each type of product referred to in Annex III and for each form of presentation thereof.

2 IMA 1 certificates must contain the particulars set out in Annex XI for each type of product and each form of presentation, except for New Zealand butter.

### Article 32

[<sup>F3</sup>[<sup>X1</sup>1 A copy of the IMA 1 certificate, duly authenticated, shall be presented, along with the corresponding import licence and the products to which they relate, to the customs authorities of the importing Member State at the time the declaration of release for free circulation is lodged. Without prejudice to Article 26(1), it shall be presented while it is still valid, except in cases of *force majeure*.]]

2 IMA 1 certificates shall be valid only if duly completed and authenticated by an issuing body listed in Annex XII.

3 IMA 1 certificates shall be regarded as duly authenticated where they show the date and place of issue, are stamped by the issuing body and bear the signature or signatures of the person or persons authorised to sign them.

#### Editorial Information

**X1** Substituted by [Corrigendum to Commission Regulation \(EC\) No 1984/2006 of 20 December 2006 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas \(Official Journal of the European Union L 387 of 29 December 2006\)](#).

#### Textual Amendments

**F3** Substituted by [Commission Regulation \(EC\) No 1984/2006 of 20 December 2006 amending Regulation \(EC\) No 2535/2001 laying down detailed rules for applying Council Regulation \(EC\) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas](#).

### Article 33

- 1 Issuing bodies may be listed in Annex XII only if:
- a they are recognised as such by the exporting country;
  - b they undertake to verify entries on the certificates;
  - c they undertake to supply the Commission and the Member States, upon request, with any information that may be required to assess the particulars set out in the certificates;
  - d they undertake, for the products listed in Annex III(A), to issue the IMA 1 certificate for the total quantity covered before the product it covers leaves the territory of the issuing country;
  - e they undertake to send to the Commission a faxed copy of each authenticated IMA 1 certificate for the total quantity covered on the date of issue or within seven days of that date at the latest and, where appropriate, notification of any cancellation, correction or amendment;
  - f in the case of products falling under CN code 0406, they undertake to notify the Commission by 15 January, for each quota separately, of:
    - (i) the number of IMA 1 certificates issued for the previous quota year with the identification number of each and the quantity covered by it together with the

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total number of certificates issued and the total quantity covered by them for the quota year concerned, and

- (ii) the cancellation, correction or amendment of those IMA 1 certificates or the issue of copies of IMA 1 certificates, as provided for in Annex VIII(1) to (5), and in Article 32(1), and all relevant details thereof.

2 Annex XII shall be revised when the requirement referred to in paragraph 1(a) is no longer met or when an issuing body fails to fulfil one of the obligations it has undertaken.

**Status:**

Point in time view as at 31/01/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EC) No 2535/2001, Section 1.