

Commission Regulation (EC) No 1741/2006 of 24 November 2006 laying down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export

COMMISSION REGULATION (EC) No 1741/2006

of 24 November 2006

laying down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal⁽¹⁾, and in particular Article 33(12) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals⁽²⁾ lays down the conditions under which a special refund may be granted on boned cuts of meat of adult male bovine animals exported to third countries.
- (2) For the smooth operation of the arrangements instituted by Regulation (EEC) No 1964/82, the legislator provided in particular for the possibility for operators to make use, in the case of boned meat of adult male bovine animals, of the customs warehousing or free zone procedure provided for in Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽³⁾.
- (3) The rules and general conditions for applying the advance payment of the refund on products placed under the customs warehousing or free zone procedure are laid down in Chapter 3 of Title II of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁴⁾.
- (4) The specific conditions for applying the advance payment on boned meat of adult male bovine animals placed under the customs warehousing or free zone procedure are laid down in Commission Regulation (EC) No 456/2003 of 12 March 2003 laying down special rules on the pre-financing of export refunds for certain beef and veal products placed under a customswarehousing or freezone procedure⁽⁵⁾. They were adopted to amplify and clarify the provisions of Regulations (EEC) No 565/80 and (EC) No 800/1999, particularly in terms of controls, for boned meat of adult male bovine animals.
- (5) The measures introduced by Regulation (EEC) No 565/80 and the corresponding implementing measures laid down in Chapter 3 of Title II of Regulation (EC) No 800/1999 were repealed by Commission Regulation (EC) No 1713/2006. As a result of

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1741/2006. 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)

the repeal of these measures, the specific measures laid down in Regulation (EC) No 456/2003 were rendered obsolete and were also repealed.

- (6) Advance payment of the refund on boned meat of adult male bovine animals under the customs warehousing procedure has been and is still used for exports to third countries. The interest in this system shown by operators is due in particular to the flexibility which it offers for the preparation of orders, especially the possibility for operators to store the meat for a maximum period of four months prior to export and freeze it during that period of intermediate storage.
- (7) In the absence of new provisions, operators will lose the flexibility provided by the previous procedure and will encounter additional difficulties on external markets in exporting boned meat of adult male bovine animals. The consequences of the repeal of those measures should be restricted as far as possible. To achieve that, operators should be able to continue to place boned meat of adult male bovine animals under the customs warehousing procedure prior to export, and the conditions for granting the special refund on such meat when exported after storage should be laid down.
- (8) Within that framework, it is essential to specify the conditions for meat entering that regime and, in order to ensure the traceability of the meat of adult male bovine animals during storage, provision should be made for operators to set up and update a computerised database approved by the customs authority beforehand.
- (9) To improve the transparency of operations and increase the speed and effectiveness of controls, the number of declarations of entry into storage that may be submitted per boning operation and the number of boned meat certificates involved in entry into the supervised storage arrangements should be restricted.
- (10) For the smooth operation of the regime, provision should be made for derogations from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁶⁾, in particular as regards the moment when the licences are to be presented and attributed and management of the associated security.
- (11) A maximum storage period should also be laid down and the operations that may be carried out during that period specified.
- (12) The criteria for controls during the storage period should also be laid down, and their frequency and the consequences to be drawn in the event of discrepancies between the data recorded in the database and actual stocks specified.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1741/2006. 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)

- (1) [OJ L 160, 26.6.1999, p. 21](#). Regulation as last amended by Regulation (EC) No 1913/2005 ([OJ L 307, 25.11.2005, p. 2](#)).
- (2) [OJ L 212, 21.7.1982, p. 48](#). Regulation as last amended by Regulation (EC) No 1713/2006 ([OJ L 321, 21.11.2006, p. 11](#)).
- (3) [OJ L 62, 7.3.1980, p. 5](#). Regulation as repealed by Regulation (EC) No 1713/2006.
- (4) [OJ L 102, 17.4.1999, p. 11](#). Regulation as last amended by Regulation (EC) No 1713/2006.
- (5) [OJ L 69, 13.3.2003, p. 18](#). Regulation as repealed by Regulation (EC) No 1713/2006.
- (6) [OJ L 152, 24.6.2000, p. 1](#). Regulation as last amended by Regulation (EC) No 1713/2006.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EC) No 1741/2006. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.