

Commission Regulation (EC) No 438/2009 of 26 May 2009 opening and providing for the administration of Community tariff quotas for bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds

Article 3

[^{F1} In accordance with Article 82 of Council Regulation (EEC) No 2913/92⁽¹⁾, imported animals shall be subject to customs supervision to ensure that they are not slaughtered within four months of their release for free circulation.]

2 Importers shall lodge a security with the competent customs authorities to ensure that the non-slaughter requirement referred to in paragraph 1 is complied with and that unpaid duties are collected where that requirement is not met. The amount of that security shall be the difference between the Common Customs Tariff duty and the duty given in the Annex applicable on the date of release for free circulation of the animals concerned.

3 The security provided for in paragraph 2 shall be released immediately where proof is presented to the customs authorities concerned that the animals:

- a have not been slaughtered within the four months following the date of their release for free circulation; or
- b they have been slaughtered within that period for reasons of force majeure or for health reasons or have died of disease or as a result of an accident.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 291/2010 of 31 March 2010 correcting Regulations \(EC\) No 437/2009, \(EC\) No 438/2009 and \(EC\) No 1064/2009 as regards the end-use procedure laid down for imports of certain agricultural products under tariff quotas.](#)

Changes to legislation: Commission Regulation (EC) No 438/2009, Article 3 is up to date with all changes known to be in force on or before 05 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(1) [^{F1}OJ L 302, 19.10.1992, p. 1.]

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Changes and effects yet to be applied to :

- Regulation partial repeal by [EUR 2020/1987](#) Regulation (This amendment by the EU not applied to legislation.gov.uk because it is brought into force after IP completion day.)
- Regulation repeal by [EUR 2020/1987](#) Regulation