

Commission Regulation (EU) No 90/2011 of 3 February
2011 laying down detailed rules for implementing the system
of export licences in the poultrymeat sector (codification)

Article 3

1 Applications for export licences may be lodged with the competent authorities from Monday to Friday of each week.

2 Applicants for export licences shall be natural or legal persons who, at the time applications are submitted, are able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the poultrymeat sector for at least 12 months. However, retail establishments or restaurants selling their products to end consumers may not lodge applications.

3 Export licences are issued on the Wednesday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4 Where the issue of export licences would or might result in the available budgetary amounts being exceeded or in the maximum quantities which may be exported with a refund being exhausted during the period concerned, in view of the limits referred to in Article 169 of Regulation (EC) No 1234/2007 or where the issue of export licences would not allow exports to continue during the remainder of the period, the Commission may:

- a set a single acceptance percentage for the quantities applied for;
- b reject applications for which licences have not yet been granted;
- c suspend the lodging of licence applications for a maximum period of 5 working days, extendable by the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007.

Licence applications made during the suspension period shall be invalid.

The measures provided for in the first subparagraph may be implemented or modulated by category of product and by destination.

5 The measures provided for in paragraph 4 may be adopted where export licence applications relate to quantities which exceed or might exceed the normal disposable quantities for one destination and issuing the licences requested would entail a risk of speculation, distortion of competition between operators, or disturbance of the trade concerned or of the internal market.

6 Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

7 Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 % is set, the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Union*. During the 10 working days following its publication, the operator may:

- either withdraw his application, in which case the security is released immediately,
- or request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the normal issue date for the relevant week.

8 By way of derogation from paragraph 3, the Commission can set a day other than Wednesday for the issuing of export licences when it is not possible to respect this day.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) No 90/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [Regulation revoked by 2023 c. 28 Sch. 1 Pt. 2](#)