

Commission Implementing Regulation (EU) No 481/2012 of 7 June 2012
laying down rules for the management of a tariff quota for high-quality beef

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)⁽¹⁾, and in particular Article 144(1) and Article 148, in conjunction with Article 4 thereof,

Whereas:

- (1) Council Regulation (EC) No 617/2009⁽²⁾ opened on a multiannual basis an autonomous import tariff quota for the import of 20 000 tonnes of high-quality beef. That Regulation has been amended by Regulation (EU) No 464/2012 of the European Parliament and of the Council⁽³⁾ which increases the import tariff quota to 21 500 tonnes from the first day of the month following its publication, and to 48 200 tonnes as from 1 August 2012. Tariff quotas for agricultural products are to be managed in conformity with Article 144(2) of Regulation (EC) No 1234/2007. Article 2 of Regulation (EC) No 617/2009 as amended by Regulation (EU) No 464/2012 provides that the tariff quota is to be managed by the Commission by means of implementing acts, to be adopted in accordance with the examination procedure provided for in Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers⁽⁴⁾.
- (2) Commission Regulation (EC) No 620/2009 of 13 July 2009 providing for the administration of an import tariff quota for high-quality beef⁽⁵⁾ lays down rules for the administration of the tariff quota concerned by applying the simultaneous examination method of import licence applications, as referred to in Article 144(2)(b) of Regulation (EC) No 1234/2007. Recent experience with the administration of the Union tariff quota for high-quality beef has shown a need to improve the management of this tariff quota. Experience in the use of the first-come, first-served management system referred to in Article 144(2)(a) of Regulation (EC) No 1234/2007 has been positive in other agricultural sectors. Therefore, in the interest of administrative simplification and in order to avoid any speculative behaviour, the tariff quota concerning the import of high-quality beef originating in third countries should be managed in accordance with Articles 308a and 308b and Article 308c(1) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽⁶⁾, which

lays down rules for the management of tariff quotas designed to be used following the chronological order of dates of acceptance of customs declarations. Where imports are managed in accordance with those rules, no import licences should be required any more.

- (3) In order to ensure a regular flow of imports, it is appropriate to sub-divide the annual tariff quota into quarterly sub-periods. Appropriate order numbers should be fixed in line with Article 308a(6) of Regulation (EEC) No 2454/93.
- (4) Regulation (EC) No 617/2009 establishes that the quota year runs from 1 July to 30 June. In order to ensure a swift transfer from the current simultaneous examination method to the first-come, first-served management system the new management method should apply as from 1 July 2012.
- (5) The quantity available for the first quarterly sub-period (1 July to 30 September 2012) should be calculated on a pro-rata basis taking into account the volume of the annual tariff quota applicable until 31 July 2012 and the new increased volume of the annual tariff quota applicable as of 1 August 2012.
- (6) The release into free circulation of the goods imported under the tariff quota opened by Regulation (EC) No 617/2009 should be subject to the presentation of a certificate of authenticity issued by the competent authority of the exporting third country. The issue of such certificates of authenticity should guarantee that the imported goods qualify as high quality beef as defined in this Regulation.
- (7) For reasons of clarity, Regulation (EC) No 620/2009 should be repealed and replaced by a new implementing regulation.
- (8) Since the new management system is to apply as from 1 July 2012, licences applied for in June 2012 under Regulation (EC) No 620/2009 should not be issued.
- (9) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

- (1) OJ L 299, 16.11.2007, p. 1.
- (2) OJ L 182, 15.7.2009, p. 1.
- (3) OJ L 149, 8.6.2012, p 1.
- (4) OJ L 55, 28.2.2011, p. 13.
- (5) OJ L 182, 15.7.2009, p. 25.
- (6) OJ L 253, 11.10.1993, p. 1.