Commission Implementing Regulation (EU) 2018/339 of 7 March 2018 amending and derogating from Regulation (EC) No 2535/2001 as regards the import licences for dairy products originating in Iceland

COMMISSION IMPLEMENTING REGULATION (EU) 2018/339

of 7 March 2018

amending and derogating from Regulation (EC) No 2535/2001 as regards the import licences for dairy products originating in Iceland

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[(1)], and in particular Article 187 thereof,

Whereas:

(1) Annex V to the Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area, approved by Council Decision (EU) 2017/1913[(2)] provides for an increase in the annual duty free tariff quotas and for the introduction of a new quota for cheeses.

(2) The new quota quantities will apply from 1 May 2018. Consequently, by way of derogation from Article 6 of Commission Regulation (EC) No 2535/2001[(3)], a new period from 1 May to 31 December 2018 should be established replacing the period from 1 July to 31 December 2018 and for the quantities to be set for that new period in Point I.I of Annex I to that Regulation as amended by this Regulation.

(3) The application period precedes the end of the approval procedure for applicants to be authorised to import under the quotas as from 1 July 2018. In order for applicants, not yet listed on an approval list, to participate in the quota allocation for the period 1 May to 31 December 2018, derogation from Article 10 of Regulation (EC) No 2535/2001 should be provided for.

(4) The period for lodging import licence applications for the first half year of 2018, as provided for in Article 14(1)(a) of Regulation (EC) No 2535/2001, has expired. By way of derogation from Article 14(1)(b) of that Regulation provision should therefore be made for a new license application period from 1 to 10 April 2018.

(5) Regulation (EC) No 2535/2001 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Changes to legislation: Commission Implementing Regulation (EU) 2018/339 is up to date with all changes known to be in force on or before 02 February 2022. 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

Article 1

Amendment of Regulation (EC) No 2535/2001

Regulation (EC) No 2535/2001 is amended as follows:

(a) In Article 5, point (i) is replaced by the following:

(i) the quotas provided for in Annex V to the Agreement between the European Union and Iceland concerning additional trade preferences in agricultural products, approved by Council Decision (EU) 2017/1913[4] ('the Agreement with Iceland')

(b) Point I.I of Annex I to Regulation (EC) No 2535/2001 is replaced by the text in the Annex to this Regulation.

Article 2

Derogation from Regulation (EC) No 2535/2001

1 By way of derogation from the second paragraph Article 6 of Regulation (EC) No 2535/2001, for the quantities set out in Point I.I of Annex I to that Regulation, the six-month period from 1 July to 31 December 2018 shall be replaced by the period from 1 May to 31 December 2018.

2 By way of derogation from the second subparagraph of Article 10(1) of Regulation (EC) No 2535/2001, in addition to importers included on a list, applicants who submitted a valid request for approval before 1 April 2018 in accordance with Article 8 of that Regulation shall also be authorised to apply for licenses for the quotas and for the period referred to in paragraph 1 of this Article.

3 By way of derogation from Article 14(1)(b) of Regulation (EC) No 2535/2001, for the period from 1 May to 31 December 2018 applications for import licences shall be submitted from 1 to 10 April 2018 for quantities set out in Point I.I of Annex I to that Regulation as amended by this Regulation.

4 The applications referred to in paragraph 3 shall relate to not less than 5 tonnes and not more than the available quantity. No applications shall be submitted for the period from 1 July to 31 December 2018.

5 Import licences issued for applications submitted in accordance with paragraph 3 shall be valid until 31 December 2018.

Article 3

Entry into force and application

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

It shall apply from 1 April 2018.

***Changes to legislation:** Commission Implementing Regulation (EU) 2018/339 is up to date with all changes known to be in force on or before 02 February 2022. 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*

Done at Brussels, 7 March 2018.

For the Commission

The President

Jean-Claude JUNCKER