Commission Implementing Regulation (EU) 2017/1468 of 11 August 2017 amending Regulation (EU) No 354/2011 opening and providing for the management of tariff quotas of the Union for certain fish and fishery products originating in Bosnia and Herzegovina

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1468

of 11 August 2017

amending Regulation (EU) No 354/2011 opening and providing for the management of tariff quotas of the Union for certain fish and fishery products originating in Bosnia and Herzegovina

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code[(1)], and in particular Article 58(1) thereof,

Whereas:

(1) By Decision (EU) 2017/75[(2)] ('the Decision'), the Council authorised the signing, on behalf of the Union and its Member States, of the Protocol ('the Protocol') to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part ('the Agreement'), to take account of the accession of the Republic of Croatia to the European Union. Pursuant to this Decision the Protocol was applied on a provisional basis, from 1 February 2017[(3)].

(2) In Article 3, the Protocol stipulates that Union concessions for certain fish and fishery products originating in Bosnia-Herzegovina are to be granted according to Annex II to the Protocol. Therefore, the tariff quota volumes for trout, carp and anchovies should be increased by 440, 10 and 20 tonnes accordingly.

(3) The Union tariff quotas should be applied in full for the year 2017, as stipulated in Annex II to the Protocol.

(4) The tariff quotas set out in Annex II to the Protocol should be managed by the Commission on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with Commission Implementing Regulation (EU) 2015/2447[(4)].

(5) Commission Regulation (EU) No 354/2011[(5)] should therefore be amended accordingly.

(6) In order to ensure the quota system under the Protocol is applied and managed smoothly, this Regulation should apply from the same date as that of the provisional application of the Protocol.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 354/2011 is amended as follows:

(1) Article 2 is replaced by following:

Article 2

The tariff quotas set out in the Annex shall be managed in accordance with Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447[(6)].;

(2) the Annex is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 February 2017.

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

Done at Brussels, 11 August 2017.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1468. (See end of Document for details)*

ANNEX

ANNEX Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products shall be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of CN codes. Where ex CN codes are indicated, the preferential scheme shall be determined by application of the CN code and the corresponding description taken together.
FISH AND FISHERY PRODUCTS

Order No	CN Code	TARIC subdivisions	Description	Annual Tariff Quota volume(in tonnes net weight)	Rate of quota duty
09.1594	0301 91		Trout (*Salmo trutta*, *Oncorhynchus mykiss*, *Oncorhynchus clarki*, *Oncorhynchus aguabonita*, *Oncorhynchus gilae*, *Oncorhynchus apache* and *Oncorhynchus chrysogaster*): live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	500	Free
	0302 11				
	0303 14				
	0304 42				
	0304 52 00	10			
	0304 82				
	0304 99 21	11, 12, 20			
	0305 10 00	10			
	0305 39 90	10			
	0305 43 00				
	0305 59 85	61			
	0305 69 80	61			
09.1595	0301 93 00		Carp (*Cyprinus* spp., *Carassius* spp., *Ctenopharyngodon idellus*, *Hypophthalmichthys* spp.,	140	Free
	0302 73 00				
	0303 25 00				
	0304 39 00	20			
	0304 51 00	10			
	0304 69 00	20			