Commission Implementing Regulation (EU) 2017/1466 of 11 August 2017 on opening and providing for the administration of Union tariff quotas for wines originating in KosovoThis designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1466

of 11 August 2017

on opening and providing for the administration of Union tariff quotas for wines originating in Kosovo[(1)]

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[(2)], and in particular Article 187 thereof,

Whereas:

(1) The Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo[(1)], of the other part[(3)] ('the SAA') was signed on 27 October 2015 and entered into force on 1 April 2016.

(2) Protocol II to the SAA lays down the arrangements applicable to the wines and spirit drinks mentioned therein and provides in Annex I thereto for an Agreement on reciprocal preferential trade concessions for certain wines originating in Kosovo. That agreement applies from 1 April 2016.

(3) Council Regulation (EC) No 1215/2009[(4)] provides for an annual import tariff quota for certain products originating in the customs territory of Kosovo. Following the entry into force of the SAA, these autonomous trade measures are adjusted by Commission Delegated Regulation (EU) 2017/1464[(5)]. In particular, specific wine tariff rate quotas for Kosovo are no longer applicable under the autonomous regime provided for by Regulation (EC) No 1215/2009 since these concessions have been included in the SAA regime.

(4) In accordance with Annex I to Protocol II to the SAA, imports into the Union of wines originating in Kosovo are to be subject to quotas benefitting from total exemption from import duties. These quotas consist of 40 000 hl for wine of fresh grapes falling within CN codes ex 2204 21 and ex 2204 29 and 10 000 hl for quality sparkling wines and wine of fresh grapes falling within CN codes ex 2204 10 and ex 2204 21. This Protocol applies as from 1 April 2016, therefore the volumes of the new tariff quotas are calculated for 2016 as a pro rata of the basic annual volumes specified in the Protocol.

(5) In order to implement the Union tariff quotas provided for in Annex I to Protocol II to the SAA, it is necessary to open tariff quotas for 2016 and for the following years based on the quantities granted in the SAA, specifying the conditions for their acceptance. The tariff quota volume shall be reduced by the quantity imported in 2016 and 2017, under the tariff quota 09.1560, to take account of imports into the Union of Kosovar wines under the autonomous trade measures established by Regulation (EC) No 1215/2009.

(6) Commission Implementing Regulation (EU) 2015/2447[(6)] has established the management rules for tariff quotas designed to be used following the chronological order of dates of acceptance of customs declarations.

(7) Since Protocol II to the SAA applies from 1 April 2016, this Regulation should apply from the same date.

(8) 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:

Article 1

The quantities of wine which may be imported from Kosovo into the Union under total exemption from import duties for 2016 and as from 2017 are laid down in the Annex.

Article 2

The zero-rate duty shall be applied subject to the following conditions:

(a) the imported wines shall be accompanied by a proof of origin as provided for in Protocol II to the SAA;

(b) the imported wines do not benefit from export subsidies.

Article 3

The tariff quota referred to in Article 1 of this Regulation shall be administered by the Commission in accordance with Articles 49 to 54 of Implementing Regulation (EU) 2015/2447.

Article 4

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 April 2016.

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) 2017/1466. (See end of Document for details)*

ANNEX

Tariff quotas for wines originating in Kosovo imported into the Union for 2016

Order No	CN code[a]	TARIC extension	Description	Annual quota volume (in hl)[b]	Tariff quota duty
09.1572	2204 10 93		Quality sparkling wine; wine of fresh grapes, in containers holding 2 litres or less	**7 500**	Exemption
	2204 10 94				
	2204 10 96				
	2204 10 98				
	2204 21 06				
	2204 21 07				
	2204 21 08				
	2204 21 09				
	ex 2204 21 93	19, 29, 31, 41 and 51			
	ex 2204 21 94	19, 29, 31, 41 and 51			
	2204 21 95				
	ex 2204 21 96	11, 21, 31, 41 and 51			
	2204 21 97				
	ex 2204 21 98	11, 21, 31, 41 and 51			
09.1570	2204 21 06		Wine of fresh grapes	**30 000**[c]	Exemption
	2204 21 07				
	2204 21 08				
	2204 21 09				
	ex 2204 21 93	19, 29, 31, 41 and 51			
	ex 2204 21 94	19, 29, 31, 41 and 51			
	2204 21 95				
	ex 2204 21 96	11, 21, 31, 41 and 51			
	2204 21 97				
	ex 2204 21 98	11, 21, 31, 41 and 51			