Commission Implementing Regulation (EU) 2016/2097 of 30 November 2016 amending Implementing Regulation (EU) No 543/2011 as regards the trigger levels for additional duties on certain fruit and vegetables

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2097

of 30 November 2016

amending Implementing Regulation (EU) No 543/2011 as regards the trigger levels for additional duties on certain fruit and vegetables

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 183(b) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No 543/2011[(2)] provides for the surveillance of imports of the products listed in Annex XVIII thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93[(3)].

(2) For the purposes of Article 5(4) of the Agreement on Agriculture[(4)] concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 2013, 2014 and 2015, the trigger levels for additional duties on certain fruit and vegetables should be amended with effect from 1 November 2016.

(3) Implementing Regulation (EU) No 543/2011 should therefore be amended accordingly. For reasons of readability, Annex XVIII to that Regulation should be replaced in its entirety.

(4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVIII to Implementing Regulation (EU) No 543/2011 is replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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.

Done at Brussels, 30 November 2016.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/2097. (See end of Document for details)*

ANNEX

ANNEX XVIII

ADDITIONAL IMPORT DUTIES: TITLE IV, CHAPTER I, SECTION 2

Without prejudice to the rules governing the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they stand at the time of the adoption of this Regulation.

Order number	CN code	Description	Period of application	Trigger level (tonnes)
78.0015	0702 00 00	Tomatoes	From 1 October 2016 to 31 May 2017	459 296
78.0020			From 1 June 2016 to 30 September 2016	33 923
78.0065	0707 00 05	Cucumbers	From 1 May 2016 to 31 October 2016	20 972
78.0075			From 1 November 2016 to 30 April 2017	15 253
78.0085	0709 91 00	Artichokes	From 1 November 2016 to 30 June 2017	7 597
78.0100	0709 93 10	Courgettes	From 1 January 2017 to 31 December 2017	143 275
78.0110	0805 10 20	Oranges	From 1 December 2016 to 31 May 2017	269 562
78.0120	0805 20 10	Clementines	From 1 November 2016 to end of February 2017	72 334
78.0130	0805 20 30 0805 20 50 0805 20 70 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November 2016 to end of February 2017	86 651