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Commission Implementing Regulation (EU) 2015/2405 of 18 December 2015 opening and providing for the management of EU tariff quotas for agricultural products originating in Ukraine

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2405

of 18 December 2015

opening and providing for the management of EU tariff quotas for agricultural products originating in Ukraine

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 point (a) of Article 187 thereof,

Whereas:

(1) Council Decision 2014/668/EU[(2)] authorised the signature, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy and their Member States, of the one part, and Ukraine, of the other part[(3)] ('the Agreement') as regards certain provisions of that Agreement. Article 29(1) of the Agreement stipulates that customs duties on imports of goods originating in Ukraine must be reduced or eliminated in accordance with Annex I-A to Chapter I of Title IV of that Agreement. The Appendix to that Annex lists the import tariff quotas for certain goods originating in Ukraine, including agricultural products falling within the scope of Regulation (EU) No 1308/2013.

(2) Pending the provisional application of the Agreement, in accordance with Regulation (EU) No 374/2014 of the European Parliament and of the Council[(4)], import tariff quotas for certain goods originating in Ukraine were opened for 2014 and 2015 and managed by the Commission on a first-come, first-served basis in accordance with Commission Regulation (EEC) No 2454/93[(5)].

(3) The Agreement will be provisionally applied as of 1 January 2016. It is therefore necessary to open annual import tariff quotas for the agricultural products listed in Annex I-A to Chapter 1 of Title IV of the Agreement as of 1 January 2016.

(4) As provided for in the Agreement, in order to benefit from the tariff concessions provided for in this Regulation, the products listed in the Annex should be accompanied by proof of origin.

(5) The combined nomenclature (CN) set out in Annex I to Council Regulation (EEC) No 2658/87[(6)], as amended by Commission Implementing Regulation (EU) No 1101/2014[(7)], contains new CN codes which differ from those referred to in the Agreement. The Annex to this Regulation should therefore reflect the new CN codes.

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(6) The Agreement is to be applied provisionally in part as of 1 January 2016. In order to ensure the effective application and management of the tariff quotas granted under the Agreement, this Regulation should apply from 1 January 2016.

(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

EU tariff quotas shall be opened for the products listed in the Annex originating in Ukraine.

Article 2

Customs duties applicable to imports into the Union of products listed in the Annex and originating in Ukraine shall be suspended within the respective tariff quotas set out in the Annex.

Article 3

The products listed in the Annex shall be accompanied by proof of origin as set out in Annex III to Protocol I to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part.

Article 4

The tariff quotas set out in the Annex shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Commission Regulation (EEC) No 2454/93.

Article 5

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

It shall apply from 1 January 2016.

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

Done at Brussels, 18 December 2015.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than an indicative value, the scope of the preferential scheme being determined, within the context of this Annex, by CN codes as they exist at the time of adoption of this Regulation.

Order No	**CN code**	**Description of goods**	**Quota period**	**Annual quota volume(in tonnes net weight unless otherwise specified)**
09.6700	0204 22 50 0204 22 90	Sheep legs, other cuts with bone (excluding carcasses and half carcasses, short forequarters and chines and/or best ends), fresh or chilled	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12.	1 500[a]
	0204 23	Boneless meat of sheep, fresh or chilled		
	0204 42 30 0204 42 50 0204 42 90	Frozen cuts of sheep, with bone in (excluding carcasses and half-carcasses, and short forequarters)		
	0204 43 10 0204 43 90	Frozen meat of lamb, boneless frozen meat of sheep, boneless		

a	With an increase of 150 tonnes each year from 1 January 2017 to 1 January 2021.
b	With an increase of 200 tonnes each year from 1 January 2017 to 1 January 2021.
c	With an increase of 2 000 tonnes each year from 1 January 2017 to 1 January 2021.
d	With an increase of 300 tonnes each year from 1.1.2017 to 1.1.2021.
e	With an increase of 200 tonnes each year from 1.1.2017 to 1.1.2021.
f	With an increase of 1 000 tonnes each year from 1.1.2017 to 1.1.2021.
g	With an increase of 2 000 tonnes each year from 1.1.2017 to 1.1.2021.
h	With an increase of 200 tonnes each year from 1.1.2017 to 1.1.2021.
i	With an increase of 40 tonnes each year from 1.1.2017 to 1.1.2021.
j	With an increase of 14 600 tonnes each year from 1.1.2017 to 1.1.2021.

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09.6701	0409	Natural honey	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12.	5 000[b]
09.6702	0703 20	Garlic, fresh or chilled	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12	500
09.6703	1004	Oats	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12	4 000
09.6704	1701 12	Raw beet sugar not containing added flavouring or colouring matter	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12	20 070
	1701 91			
	1701 99	Other sugar than raw sugar		
	1702 20 10	Maple sugar in solid form, containing added flavouring or colouring matter		
	1702 90 30	Isoglucose in solid form, containing in the dry state 50 % by weight of fructose		

a With an increase of 150 tonnes each year from 1 January 2017 to 1 January 2021.

b With an increase of 200 tonnes each year from 1 January 2017 to 1 January 2021.

c With an increase of 2 000 tonnes each year from 1 January 2017 to 1 January 2021.

d With an increase of 300 tonnes each year from 1.1.2017 to 1.1.2021.

e With an increase of 200 tonnes each year from 1.1.2017 to 1.1.2021.

f With an increase of 1 000 tonnes each year from 1.1.2017 to 1.1.2021.

g With an increase of 2 000 tonnes each year from 1.1.2017 to 1.1.2021.

h With an increase of 200 tonnes each year from 1.1.2017 to 1.1.2021.

i With an increase of 40 tonnes each year from 1.1.2017 to 1.1.2021.

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	1702 90 50	Maltodextrine in solid form and maltodextrine syrup, containing in the dry state 50 % by weight of fructose		
	1702 90 71 1702 90 75 1702 90 79	Caramel		
	1702 90 80	Inulin syrup		
	1702 90 95	Other sugars, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose		
09.6705	1702 30 1702 40	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 50 % by weight of fructose, excluding invert sugar	From 1.1. to 31.12.2016 and for each period thereafter from 1.1. to 31.12	10 000[c]
	1702 60	Other fructose and fructose syrup, containing in the dry state more than 50 % by weight		

a	With an increase of 150 tonnes each year from 1 January 2017 to 1 January 2021.
b	With an increase of 200 tonnes each year from 1 January 2017 to 1 January 2021.
c	With an increase of 2 000 tonnes each year from 1 January 2017 to 1 January 2021.
d	With an increase of 300 tonnes each year from 1.1.2017 to 1.1.2021.
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