Commission Implementing Regulation (EU) 2015/2081 of 18 November 2015 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2081

of 18 November 2015

opening and providing for the administration of import tariff quotas for certain cereals 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 Article 187(a) and (c) thereof,

Whereas:

(1) By Council Decision No 2014/668/EU[(2)], the Council authorised the signature, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and its Member States, on the one hand, and Ukraine, on the other. Title IV of the Agreement provides, in particular, for the reduction or removal of customs duties on goods from Ukraine in accordance with Annex I-A to the Agreement. Annex I-A to the Agreement provides, in particular, for the opening of tariff quotas for imports of certain cereals into the EU. Title IV of and Annex I-A to the Agreement shall apply provisionally from 1 January 2016.

(2) Consequently, tariff quotas for imports of cereals should be opened as from 2016. In addition, the Commission should administer some of these tariff quotas according to the method referred to in Article 184(2)(b) of Regulation (EU) No 1308/2013.

(3) To ensure that imports of cereals originating in Ukraine within these tariff quotas are orderly and not speculative, they should be made subject to the issue of import licences. Therefore Commission Regulations (EC) No 1301/2006[(3)], (EC) No 1342/2003[(4)] and (EC) No 376/2008[(5)] should apply, without prejudice to any derogations provided for by this Regulation.

(4) To ensure the proper management of these quotas, deadlines for the submission of import licence applications should be laid down and the information to be included in applications and licences should be specified.

(5) In the interests of efficient administration, when notifying the Commission, Member States should use the information systems provided for in Commission Regulation (EC) No 792/2009[(6)].

(6) Commission Implementing Regulation (EU) No 1006/2011[7] replaced the CN codes of the cereals referred to in Annex I to Council Regulation (EEC) No 2658/87[8] with new codes that differ from the codes referred to in the Association Agreement. The Annex to this Regulation should therefore refer to the new CN codes.

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

HAS ADOPTED THIS REGULATION:

Article 1

Opening and providing for the administration of the tariff quotas

1 Import tariff quotas for certain products originating in Ukraine and listed in the Annex to this Regulation shall be open annually from 1 January to 31 December starting in 2016.

2 The rate of import duty within the tariff quotas referred to in paragraph 1 is set at EUR 0 per tonne.

3 The tariff quotas referred to in paragraph 1 shall be managed according to the method referred to in Article 184(2)(b) of Regulation (EU) No 1308/2013.

4 Regulations (EC) No 376/2008, (EC) No 1301/2006 and (EC) No 1342/2003 shall apply, save as otherwise provided for in this Regulation.

Article 2

Rules for issuing import licences

1 Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, applicants may not submit more than one licence application per serial number and per week. Where applicants submit more than one application, none of those applications shall be admissible and the securities lodged when the applications were submitted shall be forfeited to the Member State concerned.

Import licence applications shall be submitted to the competent authorities of the Member States each week no later than Friday at 13.00 (Brussels time).

Each import licence application shall refer to a single order number. The application may concern several products. The description of the products and their CN code shall be referred to in Sections 15 and 16 respectively of the licence application and of the licence.

2 Each import licence application and each import licence shall indicate a quantity in kilograms (whole numbers) for each CN code. The total of the quantities indicated may not exceed the total quantity of the quota in question.

3 Import licences shall be issued on the fourth working day following the deadline provided for in Article 4(1) for the notification of the import licence applications.

4 Section 8 of the import licence application and of the import licence shall contain the name ‘Ukraine’ and the ‘Yes’ box shall be marked with a cross. The licences are valid solely for products originating in Ukraine.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/2081. (See end of Document for details)*

Article 3

Validity of import licences

Import licences shall be valid from the period running from the actual day of issue, in accordance with Article 22(2) of Regulation (EC) No 376/2008, until the end of the second month following the month of that day.

Article 4

Notifications

1 No later than 18.00 (Brussels time) on the Monday following the week in which the import licence application was submitted, Member States shall send to the Commission a notification showing, by order number, each application with a reference to the origin of the product and the quantity applied for by CN code, including 'nil' notifications. The notification shall be made in accordance with Regulation (EC) No 792/2009.

2 Member States shall communicate to the Commission, by electronic means, on the day of issue of the import licences, the information on the licences issued as referred to in Article 11(1)(b) of Regulation (EC) No 1301/2006, with the total quantities by CN code for which import licences have been issued.

Article 5

Entry into force

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.

Done at Brussels, 18 November 2015.

For the Commission

The President

Jean-Claude JUNCKER