Commission Implementing Regulation (EU) No 1233/2014 of 18 November 2014 amending Regulation (EC) No 2597/2001 opening and providing for the management of Community tariff quotas for certain wines originating in the Republic of Croatia and in the former Yugoslav Republic of Macedonia

COMMISSION IMPLEMENTING REGULATION (EU) No 1233/2014

of 18 November 2014

amending Regulation (EC) No 2597/2001 opening and providing for the management of Community tariff quotas for certain wines originating in the Republic of Croatia and in the former Yugoslav Republic of Macedonia

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 Articles 184 and 187 thereof,

Having regard to Council Regulation (EC) No 153/2002 of 21 January 2002 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and for applying the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia[(2)], and in particular Article 7 thereof,

Whereas:

(1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ('the SAA') was signed in Luxembourg on 9 April 2001 and entered into force on 1 April 2004.

(2) The Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union[(3)] ('the Protocol') was signed on 18 July 2014. Its signature on behalf of the European Union and its Member States has been authorised by Council Decision 2014/665/EU[(4)]. Pending the completion of the procedures for the approval of the Protocol by the Council on behalf of the European Atomic Energy Community, it applies provisionally with effect from 1 July 2013.

(3) Article 5 of the Protocol and Annex VII thereto provide for changes to the existing tariff quota for wines in containers holding more than 2 litres originating in the former Yugoslav Republic of Macedonia with effect from 1 July 2013.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1233/2014. (See end of Document for details)*

(4) In accordance with Article 10 of the Protocol, for the year 2013 the volumes of the new tariff quotas and the increases of the volumes of existing tariff quotas are to be calculated as a *pro rata* of the basic annual volumes specified in the Protocol, taking into account the part of the period elapsed before 1 July 2013.

(5) The distribution of the increase of the volume of the tariff quota by 40 500 hl as from 1 July 2013 for wines in containers holding more than 2 litres should be done by ensuring equal treatment of the operators having imported wines originating in the former Yugoslav Republic of Macedonia under the relevant tariff lines in 2013.

(6) To implement the tariff quotas for wine laid down in the Protocol, it is necessary to adapt Commission Regulation (EC) No 2597/2001[(5)].

(7) In addition, after the accession of Croatia to the European Union, the references to the tariff quotas for wines originating in that Member State, as provided for in Regulation (EC) No 2597/2001, should be deleted.

(8) Regulation (EC) No 2597/2001 should therefore be amended accordingly.

(9) Since the Protocol applies from 1 July 2013, this Regulation should apply from the same date and enter into force on the day of its publication.

(10) 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

Regulation (EC) No 2597/2001 is amended as follows:

(1) the title is replaced by the following:
Commission Regulation (EC) No 2597/2001 of 28 December 2001 opening and providing for the management of Union tariff quotas for wines originating in the former Yugoslav Republic of Macedonia;

(2) Article 1 is replaced by the following:

Article 1

1 When wines listed in the Annex, originating in the former Yugoslav Republic of Macedonia, are put into free circulation in the Union, they shall benefit from an exemption of customs duty, within the limits of the annual Union tariff quotas specified in that Annex, in accordance with this Regulation.

2 If the former Yugoslav Republic of Macedonia pays export subsidies in respect of the relevant products, the exemption from customs duty within the tariff quotas provided for in the additional protocol concluded by Decision 2001/916/EC (“additional protocol on wine”) shall be suspended.;

(3) Article 3 is replaced by the following:

Article 3

Notwithstanding the conditions laid down in point (5)(a) of Annex I to the additional protocol on wine, imports of wine within the Union tariff quotas referred to in Article 1(1) of this Regulation shall be subject to the provisions of the applicable protocol on

the definition of the concept of originating products and methods of administrative cooperation to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part.;

(4) Article 5 is deleted;

(5) 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 day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2013.

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

Done at Brussels, 18 November 2014.

For the Commission

The President

Jean-Claude JUNCKER