Commission Implementing Regulation (EU) No 416/2014 of 23 April 2014 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine

COMMISSION IMPLEMENTING REGULATION (EU) No 416/2014

of 23 April 2014

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) Regulation (EU) No 374/2014 of the European Parliament and of the Council[(2)] provides, inter alia, for the opening of import tariff quotas for certain cereals originating in Ukraine until 31 October 2014. The tariff quotas for the agricultural products referred to in Annex III to that Regulation are administered by the Commission pursuant to the rules laid down in accordance with Article 184(2)(b) of Regulation (EU) No 1308/2013.

(2) 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 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.

(3) 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.

(4) Commission Implementing Regulation (EU) No 1006/2011[(6)] replaced the CN codes of the cereals referred to in Annex I to Council Regulation (EEC) No 2658/87[(7)] by new codes that differ from the codes referred to in Regulation (EU) No 374/2014. Annex I to this Regulation should therefore refer to the new CN codes.

(5) As the quotas referred to in Annex III to Regulation (EU) No 374/2014 are open only until 31 October 2014, this Regulation should enter into force as soon as possible.

(6) 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:

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 416/2014. (See end of Document for details)*

Article 1

Opening and providing for the administration of the tariff quotas

1 The import tariff quotas for certain products originating in Ukraine and listed in the Annex to this Regulation are open until **[**F1 31 December 2015**]**.

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

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

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 1169/2014 of 31 October 2014 amending Implementing Regulation (EU) No 416/2014 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine.

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 import 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.

[F1 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). Such applications may not be submitted after:

a 13:00 (Brussels time) on Friday 12 December 2014, for the year 2014;

b 13:00 (Brussels time) on Friday 11 December 2015, for the year 2015.**]**

2 Each import licence application shall indicate a quantity in kilograms (whole numbers) which may not exceed the total quantity of the quota in question.

3 Import licences shall be issued on the fourth working day following the notification referred to in Article 4(1).

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

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 1169/2014 of 31 October 2014 amending Implementing Regulation (EU) No 416/2014 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine.

[F1 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. In any event, the period of validity expires at the latest on 31 December 2014 for the year 2014 and on 31 December 2015 for the year 2015.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 1169/2014 of 31 October 2014 amending Implementing Regulation (EU) No 416/2014 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine.

Article 4

Communications

1 No later than 18.00 (Brussels time) on the Monday following the week in which the import licence application was submitted, the Member States shall send to the Commission, by electronic means, a notification showing, by serial number, each application with the origin of the product and the quantity applied for, including 'nil' notifications.

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 for which import licences have been issued.

Article 5

Entry into force

This Regulation shall enter into force on the 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.