Commission Implementing Regulation (EU) No 593/2013 of 21 June 2013 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat (recast)

COMMISSION IMPLEMENTING REGULATION (EU) No 593/2013

of 21 June 2013

opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat

(recast)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations[(1)], and in particular Article 1(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 810/2008 of 11 August 2008 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat[(2)] has been substantially amended several times[(3)]. Since further amendments are to be made, that Regulation should be recast in the interests of clarity.

(2) The Union has undertaken, pursuant to the Agreement on agriculture concluded under the Uruguay Round of multilateral trade negotiations[(4)], to open tariff quotas for high-quality beef and frozen buffalo meat. Those quotas should be opened on a multiannual basis and detailed rules should be adopted for their application for 12-month periods starting on 1 July.

(3) The exporting third countries have undertaken to issue certificates of authenticity guaranteeing the origin of the products. The form and layout of the certificates and the procedures for using them should be specified. Certificates of authenticity should be issued by authorities in third countries affording all the necessary guarantees to ensure that the arrangements concerned are properly applied.

(4) The quota in question should be managed using import licences. To this end, rules should be laid down on submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EC) No 376/2008 of 23 April 2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products[(5)], and of Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector[(6)].

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 593/2013. (See end of Document for details)*

(5) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences[7] lays down detailed provisions on applications for import licences, the status of applicants and the issue of licences. That Regulation limits the period of validity of licences to the last day of the import tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued for the quota in question, without prejudice to additional conditions laid down in this Regulation.

(6) In order to ensure proper management of the imports of meat, provision should be made, where relevant, for import licences to be issued subject to verification, in particular of entries on certificates of authenticity.

(7) Experience has shown that importers do not always inform the competent authorities which issued the import licences of the quantity and origin of the beef imported under the quota in question. This information is important for the assessment of the market situation. A security should therefore be introduced to ensure that importers comply with this requirement.

(8) Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments′ regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands[8] lays down common rules for notifying information and documents by the competent authorities of the Member States to the Commission. Those rules cover in particular the obligation for the Member States to use the information systems made available by the Commission and the validation of the access rights of the authorities or individuals authorised to send notifications. In addition, that Regulation sets common principles applying to the information systems so that they guarantee the authenticity, integrity and legibility over time of the documents and provides for personal data protection.

(9) Pursuant to Regulation (EC) No 792/2009, the obligation to use the information systems in accordance with that Regulation has to be provided for in the Regulations establishing a specific notification obligation.

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

HAS ADOPTED THIS REGULATION:

Article 1

1 The following tariff quotas are opened every year for the period from 1 July one year to 30 June the year after, hereinafter called ‘import tariff quota period’:

[F1a 66 826 tonnes for high quality fresh, chilled or frozen meat of bovine animals covered by CN codes 0201 and 0202 and for products covered by CN codes 0206 10 95 and 0206 29 91;**]**

b 2 250 tonnes for frozen boneless buffalo meat covered by CN code 0202 30 90, expressed in weight of boneless meat, originating in Australia. This quota carries order number 09.4001;

c 200 tonnes for 'boneless buffalo meat, fresh, chilled or frozen' covered by CN code 0201 30 00 and CN code 0202 30 90, expressed in weight of boneless meat, originating in Argentina. This quota carries order number 09.4004.

2 For the purposes of this Regulation, 'frozen meat' means meat with an internal temperature of – 12 °C or lower when it enters the customs territory of the Union.

[[F2]3 The ad valorem customs duty under the quotas referred to in paragraph 1 shall be 20 %. However, for products originating in Canada the duty shall be 0.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2016/2287 of 16 December 2016 amending Regulation (EC) No 431/2008 opening and providing for the administration of an import tariff quota for frozen beef and Implementing Regulation (EU) No 593/2013 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat.

F2 Substituted by Commission Implementing Regulation (EU) 2017/1585 of 19 September 2017 opening and providing for the administration of Union tariff quotas for fresh and frozen beef and veal and pigmeat originating in Canada and amending Regulation (EC) No 442/2009 and Implementing Regulations (EU) No 481/2012 and (EU) No 593/2013.

Article 2

The tariff quota for fresh, chilled and frozen beef provided for in point (a) of Article 1(1) shall be allocated as follows:

(a) 29 500 tonnes of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 and meeting the following definition:

> Selected beef cuts obtained from steers, young steers or heifers having been exclusively fed through pasture grazing since their weaning. The steer carcasses shall be classified as "JJ", "J", 'U' or "U2", young steer and heifer carcasses shall be classified as "AA", "A", or "B" according to the official beef classification established by the Secretariat of Agriculture, Livestock, Fisheries and Food in Argentina (Secretaría de Agricultura, Ganadería, PESCA y Alimentos — SAGPyA).

However, for the import periods 2012/2013, 2013/2014 and 2014/2015 the total amount is 30 000 tonnes.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council[9].

The indication 'High Quality Beef' may be added to the information on the label.

This quota carries order number 09.4450.

(b) 7 150 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30 00, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

> Selected cuts obtained from steer or heifer carcasses which have been classified under one of the following official categories "Y", "YS", "YG", "YGS", "YP" and

"YPS" as defined by AUS-MEAT Australia. Beef colour must conform to AUS-MEAT meat colour reference standards 1 B to 4, fat colour to AUS-MEAT fat colour reference standards 0 to 4 and fat depth (measured at the P8 site) to AUS-MEAT fat classes 2 to 5.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication 'High Quality Beef' may be added to the information on the label.

This quota carries order number 09.4451.

(c) **[**[F1]6 376 tonnes**]** of boneless beef covered by CN codes 0201 30 00 and 0206 10 95 and meeting the following definition:

Selected beef cuts obtained from steers (novillo) or heifers (vaquillona) as defined in the official carcass classification of bovine meat established by the National Institute of Meat of Uruguay (Instituto Nacional de Carnes — INAC). The eligible animals for production of High Quality Beef have been exclusively fed through pasture grazing since their weaning. The carcasses shall be classified as "I", "N" or "A", with fat cover "1", "2" or "3" in accordance with the above mentioned classification.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication 'High Quality Beef ' may be added to the information on the label.

This quota carries order number 09.4452.

(d) 10 000 tonnes of boneless beef covered by CN codes 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and meeting the following definition:

Selected cuts obtained from steers or heifers having been exclusively fed with pasture grass since their weaning. The carcasses shall be classified as "B" with fat cover "2" or "3" according to the official beef carcass classification established by the Ministry of Agriculture, Livestock and Supply in Brazil (Ministério da Agricultura, Pecuária e Abastecimento).

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication 'High Quality Beef' may be added to the information on the label.

This quota carries order number 09.4453.

(e) 1 300 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30 00, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

Selected beef cuts derived from exclusively pasture grazed steers or heifers, the carcases of which have a dressed weight of not more than 370 kilograms. The carcases shall be classified as "A", "L", "P", "T" or "F", be trimmed to a fat depth of "P" or lower and have a muscling classification of 1 or 2 according to the carcase classification system administered by the New Zealand Meat Board.

This quota carries order number 09.4454.

(f) 11 500 tonnes product weight for meat falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91, and meeting the following definition:

> Carcasses or any cuts obtained from bovine animals not over 30 months of age which have been fed for 100 days or more on nutritionally balanced, high-energy-content rations containing not less than 70 % grain and comprising at least 20 pounds total feed per day. Beef graded “choice” or “prime” according to USDA (United States Department of Agriculture) standards automatically meets the above definition. Meat graded “Canada A”, “Canada AA”, “Canada AAA”, “Canada Choice” and “Canada Prime”, “A1”, “A2”, “A3” and “A4”, according to the Canadian Food Inspection Agency — Government of Canada, corresponds to this definition.

This quota carries order number 09.4002.

(g) 1 000 tonnes of boneless meat falling within CN codes 0201 30 00 and 0202 30 90 and meeting the following definition:

> fillet (lomito), striploin and/or Cube roll (lomo), rump (rabadilla), topside (carnaza negra) obtained from selected crossbred animals with less than 50 % of breeds of the zebú type and having been exclusively fed with pasture grass or hay. The slaughtered animals must be steers or heifers falling under category “V” of the VACUNO carcasse-grading system producing carcasses not exceeding 260 kg.

The cuts shall be labelled in accordance with Article 13 of Regulation (EC) No 1760/2000.

The indication ‘High Quality Beef’ may be added to the information on the label.

This quota carries order number 09.4455.

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2016/2287 of 16 December 2016 amending Regulation (EC) No 431/2008 opening and providing for the administration of an import tariff quota for frozen beef and Implementing Regulation (EU) No 593/2013 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat.

Article 3

1 Imports of the quantities set out in Article 2(f) shall be subject to presentation, on release for free circulation, of:

a an import licence issued in accordance with Articles 4 and 5, and

b a certificate of authenticity issued in accordance with Article 6.

2 For imports of the quantity set out in Article 2(f), the import tariff quota period shall be divided into 12 subperiods of one month each. The quantity available each subperiod shall correspond to one twelfth of the total quantity.

Article 4

In order to obtain import licences as referred to in Article 3 the following conditions shall be complied with: