Commission Regulation (EC) No 1154/2009 of 27 November 2009 amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas for certain agricultural and processed agricultural products originating in Israel

COMMISSION REGULATION (EC) No 1154/2009

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amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas for certain agricultural and processed agricultural products originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95[(1)] and in particular Article 5(1)(b) thereof,

Whereas:

(1) In 2008 an Agreement was concluded in the form of an Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural products, processed agricultural products and fish and fishery products, the replacement of Protocols 1 and 2 and their annexes and amendments to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, hereinafter referred to as 'the Agreement', which was approved by Council Decision 2009/855/EC[(2)].

(2) The Agreement provides for new tariff quotas for agricultural and processed agricultural products originating in Israel and changes to the existing tariff quotas laid down for such products in Regulation (EC) No 747/2001. In addition, it no longer provides for any tariff concessions granted within reference quantities.

(3) To implement the provisions on the new tariff quotas, the changes to the existing tariff quotas and the ending of reference quantities, Regulation (EC) No 747/2001 should be amended accordingly.

(4) For the purpose of calculating the tariff quotas for the first year of application, provision should be made, in accordance with the Agreement, for the volumes of the tariff quotas for which the quota period starts before the date of entry into force of the Agreement to be reduced by the proportion of that period which has elapsed before that date.

(5) Since the Agreement enters into force on 1 January 2010, this Regulation should apply from that date.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1154/2009. (See end of Document for details)*

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EC) No 747/2001 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2010.

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

Done at Brussels, 27 November 2009.

For the Commission

László KOVÁCS

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1154/2009. (See end of Document for details)*

ANNEX

‘ANNEX VII

ISRAEL

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

TARIFF QUOTAS

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight, unless otherwise indicated)	Quota duty
09.1361	0105 12 00		Live turkeys, weighing not more than 185 g	From 1.1 to 31.12	129 920 items	Exemption
09.1302	0404 10		Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	From 1.1 to 31.12	1 300	Exemption

a The exemption applies only to the ad valorem duty.

b Within this tariff quota, the specific duty provided in the Community’s list of concessions to the WTO is reduced to zero for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

c For grape must under CN codes 2204 30 92, 2204 30 94, 2204 30 96 and 2204 30 98, the exemption applies only to the ad valorem duty.’

09.1306	0603 11 00 0603 12 00 0603 13 00 0603 14 00 0603 19 10 0603 19 90		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	From 1.1 to 31.12	22 196	Exemption
09.1341	0603 19 90		Other fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	From 1.11 to 15.4	7 840	Exemption
09.1300	0701 90 50		New potatoes, fresh or chilled	From 1.1 to 30.6	33 936	Exemption
09.1304	ex 0702 00 00	07	Cherry tomatoes, fresh or chilled	From 1.1 to 31.12	28 000	Exemption[a]
09.1342	ex 0702 00 00	99	Tomatoes, fresh or chilled, other than cherry tomatoes	From 1.1 to 31.12	5 000	Exemption[a]
09.1368	0707 00 05		Cucumbers, fresh or chilled	From 1.1 to 31.12	1 000	Exemption[a]
09.1303	0709 60 10		Sweet peppers, fresh or chilled	From 1.1 to 31.12	17 248	Exemption

a The exemption applies only to the ad valorem duty.

b Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

c For grape must under CN codes 2204 30 92, 2204 30 94, 2204 30 96 and 2204 30 98, the exemption applies only to the ad valorem duty.'

09.1353	0710 40 00 2004 90 10		Sweetcorn, frozen	From 1.1 to 31.12	10 600	70 % of the specific duty
09.1354	0711 90 30 2001 90 30 2005 80 00		Sweetcorn, not frozen	From 1.1 to 31.12	5 400	70 % of the specific duty
09.1369	0712 90 30		Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared	From 1.1 to 31.12	1 200	Exemption
09.1323	0805 10 20		Oranges, fresh	From 1.1 to 31.12	224 000	Exemption[ab]
	ex 0805 10 80	10				
09.1370	ex 0805 20 10	05	Clementines, mandarins and wilkings, fresh	From 1.1 to 31.12	40 000	Exemption[a]
	ex 0805 20 50	07, 37				
09.1371	ex 0805 20 10	05	Clementines, mandarins and wilkings, fresh	From 15.3 to 30.9	15 680	Exemption[a]
	ex 0805 20 50	07, 37				
09.1397	0807 19 00		Melons fresh, other than watermelons	From 1.1 to 31.5.2010	15 000	Exemption
				For each period thereafter from 1.8 to 31.5	30 000	
09.1398	0810 10 00		Strawberries, fresh	From 1.1 to 30.4.2010	3 333	Exemption
				For each period	5 000	

a The exemption applies only to the ad valorem duty.

b Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

c For grape must under CN codes 2204 30 92, 2204 30 94, 2204 30 96 and 2204 30 98, the exemption applies only to the ad valorem duty.'