Commission Regulation (EC) No 1126/2009 of 23 November 2009 opening and providing for the management of Community tariff quotas for certain agricultural products originating in Switzerland, and repealing Commission Regulation (EC) No 933/2002

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision 2002/309/EC, Euratom of the Council and of the Commission as regards the Agreement on Scientific and Technological Cooperation of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation[(1)], and in particular Article 5(3) first indent and Article 5(4) thereof,

Whereas:

(1) By Decision No 2/2008 of the Joint Committee on Agriculture set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 24 June 2008 concerning the adaptation of Annexes 1 and 2[(2)], Annexes 1 and 2 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereinafter 'the Agreement') have been replaced.

(2) Annex 2 to the Agreement, as amended, sets out the tariff concessions granted by the Community for imports of agricultural products originating in Switzerland. Certain of those tariff concessions apply within tariff quotas managed in accordance with Articles 308a, 308b and 308c of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92 establishing the Community Customs Code[(3)].

(3) For reasons of clarity, it is appropriate to lay down the provisions implementing those tariff quotas for agricultural products in one single legislative act which replaces Commission Regulation (EC) No 933/2002[(4)]. In accordance with the Agreement the tariff quotas should be opened for the period from 1 January to 31 December.

(4) Since Decision No 2/2008 of the Joint Committee on Agriculture enters into force on 1 January 2010, this Regulation should apply from the same date.

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

HAS ADOPTED THIS REGULATION:

Article 1

The tariff quotas for the products originating in Switzerland listed in the Annex shall be opened annually, and at the rates of customs duty indicated in that Annex.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

Regulation (EC) No 933/2002 is repealed.

Article 4

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, 23 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 1126/2009. (See end of Document for details)*

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is only indicative. The preferential scheme in this Annex relates to 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.

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume(in tonnes net weight)	Quota duty
09.0919	ex 0210 19 50	10	Hams of domestic swine, in brine, boneless, enclosed in a bladder or in an artificial gut	1.1 to 31.12	1 900	free
	ex 0210 19 81	10	Meat of domestic swine, boneless, from chop, smoked			
	ex 1601 00 10	10	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products, of animals of headings 0101 to 0104, excluding wild boars			
	ex 1601 00 91	10				
	ex 1601 00 99	10				
	ex 0210 19 81	20	Pork neck, dried in air, seasoned or not, whole,			

a The reduction of duty within this tariff quota is limited to the *ad valorem* element. Entry prices and their specific duties remain applicable.

	ex 1602 49 19	10	in pieces or thinly sliced			
09.0921	0701 10 00		Seed potatoes, fresh or chilled	1.1 to 31.12	4 000	free
09.0922	0702 00 00		Tomatoes, fresh or chilled	1.1 to 31.12	1 000	free[a]
09.0923	0703 10 19 0703 90		Onions other than sets; leeks and other alliaceous vegetables, fresh or chilled	1.1 to 31.12	5 000	free
09.0924	0704 10 00 0704 90		Cabbages, cauliflowers, kohlrabi, kale and other similar edible brassicas with the exception of Brussels spouts, fresh or chilled	1.1 to 31.12	5 500	free
09.0925	0705		Lettuce (*Lactuca sativa*) and chicory (*Cichorium* spp.), fresh or chilled	1.1 to 31.12	3 000	free
09.0926	0706 10 00		Carrots and turnips, fresh or chilled	1.1 to 31.12	5 000	free
09.0927	0706 90 10 0706 90 90		Salad beetroot,	1.1 to 31.12	3 000	free

a The reduction of duty within this tariff quota is limited to the *ad valorem* element. Entry prices and their specific duties remain applicable.

			salsify, celeriac, radishes and similar edible roots, with the exception of horse-radish (*Cochlearia armoracia*), fresh or chilled			
09.0928	0707 00 05		Cucumbers, fresh or chilled	1.1 to 31.12	1 000	free[a]
09.0929	0708 20 00		Beans (*Vigna* spp., *Phaseolus* spp.), fresh or chilled	1.1 to 31.12	1 000	free
09.0930	0709 30 00		Aubergines (eggplants), fresh or chilled	1.1 to 31.12	500	free
09.0931	0709 40 00		Celery other than celeriac, fresh or chilled	1.1 to 31.12	500	free
09.0932	0709 70 00		Spinach, New Zealand spinach and orache spinach (garden spinach), fresh or chilled	1.1 to 31.12	1 000	free
09.0933	0709 90 10		Salad vegetables, other than lettuce (*Lactuca sativa*) and chicory	1.1 to 31.12	1 000	free

a The reduction of duty within this tariff quota is limited to the *ad valorem* element. Entry prices and their specific duties remain applicable.