Changes to legislation: *Commission Regulation (EC) No 407/2008 is up to date with all changes known to be in force on or before 27 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commission Regulation (EC) No 407/2008 of 7 May 2008 amending Council Regulation (EC) No 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process

COMMISSION REGULATION (EC) No 407/2008

of 7 May 2008

amending Council Regulation (EC) No 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2007/2000 of 18 September 2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process, amending Regulation (EC) No 2820/98 and repealing Regulations (EC) No 1763/1999 and (EC) No 6/2000[(1)], and in particular Article 9 thereof,

Whereas:

(1) Regulation (EC) No 2007/2000 provides for unlimited duty-free access to the Community market for nearly all products originating in the countries and territories benefiting from the Stabilisation and Association process.

(2) A Stabilisation and Association Agreement between the European Communities and their Member States of the one part, and Montenegro, of the other part was signed in Luxemburg on 15 October 2007. Pending the completion of the procedures necessary for its entry into force, an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Montenegro, of the other part was signed and concluded and entered into force on 1 January 2008[(2)].

(3) The Stabilisation and Association Agreement and the Interim Agreement establish a contractual trade regime between the Community and Montenegro. The bilateral trade concessions on the Community side are equivalent to the concessions applicable within the unilateral autonomous trade measures under Regulation (EC) No 2007/2000.

(4) It is therefore appropriate to amend Regulation (EC) No 2007/2000 to take into account these developments. In particular it is appropriate to remove Montenegro from the list of beneficiaries of the tariff concessions granted for the same products under the contractual regime. In addition, it is necessary to adjust the global tariff quota volumes for specific products for which tariff quotas have been granted under the contractual regimes.

(5) By Commission Regulation (EC) No 1398/2007[(3)], Montenegro and Kosovo[(4)] have been removed from the scope of application of the Council Regulation (EC) No 517/94

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of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules[(5)]; Article 3 of Regulation (EC) No 2007/2000 has therefore become obsolete and should be deleted.

(6) Montenegro will remain beneficiary of Regulation (EC) No 2007/2000 insofar as that Regulation provides for concessions which are more favourable than the concessions existing under the contractual regime.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee, referred to in Article 10 of Regulation (EC) No 2007/2000,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2007/2000 is amended as follows:

1. Article 1 is replaced by the following:

Article 1

Preferential arrangements

1 Subject to the special provisions laid down in Article 4, products originating in Bosnia and Herzegovina or in the customs territories of Serbia or Kosovo, other than those of headings 0102, 0201, 0202, 0301, 0302, 0303, 0304, 0305, 1604, 1701, 1702 and 2204 of the Combined Nomenclature, shall be admitted for import into the Community without quantitative restrictions or measures having equivalent effect and with exemption from customs duties and charges having equivalent effect.

2 Products originating in Albania, in the Republic of Croatia, in the former Yugoslav Republic of Macedonia or in Montenegro shall continue to benefit from the provisions of this Regulation when so indicated or from any measures provided in this Regulation which are more favourable than the trade concessions provided for in the framework of bilateral agreements between the European Community and these countries.

3 Imports of sugar products under headings 1701 and 1702 of the Combined Nomenclature originating in Bosnia and Herzegovina or in the customs territories of Serbia or Kosovo, shall benefit from concessions provided for in Article 4.

2. Article 3 is repealed.

3. In Article 4(2), point (d) is replaced by the following:

(d) 9 175 tonnes (carcass weight) for “baby-beef” products originating in the customs territories of Serbia or Kosovo.

4. In Article 4, paragraph 4 is replaced by the following:

4. Imports of sugar products under headings 1701 and 1702 of the Combined Nomenclature originating in Bosnia and Herzegovina and the customs territories of Serbia or Kosovo, shall be subject to the following annual duty-free tariff quotas:

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a 12 000 tonnes (net weight) for sugar products originating in Bosnia and Herzegovina;

b 180 000 tonnes (net weight) for sugar products originating and the customs territories of Serbia or Kosovo.

5. Annex I is replaced by the text in the Annex to this Regulation.

Article 2

Goods which, on the date of entry into force of this Regulation, are either in transit or are in the Community in temporary storage in customs warehouses or in free zones and for which before that date a proof of origin of Montenegro has been properly issued in accordance with Title IV, Chapter 2, Section 2 of Commission Regulation (EEC) No 2454/93[(6)], shall continue to benefit from Regulation (EC) No 2007/2000 for a period of four months from the entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the third 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.

Done at Brussels, 7 May 2008.

For the Commission

Peter MANDELSON

Member of the Commission