Commission Regulation (EC) No 1916/2006 of 18 December 2006 opening and providing for the management of Community tariff quotas for certain fish and fishery products originating in Albania

COMMISSION REGULATION (EC) No 1916/2006

of 18 December 2006

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1616/2006 of 23 October 2006 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, and for applying the Interim Agreement between the European Community and the Republic of Albania[(1)], and in particular Article 2 thereof,

Whereas:

(1) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part[(2)], hereinafter referred to as 'the Stabilisation and Association Agreement', was signed in Luxembourg on 12 June 2006. The Stabilisation and Association Agreement is in the process of ratification.

(2) On 12 June 2006 the Council concluded an Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part[(3)], hereinafter referred to as 'the Interim Agreement'. The objective of the Interim Agreement is to implement as speedily as possible the trade and trade-related provisions of the Stabilisation and Association Agreement. The Interim Agreement will enter into force on 1 December 2006.

(3) In the Stabilisation and Association Agreement and the Interim Agreement it has been provided that certain fish and fishery products originating in Albania may be imported into the Community, within the limits of Community tariff quotas, at a reduced or a zero-rate customs duty.

(4) The Community tariff quotas provided for in the Stabilisation and Association Agreement and in the Interim Agreement are annual and cover an indeterminate period. It is appropriate to provide the opening and the management of those tariff quotas.

(5) It is necessary to provide, in accordance with Article 308a of Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code[(4)], that the management system for tariff quotas laid down in Regulation (EEC) No 2454/93 is to be applied.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1916/2006. (See end of Document for details)*

(6) Member States should ensure that all Community importers have equal and continuous access to the tariff quotas and that the rates laid down for the quotas are applied uninterruptedly to all imports of the products concerned into all Member States until the quotas are exhausted. To ensure the efficiency of the common management of these quotas, Member States should be able to draw from the quota volumes the necessary quantities corresponding to actual imports. Management should take place in close cooperation between the Member States and the Commission. The latter should be able to monitor the rate at which the quotas are used up and to inform the Member States accordingly. For reasons of speed and efficiency, communication between the Member States and the Commission should, as far as possible, be transmitted electronically.

(7) In accordance with the Stabilisation and Association Agreement and the Interim Agreement, the quota volumes for the year 2006 should be fixed on the full amount of the basic quota volumes set out in Annex III to those Agreements.

(8) This Regulation should apply on the date of entry into force of the Interim Agreement and should remain in application after the entry into force of the Stabilisation and Association Agreement.

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

HAS ADOPTED THIS REGULATION:

Article 1

1 Products originating in Albania and listed in the Annex which are released for free circulation in the Community shall benefit from a reduced or a zero-rate customs duty, at the levels and within the limits of the annual Community tariff quotas specified in that Annex.

Those products shall be accompanied by proof of origin as provided for in Protocol No 4 to the Stabilisation and Association Agreement and to the Interim Agreement.

2 Each Member State shall ensure that importers of the products referred to in paragraph 1 have equal and uninterrupted access to the tariff quotas as long as the balance of the relevant quota volume so permits.

Article 2

1 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.

2 Communications relating to the management of tariff quotas between the Member States and the Commission shall be transmitted as far as possible, electronically.

Article 3

1 The individual tariff quota volume for prepared or preserved anchovies referred to in the Annex under order No 09.1505 may be increased every year and for the first time for 2007 until the yearly volume of the quota has reached 1 600 tonnes or the parties agree to apply other arrangements.

2 The annual increase referred to in paragraph 1 may be applied only if at least 80 % of the volume opened within the previous year has been used.

Article 4

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

It shall apply from 1 December 2006.

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

Done at Brussels, 18 December 2006.

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 1916/2006. (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 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 CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

FISH AND FISHERY PRODUCTS

Order No	CN Code	TARIC subdivision	Description	Quota volume	Rate of duty
09.1500	0301 91 10		Trout (*Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Onchorhynchus chrysogaster*): live; fresh or chilled; frozen; dried, salted or in brine, smoked; fillets and other fish meat; flours, meals and pellets, fit for human consumption	From 1 December 2006 to 31 December 2006: 50 tonnes from 1 January to 31 December 2007 and for every year thereafter: 50 tonnes	Free
	0301 91 90				
	0302 11 10				
	0302 11 20				
	0302 11 80				
	0303 21 10				
	0303 21 20				
	0303 21 80				
	0304 10 15				
	0304 10 17				
	ex 0304 10 19	40			
	ex 0304 10 91	10			
	0304 20 15				
	0304 20 17				
	ex 0304 20 19	50			
	ex 0304 90 10	11, 17, 40			
	ex 0305 10 00	10			
	ex 0305 30 90	50			
	0305 49 45				
	ex 0305 59 80	61			
	ex 0305 69 80	61			
09.1501	0301 93 00		Carp: live; fresh or chilled; frozen; dried, salted or	From 1 December 2006 to 31 December	Free
	0302 69 11				
	0303 79 11				

a From the 1st of January 2007 the yearly volume of the quota will be increased by 200 tonnes provided that at least 80 % of the previous year's quota has been used by 31 December of that year. This mechanism will apply until such time as the yearly volume of the quota has reached 1 600 tonnes or the Parties agree to apply other arrangements.