Council Decision (EU) 2019/2245 of 19 December 2019 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the update of Annex XV (Elimination of customs duties) to the Agreement

COUNCIL DECISION (EU) 2019/2245

of 19 December 2019

on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the update of Annex XV (Elimination of customs duties) to the Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part[(1)] ('the Agreement') was concluded, on behalf of the Union, on 23 May 2016 in accordance with Council Decision (EU) 2016/839[(2)] and entered into force on 1 July 2016.

(2) In accordance with Article 438(3) of the Agreement, the Association Committee in Trade configuration, as referred to in Article 438(4) of the Agreement, has the power to adopt decisions in areas in which the Association Council established by Article 434 of the Agreement has delegated powers to it. On 16 December 2014 the Association Council, by means of Decision No 3/2014[(3)], delegated to the Association Committee in Trade configuration the power to update or amend certain trade-related Annexes to the Agreement.

(3) Following consultations the Union and the Republic of Moldova have agreed on a reciprocal basis, in accordance with Article 147 of the Agreement, to increase the volume of some products subject to annual duty-free tariff rate quotas.

(4) The Union has agreed to increase the volume of the tariff rate quotas ('TRQs') for goods originating in the Republic of Moldova for table grapes and plums, and to introduce a new TRQ for cherries. The Republic of Moldova has agreed to gradually increase the volume of the TRQs for goods originating in the Union for the following products

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/2245. (See end of Document for details)*

included in the schedule of concessions (Republic of Moldova) set out in Annex XV-D to the Agreement: pork (TRQ 1), poultry (TRQ 2), dairy (TRQ 3) and sugar (TRQ 5).

(5) The Republic of Moldova has requested the Union to amend Annex XV#C to the Agreement in order to increase the volume of imports of wheat (flour and pellets), barley (flour and pellets), maize (flour and pellets) and cereal processed for triggering the anti# circumvention mechanism referred to in Article 148 of the Agreement.

(6) The Association Committee in Trade configuration is to adopt a decision updating Annex XV to the Agreement. That decision is binding upon the Union.

(7) It is appropriate to establish the position to be taken on the Union's behalf in the Association Committee in Trade configuration as regards the update of Annex XV to the Agreement.

(8) The position of the Union within the Association Committee in Trade configuration should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Association Committee in Trade configuration, as referred to in Article 438(4) of the Agreement, as regards the update of Annex XV to the Agreement shall be based on the draft Decision of the EU-Republic of Moldova Association Committee in Trade configuration concerning the update of Annex XV (Elimination of customs duties) to the Agreement attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 19 December 2019.

For the Council

The President

K. MIKKONEN

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2019/2245. (See end of Document for details)*

ANNEX

‘ANNEX XV#A

PRODUCTS SUBJECT TO ANNUAL DUTY# FREE TARIFF#RATE QUOTAS (UNION)

Order No	CN code 2012	Product description	Volume (tonnes)	Rate of duty
1	0702 00 00	Tomatoes, fresh or chilled	2 000	free
2	0703 20 00	Garlic, fresh or chilled	220	free
3	0806 10 10	Table grapes, fresh	20 000	free
4	0808 10 80	Apples, fresh (excl. cider apples, in bulk, from 16 September to 15 December)	40 000	free
5	0809 29 00	Cherries (excl. sour cherries), fresh	1 500	free
6	0809 40 05	Plums, fresh	15 000	free
7	2009 61 10	Grape juice, incl. grape must, unfermented, Brix value <= 30 at 20 °C, value of > EUR 18 per 100 kg, whether or not containing added sugar or other sweetening matter (excl. containing spirit)	500	free’
	2009 69 19	Grape juice, incl. grape must, unfermented, Brix value > 67 at 20 °C, value of > EUR 22 per 100 kg, whether or not containing added sugar or other sweetening		

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	matter (excl. containing spirit)		
2009 69 51	Concentrated grape juice, incl. grape must, unfermented, Brix value > 30 but <= 67 at 20 °C, value of > EUR 18 per 100 kg, whether or not containing added sugar or other sweetening matter (excl. containing spirit)		
2009 69 59	Grape juice, incl. grape must, unfermented, Brix value > 30 but <= 67 at 20 °C, value of > EUR 18 per 100 kg, whether or not containing added sugar or other sweetening matter (excl. concentrated or containing spirit)		

DRAFT

DECISION No …/… OF THE EU- REPUBLIC OF MOLDOVA ASSOCIATION COMMITTEE IN TRADE CONFIGURATION

of …

concerning the update of Annex XV (Elimination of customs duties) to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, signed in Brussels on 27 June 2014, and in particular Article 147(4) and (5), Article 148(5) and Article 438(3) thereof,

Whereas: