

Council Regulation (EC) No 499/96 of 19 March 1996 opening
and providing for the administration of tariff quotas of the
Union for certain fish and fishery products originating in Iceland

COUNCIL REGULATION (EC) No 499/96

of 19 March 1996

[^{F1}opening and providing for the administration of tariff quotas of the
Union for certain fish and fishery products originating in Iceland]

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas an Agreement was concluded between the European Economic Community and the Republic of Iceland⁽¹⁾;

Whereas, following the accession of Austria, Finland and Sweden, the abovementioned Agreement should be adjusted to take into account, in particular, the existing trade arrangements for fishery products between Austria, Finland and Sweden, of the one part, and Iceland, of the other part;

Whereas to that end an Additional Protocol to the above Agreement, approved by Decision 96/147/EC⁽²⁾ as well as an Agreement in the form of an Exchange of Letters approved by Decision 95/582/EC⁽³⁾ have been concluded between the Community and Iceland; whereas by virtue of those instruments the Community has undertaken to open, subject to certain conditions, from 1 January to 31 December each year Community tariff quotas at zero duty for a number of products originating in Iceland;

Whereas the tariff quotas in question relate to an indefinite period and accordingly, for reasons of efficiency and in order to simplify implementation of the measures concerned, it appears appropriate to provide for the application of this Regulation to be placed on a multiannual footing;

Whereas, for reasons of simplification, provision should be made to empower the Commission to give effect, following receipt of the opinion of the Customs Code Committee, to necessary amendments and technical adaptations of this Regulation arising from amendments to the combined nomenclature and Taric codes, extensions of tariff measures, necessary adaptations following the conclusion of protocols or exchanges of letters, amendments to this Regulation for the implementation of any other instrument in the framework of the abovementioned Agreement as well as adaptations of volume, periods and quota rates arising from decisions by the Council;

Whereas all Community importers should be ensured equal and continuous access to the said quota and the duty rate laid down for the quota should be applied without interruption to all

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

imports of the product in question into all Member States until the quota is exhausted, during the whole period of the validity of the agreements with Iceland;

Whereas the decision for the opening, in execution of its international obligations, of tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reason why the Member States should not be authorized to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are being used up and inform the Member States accordingly,

HAS ADOPTED THIS REGULATION:

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 185/2011 of 25 February 2011 amending Council Regulation \(EC\) No 499/96 as regards tariff quotas of the Union for certain fish and fishery products and live horses originating in Iceland.](#)

[^{F1}Article 1

1 When products originating in Iceland listed in the Annex are put into free circulation in the European Union, they shall be eligible for exemption of customs duties within the limits of the tariff quotas, during the periods and in accordance with the provisions set out in this Regulation.

^{F2}

[^{F3} Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation, as amended by Decision of the EU-Iceland Joint Committee No 1/2016, shall apply⁽⁴⁾.]

4 The benefit of the tariff quotas with order numbers 09.0792 and 09.0812 shall not be granted for goods declared for release for free circulation during the period 15 February to 15 June.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 185/2011 of 25 February 2011 amending Council Regulation \(EC\) No 499/96 as regards tariff quotas of the Union for certain fish and fishery products and live horses originating in Iceland.](#)
- F2** Deleted by [Commission Implementing Regulation \(EU\) 2016/1219 of 26 July 2016 amending Council Regulation \(EC\) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland.](#)
- F3** Substituted by [Commission Implementing Regulation \(EU\) 2016/1219 of 26 July 2016 amending Council Regulation \(EC\) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland.](#)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

^{F4}^{F3} Article 2

The tariff quotas set out in this Regulation shall be managed in accordance with Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447⁽⁵⁾.]]

Textual Amendments

- F3** Substituted by [Commission Implementing Regulation \(EU\) 2016/1219 of 26 July 2016 amending Council Regulation \(EC\) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland.](#)
- F4** Substituted by [Commission Regulation \(EC\) No 1314/2007 of 8 November 2007 amending Council Regulation \(EC\) No 499/96 as regards Community tariff quotas for certain fish and fishery products originating in Iceland.](#)

^{F2} Article 3

Textual Amendments

- F2** Deleted by [Commission Implementing Regulation \(EU\) 2016/1219 of 26 July 2016 amending Council Regulation \(EC\) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland.](#)

Article 4

Each Member State shall guarantee importers of the products in question equal and continuous access to the quotas as long as the balance of the corresponding quota volume allows.

Article 5

- 1 The provisions necessary for the application of this Regulation, in particular:
- the amendments and technical adaptations, in so far as necessary, arising from amendments of the combined nomenclature and Taric codes;
 - the necessary adaptations resulting from the conclusion by the Council of protocols or Exchanges of Letters between the Community and Iceland in the framework of the Agreement referred to in this Regulation;
 - the prorogation of tariff measures conforming to the provisions contained in the Agreement referred to in this Regulation;
 - the necessary adaptations of volumes, periods and quota duty arising from decisions adopted by the Council; and
 - the amendments to this Regulation necessary for the putting into practice of any other act within the framework of the Agreement referred to in this Regulation
- shall be adopted in accordance with the procedure laid down in Article 6 (2).
- 2 The provisions adopted pursuant to paragraph 1 shall not authorize the Commission to:
- carry over a balance of preferential quantities from one quota period to another,
 - modify the timetable laid out in the agreements or protocols,
 - transfer quantities from one quota to another,
 - open and manage quotas resulting from new agreements,

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- adopt legislation effecting the management of quotas which are the subject of certificates of importation.

Article 6

1 The Commission shall be assisted by the Customs Code Committee set up by Article 247 of Regulation (EEC) No 2913/92⁽⁶⁾.

2 The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on a draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures, which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- the Commission shall defer application of the measures which it has decided for three months from the date of such communication,
- the Council, acting by qualified majority, may take a different decision within the period referred to in the first paragraph.

3 The Committee may examine any question concerning the application of this Regulation which is raised by its chairman either on his own initiative or at the request of a Member State.

Article 7

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 8

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

It shall apply from 1 January 1995.

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

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

[^{F3}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 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 products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0792	ex 0303 51 00	10 20	Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, excluding livers and roes, for industrial manufacture ^{ab}	From 1.1 to 31.12	950	0
09.0812	0303 51 00		Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, excluding livers and roes ^b	From 1.8.2016 to 30.4.2017	1 050	0
				From 1.5.2017 to 30.4.2018	1 400	
				From 1.5.2018 to 30.4.2019	1 400	
				From 1.5.2019 to 30.4.2020	1 400	
				From 1.5.2020 to 30.4.2021	1 400	

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

09.0793	0302 13 00 0302 14 00 0304 41 00 0304 81 00		Fresh or chilled fish (excluding livers and roes) and fresh or chilled or frozen fillets of: Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)	From 1.1 to 31.12	50	0
09.0794			Fresh or chilled:	From 1.1 to 31.12	250	0
	0302 23 00		Sole (<i>Solea</i> spp.)			
	0302 24 00 0302 29		Turbot (<i>Psetta maxima</i>), megrim (<i>Lepidorhombus</i> spp.) and other flat fish			

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

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ex 0302 56 00	10	Blue whiting (<i>Micromesistius poutassou</i>)		
		Frozen:		
0303 32 00		Plaice (<i>Pleuronectes platessa</i>)		
0303 55 30		Chilean jack mackerel (<i>Trachurus murphyi</i>)		
ex 0303 55 90	90	Other fish, excluding horse mackerel (scad) (<i>Caranx trachurus</i>)		
0303 56 00		Cobia (<i>Rachycentron canadum</i>)		
0303 69 90 0303 89 90		Other fish		
0303 82 00		Rays and skates (<i>Rajidae</i>)		
0303 83 00		Toothfish (<i>Dissostichus</i> spp.)		
0303 84 90		Sea bass other than European sea bass (<i>Dicentrarchus labrax</i>)		
0303 89 55		Gilt-head sea bream (<i>Sparus aurata</i>)		

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

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		Fresh or chilled fillets of:		
0304 31 00		Tilapia (<i>Oreochromis</i> spp.)		
0304 32 00		Catfish (<i>Pangasius</i> spp., <i>Silurus</i> spp., <i>Clarias</i> spp., <i>Ictalurus</i> spp.)		
0304 33 00		Nile perch (<i>Lates niloticus</i>)		
0304 39 00		Carp (<i>Cyprinus carpio</i> , <i>Carassius carassius</i> , <i>Ctenopharyngodon idellus</i> , <i>Hypophthalmichthys</i> spp., <i>Cirrhinus</i> spp., <i>Mylopharyngodon piceus</i>), eels (<i>Anguilla</i> spp.) and snakeheads (<i>Channa</i> spp.)		
0304 42 50		Trout of the species <i>Oncorhynchus apache</i> or <i>Oncorhynchus chrysogaster</i>		

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

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0304 49 10		Other freshwater fish		
0304 43 00		Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae)		
0304 44 30		Coalfish (<i>Pollachius virens</i>)		
0304 44 90		Other fish of the families Bregmacerotidae, Eulichthyidae, Gadidae, Macrouridae, Melanonidae, Merlucciidae, Moridae and Muraenolepididae, excluding cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>		
0304 45 00		Swordfish (<i>Xiphias gladius</i>)		
0304 46 00		Toothfish (<i>Dissostichus</i> spp.)		

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

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0304 49 50		Redfish (<i>Sebastes</i> spp.)		
ex 0304 49 90	30 40 50 60 70 90	Other fish excluding herring and mackerel		
		Fish meat (whether or not minced), fresh or chilled of:		
0304 53 00		Fish of the families Bregmacerotidae, Euclichthyidae, Gadidae, Macrouridae, Melanonidae, Merlucciidae, Moridae and Muraenolepididae		
0304 54 00		Swordfish (<i>Xiphias</i> <i>gladius</i>)		
0304 55 00		Toothfish (<i>Dissostichus</i> spp.)		
0304 59 90		Other fish, excluding freshwater fish and flaps of herring		
		Frozen fillets of:		
0304 61 00		Tilapia (<i>Oreochromis</i> spp.)		

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

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0304 62 00		Catfish (<i>Pangasius</i> spp., <i>Silurus</i> spp., <i>Clarias</i> spp., <i>Ictalurus</i> spp.)		
0304 63 00		Nile perch (<i>Lates niloticus</i>)		
0304 69 00		Carp (<i>Cyprinus carpio</i> , <i>Carassius carassius</i> , <i>Ctenopharyngodon idellus</i> , <i>Hypophthalmichthys</i> spp., <i>Cirrhinus</i> spp., <i>Mylopharyngodon piceus</i>), eels (<i>Anguilla</i> spp.) and snakeheads (<i>Channa</i> spp.)		
0304 82 50		Trout of the species <i>Oncorhynchus apache</i> or <i>Oncorhynchus chrysogaster</i>		
0304 89 10		Other freshwater fish		
		Frozen meat of:		
0304 95 21		Cod of the species		

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

		<i>Gadus macrocephalus</i>	
0304 95 25		Cod of the species <i>Gadus morhua</i>	
0304 95 29		Cod of the species <i>Gadus ogac</i> and fish of the species <i>Boreogadus saida</i>	
0304 95 40		Coalfish (<i>Pollachius virens</i>)	
0304 95 50		Hake of the genus <i>Merluccius</i>	
0304 95 60		Blue whiting (<i>Micromesistius poutassou</i> , <i>Gadus poutassou</i>)	
ex 0304 95 90	11 13 17 19 90	Other fish, excluding hake of the genus <i>Urophycis</i> spp.	
ex 0304 99 99	20 25 30 40 50 65 69 70 90	Other fish, excluding mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)	

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

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09.0811	0304 49 50		Fillets of redfish (<i>Sebastes</i> spp.), fresh or chilled	From 1.8.2016 to 30.4.2017	2 211	0
				From 1.5.2017 to 30.4.2018	2 948	
				From 1.5.2018 to 30.4.2019	2 948	
				From 1.5.2019 to 30.4.2020	2 948	
				From 1.5.2020 to 30.4.2021	2 948	
09.0795	0305 61 00		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), salted but not dried or smoked, and herring in brine	From 1.1 to 31.12	1 750	0
09.0796	0306 15 90		Frozen Norway lobsters (<i>Nephrops norvegicus</i>), excluding smoked Norway lobsters	From 1.1 to 31.12	50	0
09.0810	0306 15 90		Frozen Norway lobsters (<i>Nephrops norvegicus</i>), excluding smoked Norway lobsters	From 1.8.2016 to 30.4.2017	1 106	0
				From 1.5.2017 to 30.4.2018	1 474	
				From 1.5.2018 to 30.4.2019	1 474	

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

				From 1.5.2019 to 30.4.2020	1 474	
				From 1.5.2020 to 30.4.2021	1 474	
09.0797	1604 12 91 1604 12 99		Prepared or preserved herrings, whole or in pieces but not minced, excluding fillets of herring, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, frozen	From 1.1 to 31.12	2 400	0
09.0798	1604 17 00 1604 19 97		Prepared or preserved eels and other prepared or preserved fish, whole or in pieces but not minced	From 1.1 to 31.12	50	0
	ex 1604 20 90	20 30 35 50 60 90	Other prepared or preserved fish, except herring and mackerel			
09.0700	1604 20 90		Other prepared or preserved fish	From 1.8.2016 to 30.4.2017	2 764	0

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

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				From 1.5.2017 to 30.4.2018	3 685
				From 1.5.2018 to 30.4.2019	3 685
				From 1.5.2019 to 30.4.2020	3 685
				From 1.5.2020 to 30.4.2021	3 685

a Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ([OJ L 269, 10.10.2013, p. 1](#))).

b As the most-favoured nation ('MFN') duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.]

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 499/96. (See end of Document for details)

- (1) OJ No L 301, 31. 12. 1972, p. 2.
- (2) OJ No L 34, 13. 2. 1996, p. 33.
- (3) OJ No L 327, 30. 12. 1995, p. 17.
- (4) [^{F1} [^{F3} Decision of the EU-Iceland Joint Committee No 1/2016 of 17 February 2016 amending Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland concerning the definition of the concept of 'originating products' and methods of administrative cooperation (OJ L 72, 17.3.2016, p. 66).]]
- (5) [^{F4} [^{F3} Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).]]
- (6) OJ No L 302, 19. 10. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

Textual Amendments

- F1** Substituted by Commission Regulation (EU) No 185/2011 of 25 February 2011 amending Council Regulation (EC) No 499/96 as regards tariff quotas of the Union for certain fish and fishery products and live horses originating in Iceland.
- F3** Substituted by Commission Implementing Regulation (EU) 2016/1219 of 26 July 2016 amending Council Regulation (EC) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland.
- F4** Substituted by Commission Regulation (EC) No 1314/2007 of 8 November 2007 amending Council Regulation (EC) No 499/96 as regards Community tariff quotas for certain fish and fishery products originating in Iceland.

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 499/96.