

Commission Implementing Regulation (EU) No 974/2013 of 11 October 2013 on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Nicaragua

COMMISSION IMPLEMENTING REGULATION (EU) No 974/2013

of 11 October 2013

on the derogations from the rules of origin laid down in Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, that apply within quotas for certain products from Nicaragua

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2012/734/EU of 25 June 2012 on the signing, on behalf of the European Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, and the provisional application of Part IV thereof concerning trade matters⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) By Decision 2012/734/EU, the Council authorised the signing, on behalf of the Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (hereinafter referred to as ‘the Agreement’). Pursuant to Decision 2012/734/EU, the Agreement is to be applied on a provisional basis, pending the completion of the procedures for its conclusion.
- (2) Annex II to the Agreement concerns the definition of the concept of ‘originating products’ and methods of administrative cooperation. For a number of products, Appendix 2A to that Annex provides for the possibility of derogations from the rules of origin set out in Appendix 2 to Annex II in the framework of annual quotas. As the Union has decided to use that possibility, it is necessary to provide the conditions for the application of those derogations for imports from Nicaragua.
- (3) The quotas set out in Appendix 2A to Annex II should be managed on a first-come, first-served basis in accordance with Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾.
- (4) Entitlement to benefit from the tariff concessions should be subject to the presentation of the relevant proof of origin to the customs authorities, as provided for in the Agreement.
- (5) Since the Agreement applies on a provisional basis as of 1 August 2013, this Regulation should apply from the same date.

- (6) 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 The rules of origin set out in Appendix 2A to Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (hereinafter referred to as ‘the Agreement’), shall apply to the products listed in the Annex to this Regulation.

2 The rules of origin referred to in paragraph 1 shall apply by derogation from the rules of origin set out in Appendix 2 to Annex II to the Agreement, within the quotas set out in the Annex to this Regulation.

Article 2

To benefit from the derogation set out in Article 1, the products listed in the Annex shall be accompanied by a proof of origin as set out in Annex II to the Agreement.

Article 3

The quotas set out in the Annex shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

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 August 2013.

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

Done at Brussels, 11 October 2013.

For the Commission

The President

José Manuel BARROSO

Status: This is the original version (as it was originally adopted).

ANNEX

NICARAGUA

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than an indicative value, the scope of the preferential scheme being determined, within the context of this Annex, by CN codes as they exist at the time of adoption of this Regulation.

For the tariff quotas with quota order numbers from 09.7105 to 09.7138, the global yearly quota volume may not exceed the following number of items (pairs) for the respective calendar year:

HS	2013	2014	2015	2016	2017	From 2018
Total Units per year (global quota per year, caps per subheading)	3 645 833	9 537 500	10 325 000	11 112 500	11 900 000	12 687 500

Order No	CN code	Description of goods	Quota period	Annual quota volume (in items (pairs) if not otherwise specified)
09.7105	6104 23 00	Women's or girls' ensembles, of synthetic fibres	From 1.8.2013 to 31.12.2013	20 833
			From 1.1.2014 to 31.12.2014	54 000
			From 1.1.2015 to 31.12.2015	58 000
			From 1.1.2016 to 31.12.2016	62 000
			From 1.1.2017 to 31.12.2017	66 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	70 000
09.7106	6104 42 00	Women's or girls' dresses, of cotton	From 1.8.2013 to 31.12.2013	81 250
			From 1.1.2014 to 31.12.2014	210 600
			From 1.1.2015 to 31.12.2015	226 200

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			From 1.1.2016 to 31.12.2016	241 800
			From 1.1.2017 to 31.12.2017	257 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	273 000
09.7107	6104 43 00	Women's or girls' dresses, of synthetic fibres	From 1.8.2013 to 31.12.2013	31 250
			From 1.1.2014 to 31.12.2014	81 000
			From 1.1.2015 to 31.12.2015	87 000
			From 1.1.2016 to 31.12.2016	93 000
			From 1.1.2017 to 31.12.2017	99 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	105 000
09.7108	6104 53 00	Women's or girls' skirts and divided skirts, of synthetic fibres	From 1.8.2013 to 31.12.2013	12 500
			From 1.1.2014 to 31.12.2014	32 400
			From 1.1.2015 to 31.12.2015	34 800
			From 1.1.2016 to 31.12.2016	37 200
			From 1.1.2017 to 31.12.2017	39 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	42 000
09.7109	6104 63 00	Women's or girls' trousers, bib and brace overalls, breeches and	From 1.8.2013 to 31.12.2013	125 000
			From 1.1.2014 to 31.12.2014	324 000

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		shorts, of synthetic fibres	From 1.1.2015 to 31.12.2015	348 000
			From 1.1.2016 to 31.12.2016	372 000
			From 1.1.2017 to 31.12.2017	396 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	420 000
09.7110	6105 10 00	Men's or boys' shirts, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	320 833
			From 1.1.2014 to 31.12.2014	831 600
			From 1.1.2015 to 31.12.2015	893 200
			From 1.1.2016 to 31.12.2016	954 800
			From 1.1.2017 to 31.12.2017	1 016 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 078 000
09.7111	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	245 833
			From 1.1.2014 to 31.12.2014	637 200
			From 1.1.2015 to 31.12.2015	684 400
			From 1.1.2016 to 31.12.2016	731 600
			From 1.1.2017 to 31.12.2017	778 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	826 000
09.7112	6106 20 00	Women's or girls' blouses, shirts and shirt-	From 1.8.2013 to 31.12.2013	166 667

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		blouses, knitted or crocheted, of man-made fibres	From 1.1.2014 to 31.12.2014	432 000
			From 1.1.2015 to 31.12.2015	464 000
			From 1.1.2016 to 31.12.2016	496 000
			From 1.1.2017 to 31.12.2017	528 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	560 000
09.7113	6107 11 00	Men's or boys' underpants and briefs, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	1 495 833
			From 1.1.2014 to 31.12.2014	3 877 200
			From 1.1.2015 to 31.12.2015	4 164 400
			From 1.1.2016 to 31.12.2016	4 451 600
			From 1.1.2017 to 31.12.2017	4 738 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	5 026 000
09.7114	6107 12 00	Men's or boys' underpants and briefs, of man-made fibres	From 1.8.2013 to 31.12.2013	220 833
			From 1.1.2014 to 31.12.2014	572 400
			From 1.1.2015 to 31.12.2015	614 800
			From 1.1.2016 to 31.12.2016	657 200
			From 1.1.2017 to 31.12.2017	699 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	742 000

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09.7115	6108 22 00	Women's or girls' briefs and panties, knitted or crocheted, of man-made fibres	From 1.8.2013 to 31.12.2013	1 158 333
			From 1.1.2014 to 31.12.2014	3 002 400
			From 1.1.2015 to 31.12.2015	3 224 800
			From 1.1.2016 to 31.12.2016	3 447 200
			From 1.1.2017 to 31.12.2017	3 669 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	3 892 000
09.7116	6109 10 00	T-shirts, singlets and other vests, knitted or crocheted, of cotton	From 1.8.2013 to 31.12.2013	1 620 833
			From 1.1.2014 to 31.12.2014	4 201 200
			From 1.1.2015 to 31.12.2015	4 512 400
			From 1.1.2016 to 31.12.2016	4 823 600
			From 1.1.2017 to 31.12.2017	5 134 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	5 446 000
09.7117	6109 90	T-shirts, singlets and other vests, knitted or crocheted, of other textile materials than cotton	From 1.8.2013 to 31.12.2013	416 667
			From 1.1.2014 to 31.12.2014	1 080 000
			From 1.1.2015 to 31.12.2015	1 160 000
			From 1.1.2016 to 31.12.2016	1 240 000
			From 1.1.2017 to 31.12.2017	1 320 000
			From 1.1.2018 to 31.12.2018 and for each period	1 400 000

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			thereafter from 1.1 to 31.12	
09.7118	6203 23	Men's or boys' ensembles, of synthetic fibres	From 1.8.2013 to 31.12.2013	20 833
			From 1.1.2014 to 31.12.2014	54 000
			From 1.1.2015 to 31.12.2015	58 000
			From 1.1.2016 to 31.12.2016	62 000
			From 1.1.2017 to 31.12.2017	66 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	70 000
09.7119	6203 42	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton	From 1.8.2013 to 31.12.2013	416 667
			From 1.1.2014 to 31.12.2014	1 080 000
			From 1.1.2015 to 31.12.2015	1 160 000
			From 1.1.2016 to 31.12.2016	1 240 000
			From 1.1.2017 to 31.12.2017	1 320 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 400 000
09.7120	6203 43	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres	From 1.8.2013 to 31.12.2013	195 833
			From 1.1.2014 to 31.12.2014	507 600
			From 1.1.2015 to 31.12.2015	545 200
			From 1.1.2016 to 31.12.2016	582 800
			From 1.1.2017 to 31.12.2017	620 400

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			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	658 000
09.7121	6204 43 00	Women's or girls' dresses, of synthetic fibres	From 1.8.2013 to 31.12.2013	102 083
			From 1.1.2014 to 31.12.2014	264 600
			From 1.1.2015 to 31.12.2015	284 200
			From 1.1.2016 to 31.12.2016	303 800
			From 1.1.2017 to 31.12.2017	323 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	343 000
09.7122	6204 44 00	Women's or girls' dresses, of artificial fibres	From 1.8.2013 to 31.12.2013	58 333
			From 1.1.2014 to 31.12.2014	151 200
			From 1.1.2015 to 31.12.2015	162 400
			From 1.1.2016 to 31.12.2016	173 600
			From 1.1.2017 to 31.12.2017	184 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	196 000
09.7123	6204 62	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton	From 1.8.2013 to 31.12.2013	570 833
			From 1.1.2014 to 31.12.2014	1 479 600
			From 1.1.2015 to 31.12.2015	1 589 200
			From 1.1.2016 to 31.12.2016	1 698 800

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			From 1.1.2017 to 31.12.2017	1 808 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 918 000
09.7124	6204 63	Women's or girls' trousers, bib and brace overalls, breeches and shorts, of synthetic fibres	From 1.8.2013 to 31.12.2013	145 833
			From 1.1.2014 to 31.12.2014	378 000
			From 1.1.2015 to 31.12.2015	406 000
			From 1.1.2016 to 31.12.2016	434 000
			From 1.1.2017 to 31.12.2017	462 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	490 000
09.7125	6205 20 00	Men's or boys' shirts, of cotton	From 1.8.2013 to 31.12.2013	137 500
			From 1.1.2014 to 31.12.2014	356 400
			From 1.1.2015 to 31.12.2015	382 800
			From 1.1.2016 to 31.12.2016	409 200
			From 1.1.2017 to 31.12.2017	435 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	462 000
09.7126	6207 11 00	Men's or boys' underpants and briefs, of cotton	From 1.8.2013 to 31.12.2013	152 083
			From 1.1.2014 to 31.12.2014	394 200
			From 1.1.2015 to 31.12.2015	423 400

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			From 1.1.2016 to 31.12.2016	452 600
			From 1.1.2017 to 31.12.2017	481 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	511 000
09.7127	6207 19 00	Men's or boys' underpants and briefs, of other textile materials	From 1.8.2013 to 31.12.2013	22 917
			From 1.1.2014 to 31.12.2014	59 400
			From 1.1.2015 to 31.12.2015	63 800
			From 1.1.2016 to 31.12.2016	68 200
			From 1.1.2017 to 31.12.2017	72 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	77 000
09.7128	6207 21 00	Men's or boys' nightshirts and pyjamas, of cotton	From 1.8.2013 to 31.12.2013	39 583
			From 1.1.2014 to 31.12.2014	102 600
			From 1.1.2015 to 31.12.2015	110 200
			From 1.1.2016 to 31.12.2016	117 800
			From 1.1.2017 to 31.12.2017	125 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	133 000
09.7129	6207 22 00	Men's or boys' nightshirts and pyjamas, of man-made fibres	From 1.8.2013 to 31.12.2013	8 333
			From 1.1.2014 to 31.12.2014	21 600

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			From 1.1.2015 to 31.12.2015	23 200
			From 1.1.2016 to 31.12.2016	24 800
			From 1.1.2017 to 31.12.2017	26 400
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	28 000
09.7130	6207 91 00	Men's or boys' singlets and other vests, bathrobes, dressing gowns and similar articles, of cotton	From 1.8.2013 to 31.12.2013	66 667
			From 1.1.2014 to 31.12.2014	172 800
			From 1.1.2015 to 31.12.2015	185 600
			From 1.1.2016 to 31.12.2016	198 400
			From 1.1.2017 to 31.12.2017	211 200
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	224 000
09.7131	6208 21 00	Women's or girls' nightdresses and pyjamas, of cotton	From 1.8.2013 to 31.12.2013	41 667
			From 1.1.2014 to 31.12.2014	108 000
			From 1.1.2015 to 31.12.2015	116 000
			From 1.1.2016 to 31.12.2016	124 000
			From 1.1.2017 to 31.12.2017	132 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	140 000
09.7132	6208 22 00	Women's or girls' nightdresses	From 1.8.2013 to 31.12.2013	37 500

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		and pyjamas, of man-made fibres	From 1.1.2014 to 31.12.2014	97 200
			From 1.1.2015 to 31.12.2015	104 400
			From 1.1.2016 to 31.12.2016	111 600
			From 1.1.2017 to 31.12.2017	118 800
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	126 000
09.7133	6208 91 00	Women's or girls' singlets and other vests, briefs, panties, négligés, bathrobes, dressing gowns and similar articles, of cotton	From 1.8.2013 to 31.12.2013	4 167
			From 1.1.2014 to 31.12.2014	10 800
			From 1.1.2015 to 31.12.2015	11 600
			From 1.1.2016 to 31.12.2016	12 400
			From 1.1.2017 to 31.12.2017	13 200
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	14 000
09.7134	6208 92 00	Women's or girls' singlets and other vests, briefs, panties, négligés, bathrobes, dressing gowns and similar articles, of man-made fibres	From 1.8.2013 to 31.12.2013	4 167
			From 1.1.2014 to 31.12.2014	10 800
			From 1.1.2015 to 31.12.2015	11 600
			From 1.1.2016 to 31.12.2016	12 400
			From 1.1.2017 to 31.12.2017	13 200
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	14 000

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09.7135	6212 10	Brassières, whether or not knitted or crocheted	From 1.8.2013 to 31.12.2013	12 500
			From 1.1.2014 to 31.12.2014	32 400
			From 1.1.2015 to 31.12.2015	34 800
			From 1.1.2016 to 31.12.2016	37 200
			From 1.1.2017 to 31.12.2017	39 600
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	42 000
09.7136	6212 20 00	Girdles and panty girdles, whether or not knitted or crocheted	From 1.8.2013 to 31.12.2013	208 333
			From 1.1.2014 to 31.12.2014	540 000
			From 1.1.2015 to 31.12.2015	580 000
			From 1.1.2016 to 31.12.2016	620 000
			From 1.1.2017 to 31.12.2017	660 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	700 000
09.7137	6212 30 00	Corselettes, whether or not knitted or crocheted	From 1.8.2013 to 31.12.2013	8 333
			From 1.1.2014 to 31.12.2014	21 600
			From 1.1.2015 to 31.12.2015	23 200
			From 1.1.2016 to 31.12.2016	24 800
			From 1.1.2017 to 31.12.2017	26 400
			From 1.1.2018 to 31.12.2018 and for each period	28 000

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			thereafter from 1.1 to 31.12	
09.7138	6212 90 00	Corsets, braces, suspenders, garters and similar articles and parts thereof, whether or not knitted or crocheted	From 1.8.2013 to 31.12.2013	416 667
			From 1.1.2014 to 31.12.2014	1 080 000
			From 1.1.2015 to 31.12.2015	1 160 000
			From 1.1.2016 to 31.12.2016	1 240 000
			From 1.1.2017 to 31.12.2017	1 320 000
			From 1.1.2018 to 31.12.2018 and for each period thereafter from 1.1 to 31.12	1 400 000

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- (1) OJ L 346, 15.12.2012, p. 1.
- (2) OJ L 253, 11.10.1993, p. 1.