

Commission Implementing Regulation (EU) 2015/2080 of 18 November 2015 amending Regulation (EC) No 2535/2001 as regards the management of import tariff quotas for dairy products originating in Ukraine and the removal of an import tariff quota for dairy products originating in Moldova

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2080

of 18 November 2015

amending Regulation (EC) No 2535/2001 as regards the management of import tariff quotas for dairy products originating in Ukraine and the removal of an import tariff quota for dairy products originating in Moldova

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007⁽¹⁾, and in particular Article 187 thereof,

Whereas:

- (1) By Council Decision 2014/668/EU⁽²⁾, the Council authorised the signing, on behalf of the European Union, and provisional application, of the Association Agreement between the European Union and its Member States, of the one part, and the Ukraine, of the other part. Title IV of that Agreement and Annex I-A to Chapter I thereto, provide for the elimination of customs duties on imports of goods originating in Ukraine and for tariff rate quotas three of which relate to dairy products. Pending the entry into force of the Agreement, in accordance with Regulation (EU) No 374/2014 of the European Parliament and of the Council⁽³⁾, the import tariff rate quotas for dairy products for Ukraine have been included by Commission Implementing Regulations (EU) No 415/2014⁽⁴⁾ and (EU) No 1165/2014⁽⁵⁾ in Annex I to Commission Regulation (EC) No 2535/2001⁽⁶⁾ up to 31 December 2015. The Association Agreement will be provisionally applied as of 1 January 2016.
- (2) It is therefore appropriate to complete Part L of Annex I to Regulation (EC) No 2535/2001 with the import tariff rate quotas for dairy products for Ukraine for the quota periods from 1 January 2016 onwards.
- (3) By Council Decision 2014/492/EU⁽⁷⁾, the Council authorised the signing, on behalf of the European Union, and provisional application of 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. Article 147 of that Agreement provides for the elimination of customs duties on imports into the European Union. Council Regulation (EC) No 55/2008⁽⁸⁾ introducing autonomous trade preferences for the Republic of Moldova and providing for an import quota for dairy products referred to in Article 5(j) of Regulation (EC) No 2535/2001 applies until 31

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December 2015. It is therefore appropriate to delete the provisions relating to the import quota for dairy products for Moldova from Regulation (EC) No 2535/2001.

- (4) Regulation (EC) No 2535/2001 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2535/2001 is amended as follows:

- (1) in Article 5, point (j) is deleted;
- (2) in Article 19(1), point (i) is deleted;
- (3) Annex I is amended as follows:
 - (a) Part J is deleted;
 - (b) Part L is replaced by the text set out in the Annex to this Regulation.

Article 2

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 for the quota period from 1 January 2016 onwards.

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

Done at Brussels, 18 November 2015.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

I. L
TARIFF QUOTAS REFERRED TO IN THE APPENDIX TO ANNEX I-A TO CHAPTER I TO THE ASSOCIATION AGREEMENT WITH UKRAINE

Quota Number	CN Code	Description	Country of origin	Import period	Quota quantity in tonnes in product weight)	Quota quantity monthly in tonnes in product weight)	Import duty (in EUR/100 kg net weight)
09. 4600	0401	Milk and	UKRAINE	Year 2016	8 000	4 000	0
	0402 91	cream,		Year 2017	8 400	4 200	
	0402 99	not in		Year 2018	8 800	4 400	
	0403 10	powder,		Year 2019	9 200	4 600	
	11	granules		Year 2020	9 600	4 800	
	0403 10	or other		Year	10 000	5 000	
	13	solid		2021 and			
	0403 10	forms;		following			
	19	yoghurt,					
	0403 10	not					
	31	flavoured					
	0403 10	or					
	33	containing					
	0403 10	added					
	39	fruit, nuts					
	0403 90	or cocoa;					
	51	fermented					
	0403 90	or					
	53	acidified					
0403 90	milk						
59	products,						
0403 90	not						
61	flavoured						
0403 90	or						
63	containing						
0403 90	added						
69	fruit, nuts						
	or cocoa						
	and not in						
	powder,						
	granules						
	or other						
	solid						
	forms						

a Notwithstanding the rules on the interpretation of the Combined Nomenclature, the wording of the description of products shall be regarded as merely indicative, since the applicability of the preferential arrangements is determined, within the context of this Annex, by the scope of the CN codes.

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09. 4601	0402 10	Milk and	UKRAINE	Year 2016	1 500	750	0
	0402 21	cream, in		Year 2017	2 200	1 100	
	0402 29	powder,		Year 2018	2 900	1 450	
	0403 90	granules		Year 2019	3 600	1 800	
	11	or other		Year 2020	4 300	2 150	
	0403 90	solid		Year	5 000	2 500	
	13	forms;		2021 and			
	0403 90	fermented		following			
	19	or					
	0403 90	acidified					
	31	milk					
	0403 90	products,					
	33	in					
	0403 90	powder,					
	39	granules					
	0404 90	or other					
	21	solid					
	0404 90	forms, not					
	23	flavoured					
0404 90	or						
29	containing						
0404 90	added						
81	fruit, nuts						
0404 90	or cocoa;						
83	products						
0404 90	consisting						
89	of natural						
	milk						
	constituents,						
	not						
	elsewhere						
	specified						
	or						
	included						
09. 4602	0405 10	Butter	UKRAINE	Year 2016	1 500	750	0
	0405 20	and		Year 2017	1 800	900	
	90	other fats		Year 2018	2 100	1 050	
	0405 90	and oils		Year 2019	2 400	1 200	
		derived		Year 2020	2 700	1 350	
		from		Year	3 000	1 500	
		milk;		2021 and			
	dairy	following					
	spreads						
	of a fat						
	content,						
	by						
	weight, of						
	more than						
	75 % but						

a Notwithstanding the rules on the interpretation of the Combined Nomenclature, the wording of the description of products shall be regarded as merely indicative, since the applicability of the preferential arrangements is determined, within the context of this Annex, by the scope of the CN codes.

ANNEX

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	less than 80 %					
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- a** Notwithstanding the rules on the interpretation of the Combined Nomenclature, the wording of the description of products shall be regarded as merely indicative, since the applicability of the preferential arrangements is determined, within the context of this Annex, by the scope of the CN codes.
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- (1) [OJ L 347, 20.12.2013, p. 671.](#)
- (2) Council Decision 2014/668/EU of 23 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols ([OJ L 278, 20.9.2014, p. 1](#)).
- (3) Regulation (EU) No 374/2014 of the European Parliament and of the Council of 16 April 2014 on the reduction or elimination of customs duties on goods originating in Ukraine ([OJ L 118, 22.4.2014, p. 1](#)).
- (4) Commission Implementing Regulation (EU) No 415/2014 of 23 April 2014 amending and derogating from Regulation (EC) No 2535/2001 as regards the management of the tariff quotas for dairy products originating in Ukraine ([OJ L 121, 24.4.2014, p. 49](#)).
- (5) Commission Implementing Regulation (EU) No 1165/2014 of 31 October 2014 amending Regulation (EC) No 2535/2001 as regards the management of the tariff quotas for dairy products originating in Ukraine ([OJ L 314, 31.10.2014, p. 7](#)).
- (6) Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas ([OJ L 341, 22.12.2001, p. 29](#)).
- (7) Council Decision 2014/492/EU of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of 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 ([OJ L 260, 30.8.2014, p. 1](#)).
- (8) [OJ L 20, 24.1.2008, p. 1.](#)

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Changes and effects yet to be applied to :

- Regulation implicit repeal by [EUR 2020/760](#) Regulation