

Commission Implementing Regulation (EU) 2016/623 of 21 April 2016 amending
Implementing Regulation (EU) No 498/2012 on the allocation of tariff-rate quotas
applying to exports of wood from the Russian Federation to the European Union

COMMISSION IMPLEMENTING REGULATION (EU) 2016/623

of 21 April 2016

amending Implementing Regulation (EU) No 498/2012 on
the allocation of tariff-rate quotas applying to exports of
wood from the Russian Federation to the European Union

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2012/105/EU of 14 December 2011 on the signing, on behalf of the European Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union and the Protocol between the European Union and the Government of the Russian Federation on technical modalities pursuant to that Agreement⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) On 22 August 2012, the Russian Federation acceded to the World Trade Organization. The commitments of the Russian Federation include tariff-rate quotas for the export of specified types of coniferous wood, a share of which has been allocated for exports to the Union. The modalities for the administration of those tariff-rate quotas are laid down in the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union ('the Agreement') and in the Protocol between the European Union and the Government of the Russian Federation on technical modalities pursuant to the Agreement ('the Protocol'). The Agreement and the Protocol were signed on 16 December 2011. They have been applied provisionally from the date of the accession of the Russian Federation to the World Trade Organization.
- (2) Pursuant to Article 4 of Decision 2012/105/EU, Commission Implementing Regulation (EU) No 498/2012⁽²⁾ laid down the rules on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union. That Regulation will cease to apply on the date on which the Protocol ceases to apply provisionally.
- (3) While the Agreement and the Protocol continue to be applied provisionally, pending the completion of the procedures for their conclusion, the experience gained with the implementation of Implementing Regulation (EU) No 498/2012 has revealed the need to amend several provisions of that Regulation.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/623, Introductory Text. (See end of Document for details)

- (4) In particular, Article 3 should be modified in order to reduce the length of the first part of each quota period while at the same time extending the length of its second part. Thus the first part of each quota period will now run from 1 January to 31 May and the second part of each quota period will start on 1 June and run until the end of the respective calendar year. This is an important modification, given that the start of the second part of each quota period now takes place 2 months earlier than before. This change is necessary to enable EU importers of spruce and pine to access remaining quantities of the tariff-rate quotas as early as possible during a given quota period.
- (5) Article 6 paragraph 2 of Implementing Regulation (EU) No 498/2012 should be modified to clarify that the calculation of ceilings of traditional importers for a given quota period is made on the basis of relevant historical imports of the product group concerned.
- (6) Article 7 of Implementing Regulation (EU) No 498/2012 should be amended in order to ensure that in the first part of each quota period, maximum import rights of traditional importers, for any of the product groups, are not lower than those granted to new importers.
- (7) In Article 11 paragraph 1, a third sentence should be added to formalise trimestral reporting obligations of Member States Licence Offices regarding actual imports of covered products.
- (8) Article 12 should be changed to allow importers who are unable to return unused quota authorisations to the relevant Member State Licence Office to present instead a 'sworn declaration' to the Licence Office, in which the importer confirms that despite his best efforts he was unable to retrieve the unused quota authorisation from the authorities of the Russian Federation. To that effect, a new form should be introduced in Annex IV to Implementing Regulation (EU) No 498/2012.
- (9) Moreover, Articles 13 and 14 of Implementing Regulation (EU) No 498/2012 should be modified to reflect the need to update the rules pertaining to the reduction of traditional importers' ceilings in case of underuse or non-return of granted quota authorisations.
- (10) Article 15 paragraph 2 should be changed to allow the suspension of the application of Articles 13 and 14 for another, third quota period. This further suspension is justified in view of the currently still low utilisation rate of the tariff-rate quotas and the need to encourage increased usage in the upcoming quota period.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Wood Committee established by Decision 2012/105/EU,

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/623, Introductory Text. (See end of Document for details)

- (1) [OJ L 57, 29.2.2012, p. 1.](#)
- (2) Commission Implementing Regulation (EU) No 498/2012 of 12 June 2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union ([OJ L 152, 13.6.2012, p. 28](#)).

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/623, Introductory Text.