

Commission Implementing Regulation (EU) 2020/1739 of 20 November 2020 amending and correcting Implementing Regulation (EU) 2020/761 as regards the quantities available for tariff rate quotas for certain agricultural products included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union, a tariff quota for poultrymeat originating in Ukraine and a tariff quota for meat of bovine animals originating in Canada

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1739

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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 point (a) of the first paragraph of Article 187 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2020/760⁽²⁾ and Commission Implementing Regulation (EU) 2020/761⁽³⁾ lay down the rules for the management of import and export tariff quotas for agricultural products managed by a system of import and export licences and replace and repeal a certain number of acts that have opened those quotas and provide for specific rules.
- (2) Commission Implementing Regulation (EU) 2019/386⁽⁴⁾, which lays down rules on the allocation of tariff rate quotas for certain agricultural products included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union, establishes that, from the day from which Article 1(2) of Regulation (EU) 2019/216 of the European Parliament and of the Council⁽⁵⁾ applies, the tariff rate quota quantities set out in the Regulations opening the respective tariff rate quotas for certain agricultural products are replaced by the new quantities resulting from the apportionment, as set out in the third column of Annexes I and II to Implementing Regulation (EU) 2019/386. In order to ensure that the quantities of the tariff rate quotas laid down in Implementing Regulation (EU) 2020/761 are consistent with the new quantities of the tariff rate quotas resulting from the apportionment as laid down in the third column of Annex I to Implementing Regulation (EU) 2019/386, the relevant tariff rate quota quantities set

- out in Annexes II, III, IV, VI, VIII, IX, X and XII to Implementing Regulation (EU) 2020/761 should be amended accordingly.
- (3) Following discussions between the Union and the United Kingdom, an agreement on new quantities for four tariff quotas in the rice sector was reached. It is therefore also appropriate to amend the quantities for tariff quotas under order numbers 09.4127, 09.4128, 09.4129 and 09.4130 set out in Annex III to Implementing Regulation (EU) 2020/761.
- (4) Commission Implementing Regulation (EU) 2020/94⁽⁶⁾ amends Implementing Regulation (EU) 2015/2078⁽⁷⁾ that provides for the opening and administration of Union import tariff quotas for poultry meat originating in Ukraine, in order to take account of the tariff rate quota quantities and CN codes made available pursuant to an Agreement in the form of an Exchange of Letters between the European Union and Ukraine amending the trade preferences for poultry meat and poultry meat preparations provided for by 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, approved by Council Decision (EU) 2019/2145⁽⁸⁾ ('the Agreement'). It is therefore appropriate to amend the quantity and CN codes of the tariff rate quota under order number 09.4273 set out in Annex XII to Implementing Regulation (EU) 2020/761 in order to take account of the tariff rate quota quantities and CN codes made available pursuant to the Agreement.
- (5) It is necessary to correct an editorial error in Annex VIII to Implementing Regulation (EU) 2020/761 as regards the product description for a tariff quota on meat of bovine animals originating in Canada.
- (6) Implementing Regulation (EU) 2020/761 should therefore be amended and corrected accordingly.
- (7) To ensure legal certainty and in order for the revised quantities of the tariff rate quotas to apply to the licence applications that may be submitted for tariff quotas with a tariff quota period starting on 1 January 2021, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*.
- (8) 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:

- (1) OJ L 347, 20.12.2013, p. 671.
- (2) Commission Delegated Regulation (EU) 2020/760 of 17 December 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the rules for the administration of import and export tariff quotas subject to licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the lodging of securities in the administration of tariff quotas (OJ L 185, 12.6.2020, p. 1).
- (3) Commission Implementing Regulation (EU) 2020/761 of 17 December 2019 laying down rules for the application of Regulations (EU) No 1306/2013, (EU) No 1308/2013 and (EU) No 510/2014 of the European Parliament and of the Council as regards the management system of tariff quotas with licences (OJ L 185, 12.6.2020, p. 24).
- (4) Commission Implementing Regulation (EU) 2019/386 of 11 March 2019 laying down rules with regard to the apportionment of tariff rate quotas for certain agricultural products included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union and with regard to import licences issued and import rights allocated under those tariff rate quotas (OJ L 70, 12.3.2019, p. 4).
- (5) Regulation (EU) 2019/216 of the European Parliament and of the Council of 30 January 2019 on the apportionment of tariff rate quotas included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union and amending Council Regulation (EC) No 32/2000 (OJ L 38, 8.2.2019, p. 1).
- (6) Commission Implementing Regulation (EU) 2020/94 of 22 January 2020 amending Implementing Regulation (EU) 2015/2078 as regards tariff quotas for poultrymeat originating in Ukraine and derogating from that Implementing Regulation for the quota year 2020 (OJ L 18, 23.1.2020, p. 1).
- (7) Commission Implementing Regulation (EU) 2015/2078 of 18 November 2015 opening and providing for the administration of Union import tariff quotas for poultrymeat originating in Ukraine (OJ L 302, 19.11.2015, p. 63).
- (8) Council Decision (EU) 2019/2145 of 5 December 2019 on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and Ukraine amending the trade preferences for poultry meat and poultry meat preparations provided for by 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 (OJ L 325, 16.12.2019, p. 41).