

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

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.

⁽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).

- (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:

Article 1

Amendments to Implementing Regulation (EU) 2020/761

Implementing Regulation (EU) 2020/761 is amended as follows:

- (1) Annexes II, III, IV, VI, VIII, IX and X are amended as set out in Annex I to this Regulation;
- (2) Annex XII is amended as set out in Annex II to this Regulation.

Article 2

Correction to Implementing Regulation (EU) 2020/761

In Annex VIII to Implementing Regulation (EU) 2020/761, for order number 09.4281, the product description 'Meat of bovine animals, excluding bison, fresh or chilled' is replaced by 'Meat of bovine animals, excluding bison, frozen or other'.

Article 3

Entry into force

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

⁽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).

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

Done at Brussels, 20 November 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annexes II, III, IV, VI, VIII, IX and X to Implementing Regulation (EU) 2020/761 are amended as follows:

- (1) in Annex II, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4123	'571 943 000 kg'
09.4125	'2 285 665 000 kg, divided as follows: 50 % for each sub-period'
09.4131	'269 214 000 kg, divided as follows: 50 % for each sub-period'

- (2) in Annex III, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4112	'4 682 000 kg, divided as follows: 4 682 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 31 December'
09.4116	'990 000 kg, divided as follows: 990 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 31 December'
09.4117	'1 458 000 kg, divided as follows: 1 458 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 31 December'
09.4118	'1 370 000 kg, divided as follows: 1 370 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 31 December'
09.4119	'3 041 000 kg, divided as follows: 3 041 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 31 December'
09.4127	'17 251 000 kg, divided as follows: 4 313 000 kg for sub-period 1 January to 31 March 8 626 000 kg for sub-period 1 April to 30 June 4 312 000 kg for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 30 September'
09.4128	'17 728 000 kg, divided as follows: 8 864 000 kg for sub-period 1 January to 31 March 4 432 000 kg for sub-period 1 April to 30 June 4 432 000 kg for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 30 September'
09.4129	'220 000 kg, divided as follows: 0 kg for sub-period 1 January to 31 March 220 000 kg for sub-period 1 April to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 30 September'

09.4130	'1 532 000 kg, divided as follows: 0 kg for sub-period 1 January to 31 March 1 532 000 kg for sub-period 1 April to 30 June Carry over from previous sub-periods, for sub-period 1 July to 31 August Carry over from previous sub-periods, for sub-period 1 September to 30 September'
09.4148	'1 416 000 kg, divided as follows: 1 416 000 kg for sub-period 1 January to 30 June Carry over from previous sub-periods, for sub-period 1 July to 30 September Carry over from previous sub-periods, for sub-period 1 October to 31 December'
09.4149	'48 729 000 kg, divided as follows: 34 110 000 kg for sub-period 1 January to 30 June 14 619 000 kg for sub-period 1 July to 31 December'
09.4150	'14 993 000 kg, divided as follows: 50 % for each sub-period'
09.4153	'8 434 000 kg, divided as follows: 50 % for each sub-period'
09.4154	'11 245 000 kg, divided as follows: 50 % for each sub-period'
09.4166	'22 442 000 kg, divided as follows: 7 480 000 kg for sub-period 1 January to 30 June 14 962 000 kg for sub-period 1 July to 31 August Carry over for sub-period 1 September to 31 December'
09.4168	'26 581 000 kg, divided as follows: 26 581 000 kg for sub-period 1 September to 30 September Carry over from previous sub-period, for sub-period 1 October to 31 December'

- (3) in Annex IV, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4317	'4 961 000 kg'
09.4318	'TRQ periods until 2023/2024: 308 518 000 kg TRQ periods from 2024/2025: 380 555 000 kg'
09.4320	'260 390 000 kg'
09.4321	'5 841 000 kg'
09.4329	'TRQ periods until 2021/2022: 72 037 000 kg TRQ period 2022/2023: 54 028 000 kg'
09.4330	'TRQ period 2022/2023: 18 009 000 kg TRQ period 2023/2024: 54 028 000 kg'

- (4) in Annex VI, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4285	'40 556 000 kg, divided as follows: 10 423 000 kg for sub-period 1 June to 31 August 10 423 000 kg for sub-period 1 September to 30 November 9 044 000 kg for sub-period 1 December to 28/29 February 10 666 000 kg for sub-period 1 March to 31 May'
09.4287	'3 711 000 kg, divided as follows: 822 000 kg for sub-period 1 June to 31 August 1 726 000 kg for sub-period 1 September to 30 November 822 000 kg for sub-period 1 December to 28/29 February 341 000 kg for sub-period 1 March to 31 May'

- (5) in Annex VIII, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4001	'1 405 000 kg expressed in weight of boneless meat'
09.4002	'11 481 000 kg product weight, divided as follows: the quantity available for each sub-period shall correspond to one twelfth of the total quantity'
09.4003	'43 732 000 kg, boneless equivalent'
09.4450	'29 389 000 kg boneless meat'
09.4451	'2 481 000 kg product weight'
09.4452	'5 606 000 kg boneless meat'
09.4453	'8 951 000 kg boneless meat'
09.4454	'846 000 kg product weight'
09.4455	'711 000 kg boneless meat'

- (6) in Annex IX, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4182	'21 230 000 kg, divided as follows: 50 % for each sub-period'
09.4195	'25 947 000 kg, divided as follows: 50 % for each sub-period'
09.4514	'4 361 000 kg'
09.4515	'1 670 000 kg'
09.4595	'14 941 000 kg, divided as follows: 50 % for each sub-period'

- (7) in Annex X, for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4038	'12 680 000 kg, divided as follows: 25 % for each sub-period'
09.4170	'1 770 000 kg net weight, divided as follows: 25 % for each sub-period'
09.4282	'TRQ period 2021: 68 048 000 kg, divided as follows: 25 % for each sub-period TRQ periods from 2022: 80 548 000 kg, divided as follows: 25 % for each sub-period'

ANNEX II

Annex XII to Implementing Regulation (EU) 2020/761 is amended as follows:

(1) for the order numbers listed in the left column, the quantities are replaced by the quantities set out in the right column:

Order number	New quantity
09.4067	'4 054 000 kg, divided as follows: 25 % for each sub-period'
09.4068	'8 253 000 kg, divided as follows: 25 % for each sub-period'
09.4069	'2 427 000 kg, divided as follows: 25 % for each sub-period'
09.4211	'129 930 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4212	'68 385 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4213	'824 000 kg'
09.4214	'52 665 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4215	'109 441 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4216	'8 471 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4217	'89 950 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4218	'11 301 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4251	'10 969 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4252	'59 699 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'

09.4253	'163 000 kg'
09.4254	'8 019 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4255	'1 162 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4256	'8 572 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4257	'0 kg'
09.4258	'300 000 kg'
09.4259	'278 000 kg'
09.4260	'1 669 000 kg, divided as follows: 30 % for sub-period 1 July to 30 September 30 % for sub-period 1 October to 31 December 20 % for sub-period 1 January to 31 March 20 % for sub-period 1 April to 30 June'
09.4263	'159 000 kg'
09.4264	'0 kg'
09.4265	'58 000 kg'
09.4410	'14 479 000 kg, divided as follows: 25 % for each sub-period'
09.4411	'4 432 000 kg, divided as follows: 25 % for each sub-period'
09.4412	'2 868 000 kg, divided as follows: 25 % for each sub-period'
09.4420	'4 227 000 kg, divided as follows: 25 % for each sub-period'
09.4422	'2 121 000 kg, divided as follows: 25 % for each sub-period'

(2) the table concerning order number 09.4273 is replaced by the following:

Order number	09.4273
International agreement or other act	<p>Council Decision (EU) 2017/1247 of 11 July 2017 on the conclusion, on behalf of the European Union, 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, 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</p> <p>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</p>

Tariff quota period	1 January to 31 December
Tariff quota sub-periods	1 January to 31 March 1 April to 30 June 1 July to 30 September 1 October to 31 December
Licence application	In accordance with Articles 6, 7 and 8 of this Regulation
Product description	Meat and edible offal of poultry, fresh, chilled or frozen; other prepared or preserved meat of turkeys and of fowls of the species <i>Gallus domesticus</i>
Origin	Ukraine
Proof of origin at licence application. If yes, body authorised to issue it	No
Proof of origin for release into free circulation	Yes. In accordance with Title V of Protocol 1 to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part
Quantity in kilograms	TRQ period as from 2021: 70 000 000 kg net weight, divided as follows: 25 % for each sub-period
CN codes	0207 11 30 0207 11 90 0207 12 0207 13 10 0207 13 20 0207 13 30 0207 13 50 0207 13 60 0207 13 70 0207 13 99 0207 14 10 0207 14 20 0207 14 30 0207 14 50 0207 14 60 0207 14 70 0207 14 99 0207 24 0207 25 0207 26 10 0207 26 20 0207 26 30 0207 26 50 0207 26 60 0207 26 70 0207 26 80 0207 26 99 0207 27 10 0207 27 20 0207 27 30 0207 27 50 0207 27 60 0207 27 70 0207 27 80 0207 27 99 0207 41 30 0207 41 80 0207 42

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In-quota customs duty	EUR 0
Proof of trade	Yes. Proof of trade required only when Article 9(9) of Delegated Regulation (EU) 2020/760 applies. 25 tonnes
Security for import licence	EUR 75 per 100 kg
Specific entries to be made on the licence application and on the licence	Section 8 of the import licence application and of the import licence shall indicate the country of origin; box 'yes' in that section shall be crossed

Period of validity of a licence	In accordance with Article 13 of this Regulation
Transferability of licence	Yes
Reference quantity	Yes
Operator registered in LORI database	Yes
Specific conditions	No'