



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from:	General Secretariat of the Council
to:	Delegations
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Subject:	Proposal for a Council Regulation opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products and repealing Regulation (EU) No 7/2010

Delegations will find in the Annex a compromise text on the above proposal, prepared by the Presidency in the light of the discussion at the Working Party meeting on 14 November 2013.

2013/0383 (NLE)

Proposal for a

COUNCIL REGULATION

opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products and repealing Regulation (EU) No 7/2010

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Production in the Union of certain agricultural and industrial products is insufficient to meet the specific requirements of the user industries in the Union. Consequently Union supplies of those products depend to a considerable extent on imports from third countries. The most urgent Union requirements for the products in question should be met immediately on the most favorable terms. Union tariff quotas at preferential duty rates should therefore be opened within the limits of appropriate volumes taking account of the need not to disturb the markets for such products or impede the establishment or development of Union production.

- (2) It is necessary, to ensure for all Union importers equal and uninterrupted access to those quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been exhausted.
- (3) Commission Regulation (EEC) No 2454/93¹ provides for a system of tariff quota management which ensures equal and uninterrupted access to the quotas and uninterrupted application of the rates and follows the chronological order of dates of acceptance of declarations of release for free circulation. The tariff quotas opened by this Regulation should therefore be managed by the Commission and the Member States in accordance with that system.
- (4) The quota volumes are mostly expressed in tonnes. For certain products for which an autonomous tariff quota is opened the quota volume is set out in another measurement unit. Where for those products no supplementary measurement unit is specified in the Combined Nomenclature laid down in Annex I to Council Regulation (EEC) No 2658/87² there can be uncertainty in respect of the measurement unit used. For the sake of clarity and in the interest of a better quota management it is therefore necessary to provide that, in order to benefit from those autonomous tariff quotas, the exact quantity of the products imported be entered in the declaration for release for free circulation using the measurement unit of the quota volume set out for those products in the Annex to this Regulation.

¹ 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 (OJ L 253, 11.10.1993, p.1).

² Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

- (5) Council Regulation (EU) No 7/2010³ has been amended many times. In the interest of transparency and in order to facilitate economic operators to follow the goods subject to autonomous tariff quotas, it is considered appropriate to replace Regulation (EU) No 7/2010 in its entirety.
- (6) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of promoting trade between Member States and third countries to lay down rules in order to balance the commercial interest of economic operators in the Union without changing the Union's World Trade Organization (WTO) schedule. This Regulation does not go beyond what is necessary in order to achieve the objectives pursued in accordance with Article 5(4) of the Treaty on European Union.
- (7) Since the tariff quotas have to take effect from 1 January 2014, this Regulation should apply from the same date and enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

For the products listed in the Annex autonomous tariff quotas of the Union shall be opened within which the autonomous Common Customs Tariff duties shall be suspended for the periods, at the duty rates, and up to the volumes indicated therein.

³ Council Regulation (EU) No 7/2010 of 22 December 2009 opening and providing for the management of autonomous Community tariff quotas for certain agricultural and industrial products (OJ L 3, 7.1.2010, p. 1).

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

Where a declaration for release for free circulation is presented for a product mentioned in this Regulation, for which the quota volume is expressed in a measurement unit other than the weight in tonnes or kilogram and than the value, for products for which no supplementary unit is set out in the Combined Nomenclature laid down in Annex I to Regulation (EEC) No 2658/87, the exact quantity of the products imported shall be entered in “Box 41: Supplementary units” of that declaration using the measurement unit of the quota volume for those products as set out in the Annex to this Regulation.

Article 4

Regulation (EU) No 7/2010 is repealed.

Article 5

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

It shall apply from 1 January 2014.

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

Done at Brussels,

For the Council

The President