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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EU) 2020/1706 as regards inclusion of autonomous Union tariff quotas for certain fishery products

COUNCIL REGULATION (EU) 2021/...

of ...

**amending Regulation (EU) 2020/1706 as regards inclusion
of autonomous Union tariff quotas for certain fishery products**

(Text with EEA relevance)

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) Council Regulation (EU) 2020/1706¹ opens and provides for the management of autonomous Union tariff quotas for certain fishery products for the period 2021-2023. Appropriate volumes have been decided for each tariff quota to ensure an adequate supply to the Union industry for that period.
- (2) Supplies of certain fishery products in the Union currently depend on imports from third countries. In the last decades, the Union has become more dependent on imports to meet its consumption of fishery products. In order not to jeopardise the Union production of fishery products and to ensure an adequate supply to the Union processing industry, import duties should be suspended for Patagonian squid, herring preserved in brine, frozen herrings, frozen fillets and flaps of herrings, fillets of redfish and various species of frozen fish within tariff quotas of an appropriate volume.
- (3) The Trade and Cooperation Agreement² between the Union and the United Kingdom (the TCA) provisionally applies since 1 January 2021. The TCA provides for a duty-free quota-free access of originating fishery products. However, the British overseas countries and territories (OCTs) are no longer associated with the Union and no longer enjoy tariff reductions for exports of fishery products to the Union.

¹ Council Regulation (EU) 2020/1706 of 13 November 2020 opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the 2021-2023 period (OJ L 385, 17.11.2020, p. 3).

² Trade and Cooperation Agreement between the European Union and the European Atomic and Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (OJ L 149, 30.4.2021, p. 10).

- (4) Moreover, the additional protocols with Iceland¹ and Norway² providing for quotas for certain fish and fishery products expired on 30 April 2021. As negotiations for new quotas were not concluded before the expiry of the additional protocols, that might result in a shortage of duty-free fishery products for processing in the Union.
- (5) Regulation (EU) 2020/1706 should therefore be amended accordingly.
- (6) In order to remedy the consequences of the withdrawal of the United Kingdom from the Union as regards the loss of preferential status of OCTs and to remedy the consequences of the expiry of the additional protocols with Norway and Iceland, this Regulation should enter into force as a matter of urgency and should apply, with retroactive effect, from 1 January 2021,

HAS ADOPTED THIS REGULATION:

¹ Additional Protocol to the Agreement between the European Economic Community and the Republic of Iceland (OJ L 141, 28.5.2016, p. 18).

² Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway (OJ L 141, 28.5.2016, p. 22).

Article 1

Regulation (EU) 2020/1706 is amended as follows:

- (1) point (b) of Article 4(4) is replaced by the following:

‘(b) cutting into rings and cutting into strips for materials under CN codes 0307 43 35, 0307 43 91, 0307 43 92 and 0307 43 99;’;
- (2) the Annex is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2021.

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

Done at ...,

For the Council
The President

ANNEX

In the table in the Annex to Regulation (EU) 2020/1706, the following entries are added:

Order no	CN code	TARIC code	Description	Annual amount of quota (tonnes) ¹	Quota duty	Quota period
09.2508	ex 0307 43 35	10	Squid of the species <i>Loligo gahi</i> , frozen, for processing	75 000	0 %	1.1.2021– 31.12.2023
09.2509	ex 1604 12 91	13 93	Herrings, spiced and/or vinegar-cured, in brine, for processing	15 000 (net drained weight)	0 %	1.5.2021-30.4.2022
	ex 1604 12 99	16 17		7 500 (net drained weight)	0 %	1.5.2022 - 31.10.2022
09.2510	ex 0303 51 00	10	Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, for processing*	10 000	0 %	1.5.2021 - 30.4.2022
		20		5 000		1.5.2022 - 31.10.2022

¹ Expressed in net weight, unless otherwise stated.

* From 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation.

Order no	CN code	TARIC code	Description	Annual amount of quota (tonnes) ¹	Quota duty	Quota period
09.2512	0303 55 30	10	Frozen fish, for processing: Chilean jack mackerel (<i>Trachurus murphyi</i>)	3 300	0 %	1.5.2021 - 30.4.2022
	ex 0303 55 90	95	Other fish of <i>Trachurus</i> spp., excluding <i>Trachurus trachurus</i> , <i>Trachurus murphyi</i> and horse mackerel (scad) (<i>Caranx trachurus</i>)	1 650	0 %	1.5.2022 - 31.10.2022

Order no	CN code	TARIC code	Description	Annual amount of quota (tonnes) ¹	Quota duty	Quota period
	0303 56 00	10	Cobia (<i>Rachycentron canadum</i>)			
	0303 69 90	10	Other fish			
	0303 89 90	11				
		21				
		30				
		91				
	0303 82 00	10	Rays and skates (<i>Rajidae</i>)			
	0303 89 55	10	Gilt-head sea bream (<i>Sparus aurata</i>)			

Order no	CN code	TARIC code	Description	Annual amount of quota (tonnes) ¹	Quota duty	Quota period
09.2513	0304 86 00	20	Fillets of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, for processing	25 000	0 %	1.5.2021 - 30.4.2022
	ex 0304 99 23	10 20	Flaps of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>) (butterflies), frozen, for processing*	12 500	0 %	1.5.2022 - 31.10.2022
09.2514	0304 49 50	10	Fillets of redfish (<i>Sebastes</i> spp.), fresh or chilled, for processing	1 300	0 %	1.5.2021 - 30.4.2022
				650	0 %	1.5.2022 - 31.10.2022

* From 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation.