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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	6 May 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2025) 1802 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 6.5.2025 amending Delegated Regulations (EU) 2016/1237 and (EU) 2020/760 as a consequence of the establishment of the Electronic system for Agricultural Non-customs formalities (ELAN)

Delegations will find attached document C(2025) 1802 final.

Encl.: C(2025) 1802 final



EUROPEAN
COMMISSION

Brussels, 6.5.2025
C(2025) 1802 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 6.5.2025

**amending Delegated Regulations (EU) 2016/1237 and (EU) 2020/760 as a consequence of
the establishment of the Electronic system for Agricultural Non-customs formalities
(ELAN)**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2022/2399 establishes the European Union Single Window Environment for Customs. In particular, it sets out common rules for a harmonised and integrated European Union Single Window Environment for Customs ('EU Single Window Environment for Customs') to digitalise goods clearance processes in international trade and to facilitate information sharing and digital cooperation between customs authorities and partner competent authorities.

To implement the EU Single Window Environment for Customs, Regulation (EU) 2022/2399 establishes the European Union Customs Single Window Certificates Exchange System (EU CSW-CERTEX), that interconnects national single window environments for customs and Union non-customs systems managing specific non-customs formalities.

In accordance with Regulation (EU) 2022/2399, the exchange of digital information through EU CSW-CERTEX must cover Union non-customs formalities laid down in Union legislation other than customs legislation that customs authorities are entrusted to enforce.

Union non-customs formalities comprise all operations which are to be carried out for the international movement of goods, and impose different obligations for the import, export or transit of certain goods, and their verification through customs controls is fundamental to the effective functioning of the EU Single Window Environment for Customs.

Regulation (EU) No 1308/2013 empowers the Commission to adopt the necessary measures regarding communications to be made by Member States and third countries for the purposes of applying that Regulation, monitoring, analysing and managing the market in agricultural products, as well as ensuring compliance with the requirements laid down in international agreements concluded in accordance with the TFEU.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The draft delegated act was presented and discussed with experts at the Group of Experts – Horizontal questions concerning the CAP meetings on 22 May 2024.

The draft delegated act was published for feedback on Europa's "Have Your Say" portal from 20 February 2025 to 20 March 2025. Two comments were submitted on "Have your say". One of them highlighted the importance of using digitalisation as a means to ensure effective controls on the compliance with non-customs formalities in order to avoid frauds. It stressed also the importance to avoid fragmentation in interoperability. The other one suggested to limit economic interventionism to the minimum and leave the market correct itself. No substantial modification stemmed from these comments.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This delegated act amends certain provisions of Delegated Regulation (EU) 2016/1237 and Delegated Regulation (EU) 2020/760 to adapt them in view of the creation of the electronic system for agricultural non-customs formalities (ELAN).

4. INTEROPERABILITY ASSESSMENT

According to the assessment carried out in accordance with Article 3 of Regulation (EU) 2024/903, the delegated act is in line with the scope of that Regulation to promote the cross-

border interoperability of trans-European digital public services, thus contributing to the interoperability of the underlying network and information systems.

COMMISSION DELEGATED REGULATION (EU) .../...

of 6.5.2025

amending Delegated Regulations (EU) 2016/1237 and (EU) 2020/760 as a consequence of the establishment of the Electronic system for Agricultural Non-customs formalities (ELAN)

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 1234/2007¹, and in particular Articles 177 and 186 thereof,

Whereas:

- (1) Regulation (EU) 2022/2399 of the European Parliament and of the Council² establishes a European Union Single Window Environment for Customs ('EU Single Window Environment for Customs'), which includes an electronic European Union Customs Single Window Certificates Exchange System (EU CSW-CERTEX), the national single window environments for customs, and various Union non-customs systems the use of which is either mandatory or voluntary under Union law.
- (2) In order to optimise trade of agricultural products, all documents required in agricultural legislation for fulfilling non-customs formalities should be made available to the customs authorities of Member States in electronic form via the EU Single Window Environment for Customs.
- (3) Commission Delegated Regulation (EU) 2025/XXX³ [C(2025) 1804, to be completed by OP] and Commission Implementing Regulation (EU) 2025/XXX⁴ [C(2025) 1803, to be completed by OP] establish an electronic system for agricultural non-customs formalities ('ELAN') to make the documents falling under its scope available in electronic form to customs authorities. The development and use of ELAN require the adoption of an adequate legal framework to lay down the rules applicable to the system.

¹ OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>.

² Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2399/oj>).

³ Commission Delegated Regulation (EU) 2025/XXX of ... laying down rules supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities ('ELAN') to monitor and manage trade and market in agricultural products [C(2025) 1804, to be completed by OP] (OJ L, ELI....).

⁴ Commission Implementing Regulation (EU) 2025/XXX of ... laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities ('ELAN') [C(2025) 1803, to be completed by OP] (OJ L, ELI....).

- (4) Commission Delegated Regulation (EU) 2016/1237⁵ lays down rules for applying the system of import and export licences for trade of agricultural products and Commission Delegated Regulation (EU) 2020/760⁶ lays down rules for the administration of import and export tariff rate quotas subject to licences. Those Delegated Regulations need to be amended so that the documents under their scope can be made available to the customs authorities of Member States in electronic form via the EU Single Window Environment for Customs.
- (5) The electronic exchange of licences via ELAN and EU CSW-CERTEX requires to gradually replace the templates for import and export licences set out in Annex I to Commission Implementing Regulation (EU) 2016/1239⁷ with new data models designed for ELAN, called ELAN1L-AGRIM and ELAN1L-AGREX, that are to allow their use in electronic form via the communication between the national electronic systems, ELAN, and EU CSW-CERTEX. The competent issuing authorities should complete these data models in accordance with the rules laid down in that Implementing Regulation and the instructions published in series C of the *Official Journal of the European Union*.
- (6) This Regulation should take into account that the use of ELAN is to become gradually mandatory in accordance with the dates of the transitional period laid down in Article 6 of Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP]. During the transitional period laid down in paragraphs 1 and 2 of that Article, licences may be based on the templates set out in Annex I to Implementing Regulation (EU) 2016/1239. In addition, during the transitional period laid down in Article 6 of Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP] and until the use of ELAN becomes mandatory for customs authorities, documents falling under the scope of ELAN may be printed on paper.
- (7) Moreover, the use of documents printed on paper may still be possible when the use of ELAN has become mandatory, as a fallback solution if the system becomes temporarily unavailable. This Regulation should allow for this possibility.
- (8) Article 2 of Delegated Regulation (EU) 2016/1237 requires import and export licences to be presented physically at customs authorities. That Article should be adapted to accommodate the use of electronic documents, and the possibility to retrieve them in electronic form from ELAN.

⁵ Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008 (OJ L 206, 30.7.2016, p. 1, ELI: http://data.europa.eu/eli/reg_del/2016/1237/oj).

⁶ 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, ELI: http://data.europa.eu/eli/reg_del/2020/760/oj).

⁷ Commission Implementing Regulation (EU) 2016/1239 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the system of import and export licences (OJ L 206, 30.7.2016, p. 44, ELI: http://data.europa.eu/eli/reg_impl/2016/1239/oj).

- (9) Similarly, where Article 5 of Delegated Regulation (EU) 2016/1237 lays down instructions on how to fill in specific sections of the licences based on the current templates, that Article should be integrated with the instructions on how to fill the new relevant data model.
- (10) Article 6 of Delegated Regulation (EU) 2016/1237 allows to transfer licences or their extracts only to a single operator, who in turn can only transfer it back to the original holder. It shall be clarified that, with regard to licences issued according to the ELAN1L-AGRIM data model, in case of transfer back to the titular holder, the licence or extract may be transferred again to another operator.
- (11) Article 8 of Delegated Regulation (EU) 2016/1237 requires Member States to notify replacement licences issued in accordance with Article 15(5) of Implementing Regulation (EU) 2016/1239. Article 8 of that Delegated Regulation should therefore cease to apply to electronic replacement licences issued in ELAN or communicated to it. Therefore, that Article 8 should be amended, taking into consideration that licences may still be printed on paper both before the use of ELAN becomes mandatory for all issuing and customs authorities, and on the occasions where ELAN becomes temporarily unavailable. In these cases, the rules on replacement licences set out in Article 8 of that Delegated Regulation and their notification should still apply.
- (12) According to Annex I to Delegated Regulation (EU) 2016/1237, the import licence obligation does not apply to imports of garlic since 1 October 2017. Therefore, the obligation to notify 'B' licences should be removed from Article 8 of that Delegated Regulation. Similarly, the obligation to issue licences for garlic laid down in Article 10 of that Delegated Regulation should be deleted.
- (13) Article 9 of Delegated Regulation (EU) 2016/1237 should clarify that licences issued for imports in the hemp sector are to comply with the new ELAN1L-AGRIM data model.
- (14) Article 2 of Delegated Regulation (EU) 2020/760 should include Delegated Regulation (EU) 2025/XXX [C(2025) 1804, to be completed by OP] and Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP] governing ELAN among the list of applicable rules.
- (15) Article 5 of Delegated Regulation (EU) 2020/760 requires economic operators to submit the proof of release for free circulation or of export to the licence issuing authorities for the release of securities. That Article should be adapted to clarify that once licences become available in electronic form in ELAN the proof of their use could be retrieved from ELAN.
- (16) Article 10 of Delegated Regulation (EU) 2020/760 requires that the customs declaration used to prove the reference quantity of operators bears the number of the invoice. However, following the amendment introduced to that Article by Commission Delegated Regulation (EU) 2023/735⁸, importers are no longer required to prove their reference quantity based on invoices. Therefore, Delegated Regulation (EU) 2020/760 should no longer require that the customs declaration refers to the number of invoices.
- (17) The use of electronic licences via ELAN should reduce the obligation for Member States to notify information about the licences. In particular, the unused quantities

⁸ Commission Delegated Regulation (EU) 2023/735 of 30 January 2023 amending Delegated Regulation (EU) 2020/760 with regard to the requirement to submit invoices to establish the reference quantity and clarifying some issues concerning the Licence Operator Registration and Identification (LORI) electronic system (OJ L 96, 5.4.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/735/oj).

could be retrieved from ELAN, if both the issuing authorities and the customs authorities of Member States use ELAN. Similarly, Member States issuing licenses in ELAN, or communicating licenses to that system, based on documents issued by third countries, should no longer need to notify those licences to the Commission, as they should be available in ELAN.

- (18) Modifications introduced by this Regulation should reflect the fact that the use of ELAN is to become mandatory for all users at the end of the transitional period laid down in Article 6(5) of Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP].
- (19) Delegated Regulations (EU) 2016/1237 and (EU) 2020/760 should therefore be amended accordingly.
- (20) The requirements mandating digitalisation of the documents required for the release into free circulation and for the export of agricultural products covered by this Regulation affect trans-European digital public services within the meaning of Regulation (EU) 2024/903 of the European Parliament and of the Council⁹. Accordingly, an interoperability assessment has been carried out and the resulting report is to be published on the Interoperable Europe Portal.
- (21) This Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*, to ensure the correct application of the rules before ELAN will become available to its users for testing purposes,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2016/1237

Delegated Regulation (EU) 2016/1237 is amended as follows:

- (1) Article 1 is amended as follows:

- (a) the following point (c) is added:

‘(c) ‘instructions published in series C of the *Official Journal of the European Union*’ means the ‘Notice on the instructions on completing the ELAN1L-AGRIM and ELAN1L-AGREX data models’ [C(2025)1805, to be completed by OP] referred to in Article 1(1), point (j) of Implementing Regulation (EU) 2016/1239.’;

- (b) the following second paragraph is added:

‘All definitions laid down in Article 3 of Commission Delegated Regulation (EU) 2025/XXX* [C(2025) 1804, to be completed by OP] and in Article 2 of Commission Implementing Regulation (EU) 2025/XXX**[C(2025) 1803, to be completed by OP] apply to this Regulation.

* Commission Delegated Regulation (EU) 2025/XXX of ... laying down rules supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities (‘ELAN’) to monitor and

⁹ Regulation (EU) 2024/903 of the European Parliament and of the Council of 13 March 2024 laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (*OJ L*, 2024/903, 22.3.2024, ELI: <http://data.europa.eu/eli/reg/2024/903/oj>).

manage trade and market in agricultural products [C(2025) 1804, to be completed by OP] (OJ L, ELI....).

**** Commission Implementing Regulation (EU) 2025/XXX of ... laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities ('ELAN') [C(2025) 1803, to be completed by OP] (OJ L, ELI....).';**

(2) Article 2 is amended as follows:

(a) in paragraph 1, the introductory sentence is replaced by the following:

‘An import licence is required for the following products:’;

(b) in paragraph 2, the introductory sentence is replaced by the following:

‘An export licence is required for the following products:’;

(3) in Article 5, paragraph 2 is replaced by the following:

‘2. The customs declaration for release for free circulation or for export shall be lodged by:

(a) the titular holder of the licence corresponding to the information provided either in Section “Titular holder” of the licence set out in Annex I.1 to Implementing Regulation (EU) 2016/1239 (“titular holder”) or in accordance with the instructions published in series C of the *Official Journal of the European Union*. If, in accordance with the transitional rules laid down in Articles 21a to 21d of that Implementing Regulation, the licence is issued in accordance with the model set out in Annex I to that Implementing Regulation, the titular holder shall be indicated in Section 4 of the licence;

(b) the transferee corresponding to the information provided in Section “Transferee” of the licence in accordance with Annex I.1 to Implementing Regulation (EU) 2016/1239. If, in accordance with the transitional rules laid down in Articles 21a to 21d of that Implementing Regulation the licence shall be issued in accordance with the model set out in Annex I to that Implementing Regulation, the transferee shall be indicated in Section 6 of the licence;

(c) an appointed customs representative acting on behalf of the titular holder or transferee as provided for in Article 18 of Regulation (EU) No 952/2013, specifying in the customs declaration that the titular holder or transferee is the person on whose behalf the obligation mentioned in paragraph 1 is carried out.’;

(4) in Article 6, paragraph 2 is replaced by the following:

‘2. A transfer of rights deriving from a licence or its extract may be made in favour of a single transferee only and shall cover the quantities not yet attributed to the licence or extract.

When a licence or its extract issued in accordance with Annex I.1 to Implementing Regulation (EU) 2016/1239 is transferred back to the titular holder, the titular holder can transfer it again in favour of another single transferee, within the limits of the quantity not yet attributed to the licence.’;

(5) Article 8 is replaced by the following:

‘Article 8

Notifications

In accordance with the detailed conditions laid down in the implementing act adopted pursuant to Article 223(3) of Regulation (EU) No 1308/2013, Member States shall notify the Commission of the following:

(a) the replacement licences issued referred to in Article 15(5) of Implementing Regulation (EU) 2016/1239. When Member States make the replacement licences available in the electronic system for agricultural non-customs formalities (ELAN) governed by Delegated Regulation (EU) 2025/XXX [C(2025) 1804, to be completed by OP] and Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP], they shall notify those replacement licences upon request of the Commission;

(b) cases of *force majeure* referred to in Article 16(3) of Implementing Regulation (EU) 2016/1239;

(c) as regards hemp, the competent authorities for checks referred to in Article 17(2) of Implementing Regulation (EU) 2016/1239;

(d) as regards ethyl alcohol, the import licences issued referred to in Article 19 of Implementing Regulation (EU) 2016/1239;

(e) as regards rice, the quantities referred to in Article 19a of Implementing Regulation (EU) 2016/1239;

(f) irregularities referred to in Article 20(2) of Implementing Regulation (EU) 2016/1239;

(g) the authorities competent for receiving the applications for licences and issuing the licences or replacement licences referred to in Article 20(3) of Implementing Regulation (EU) 2016/1239;

(h) official stamps and, where appropriate, embossing presses referred to in Article 20(4) of Implementing Regulation (EU) 2016/1239.’;

(6) in Article 9, paragraph 1 is replaced by the following:

‘1. The release for free circulation of hemp products listed in Sections C, D and G of Part I of the Annex to this Regulation shall be subject to an import licence in accordance with Annex I.1 to Implementing Regulation (EU) 2016/1239 (‘ELAN1L-AGRIM’) and the instructions published in series C of the *Official Journal of the European Union*. During the transitional period laid down in Article 21a of Implementing Regulation (EU) 2016/1239, licences may be issued in accordance with the templates set out in Annex I to that Implementing Regulation.

The licence shall be issued only where it has been demonstrated to the satisfaction of the Member State where the hemp products are to be released for free circulation that all the conditions laid down in Article 189(1) of Regulation (EU) No 1308/2013 and in this Regulation and the requirements laid down by the Member State concerned pursuant to Article 189(2) of Regulation (EU) No 1308/2013, have been met.’;

(7) Article 10 is deleted.

Article 2

Amendments to Delegated Regulation (EU) 2020/760

Delegated Regulation (EU) 2020/760 is amended as follows:

(1) Article 2 is replaced by the following:

‘Article 2

Other applicable rules

Regulation (EU) No 952/2013 of the European Parliament and of the Council* and Commission Delegated Regulations (EU) 2022/127**, (EU) 2015/2446***, (EU) 2016/1237**** and (EU) 2025/XXX*****[C(2025) 1804, to be completed by OP], and Commission Implementing Regulations (EU) 2016/1239***** and (EU) 2025/XXX*****[C(2025) 1803, to be completed by OP] shall apply, unless otherwise provided for in this Regulation.

* Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/952/oj>).

** Commission Delegated Regulation (EU) 2022/127 of 7 December 2021 supplementing Regulation (EU) 2021/2116 of the European Parliament and of the Council with rules on paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro (OJ L 20, 31.1.2022, p. 95, ELI: http://data.europa.eu/eli/reg_del/2022/127/oj).

*** Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1, ELI: http://data.europa.eu/eli/reg_del/2015/2446/oj).

**** Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences (OJ L 206, 30.7.2016, p. 1, ELI: http://data.europa.eu/eli/reg_del/2016/1237/oj).

***** Commission Delegated Regulation (EU) 2025/XXX of ... laying down rules supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities ('ELAN') to monitor and manage trade and market in agricultural products [C(2025) 1804, to be completed by OP] (OJ L, ELI....).

***** Commission Implementing Regulation (EU) 2016/1239 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the system of import and export licences (OJ L 206, 30.7.2016, p. 44, ELI: http://data.europa.eu/eli/reg_impl/2016/1239/oj).

***** Commission Implementing Regulation (EU) 2025/XXX of ... laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the electronic system for agricultural non-customs formalities ('ELAN') [C(2025) 1803, to be completed by OP] (OJ L, ELI....).';

(2) in Article 5, paragraph 2 is replaced by the following:

'2. By way of derogation from Article 24(4) of Delegated Regulation (EU) 2022/127, where the release for free circulation in the Union or export from the Union took place within the period of validity of the licence, but the time limit for submission of the proof of that release or export is exceeded, the security shall be forfeited by 3 % for each calendar day by which the time limit is exceeded.

National competent authorities shall check the use of licences made available via the electronic system for agricultural non-customs formalities (ELAN) referred to in Article 3 of

Delegated Regulation (EU) 2025/XXX [C(2025) 1804, to be completed by OP] directly in that system. When the transitional rules laid down in Articles 21a to 21d of Implementing Regulation (EU) 2016/1239 allow customs authorities to make attributions to licences or extracts directly in the national electronic systems of Member States, then the national competent authorities shall check the use of licences directly in those systems. When licences have been used in paper version or paper extracts have been made out of them, the first subparagraph of this paragraph applies.’;

(3) Article 10 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The reference quantity shall be established on the basis of a certified print out of the customs declaration finalized for release for free circulation. The customs declaration shall indicate, depending on the requirements of each Member State, whether the licence applicant is a declarant as referred to in Article 5, point (15), of Regulation (EU) No 952/2013 or an importer as referred to in Title I, Chapter 3, Group 3, of Annex B to Delegated Regulation (EU) 2015/2446 and in Title II, Group 3, of that Annex.’;

(b) paragraph 2 is deleted;

(4) Article 17 is replaced by the following:

‘Article 17

Notifications to the Commission

Member States shall notify the Commission for each tariff quota period of the following information using the notification system established by Delegated Regulation (EU) 2017/1183 and Implementing Regulation (EU) 2017/1185:

(a) the quantities covered by import or export licence applications;

(b) the quantities covered by import or export licences issued. Member States issuing licences using ELAN or transmitting them to that system shall notify them upon request of the Commission;

(c) the non-used quantities covered by unused or partly used import or export licences. Member States issuing licences using ELAN or transmitting them to that system shall notify them upon request of the Commission;

(d) the quantities allocated to operators within a tariff quota for which import or export licences were not issued;

(e) the quantities released for free circulation or exported under the import or export licences issued. Member States issuing licences using ELAN or transmitting them to that system shall notify them upon request of the Commission;

(f) for tariff quotas for which prior registration of operators is required:

(i) the names, the EORI numbers and addresses of operators having received import licences or of the transferees of an import licence;

(ii) for each operator, the quantities applied for;

(iii) applications for registration in the LORI electronic system which have been validated and rejected, registrations which have been withdrawn, and validations and rejections of changes in the LORI record;

(g) for import tariff quotas administered with documents issued by third countries, for each certificate of authenticity, Inward Monitoring Arrangement ('IMA 1') certificate, or certificate of eligibility, or the relevant subtype of ELAN1L-TCDOC, referred to in Annex XIV to Implementing Regulation (EU) 2020/761 lodged by an operator, the number of the corresponding licence issued, and the quantities covered. Where both the document issued by third countries and the corresponding licence are available in ELAN, Member States shall simply indicate the number of the ELAN1L-TCDOC in the relevant Section of the ELAN1L-AGRIM. Member States shall still notify the corresponding licence, upon request of the Commission.'.

Article 3

Transitional provision

The amendments introduced by this Regulation shall be implemented in accordance with the transitional period laid down in Article 6 of Implementing Regulation (EU) 2025/XXX [C(2025) 1803, to be completed by OP] and with the rules applicable during that period to import and export licences and documents issued by third countries laid down in Implementing Regulations (EU) 2016/1239 and (EU) 2020/761, and in Commission Implementing Regulations (EU) 2020/1988¹⁰ and (EU) 2023/2834¹¹.

Article 4

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*.

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

Done at Brussels, 6.5.2025

For the Commission

The President

Ursula VON DER LEYEN

¹⁰ Commission Implementing Regulation (EU) 2020/1988 of 11 November 2020 laying down rules for the application of Regulations (EU) No 1308/2013 and (EU) No 510/2014 of the European Parliament and of the Council as regards the administration of import tariff quotas in accordance with the 'first come, first served' principle (OJ L 422, 14.12.2020, p. 4, ELI: http://data.europa.eu/eli/reg_impl/2020/1988/oj).

¹¹ Commission Implementing Regulation (EU) 2023/2834 of 10 October 2023 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards imports in the sectors of rice, cereals, sugar and hops (OJ L, 2023/2834, 21.12.2023, ELI: http://data.europa.eu/eli/reg_impl/2023/2834/oj).