

Brussels, 17 June 2026
(OR. en)

10428/26

Interinstitutional File:
2025/0260 (COD)

CODEC 1149
POLCOM 216
COMER 104
USA 20
COTRA 48
PE 81

INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL on the non-application of customs duties on imports of
certain goods
- Outcome of the European Parliament's first reading
(Strasbourg, 15 to 18 June 2026)

I. INTRODUCTION

In accordance with the provisions of Article 294 of the TFEU and the Joint declaration on practical arrangements for the codecision procedure¹, a number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this proposal at first reading.

In this context, the Chair of the Committee on International Trade (INTA), Bernd LANGE (S&D, DE), presented on behalf of INTA a compromise amendment (amendment number 18) to the abovementioned proposal for a Regulation, for which he had prepared a draft report. This amendment had been agreed during the informal contacts referred to above. In addition, the Left political group tabled one proposal to reject the Commission proposal (amendment number 19).

¹ OJ C 145, 30.6.2007, p. 5.

II. VOTE

When it voted on 16 June 2026, the plenary adopted the compromise amendment (amendment number 18) to the abovementioned proposal for a Regulation. No other amendments were adopted. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto².

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position.

The act would then be adopted in the wording which corresponds to the Parliament's position.

² The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

P10_TA(2026)0197

Non-application of customs duties on imports of certain goods

European Parliament legislative resolution of 16 June 2026 on the proposal for a regulation of the European Parliament and of the Council on the non-application of customs duties on imports of certain goods (COM(2025)0472 – C10-0192/2025 – 2025/0260(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2025)0472),
- having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C10-0192/2025),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the budgetary assessment by the Committee on Budgets,
- having regard to the provisional agreement approved by the committee responsible under Rule 75(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 27 May 2026 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rules 60 and 58 of its Rules of Procedure,
- having regard to the report of the Committee on International Trade (A10-0070/2026),

1. Adopts its position at first reading hereinafter set out¹;
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ This position replaces the amendments adopted on 26 March 2026 (Texts adopted, P10_TA(2026)0097).

P10_TC1-COD(2025)0260

Position of the European Parliament adopted at first reading on 16 June 2026 with a view to the adoption of Regulation (EU) 2026/... of the European Parliament and of the Council on the non-application of customs duties on imports of certain goods

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure¹,

¹ Position of the European Parliament of 16 June 2026.

Whereas:

- (1) The Union and the United States of America (the ‘United States’) have the largest and deepest bilateral trade and investment relationship in the world and have highly integrated economies. The total two-way trade between them was worth more than EUR 1,6 trillion in 2024. That deep and comprehensive partnership is underpinned by significant mutual investments in each other's markets, worth approximately EUR 5,3 trillion.
- (2) To avoid disruption of their trade and investment relationship, and to continue improving that relationship, *the Union and the United States agreed the Joint Statement on a Tariff Agreement, announced on 21 August 2020 (the ‘2020 Joint Statement’), under which the Union committed to eliminate tariffs on imports of United States live and frozen lobster products and the United States committed in return to reduce by 50 % its tariff rates on certain products exported by the Union worth an average annual trade value of USD 160 million, including certain prepared meals, certain crystal glassware, surface preparations, propellant powders, cigarette lighters and lighter parts. In order to implement the 2020 Joint Statement*, on 16 December 2020, the Union adopted Regulation (EU) 2020/2131 of the European Parliament and of the Council² on the elimination of customs duties on **an erga omnes basis, on a limited number of** goods, **including live and frozen** lobster **products originating in the United States, for the period** from 1 August 2020 **until** 31 July 2025.

² Regulation (EU) 2020/2131 of the European Parliament and of the Council of 16 December 2020 on the elimination of customs duties on certain goods (OJ L 430, 18.12.2020, p. 1, ELI: <http://data.europa.eu/eli/reg/2020/2131/oj>).

- (3) On 27 July 2025, the President of the Commission and the President of the United States reached a political agreement which was subsequently reflected in the Joint Statement on a European Union – United States Framework on an Agreement on Reciprocal, Fair and Balanced Trade of 21 August 2025 (the ‘Joint Statement’). In line with that political agreement and the Joint Statement, and in order to secure continued access for Union goods to the United States’ market, the Union should provide for the non-application, for a further period, of the customs duties on imports into the Union of the types of lobster covered by Regulation (EU) 2020/2131. In line with that political agreement and the Joint Statement, the non-application of customs duties should also include imports of processed lobster classified under code 1605 30 90 of the Combined Nomenclature (CN), as laid down in Council Regulation (EEC) No 2658/87³.
- (4) Therefore, the applicable customs duties on imports of the goods covered by this Regulation should be 0 % ■ **unless** the United States **no longer** implements the Joint Statement in an effective manner.
- (5) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to suspend, in whole or in part, the non-application of customs duties on goods covered by this Regulation, in specific circumstances. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁴.

³ 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, ELI: <http://data.europa.eu/eli/reg/1987/2658/oj>).

⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

- (6) *By 31 January 2030, the Commission should present an assessment of the effects of this Regulation. That assessment should cover the changes since 1 August 2025 in trade volumes and values of United States exports to the Union of the goods covered by this Regulation. Where appropriate, that assessment should be accompanied by a legislative proposal to extend the period of application of this Regulation.*
- (7) In view of the importance of avoiding disruption of the trade and investment relationship between the Union and the United States, this Regulation should enter into force on the day of its publication. For the same reason, this Regulation should apply with retroactive effect from 1 August 2025. Customs duties paid in excess of those applicable pursuant to this Regulation in the period between 1 August 2025 and the date of entry into force of this Regulation should be reimbursed upon request,

HAVE ADOPTED THIS REGULATION:

Article 1

Non-application of customs duties

The applicable customs duties of the Common Customs Tariff established by Regulation (EEC) No 2658/87 on imports into the Union *of the* goods classified under the Combined Nomenclature (CN) codes listed in the Annex to this Regulation shall be 0 %.

Article 2

Suspension

1. The Commission may adopt an implementing act suspending in whole or in part the application of Article 1 in any of the following circumstances:
 - (a) where the United States fails to implement the Joint Statement on a European Union – United States Framework on an Agreement on Reciprocal, Fair and Balanced Trade, announced on 21 August 2025 (the ‘Joint Statement’), or otherwise undermines the objectives of improving the trade and investment relationship between the Union and the United States and the objectives pursued by the Joint Statement, or undermines access of Union economic operators to the United States market, or otherwise disrupts the trade and investment relationship between the Union and the United States;
 - (b) where there is sufficient indication that the United States will act in the manner referred to in point (a) in the future; *or*

- (c) where a change of objective circumstances has occurred with regard to those existing on the date of the Joint Statement.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 3(2).

2. The implementing act referred to in paragraph 1 shall apply for as long as the circumstances referred to in that paragraph persist.

Article 3

Committee procedure

1. The Commission shall be assisted by the Trade Barriers Committee established by Regulation (EU) 2015/1843 of the European Parliament and of the Council⁵. ***That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.***
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

⁵ Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union's rights under international trade rules, in particular those established under the auspices of the World Trade Organization (OJ L 272, 16.10.2015, p. 1, ELI: <http://data.europa.eu/eli/reg/2015/1843/oj>).

Article 4

Reimbursement of customs duties

Upon request by the economic operators concerned, the competent national customs authorities of the Member States shall reimburse any customs duties paid in excess of those applicable pursuant to this Regulation in respect of goods classified under the CN codes listed in the Annex imported into the Union between 1 August 2025 and ... [the date of entry into force of this Regulation].

Article 5

Assessment and reporting

- 1. *By 31 January 2030, the Commission shall present an assessment of the effects of this Regulation. That assessment shall cover the changes since 1 August 2025 in trade volumes and values of United States exports to the Union of the goods classified under the CN codes listed in the Annex.***
- 2. *Where appropriate, the assessment referred to in paragraph 1 shall be accompanied by a legislative proposal to extend the period of application of this Regulation.***
- 3. *The Commission shall keep the European Parliament and the Council regularly informed, in a timely manner, of relevant developments in the application of this Regulation.***

Article 6

Entry into force and application

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 August 2025 *until 31 July 2030*.

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

Done at ...,

For the European Parliament

For the Council

The President

The President

ANNEX

CN 2025 code ⁹	Description
0306 11 90	Frozen rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp. and <i>Jasus</i> spp.), even smoked, whether in shell or not, including ones in shell, cooked by steaming or by boiling in water (excluding crawfish tails)
0306 12 10	Frozen lobsters (<i>Homarus</i> spp.), whole, even smoked or cooked by steaming or by boiling in water
0306 12 90	Frozen lobsters (<i>Homarus</i> spp.), even smoked, whether in shell or not, including lobsters in shell, cooked by steaming or by boiling in water (excluding whole)
0306 32 10	Live lobsters (<i>Homarus</i> spp.)
1605 30 90	Lobster, prepared or preserved (excl. merely smoked; excl. lobster meat, cooked, for the manufacture of lobster butter or of lobster pastes, pâtés, soups or sauces)

⁹ The nomenclature codes are taken from the Combined Nomenclature as laid down in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as applicable in 2025, and *mutatis mutandis* as amended by subsequent legal acts.