

I

(Legislative acts)

REGULATIONS

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**

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 procedure⁽¹⁾,

Whereas:

- (1) On 29 March 2017, the United Kingdom submitted the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union (TEU). The TEU and the Treaty on the Functioning of the European Union (TFEU) (collectively, the 'Treaties') will cease to apply to the United Kingdom from the date of entry into force of a withdrawal agreement or failing that, two years after that notification, that is from 30 March 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period.
- (2) The withdrawal agreement as agreed between the negotiators contains arrangements for the application of provisions of Union law to and in the United Kingdom beyond the date the Treaties cease to apply to and in the United Kingdom. If that agreement enters into force, Council Regulation (EC) No 32/2000⁽²⁾ will apply to and in the United Kingdom during the transition period in accordance with that agreement and will cease to apply at the end of that period.
- (3) The United Kingdom's withdrawal from the Union will have effects on the relations of the United Kingdom and the Union with third parties, in particular in the context of the World Trade Organisation (WTO) of which both are original members. As negotiations on that withdrawal have been ongoing at the same time as the negotiations on the multiannual financial framework (MFF), and taking into account the share dedicated to the agricultural sector in the MFF, that sector could be exposed to a great extent.
- (4) By letter of 11 October 2017, the Union and the United Kingdom informed the other WTO Members that it was their intention that, upon leaving the Union, the United Kingdom would replicate to the extent possible its current obligations as a Member State of the Union in its new, separate, schedule of concessions and commitments on trade in goods. However, given that, as regards quantitative commitments, replication is not an appropriate method, the Union and the United Kingdom informed the other WTO Members of their intention to ensure that other WTO Members' current market access levels would be maintained by apportioning the Union's tariff rate quotas between the Union and the United Kingdom.

⁽¹⁾ Position of the European Parliament of 16 January 2019 (not yet published in the Official Journal) and decision of the Council of 28 January 2019.

⁽²⁾ Council Regulation (EC) No 32/2000 of 17 December 1999 opening and providing for the administration of Community tariff quotas bound in GATT and certain other Community tariff quotas and establishing detailed rules for adjusting the quotas, and repealing Council Regulation (EC) No 1808/95 (OJ L 5, 8.1.2000, p. 1).

- (5) In line with the WTO rules, such apportionment of tariff rate quotas that are part of the schedule of concessions and commitments of the Union will have to occur in accordance with Article XXVIII of the General Agreement on Tariffs and Trade 1994 (GATT 1994). The Union will, therefore, following completion of preliminary contacts, engage in negotiations with WTO Members having a principal or substantial supplying interest or holding an initial negotiating right in relation to each of these tariff rate quotas. Those negotiations should remain limited in scope and should in no way extend to a renegotiation of the general terms or degree of access of products to the Union market.
- (6) However, given the time limits imposed on this process by the negotiations on the United Kingdom's withdrawal from the Union, it is possible that agreements might not be concluded with all WTO Members concerned in relation to all of the tariff rate quotas on the date the Union's WTO schedule of concessions and commitments on trade in goods ceases to apply to the United Kingdom. In view of the need to ensure legal certainty and the continuous smooth operation of imports under the tariff rate quotas to the Union and to the United Kingdom, it is necessary for the Union to be able to proceed unilaterally to the apportionment of the tariff rate quotas. The methodology used should be in line with the requirements of Article XXVIII of GATT 1994.
- (7) The following methodology should therefore be used: as a first step the United Kingdom's usage share for each individual tariff rate quota should be established. That share, expressed as a percentage, is the United Kingdom's share of total Union imports under the tariff rate quota over a recent representative three-year period. That share should then be applied to the entire scheduled tariff rate quota volume, taking into account any under-fill thereof, in order to arrive at the United Kingdom's share of a given tariff rate quota. The Union's share would then consist of the remainder of the tariff rate quota in question. This means the total volume of a given tariff rate quota is not changed, that is to say EU-27 volume equals current EU-28 volume minus the United Kingdom volume. The underlying data should be extracted from the relevant Commission databases.
- (8) The methodology for the usage share for each individual tariff rate quota has been established and agreed by the Union and the United Kingdom, in line with the requirements of Article XXVIII of GATT 1994, and therefore, that methodology should be wholly maintained to ensure its consistent application.
- (9) In those cases where no trade is observed for a specific tariff rate quota over the representative period, two alternative approaches should be pursued in order to establish the United Kingdom's usage share. In those cases where there is another tariff rate quota with the identical product definition, the usage share of that identical tariff rate quota should be applied to the tariff rate quota that is without observed trade over the representative period. In those cases where there is no tariff rate quota with an identical product definition, the formula to calculate the usage share should be applied to Union imports in the corresponding tariff lines outside of the tariff rate quota.
- (10) For the agricultural tariff rate quotas concerned, Articles 184 to 188 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽³⁾ provide the necessary legal basis for the administration of the tariff rate quotas once apportioned by this Regulation. In this regard, the tariff rate quota quantities concerned are set out in Part A of the Annex to this Regulation. That administration should therefore be carried out having due regard to the objectives of the Common Agricultural Policy, as laid down in the TFEU, and the multi-functionality of agricultural activities. For the tariff rate quotas covering most fisheries products, industrial products and certain processed agricultural products, the administration of the tariff rate quotas is carried out pursuant to Regulation (EC) No 32/2000. The tariff rate quotas quantities concerned are set out in Annex I to that Regulation and that Annex should therefore be replaced by the quantities set out in Part B of the Annex to this Regulation.

Four fisheries tariff rate quotas are not administered under Regulation (EC) No 32/2000 but under Commission Regulation (EC) No 847/2006 ⁽⁴⁾, which implements Council Decision 2006/324/EC ⁽⁵⁾. The tariff rate quota quantities concerned are set out in Part C of the Annex to this Regulation. Implementing powers should be

⁽³⁾ 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 (OJ L 347, 20.12.2013, p. 671).

⁽⁴⁾ Commission Regulation (EC) No 847/2006 of 8 June 2006 opening and providing for the administration of Community tariff quotas for certain prepared or preserved fish (OJ L 156, 9.6.2006, p. 8).

⁽⁵⁾ Council Decision 2006/324/EC of 27 February 2006 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Thailand pursuant to Articles XXIV:6 and XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union (OJ L 120, 5.5.2006, p. 17).

conferred on the Commission to adapt the provisions of Regulation (EC) No 847/2006 in respect of those four fisheries tariff rate quotas in line with the apportioned quantities established by this Regulation. Those implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽⁶⁾.

- (11) In order to take into account the fact that negotiations with affected WTO Members have been taking place in parallel with the ordinary legislative procedure for the adoption of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Parts A and C of the Annex to this Regulation with respect to the quantities of the apportioned tariff rate quotas listed therein, in order to take account of any agreements concluded or of pertinent information that it might receive in the context of those negotiations which would indicate that specific factors that were not previously known require an adjustment to the apportionment of the tariff quotas between the Union and the United Kingdom, while ensuring consistency with the common methodology agreed jointly with the United Kingdom. That power to adopt acts should also be delegated to the Commission where such pertinent information becomes available from other sources with an interest in a specific tariff rate quota. In addition, Regulation (EC) No 32/2000 should be amended in order to delegate to the Commission the power to adopt acts in accordance with Article 290 TFEU to amend Annex I to that Regulation.
- (12) In accordance with the principle of proportionality and in light of the United Kingdom's withdrawal from the Union, it is necessary and appropriate to lay down rules to apportion tariff rate quotas included in the WTO schedule of the Union. This Regulation does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with Article 5(4) TEU.
- (13) In accordance with Article 4(3) of Regulation (EEC, Euratom) No 1182/71 of the Council ⁽⁷⁾, the cessation of application of acts fixed at a given date shall occur on the expiry of the last hour of the day falling on that date. This Regulation should therefore apply from the day following that on which Regulation (EC) No 32/2000 ceases to apply to the United Kingdom given that from that day both the Union and the United Kingdom need to know what their WTO obligations are. However, the provisions of this Regulation setting out the delegation of power and the conferral of implementing powers should apply from the date of entry into force of this Regulation.
- (14) Taking into account the procedural requirements of the ordinary legislative procedure and the need to subsequently adopt implementing acts for the application of this Regulation on the one hand, and the necessity to have the apportioned tariff rate quotas in place and ready to be applied at the moment that the United Kingdom ceases to be covered by the schedule of concessions and commitments of the Union, which could be as early as 30 March 2019, on the other hand, it is essential for this Regulation to enter into force as soon as possible,

HAVE ADOPTED THIS REGULATION:

Article 1

1. The tariff rate quotas included in the schedule of concessions and commitments of the Union annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994) shall be apportioned between the Union and the United Kingdom of Great Britain and Northern Ireland (the 'United Kingdom') in line with the following methodology:

- (a) the Union's usage share of imports in percentages, for each individual tariff rate quota is established, over a recent representative three-year period;
- (b) the Union's usage share of imports, in percentages, is applied to the entire scheduled tariff rate quota volume to arrive at its share in volume of a given tariff rate quota;
- (c) for individual tariff rate quotas for which no trade can be observed during the representative period as laid down in point (a), the Union's portion is instead established by following the procedure laid down in point (b) on the basis of the Union's usage share of imports, in percentages, of another tariff rate quota with the exact same product definition, or in the corresponding tariff lines outside of the tariff rate quota.

⁽⁶⁾ 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).

⁽⁷⁾ Regulation (EEC, Euratom) No 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits (OJ L 124, 8.6.1971, p. 1).

2. The Union's portion of the tariff rate quotas referred to in paragraph 1 resulting from the application of the methodology referred to in that paragraph shall be as follows:

- (a) as regards tariff rate quotas for agricultural products, as set out in Part A of the Annex;
- (b) as regards tariff rate quotas for fisheries products, industrial products and certain processed agricultural products, as set out in Parts B and C of the Annex.

Article 2

While ensuring consistency with the methodology referred to in Article 1(1) and in particular ensuring that the market access into the Union as composed after the withdrawal of the United Kingdom does not exceed that which is reflected in the share of trade flows during a representative period, the Commission is empowered to adopt delegated acts in accordance with Article 3 to amend Parts A and C of the Annex in order to take account of the following:

- (a) any international agreement concluded by the Union under Article XXVIII of GATT 1994 concerning the tariff rate quotas referred to in those parts of the Annex; and
- (b) pertinent information that it may receive either in the context of negotiations under Article XXVIII of GATT 1994 or from other sources with an interest in a specific tariff rate quota.

Article 3

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 2 shall be conferred on the Commission for a period of five years from 9 February 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁽⁸⁾.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 4

The Commission shall adopt implementing acts in order to adjust, in line with Part C of the Annex to this Regulation, the volumes of the tariff rate quotas opened and managed by Regulation (EC) No 847/2006. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 5(2).

Article 5

1. The Commission shall be assisted by the Customs Code Committee established by Article 285(1) of Regulation (EU) No 952/2013 of the European Parliament and of the Council⁽⁹⁾. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

⁽⁸⁾ OJ L 123, 12.5.2016, p. 1.

⁽⁹⁾ 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).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 6

Regulation (EC) No 32/2000 is amended as follows:

- (1) The following Articles are inserted:

'Article 10a

For the purpose of apportioning tariff rate quotas included in the schedule of concessions and commitments of the Union following the withdrawal of the United Kingdom from the Union and while ensuring consistency with the methodology referred to in Article 1(1) of Regulation (EU) 2019/216 of the European Parliament and of the Council (*) and, in particular, ensuring that the market access into the Union as composed after the withdrawal of the United Kingdom does not exceed that which is reflected in the share of trade flows during a representative period, the Commission is empowered to adopt delegated acts in accordance with Article 10b to amend Annex I to this Regulation in order to take account of the following:

- (a) any international agreement concluded by the Union under Article XXVIII of GATT 1994, concerning the tariff rate quotas referred to in Annex I to this Regulation; and
- (b) pertinent information that it may receive either in the context of negotiations under Article XXVIII of GATT 1994, or from other sources with an interest in a specific tariff rate quota.

Article 10b

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 10a shall be conferred on the Commission for a period of five years from 9 February 2019. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of powers referred to in Article 10a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making (**).
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 10a shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

(*) 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 38, 8.2.2019, p. 1).

(**) OJ L 123, 12.5.2016, p. 1.'

- (2) Annex I is replaced by the text in Part B of the Annex to this Regulation.

Article 7

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

2. Articles 1(2) and 6(2) shall apply from the day following that on which Regulation (EC) No 32/2000 ceases to apply to and in the United Kingdom.
3. Articles other than those referred to in paragraph 2 shall apply as from the day of entry into force of this Regulation.

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

Done at Brussels, 30 January 2019.

For the European Parliament

The President

A. TAJANI

For the Council

The President

G. CIAMBA

ANNEX

PART A

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Live bovine animals	head	710	EO ⁽³⁾	090114	100 %	710
Live bovine animals	head	711	EO	090115	100 %	711
Live bovine animals	head	24 070	EO	090113	100 %	24 070
Meat of bovine animals, fresh, chilled or frozen Edible offal of bovine animals, fresh, chilled or frozen	t (product weight)	7 150	AUS	094451	34,7 %	2 481
High quality meat with or without bone	t (product weight)	17 000	ARG	094450	99,6 %	16 936
Boneless high quality meat of bovine animals, fresh or chilled	t (product weight)	12 500			99,6 %	12 453
High quality meat with or without bone	t (product weight)	2 300	URY	094452	87,9 %	2 022
Boneless high quality meat of bovine animals, fresh or chilled	t (product weight)	4 076			87,9 %	3 584
Meat of bovine animals, fresh, chilled or frozen Edible offal of bovine animals, fresh, chilled or frozen	t (product weight)	11 500	USA/CAN	094002	99,8 %	11 481
High quality meat of bovine animals, fresh, chilled or frozen	t		PAR	094455	71,1 %	711
High quality meat of bovine animals, fresh, chilled or frozen	t	1 300	NZL	094454	65,1 %	846
Boneless meat of bovine animals, fresh, chilled or frozen Edible offal of bovine animals, fresh, chilled or frozen	t	10 000	BRA	094453	89,5 %	8 951
Meat of bovine animals, frozen Edible offal of bovine animals, frozen	t (boneless weight)	54 875	EO	094003	79,7 %	43 732
Boneless buffalo meat, frozen	t (without bone)	2 250	AUS	094001	62,4 %	1 405

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Boneless buffalo meat, frozen Boneless buffalo meat, fresh, chilled or frozen	t (without bone)	200	ARG	094004	100 %	200
Meat of bovine animals, frozen Edible offal of bovine animals, frozen	t (bone-in weight)	63 703	EO	094057	30,9 %	19 676
Meat of bovine animals, frozen Edible offal of bovine animals, frozen	t (bone-in weight)		EO	094058		
Edible offal of bovine animals, frozen	t	800	OTH ⁽⁴⁾	094020	100 %	800
Edible offal of bovine animals, frozen	t	700	ARG	094460	100 %	700
Meat of swine, fresh, chilled or frozen: — Carcasses and half-carcasses of domestic swine, fresh, chilled or frozen	t	15 067	EO	090122	100 %	15 067
Meat of swine, fresh, chilled or frozen: — Cuts of domestic swine, fresh, chilled or frozen, with or without bone, excluding tenderloin presented separately	t	4 624	CAN	094204	100 %	4 623
Meat of swine, fresh, chilled or frozen: — Cuts of domestic swine, fresh, chilled or frozen, with or without bone, excluding tenderloin presented separately	t	6 135	EO	090123	100 %	6 133
Meat of swine, fresh, chilled or frozen: — Loins of domestic swine and cuts thereof, with bone in, fresh or chilled — Bellies (streaky) of domestic swine and cuts thereof, frozen	t	7 000	EO	090119	100 %	7 000

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Meat of swine, fresh, chilled or frozen: — Boneless loins and hams of domestic swine, fresh, chilled or frozen	t	35 265	EO	094038	36 %	12 680
Meat of swine, fresh, chilled or frozen: — Boneless loins and hams of domestic swine, fresh, chilled or frozen	t	4 922	USA	094170	36 %	1 770
Meat of swine, fresh, chilled or frozen: — Tenderloins of domestic swine, fresh, chilled or frozen	t	5 000	EO	090118	75,6 %	3 780
Prepared or preserved meat of domestic swine	t	6 161	EO	090121	100 %	6 161
Sausages, dry or for spreading, uncooked Other sausages	t	3 002	EO	090120	5,5 %	164
Live sheep and goats, other than pure-bred breeding animals	t (carcasse weight)	105	OTH	092019	100 %	105
Live sheep and goats, other than pure-bred breeding animals	t (carcasse weight)	215	MKD		100 %	215
Live sheep and goats, other than pure-bred breeding animals	t (carcasse weight)	91	EO	092019	100 %	91
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	23 000	ARG	092011	73,9 %	17 006
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	600	ISL	090790	58,2 %	349
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	850	BIH		48,3 %	410
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	19 186	AUS	092012	20 %	3 837
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	3 000	CHL	091922	87,6 %	2 628

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	100	GRL	090693	48,3 %	48
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	228 389	NZL	092013	50 %	114 184
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	5 800	URY	092014	82,1 %	4 759
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	200	OTH	092015	100 %	200
Meat of sheep or goats, fresh, chilled or frozen	t (carcasse weight)	200	EO	092016	89,2 %	178
Chicken carcasses, fresh, chilled or frozen	t	6 249	EO	094067	64,9 %	4 054
Chicken cuts, fresh, chilled or frozen	t	8 570	EO	094068	96,3 %	8 253
Boneless cuts of fowls of the species <i>Gallus domesticus</i> , frozen	t	2 705	EO	094069	89,7 %	2 427
Cuts of fowls of the species <i>Gallus domesticus</i> , frozen	t	9 598	BRA	094410	86,6 %	8 308
Cuts of fowls of the species <i>Gallus domesticus</i> , frozen	t	15 500	EO	094411	86,9 %	13 471
Cuts of fowls of the species <i>Gallus domesticus</i> , frozen	t			094412		
Turkey meat, fresh, chilled or frozen	t	1 781	EO	094070	100 %	1 781
Cuts of turkeys, frozen	t	3 110	BRA	094420	86,5 %	2 692
Cuts of turkeys, frozen	t	4 985	EO	094421	85,3 %	4 253
Cuts of turkeys, frozen	t			094422		
Meat and edible offal of poultry, fresh, chilled or frozen	t	21 345	USA	094169	100 %	21 345
Salted poultry meat	t	170 807	BRA	094211	76,1 %	129 930
Salted poultry meat	t	92 610	THA	094212	73,8 %	68 385
Salted poultry meat	t	828	OTH	094213	99,5 %	824

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Prepared turkey meat	t	92 300	BRA	094217	97,5 %	89 950
Prepared turkey meat	t	11 596	OTH	094218	97,5 %	11 301
Cooked meat of fowls of the species <i>Gallus domesticus</i>	t	79 477	BRA	094214	66,3 %	52 665
Cooked meat of fowls of the species <i>Gallus domesticus</i>	t	160 033	THA	094215	68,4 %	109 441
Cooked meat of fowls of the species <i>Gallus domesticus</i>	t	11 443	OTH	094216	74 %	8 471
Processed chicken meat, uncooked, containing 57 % or more by weight of poultry meat or offal	t	15 800	BRA	094251	69,4 %	10 969
Processed chicken meat, uncooked, containing 57 % or more by weight of poultry meat or offal	t	340	OTH	094261	69,4 %	236
Processed chicken meat, containing 25 % or more but less than 57 % by weight of poultry meat or offal	t	62 905	BRA	094252	94,9 %	59 699
Processed chicken meat, containing 25 % or more but less than 57 % by weight of poultry meat or offal	t	14 000	THA	094254	57,3 %	8 019
Processed chicken meat, containing 25 % or more but less than 57 % by weight of poultry meat or offal	t	2 800	OTH	094260	59,6 %	1 669
Processed chicken meat, containing less than 25 % by weight of poultry meat or offal	t	295	BRA	094253	55,3 %	163
Processed chicken meat, containing less than 25 % by weight of poultry meat or offal	t	2 100	THA	094255	55,3 %	1 162
Processed chicken meat, containing less than 25 % by weight of poultry meat or offal	t	470	OTH	094262	55,3 %	260

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Processed duck, geese, guinea fowl meat, uncooked, containing 57 % or more by weight of poultry meat or offal	t	10	THA	094257	0 %	0
Processed duck, geese, guinea fowl meat, cooked, containing 57 % or more by weight of poultry meat or offal	t	13 500	THA	094256	63,5 %	8 572
Processed duck, geese, guinea fowl meat, cooked, containing 57 % or more by weight of poultry meat or offal	t	220	OTH	094263	72,1 %	159
Processed duck, geese, guinea fowl meat, cooked, containing 25 % or more but less than 57 % by weight of poultry meat or offal	t	600	THA	094258	50 %	300
Processed duck, geese, guinea fowl meat, cooked, containing 25 % or more but less than 57 % by weight of poultry meat or offal	t	148	OTH	094264	0 %	0
Processed duck, geese, guinea fowl meat, cooked, containing less than 25 % by weight of poultry meat or offal	t	600	THA	094259	46,4 %	278
Processed duck, geese, guinea fowl meat, cooked, containing less than 25 % by weight of poultry meat or offal	t	125	OTH	094265	46,4 %	58
Poultry eggs for consumption, in shell	t	135 000	EO	094015	84,9 %	114 669
Eggs yolks Bird eggs, not in shell	t (shell egg equivalent)	7 000	EO	094401	100 %	7 000
Egg albumin	t (shell egg equivalent)	15 500	EO	094402	100 %	15 500
Skimmed-milk powder	t	68 537	EO	094590	99,998 %	68 536
Butter and other fats and oils derived from milk	t (in butter equivalent)	11 360	EO	094599	100 %	11 360

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
<p>Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process.</p> <p>Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage where the butterfat is concentrated and/or fractionated (the process referred to as 'Ammix' and 'Spreadable').</p>	t	74 693	NZL	094182	63,2 %	47 177
<p>Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process.</p> <p>Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage where the butterfat is concentrated and/or fractionated (the process referred to as 'Ammix' and 'Spreadable').</p>	t		NZL	094195		
<p>Cheese and curd:</p> <p>— Pizza cheese, frozen, cut into pieces each weighing not more than 1 g, in containers with a net content of 5 kg or more, of a water content, by weight, of 52 % or more, and a fat content, by weight, in the dry matter of 38 % or more</p>	t	5 360	EO	094591	100 %	5 360

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Cheese and curd: — Emmentaler, including processed Emmentaler	t	18 438	EO	094592	100 %	18 438
Cheese and curd: — Gruyère, Sbrinz, including processed Gruyère	t	5 413	EO	094593	100 %	5 413
Cheese and curd: — Cheese for processing	t	20 007	EO	094594	58,7 %	11 741
Cheese for processing	t	4 000	NZL	094515	41,7 %	1 670
Cheese for processing	t	500	AUS	094522	100 %	500
Cheese and curd: — Cheddar	t	15 005	EO	094595	99,6 %	14 941
Cheddar	t	7 000	NZL	094514	62,3 %	4 361
Cheddar	t	3 711	AUS	094521	100 %	3 711
Cheddar	t	4 000	CAN	094513	0 %	0
Other cheeses	t	19 525	EO	094596	100 %	19 525
Potatoes, fresh or chilled, from 1 January to 15 May	t	4 295	EO	090055	99,9 %	4 292
Tomatoes	t	472	EO	090094	98,2 %	464
Garlic	t	19 147	ARG	094104	100 %	19 147
Garlic	t		ARG	094099		
Garlic	t	48 225	CHN	094105	84,1 %	40 556
Garlic	t		CHN	094100		
Garlic	t	6 023	OTH	094106	61,6 %	3 711
Garlic	t		OTH	094102		
Carrots and turnips, fresh or chilled	t	1 244	EO	090056	95,8 %	1 192
Cucumbers, fresh or chilled, from 1 November to 15 May	t	1 134	EO	090059	44,1 %	500
Other vegetables, fresh or chilled (sweet peppers)	t	500	EO	090057	100 %	500
Dried onions	t	12 000	EO	090035	80,8 %	9 696

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Manioc (casava)	t	5 750 000	THA	090708	53,8 %	3 096 027
Manioc (casava) other than pellets of flour and meal Arrowroot, salep and similar roots and tubers with high starch content	t	825 000	IDN	090126	0 %	0
Manioc (casava) other than pellets of flour and meal Arrowroot, salep and similar roots and tubers with high starch content	t	350 000	CHN	090127	78,8 %	275 805
Manioc (casava) other than pellets of flour and meal Arrowroot, salep and similar roots and tubers with high starch content	t	145 590	OTH	090128	85,5 %	124 552
Manioc (casava) other than pellets of flour and meal Arrowroot, salep and similar roots and tubers with high starch content	t	30 000	NW	090129	100 %	30 000
Manioc (casava) other than pellets of flour and meal Arrowroot, salep and similar roots and tubers with high starch content	t	2 000	NW	090130	84,6 %	1 691
Sweet potatoes, other than for human consumption	t	600 000	CHN	090124	42,1 %	252 641
Sweet potatoes, other than for human consumption	t	5 000	OTH	090131	99,7 %	4 985
Mushrooms of the species <i>Agaricus</i> , prepared, preserved or provisionally preserved	t	33 980	EO		100 %	33 980
Mushrooms of the species <i>Agaricus</i> , prepared, preserved or provisionally preserved	t	1 450	CHN		100 %	1 450
Almonds, other than bitter	t	90 000	EO	090041	95,5 %	85 958

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Sweet oranges, fresh	t	20 000	EO	090025	100 %	20 000
Other citrus hybrids	t	15 000	EO	090027	99,5 %	14 931
Lemons, from 15 January to 14 June	t	10 000	EO	090039	81,6 %	8 156
Table grapes, fresh, from 21 July to 31 October	t	1 500	EO	090060	59 %	885
Apples, fresh, from 1 April to 31 July	t	696	EO	090061	95,7 %	666
Pears, fresh, other than perry pears in bulk, from 1 August to 31 December	t	1 000	EO	090062	81 %	810
Apricots, fresh, from 1 August to 31 May	t	500	EO	090058	14,9 %	74
Apricots, fresh, from 1 June to 31 July	t	2 500	EO	090063	55,5 %	1 387
Cherries, fresh, other than sour cherries, from 21 May to 15 July	t	800	EO	090040	13,1 %	105
Preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries	t	2 838	EO	090092	99,4 %	2 820
Orange juice, frozen, of a density not exceeding 1,33 g/cm ³ at 20 °C	t	1 500	EO	090033	100 %	1 500
Fruit juices	t	7 044	EO	090093	91,4 %	6 436
Grape juice (including grape must)	t	14 029	EO	090067	0 %	0
Durum wheat	t	50 000	EO	090074	100 %	50 000
Quality wheat	t	300 000	EO	090075	100 %	300 000
Common wheat (medium and low quality)	t	572 000	USA	094123	99,99 %	571 943
Common wheat (medium and low quality)	t	38 853	CAN	094124	3,8 %	1 463
Common wheat (medium and low quality)	t	2 371 600	OTH	094125	96,4 %	2 285 665
Common wheat (medium and low quality)	t	129 577	EO	094133	100 %	129 577
Barley	t	307 105	EO	094126	99,9 %	306 812
Malting barley	t	50 890	EO	090076	40,9 %	20 789

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Preparations consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing, by weight, 12,5 % or more of protein Preparations consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including their seeds) with barley cleanings after the malting process, and containing, by weight, 12,5 % or more of protein and not more than 28 % of starch	t	20 000	EO	092905	100 %	20 000
Preparations consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing, by weight, 15,5 % or more of protein Preparations consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing, by weight, 15,5 % or more of protein and not more than 23 % of starch	t	100 000	EO	092903	100 %	100 000
Maize	t	277 988	EO	094131	96,8 %	269 214
Maize	t	500 000	EO	No order number	100 %	500 000
Maize	t	2 000 000	EO	No order number	100 %	2 000 000
Corn gluten	t	10 000	USA	090090	100 %	10 000
Grain sorghum	t	300 000	EO	No order number	100 %	300 000
Millet	t	1 300	EO	090071	68,3 %	888

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Worked oats, other than kibbled	t	10 000	EO	090043	2,3 %	231
Manioc starch	t	8 000	EO	090132	82,9 %	6 632
Manioc starch	t	2 000	EO	090132	82,9 %	1 658
Bran, sharps and other residues whether or not in the form of pellets derived from the sifting, milling or other working of cereals	t	475 000	EO	090072	96,4 %	458 068
Paddy rice	t	7	EO	090083	66,7 %	5
Husked (brown) rice	t	1 634	EO	094148	86,6 %	1 416
Semi-milled or wholly milled rice	t	63 000	EO		58,3 %	36 731
Semi-milled or wholly milled rice	t	4 313	THA	094112	84,9 %	3 663
Semi-milled or wholly milled rice	t	9 187	OTH		74,7 %	6 859
Semi-milled or wholly milled rice	t	1 200	THA	094112	84,9 %	1 019
Semi-milled or wholly milled rice	t	25 516	OT	094166	88 %	22 442
Broken rice, intended for the production of foodstuffs of subheading 1901 10 00	t	1 000	EO	094079	100 %	1 000
Broken rice	t	31 788	EO	094168	83,6 %	26 581
Broken rice	t	100 000	EO		93,7 %	93 709
Raw cane sugar, for refining	t	9 925	AUS	094317	50 %	4 961
Raw cane sugar, for refining	t	388 124	BRA	094318	92,4 %	358 454
Raw cane sugar, for refining	t	10 000	CUB	094319	100 %	10 000
Raw cane sugar, for refining	t	372 876	EO	094320	91,6 %	341 460
Cane or beet sugar	t (white sugar equivalent)	10 000	IDN	094321	58,4 %	5 841
Cane or beet sugar	t (white sugar equivalent)	1 294 700	ACP	N/A	71,2 %	921 707
Other preparations of a kind used in animal feeding: Containing no milk products or containing less than 10 % by weight of such products	t	2 800	EO	090073	98,1 %	2 746

Product Description	Unit	EU-28 scheduled quantity	Country ⁽¹⁾	Order number	EU-27 share in quota usage ⁽²⁾	EU-27 TRQ size
Other preparations of a kind used in animal feeding: Containing no milk products or containing less than 10 % by weight of such products	t	2 700	EO	090070	98,9 %	2 670
Dog and cat food	t	2 058	EO	090089	67,7 %	1 393
Wine of fresh grapes (other than sparkling wine and quality wine produced in specified regions) in containers holding ≤ 2 L and of an alcoholic strength of ≤ 13 % vol	hl	40 000	EO	090097	11,7 %	4 689
Wine of fresh grapes (other than sparkling wine and quality wine produced in specified regions) in containers holding > 2 L and of an alcoholic strength of ≤ 13 % vol	hl	20 000	EO	090095	78,2 %	15 647
Vermouth and other wine of fresh grapes, flavoured with plants or aromatic substances in containers holding > 2 L and of an alcoholic strength of ≤ 18 % vol	hl	13 810	EO	090098	99,99 %	13 808

⁽¹⁾ For official country codes please refer to: http://www.nationsonline.org/oneworld/country_code_list.htm

⁽²⁾ For presentational purposes, the percentage for the EU-27 share in quota usage has been rounded to one decimal place. The EU-27 tariff rate quota size is, however, calculated based on the exact percentage.

⁽³⁾ EO = *erga omnes*.

⁽⁴⁾ OTH = others.

PART B

List of community tariff quotas bound in GATT

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Order number	CN code	Taric subdivision	Description of goods	Quota period	Quota volume	Rate of duty (%)
09.0006	0302 41 00 0303 51 00 0304 59 50 ex 0304 59 90 0304 99 23	10	Herring	From 16.6. to 14.2.	31 888 tonnes	0
09.0007	ex 0305 51 10 ex 0305 51 90 0305 53 10	10 20 10 20	Cod of the species <i>Gadus morhua</i> and <i>Gadus ogac</i> and fish of the species <i>Boreogadus saida</i> : — dried, whether or not salted but not smoked — salted but not dried or smoked and in brine	From 1.1. to 31.12.	24 998 tonnes	0

Order number	CN code	Taric subdivision	Description of goods	Quota period	Quota volume	Rate of duty (%)
	ex 0305 62 00	20				
		25				
		50				
		60				
	0305 69 10					
	0305 72 00	10				
		15				
		20				
		25				
		30				
		35				
		50				
		52				
		56				
		60				
		62				
		64				
	0305 79 00	10				
		15				
		20				
		25				
		30				
		35				
		50				
		52				
		56				
		60				
		62				
		64				

Order number	CN code	Taric subdivision	Description of goods	Quota period	Quota volume	Rate of duty (%)
09.0008	0302 31 10 0302 32 10 0302 33 10 0302 34 10 0302 35 11 0302 35 91 0302 36 10 0302 39 20 0302 49 11 0302 89 21 0303 41 10 0303 42 20 0303 43 10 0303 44 10 0303 45 12 0303 45 91 0303 46 10 0303 49 20 0303 59 21 0303 89 21		Tunas (of the genus <i>Thunnus</i>) and fish of the genus <i>Euthynnus</i> , for use in the canning industry ⁽¹⁾	From 1.1. to 31.12.	17 221 t	0
09.0009	ex 0302 54 19 ex 0303 66 19	10 11 19	Silver hake (<i>Merluccius bilinearis</i>), fresh, chilled or frozen	From 1.1. to 31.12.	1 999 tonnes	8
09.0013	ex 4412 39 00 ex 4412 99 85	10 10	Plywood of Coniferous species, without the addition of other substances: — of a thickness greater than 8,5 mm, the faces of which are not further prepared than the peeling process — or sanded, and of a thickness greater than 18,5 mm	From 1.1. to 31.12.	482 648 m ³	0
09.0019	7202 21 00 7202 29		Ferro-silicon	From 1.1. to 31.12.	12 600 tonnes	0
09.0021	7202 30 00		Ferro-silicon-manganese	From 1.1. to 31.12.	18 550 tonnes	0
09.0023	ex 7202 49 10 ex 7202 49 50	20 11	Ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferrochromium)	From 1.1. to 31.12.	2 804 tonnes	0

Order number	CN code	Taric subdivision	Description of goods	Quota period	Quota volume	Rate of duty (%)
09.0045	ex 0303 19 00	10	Fish, frozen, of the genus <i>Coregonus</i>	From 1.1. to 31.12.	1 000 tonnes	5,5
09.0046	ex 1605 40 00	30	Freshwater crayfish cooked with dill, frozen	From 1.1. to 31.12.	2 965 tonnes	0
09.0047	ex 1605 21 10	40	Shrimps and prawns of the Species <i>Pandalus borealis</i> , shelled, boiled and frozen, but not otherwise prepared	From 1.1. to 31.12.	474 tonnes	0
	ex 1605 21 90	40				
	ex 1605 29 00	40				
09.0048	ex 0304 89 90	10	Fillets of fish, frozen, of the species <i>Allo-cyttus</i> spp. and <i>Pseu-docyttus maculatus</i>	From 1.1. to 31.12.	200 tonnes	0
09.0050	ex 5306 10 10	10	Unbleached flax yarn (other than tow yarn), not put up for retail sale, measuring 333,3 decitex or more (not exceeding 30 metric numbers), intended for the manufacture of multiple or cabled yarn for the footwear industry or for whipping cables (!)	From 1.1. to 31.12.	400 tonnes	1,8
	ex 5306 10 30	10				
09.0051	7018 10 90		Similar glass smallwares other than glass beads, imitation pearls and imitation precious or semi-precious stones	From 1.1. to 31.12.	52 tonnes	0
09.0052	1806 20		Chocolate	From 1.7. to 30.6.	2 026 tonnes	38
	1806 31 00					
	1806 32					
	1806 90					
09.0053	1704		Sugar confectionery (including white chocolate), not containing cocoa	From 1.7. to 30.6.	2 245 tonnes	35
09.0054	1905 90		Other than crispbread, gingerbread and the like, sweet biscuits, waffles and wafers, rusks, toasted bread and similar toasted products	From 1.7. to 30.6.	409 tonnes	40
09.0084	1702 50 00		Chemically pure fructose	From 1.1. to 31.12.	1 253 tonnes	20
09.0085	1806		Chocolate and other food preparations containing cocoa	From 1.1. to 31.12.	81 tonnes	43
09.0086	1902 11 00		Pasta, whether or not cooked or stuffed or otherwise prepared, except stuffed pasta of CN subheadings 1902 20 10 and 1902 20 30; couscous, whether or not prepared	From 1.1. to 31.12.	497 tonnes	11
	1902 19					

Order number	CN code	Taric subdivision	Description of goods	Quota period	Quota volume	Rate of duty (%)
	1902 20 91					
	1902 20 99					
	1902 30					
	1902 40					
09.0087	1901 90 99		Food preparations of cereals	From 1.1. to 31.12.	191 tonnes	33
	1904 30 00					
	1904 90 80					
	1905 90 20					
09.0088	2106 90 98		Other food preparations not elsewhere specified or included	From 1.1. to 31.12.	702 tonnes	18
09.0091	1702 50 00		Chemically pure fructose	From 1.7. to 30.6.	4 504 tonnes	(²)
09.0096	2106 90 98		Other food preparations not elsewhere specified or included, allocated to the United States of America	From 1.7. to 30.6.	831 tonnes	EA (³)

(¹) The reduction of the customs duty shall be subject to the conditions laid down in the relevant provisions of the European Union with a view to customs control of the use of such goods (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council (OJ L 269, 10.10.2013, p. 1)).

(²) Suspension of specific duty as from 1 July 1995; the *ad valorem* duty to be taken into account is the duty in force appearing in 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).

(³) The symbol 'EA' indicates that the goods are chargeable with an 'agricultural component' fixed in accordance with Regulation (EEC) No 2658/87.

PART C

Product Description	Unit	EU-28 scheduled quantity	Country	Order number	EU-27 share in quota usage	EU-27 TRQ size
Fisheries products not listed in Council Regulation (EC) No 32/2000						
Prepared or preserved fish (excl. whole or in pieces): of tuna, skipjack or other fish of the genus <i>Euthynnus</i>	t	1 816	THA	090704	100 %	1 816
Prepared or preserved fish (excl. whole or in pieces): of tuna, skipjack or other fish of the genus <i>Euthynnus</i>	t	742	EO	090705	100 %	742

Product Description	Unit	EU-28 scheduled quantity	Country	Order number	EU-27 share in quota usage	EU-27 TRQ size
Prepared or preserved fish (excl. whole or in pieces): of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicas</i> , fish of the species <i>Orcynopsis unicolor</i>	t	1 410	THA	090706	8,7 %	123
Prepared or preserved fish (excl. whole or in pieces): of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicas</i> , fish of the species <i>Orcynopsis unicolor</i>	t	865	EO	090707	72,9 %	631

Statement by the Commission

The Commission fully adheres to the principles of Better Regulation and to the commitments laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making. It will therefore endeavour to put forward a legislative proposal to the Council and to the European Parliament at the earliest opportunity, with a view to aligning Regulation (EC) No 32/2000 to the legal framework introduced by the Lisbon Treaty.
