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►**B** **COMMISSION IMPLEMENTING REGULATION (EU) No 413/2014**

of 23 April 2014

opening and providing for the administration of Union import tariff quotas for poultrymeat originating in Ukraine

(OJ L 121, 24.4.2014, p. 37)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Implementing Regulation (EU) No 1167/2014 of 31 October 2014	L 314	17	31.10.2014

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COMMISSION IMPLEMENTING REGULATION (EU) No 413/2014

of 23 April 2014

opening and providing for the administration of Union import tariff quotas for poultrymeat originating in Ukraine

Article 1

Opening and management of tariffs quotas

1. This Regulation opens and manages import tariff quotas for the products indicated in Annex I.

2. The quantity of products covered by the quotas referred to in paragraph 1, the applicable rate of customs duty and the order numbers shall be as set out in Annex I.

3. The import tariff quotas referred to in paragraph 1 shall be managed by attributing import rights as a first step and issuing import licences as a second.

4. Regulations (EC) No 1301/2006 and (EC) No 376/2008 shall apply, unless otherwise provided for in this Regulation.

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Article 2

Import tariff quota periods

1. The import tariff quotas referred to in Article 1(1) shall be opened from 25 April to 31 December 2014 and from 1 January to 31 December 2015.

2. The quantity set for the annual import tariff quota for 2015 and for each order number set out in Annex I shall be subdivided into four subperiods, as follows:

(a) 25 % from 1 January to 31 March;

(b) 25 % from 1 April to 30 June;

(c) 25 % from 1 July to 30 September;

(d) 25 % from 1 October to 31 December.

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Article 3

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Import rights application for the quota period 2014

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1. Applications for import rights shall be submitted no later than 13.00, Brussels time, on the 15th calendar day following the date of entry into force of this Regulation.

2. A security of EUR 35 per 100 kilograms shall be lodged at the time of submission of an import rights application.

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3. Applicants for import rights shall demonstrate that a quantity of poultry products falling under CN codes 0207, 0210 99 39, 1602 31, 1602 32 or 1602 39 21 has been imported by them or on their behalf under the relevant customs provisions, during the 12 month period immediately prior to the import tariff quota period (hereinafter 'reference quantity'). A company formed by the merger of companies, each having an imported reference quantity, may combine those reference quantities as a basis for its application.

4. The total quantity covered by an application for import rights submitted in the import tariff quota period shall not exceed the applicant's reference quantity. Applications not complying with this rule shall be rejected by the competent authorities.

5. No later than the 7th working day following the end of the period for the submission of applications referred to in paragraph 1, Member States shall notify the Commission of the total quantities of all applications in kilograms of product weight and broken down by order number.

6. Import rights shall be awarded as from the 7th and no later than the 12th working day following the end of the period for the notification referred to in paragraph 5.

7. If application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in fewer import rights to be allocated than had been applied for, the security lodged in accordance with paragraph 2 shall be released proportionally without delay.

8. Import rights shall be valid from the day of the issue until ►M1 31 December 2014 ◄. Import rights shall not be transferable.

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Article 3a

Import rights applications for the quota period 2015

1. Applications for import rights shall be submitted in the first seven days of the month preceding each of the subperiods referred to in Article 2(2).

2. A security of EUR 35 per 100 kilograms shall be lodged at the time of submission of an import rights application.

3. Applicants for import rights shall, when presenting their first application for a given quota year, submit the proof that a quantity of poultry products falling under CN codes 0207, 0210 99 39, 1602 31, 1602 32 or 1602 39 21 has been imported by them or on their behalf under the relevant customs provisions, during the 12-month period immediately prior to their first application (hereinafter 'the reference quantity'). A company formed by the merger of companies, each having an imported reference quantity, may combine those reference quantities as a basis for its application.

4. The total quantity covered by an application for import rights submitted in the import tariff quota subperiod shall not exceed 25 % of the applicant's reference quantity. Applications not complying with this rule shall be rejected by the competent authorities.

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5. Member States shall notify the Commission, by the 14th day of the month in which applications are submitted, of the total quantities, including nil returns, of all applications, expressed in kilograms of product weight and broken down by order number.

6. Import rights shall be awarded as from the 23rd day of the month in which applications are submitted and at the latest by the last day of that month.

7. If application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in fewer import rights to be allocated than had been applied for, the security lodged in accordance with paragraph 2 shall be released proportionally without delay.

8. Import rights shall be valid from the first day of the subperiod for which the application has been submitted until 31 December 2015. Import rights shall not be transferable.

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Article 4

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Issue of import licences for the quota period 2014

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1. The release into free circulation of the quantities awarded under the import tariff quotas referred to in Article 1(1) shall be subject to the presentation of an import licence.

2. Import licence applications shall cover the total quantity of import rights allocated. This obligation shall constitute a primary requirement within the meaning of Article 19(2) of Regulation (EU) No 282/2012.

3. Licence applications may be submitted only in the Member State where the applicant has applied for and obtained import rights under the import tariff quotas referred to in Article 1(1).

4. A security of EUR 75 per 100 kilograms shall be lodged by the operator at the time of issue of the import licence. Each issue of an import licence shall result in a corresponding reduction of the import rights obtained and the security lodged for import rights shall be released proportionally without delay.

5. Import licences shall be issued upon application by and in the name of the operator who has obtained the import rights.

6. Licence applications shall refer to only one order number. They may concern several products covered by different CN codes. In that case, all the CN codes and their descriptions shall be entered in boxes 15 and 16 of the licence application and the licence respectively.

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7. Licence applications and import licences shall contain:

(a) in box 8, the name ‘Ukraine’ as country of origin and box ‘yes’ marked by a cross;

(b) in box 20, one of the entries listed in Annex II.

8. Each licence shall mention the quantity for each CN code.

9. In accordance with Article 22(2) of Regulation (EC) No 376/2008, the import licences shall be valid for 30 days from the actual day of issue of the licence. The term of validity of the import licences shall, however, expire at the latest on ►M1 31 December 2014 ◄.

▼M1

Article 4a

Issue of import licences for the quota period 2015

1. The release into free circulation of the quantities awarded under the import tariff quotas referred to in Article 1(1) shall be subject to the presentation of an import licence.

Import licence applications shall cover the total quantity of import rights allocated. The obligation referred to in Article 23(1) of Commission Delegated Regulation (EU) No 907/2014 ([1]) shall be respected.

2. Licence applications shall be submitted only in the Member State where the applicant has applied for and obtained import rights under the quotas referred to in Article 1(1).

3. A security of EUR 75 per 100 kilograms shall be lodged by the operator at the time of submission of the import licence application. Each issue of an import licence shall result in a corresponding reduction of the import rights obtained and the security lodged for import rights shall be released proportionally without delay.

4. Import licences shall be issued upon application by and in the name of the operator who has obtained the import rights.

5. Licence applications shall refer to only one order number. They may concern several products covered by different CN codes. In that case, all the CN codes and their descriptions shall be entered in boxes 15 and 16 of the licence application and the licence respectively.

([1]) Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro (OJ L 255, 28.8.2014, p. 18).

▼M1

6. Licence applications and import licences shall contain:

(a) in box 8, the name ‘Ukraine’ as country of origin and box ‘yes’ marked by a cross;

(b) in box 20, one of the entries listed in Annex II.

7. Each licence shall mention the quantity for each CN code.

8. In accordance with Article 22(2) of Regulation (EC) No 376/2008, the import licences shall be valid for 30 days from the actual day of issue of the licence. The term of validity of the import licences shall, however, expire at the latest on 31 December 2015.

Article 5

Notifications to the Commission for the quota period 2014

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission:

(a) no later than 10 January 2015, of the quantities of products, including nil returns, for which import licences were issued during the quota period 2014;

(b) no later than 30 April 2015, of the quantities of products, including nil returns, covered by unused or partly used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued.

2. No later than 30 April 2015, Member States shall notify the Commission of the quantities of products, which were actually released into free circulation during the quota period 2014.

3. In the case of the notifications referred to in paragraphs 1 and 2, the quantity shall be expressed in kilograms and broken down by order number.

Article 5a

Notifications to the Commission for the quota period 2015

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission not later than the 10th day of the month following the last day of each subperiod, of the quantities, including nil returns, covered by licences they have issued during that subperiod.

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2. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission of the quantities, including nil returns, covered by unused or partially used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued:

(a) together with the notifications referred to in Article 3a(5) of this Regulation regarding the applications submitted for the last subperiod;

(b) for quantities not yet notified at the time of the first notification provided for in point (a), by 30 April 2016 at the latest.

3. No later than 30 April 2016, Member States shall notify the Commission of the quantities of products, which were actually released into free circulation during that quota period.

4. In the case of the notifications referred to in paragraphs 1, 2 and 3, the quantity shall be expressed in kilograms of product weight and broken down by order number.

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Article 6

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.

▼**M1**

ANNEX I

Notwithstanding the rules on the interpretation of the Combined Nomenclature, the wording of the description of products shall be regarded as merely indicative, since the applicability of the import tariff quotas is determined, within the context of this Annex, by the scope of the CN codes.. Where 'ex' CN codes are indicated, the application of the import tariff quota is to be determined on the basis of the CN code and corresponding description taken together.

Order number	CN codes	Description	Import period	Quantity in tonnes (net weight)	Duty applicable (EUR/t)
09.4273	0207 11 30 0207 11 90 0207 12 0207 13 10 0207 13 20 0207 13 30 0207 13 50 0207 13 60 0207 13 99 0207 14 10 0207 14 20 0207 14 30 0207 14 50 0207 14 60 0207 14 99 0207 24 0207 25 0207 26 10 0207 26 20 0207 26 30 0207 26 50 0207 26 60 0207 26 70 0207 26 80 0207 26 99 0207 27 10 0207 27 20 0207 27 30 0207 27 50 0207 27 60 0207 27 70 0207 27 80 0207 27 99 0207 41 30	Meat and edible offal of poultry, fresh, chilled or frozen; other prepared or preserved meat of turkeys and of fowls of the species *Gallus domesticus*	Year 2014 Year 2015	16 000 16 000	0

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Order number	CN codes	Description	Import period	Quantity in tonnes (net weight)	Duty applicable (EUR/t)
	0207 41 80				
	0207 42				
	0207 44 10				
	0207 44 21				
	0207 44 31				
	0207 44 41				
	0207 44 51				
	0207 44 61				
	0207 44 71				
	0207 44 81				
	0207 44 99				
	0207 45 10				
	0207 45 21				
	0207 45 31				
	0207 45 41				
	0207 45 51				
	0207 45 61				
	0207 45 81				
	0207 45 99				
	0207 51 10				
	0207 51 90				
	0207 52 90				
	0207 54 10				
	0207 54 21				
	0207 54 31				
	0207 54 41				
	0207 54 51				
	0207 54 61				
	0207 54 71				
	0207 54 81				
	0207 54 99				
	0207 55 10				
	0207 55 21				
	0207 55 31				
	0207 55 41				
	0207 55 51				
	0207 55 61				
	0207 55 81				
	0207 55 99				
	0207 60 05				

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Order number	CN codes	Description	Import period	Quantity in tonnes (net weight)	Duty applicable (EUR/t)
	0207 60 10 ex 0207 60 21 (1) 0207 60 31 0207 60 41 0207 60 51 0207 60 61 0207 60 81 0207 60 99 0210 99 39 1602 31 1602 32 1602 39 21				
09.4274	0207 12	Meat and edible offal of the poultry, not cut in pieces, frozen	Year 2014 Year 2015	20 000 20 000	0

(1) Fresh or chilled, halves or quarters of guinea fowls.

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ANNEX II

Entries referred to in Article 4(7)(b)

— In Bulgarian: Регламент за изпълнение (ЕС) № 413/2014

— In Spanish: Reglamento de Ejecución (UE) nº 413/2014

— In Czech: Prováděcí nařízení (EU) č. 413/2014

— In Danish: Gennemførelsesforordning (EU) nr. 413/2014

— In German: Durchführungsverordnung (EU) Nr. 413/2014

— In Estonian: Rakendusmäärus (EL) nr 413/2014

— In Greek: Εκτελεστικός κανονισμός (ΕΕ) αριθ. 413/2014

— In English: Implementing Regulation (EU) No 413/2014

— In French: Règlement d'exécution (UE) nº 413/2014

— In Croatian: Provedbena uredba (EU) br. 413/2014

— In Italian: Regolamento di esecuzione (UE) n. 413/2014

— In Latvian: Īstenošanas regula (ES) Nr. 413/2014

— In Lithuanian: Įgyvendinimo reglamentas (ES) Nr. 413/2014

— In Hungarian: 413/2014/EU végrehajtási rendelet

— In Maltese: Regolament ta' Implimentazzjoni (UE) Nru 413/2014

— In Dutch: Uitvoeringsverordening (EU) nr. 413/2014

— In Polish: Rozporządzenie wykonawcze (UE) nr 413/2014

— In Portuguese: Regulamento de Execução (UE) n.º 413/2014

— In Romanian: Regulamentul de punere în aplicare (UE) nr. 413/2014

— In Slovak: Vykonávacie nariadenie (EÚ) č. 413/2014

— In Slovene: Izvedbena uredba (EU) št. 413/2014

— In Finnish: Täytäntöönpanoasetus (EU) N:o 413/2014

— In Swedish: Genomförandeförordning (EU) nr 413/2014.