II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2163

of 17 December 2019

fixing the trigger volumes for the years 2020 and 2021 for the purposes of possible application of additional import duties on certain fruit and vegetables

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 1234/2007 ([1]), and in particular point (b) of the first paragraph of Article 183 thereof,

Whereas:

(1) Article 39 of Commission Implementing Regulation (EU) 2017/892 ([2]) provides that an additional import duty as referred to in Article 182(1) of Regulation (EU) No 1308/2013 may be applied to the products and during the periods listed in Annex VII to that Implementing Regulation. That additional import duty has to apply if the quantity of any of the products put into free circulation for any of the periods of application set out in that Annex exceeds the trigger volume of imports in a year for that product. Additional import duties shall not be imposed where the imports are unlikely to disturb the Union market, or where the effects would be disproportionate to the intended objective.

(1) In accordance with the second subparagraph of Article 182(1) of Regulation (EU) No 1308/2013, the trigger volumes of imports for the possible application of additional import duties on certain fruit and vegetables are based on import data and domestic consumption data for the previous three years. On the basis of the data notified by the Member States for the years 2016, 2017 and 2018, the trigger volumes for certain fruit and vegetables should be fixed for the years 2020 and 2021.

(2) Taking into account that the period of application of possible additional import duties as set out in Annex VII to Implementing Regulation (EU) 2017/892 starts for a number of products on 1 January, this Regulation should apply from 1 January 2020 and therefore it should enter into force as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the years 2020 and 2021, the trigger volumes referred to in point (b) of the first subparagraph of Article 182(1) of Regulation (EU) No 1308/2013 for the products listed in Annex VII to Implementing Regulation (EU) 2017/892 are set out in the Annex to this Regulation.

([1]) OJ L 347, 20.12.2013, p. 671.

([2]) Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors (OJ L 138, 25.5.2017, p. 57).

Article 2

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 January 2020.

It shall expire on 30 June 2021.

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

Done at Brussels, 17 December 2019.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Trigger volumes for the products and periods set out in Annex VII to Implementing Regulation (EU) 2017/892, for the possible application of additional import duties

Without prejudice to the rules on the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. For the purposes of this Annex, the scope of the additional import duties is determined by the scope of the CN codes as they stand at the time of adoption of this Regulation.

Order number	CN code	Description of products	Period of application		Trigger volume (tonnes)
			2020	2021	
78.0020	0702 00 00	Tomatoes	From 1 June to 30 September		54 848
78.0015			From 1 October	to 31 May	578 315
78.0065	0707 00 05	Cucumbers	From 1 May to 31 October		62 171
78.0075			From 1 November	to 30 April	48 583
78.0085	0709 91 00	Artichokes	From 1 November	to 30 June	8 244
78.0100	0709 93 10	Courgettes	From 1 January to 31 December		94 081
78.0110	0805 10 22 0805 10 24 0805 10 28	Oranges	From 1 December	to 31 May	466 660
78.0120	0805 22 00	Clementines	From 1 November	to end of February	241 919
78.0130	0805 21 0805 29 00	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November	to end of February	96 897
78.0160	0805 50 10	Lemons	From 1 January to 31 May		351 591
78.0155			From 1 June to 31 December		621 073
78.0170	0806 10 10	Table grapes	From 16 July to 16 November		214 307
78.0175	0808 10 80	Apples	From 1 January to 31 August		595 028
78.0180			From 1 September to 31 December		1154623
78.0220	0808 30 90	Pears	From 1 January to 30 April		141 496
78.0235			From 1 July to 31 December		106 940
78.0250	0809 10 00	Apricots	From 1 June to 31 July		7 166
78.0265	0809 29 00	Cherries other than sour	From 16 May to 15 August		104 573
78.0270	0809 30	Peaches, including nectarines	From 16 June to 30 September		3 482
78.0280	0809 40 05	Plums	From 16 June to 30 September		204 681