II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/557

of 22 April 2020

amending Implementing Regulation (EU) No 988/2014 as regards Union tariff quotas for certain agricultural products originating in the Republic of Moldova

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ([1]), and in particular Article 58(1) thereof,

Whereas:

(1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ([2]) ('the Agreement') was concluded, on behalf of the Union, on 23 May 2016 by Council Decision (EU) 2016/839 ([3]). The Agreement entered into force on 1 July 2016 but was applied on a provisional basis from 1 September 2014.

(2) On 18 September 2014, Commission Implementing Regulation (EU) No 988/2014 ([4]) was adopted, opening and providing for the management of Union tariff quotas for agricultural products originating in the Republic of Moldova.

(3) On 16 December 2014, the Association Council, by means of Decision No 3/2014 ([5]), delegated to the Association Committee in Trade configuration, as referred to in Article 438(4) of the Agreement, the power to update or amend certain trade-related Annexes to the Agreement.

(4) Following consultations with the Republic of Moldova in accordance with Article 147 of the Agreement, the Union agreed to increase the volume of the tariff rate quotas (TRQs) for table grapes and plums originating in Moldova, and to introduce a new TRQ for cherries ([6]). Accordingly, the Association Committee in Trade configuration has adopted Decision No 1/2020 updating Annex XV to the Agreement ([7]).

([1]) OJ L 269, 10.10.2013, p. 1.
([2]) OJ L 260, 30.8.2014, p. 4.
([3]) Council Decision (EU) 2016/839 of 23 May 2016 on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (OJ L 141, 28.5.2016, p. 28).
([4]) Commission Implementing Regulation (EU) No 988/2014 of 18 September 2014 opening and providing for the management of Union tariff quotas for agricultural products originating in the Republic of Moldova (OJ L 278, 20.9.2014, p. 12).
([5]) Decision No 3/2014 of the EU-Republic of Moldova Association Council of 16 December 2014 on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration (OJ L 110, 29.4.2015, p. 40).
([6]) Council Decision (EU) 2019/2245 of 19 December 2019 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the update of Annex XV (Elimination of customs duties) to the Agreement (OJ L 336, 30.12.2019, p. 283).
([7]) Decision No 1/2020 of the EU-Republic of Moldova Association Committee in Trade Configuration of 23 January 2020 concerning the update of Annex XV (Elimination of customs duties) to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (OJ L 34, 6.2.2020, p. 52).

(5) Following the entry into force of the Union Customs Code and its implementing and delegated acts, the Commission manages TRQs on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with tariff quota management rules laid down in Commission Implementing Regulation (EU) 2015/2447 ([8]).

(6) Implementing Regulation (EU) No 988/2014 should therefore be amended accordingly.

(7) Decision 1/2020 of the EU-Moldova Association Committee entered into force on 23 January 2020. In order to ensure the effective management and timely application of the quotas set out in the Annex to this Regulation, this Regulation should apply from that date.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 988/2014 is amended as follows:

(1) Article 4 is replaced by the following:

'*Article 4*

The tariff quotas set out in the Annex to this Regulation shall be managed in accordance with Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447 (*).

(*) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).';

(2) the Annex is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 23 January 2020.

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

Done at Brussels, 22 April 2020.

For the Commission
The President
Ursula VON DER LEYEN

([8]) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

ANNEX

'ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products shall have no more than an indicative value. The scope of the preferential scheme shall be determined, within the context of this Annex, by the CN codes as they exist at the time of adoption of this Regulation.

Order No	CN code	Description of goods	Quota period	Annual quota volume (in tonnes net weight unless otherwise specified)
09.6800	0702 00 00	Tomatoes, fresh or chilled	From 1.9.2014 to 31.12.2014	2 000
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter	2 000
09.6801	0703 20 00	Garlic, fresh or chilled	From 1.9.2014 to 31.12.2014	220
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter	220
09.6802	0806 10 10	Table grapes, fresh	From 1.9.2014 to 31.12.2014	10 000
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter until 31.12.2019	10 000
			From 1.1.2020 to 31.12.2020 and for each calendar year thereafter	20 000
09.6803	0808 10 80	Apples, fresh (excluding cider apples, in bulk, from 16 September to 15 December)	From 1.9.2014 to 31.12.2014	40 000
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter	40 000
09.6806	0809 29 00	Cherries (excl. sour cherries), fresh	From 23.1.2020 to 31.12.2020 and for each calendar year thereafter	1 500
09.6804	0809 40 05	Plums, fresh	From 1.9.2014 to 31.12.2014	10 000
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter until 31.12.2019	10 000
			From 1.1.2020 to 31.12.2020 and for each calendar year thereafter	15 000

Order No	CN code	Description of goods	Quota period	Annual quota volume (in tonnes net weight unless otherwise specified)
09.6805	2009 61 10	Grape juice (including grape must), unfermented and not containing added spirit, of a Brix value not exceeding 30, of a value exceeding EUR 18 per 100 kg net weight, whether or not containing added sugar or other sweetening matter	From 1.9.2014 to 31.12.2014	500
			From 1.1.2015 to 31.12.2015 and for each calendar year thereafter	500
	2009 69 19	Grape juice (including grape must), unfermented and not containing added spirit, of a Brix value exceeding 67, of a value exceeding EUR 22 per 100 kg net weight, whether or not containing added sugar or other sweetening matter		
	2009 69 51 2009 69 59	Grape juice (including grape must), unfermented and not containing added spirit, of a Brix value exceeding 30 but not exceeding 67, of a value exceeding EUR 18 per 100 kg net weight, whether or not containing added sugar or other sweetening matter'		