

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2179**of 13 December 2019****amending Implementing Regulation (EU) No 481/2012 as regards the country allocation of the tariff rate quota for high-quality beef and derogating from that Implementing Regulation for the quota year 2019/2020**

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 Article 187 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 481/2012 ⁽²⁾ lays down rules for the management of an autonomous tariff rate quota for the import of high-quality beef opened by Council Regulation (EC) No 617/2009 ⁽³⁾.
- (2) The European Union and the United States of America concluded an Agreement on the country allocation of the tariff rate quota for high-quality beef provided for by Regulation (EC) No 617/2009 (hereafter 'the Agreement') on 5 December 2019 ⁽⁴⁾. All substantial suppliers in the tariff rate quota agreed to the country allocation provided for by the Agreement.
- (3) Article 2(3) of Implementing Regulation (EU) No 481/2012 sets out the rules for the addition of the unused balances of the drawings on the sub-tariff quotas to subsequent quarterly sub-tariff quotas. The Agreement provides that any unused quantities from the sub-periods preceding, in that quota year, the first day of the first year of the implementation period of the Agreement shall be added, in proportion to the shares in the overall volume of the tariff rate quota, to the quantities available in the first sub-period of the first year of the implementation period. Consequently, a derogation from Article 2(3) of Implementing Regulation (EU) No 481/2012 should be provided for the distribution of the unused quantities from the sub-periods preceding the first day of the first year of the implementation period of the Agreement.
- (4) It is therefore necessary to amend Implementing Regulation (EU) No 481/2012 in the light of the Agreement.
- (5) Article 2 of Implementing Regulation (EU) No 481/2012 provides that the tariff quota is to be managed in accordance with Articles 308a and 308b and Article 308c(1) of Commission Regulation (EEC) No 2454/93 ⁽⁵⁾. Regulation (EEC) No 2454/93 was repealed by Commission Implementing Regulation (EU) 2016/481 ⁽⁶⁾ with effect from 1 May 2016. For the sake of clarity, references to Regulation (EEC) No 2454/93 should be replaced by references to Commission Implementing Regulation (EU) 2015/2447 ⁽⁷⁾.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) No 481/2012 of 7 June 2012 laying down rules for the management of a tariff quota for high-quality beef (OJ L 148, 8.6.2012, p. 9).

⁽³⁾ Council Regulation (EC) No 617/2009 of 13 July 2009 opening an autonomous tariff quota for imports of high-quality beef (OJ L 182, 15.7.2009, p. 1).

⁽⁴⁾ Council Decision (EU) 2019/2073 of 5 December 2019 on the conclusion of the Agreement between the United States of America and the European Union on the Allocation to the United States of a Share in the Tariff Rate Quota for High Quality Beef referred to in the Revised Memorandum of Understanding Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union (2014) (OJ L 316, 6.12.2019, p. 1).

⁽⁵⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

⁽⁶⁾ Commission Implementing Regulation (EU) 2016/481 of 1 April 2016 repealing Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 87, 2.4.2016, p. 24).

⁽⁷⁾ 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).

- (6) Implementing Regulation (EU) No 481/2012 should therefore be amended accordingly.
- (7) This Regulation should apply from the date of entry into force of the Agreement. This Regulation should therefore enter into force as a matter of urgency.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) No 481/2012

Implementing Regulation (EU) No 481/2012 is amended as follows:

- (1) in Article 1, paragraph 1 is replaced by the following:

'1. This Regulation lays down rules for the management of an annual Union tariff quota for high-quality beef provided for in Regulation (EC) No 617/2009, hereinafter referred to as "the tariff quota". The tariff quota period, country of origin, volume and duty are set out in Annex I to this Regulation.;

- (2) in Article 2, paragraphs 1 and 2 are replaced by the following:

'1. The tariff quota shall be managed on a first-come, first-served basis in accordance with Articles 49 to 52 and Article 53(1) of Commission Implementing Regulation (EU) 2015/2447 (*). No import licences shall be required.

2. The tariff quota shall be managed as a parent tariff quota with a volume of 45 000 metric tonnes under order number 09.2201 with:

- (a) four quarterly sub-tariff quotas under order number 09.2202;
- (b) two quarterly sub-tariff quotas under order number 09.2203 from 1 January 2020 to 30 June 2020;
- (c) four quarterly sub-tariff quotas under order number 09.2203 from 1 July 2020.

The benefit from the tariff quota can be granted only by applying for order numbers 09.2202 and 09.2203 referring to the sub-tariff quotas.

(*) 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).;

- (3) Annex I is replaced by the text set out in the Annex to this Regulation.

Article 2

Derogations from Implementing Regulation (EU) No 481/2012 for the quota year 2019/2020

By way of derogation from Article 2(3) of Implementing Regulation (EU) No 481/2012, the unused balances at 31 December 2019 shall be added in the proportion established as follows to the quantities for the quarterly sub-tariff quotas starting on 1 January 2020:

- (a) to quota 09.2202: 58,89 %;
- (b) to quota 09.2203: 41,11 %.

*Article 3***Entry into force and application**

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

It shall apply from 1 January 2020.

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

Done at Brussels, 13 December 2019.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

'ANNEX I

Tariff quota for high-quality fresh, chilled or frozen beef

CN codes	Description of goods	Tariff quota periods and subperiods	Country			Tariff quota duty
			All countries	United States	Other countries	
			Order number			
			09.2202	09.2203	09.2202	
			Tariff quota volume (in tonnes net weight)			
ex 0201 ex 0202 ex 0206 10 95 ex 0206 29 91	Meat of bovine animals, fresh, chilled or frozen, that fulfils the requirements laid down in Annex II	From 1 July 2019 to 30 June 2020				Zero'
		From 1 July to 30 September	11 250	-	-	
		From 1 October to 31 December	11 250	-	-	
		From 1 January to 31 March	-	4 625	6 625	
		From 1 April to 30 June	-	4 625	6 625	
		From 1 July 2020 to 30 June 2021				
		From 1 July to 30 September	-	4 625	6 625	
		From 1 October to 31 December	-	4 625	6 625	
		From 1 January to 31 March	-	5 750	5 500	
		From 1 April to 30 June	-	5 750	5 500	
		From 1 July 2021 to 30 June 2022				
		From 1 July to 30 September	-	5 750	5 500	
		From 1 October to 31 December	-	5 750	5 500	
		From 1 January to 31 March	-	6 350	4 900	
		From 1 April to 30 June	-	6 350	4 900	
		From 1 July 2022 to 30 June 2023				
		From 1 July to 30 September	-	6 350	4 900	
		From 1 October to 31 December	-	6 350	4 900	
		From 1 January to 31 March	-	6 950	4 300	
		From 1 April to 30 June	-	6 950	4 300	
From 1 July 2023 to 30 June 2024						
From 1 July to 30 September	-	6 950	4 300			
From 1 October to 31 December	-	6 950	4 300			

CN codes	Description of goods	Tariff quota periods and subperiods	Country			Tariff quota duty
			All countries	United States	Other countries	
			Order number			
			09.2202	09.2203	09.2202	
			Tariff quota volume (in tonnes net weight)			
		From 1 January to 31 March	-	7 550	3 700	
		From 1 April to 30 June	-	7 550	3 700	
		From 1 July 2024 to 30 June 2025				
		From 1 July to 30 September	-	7 550	3 700	
		From 1 October to 31 December	-	7 550	3 700	
		From 1 January to 31 March	-	8 150	3 100	
		From 1 April to 30 June	-	8 150	3 100	
		From 1 July 2025 to 30 June 2026				
		From 1 July to 30 September	-	8 150	3 100	
		From 1 October to 31 December	-	8 150	3 100	
		From 1 January to 31 March	-	8 750	2 500	
		From 1 April to 30 June	-	8 750	2 500	
		From 1 July 2026				
		From 1 July to 30 September	-	8 750	2 500	
		From 1 October to 31 December	-	8 750	2 500	
		From 1 January to 31 March	-	8 750	2 500	
		From 1 April to 30 June	-	8 750	2 500	