

COMMISSION REGULATION (EC) No 1154/2009**of 27 November 2009****amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas for certain agricultural and processed agricultural products originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 ⁽¹⁾ and in particular Article 5(1)(b) thereof,

Whereas:

- (1) In 2008 an Agreement was concluded in the form of an Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural products, processed agricultural products and fish and fishery products, the replacement of Protocols 1 and 2 and their annexes and amendments to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, hereinafter referred to as 'the Agreement', which was approved by Council Decision 2009/855/EC ⁽²⁾.
- (2) The Agreement provides for new tariff quotas for agricultural and processed agricultural products originating in Israel and changes to the existing tariff quotas laid down for such products in Regulation (EC) No 747/2001. In addition, it no longer provides for any tariff concessions granted within reference quantities.

- (3) To implement the provisions on the new tariff quotas, the changes to the existing tariff quotas and the ending of reference quantities, Regulation (EC) No 747/2001 should be amended accordingly.

- (4) For the purpose of calculating the tariff quotas for the first year of application, provision should be made, in accordance with the Agreement, for the volumes of the tariff quotas for which the quota period starts before the date of entry into force of the Agreement to be reduced by the proportion of that period which has elapsed before that date.

- (5) Since the Agreement enters into force on 1 January 2010, this Regulation should apply from that date.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EC) No 747/2001 is replaced by the text set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2010.

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

Done at Brussels, 27 November 2009.

For the Commission

László KOVÁCS

Member of the Commission⁽¹⁾ OJ L 109, 19.4.2001, p. 2.⁽²⁾ See page 81 of this Official Journal.

ANNEX

'ANNEX VII

ISRAEL

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 as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight, unless otherwise indicated)	Quota duty
09.1361	0105 12 00		Live turkeys, weighing not more than 185 g	From 1.1 to 31.12	129 920 items	Exemption
09.1302	0404 10		Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	From 1.1 to 31.12	1 300	Exemption
09.1306	0603 11 00 0603 12 00 0603 13 00 0603 14 00 0603 19 10 0603 19 90		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	From 1.1 to 31.12	22 196	Exemption
09.1341	0603 19 90		Other fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	From 1.11 to 15.4	7 840	Exemption
09.1300	0701 90 50		New potatoes, fresh or chilled	From 1.1 to 30.6	33 936	Exemption
09.1304	ex 0702 00 00	07	Cherry tomatoes, fresh or chilled	From 1.1 to 31.12	28 000	Exemption ⁽¹⁾
09.1342	ex 0702 00 00	99	Tomatoes, fresh or chilled, other than cherry tomatoes	From 1.1 to 31.12	5 000	Exemption ⁽¹⁾
09.1368	0707 00 05		Cucumbers, fresh or chilled	From 1.1 to 31.12	1 000	Exemption ⁽¹⁾
09.1303	0709 60 10		Sweet peppers, fresh or chilled	From 1.1 to 31.12	17 248	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight, unless otherwise indicated)	Quota duty
09.1353	0710 40 00 2004 90 10		Sweetcorn, frozen	From 1.1 to 31.12	10 600	70 % of the specific duty
09.1354	0711 90 30 2001 90 30 2005 80 00		Sweetcorn, not frozen	From 1.1 to 31.12	5 400	70 % of the specific duty
09.1369	0712 90 30		Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared	From 1.1 to 31.12	1 200	Exemption
09.1323	0805 10 20 ex 0805 10 80	10	Oranges, fresh	From 1.1 to 31.12	224 000	Exemption ⁽¹⁾ ⁽²⁾
09.1370	ex 0805 20 10 ex 0805 20 50	05 07, 37	Clementines, mandarins and wilkings, fresh	From 1.1 to 31.12	40 000	Exemption ⁽¹⁾
09.1371	ex 0805 20 10 ex 0805 20 50	05 07, 37	Clementines, mandarins and wilkings, fresh	From 15.3 to 30.9	15 680	Exemption ⁽¹⁾
09.1397	0807 19 00		Melons fresh, other than watermelons	From 1.1 to 31.5.2010 For each period thereafter from 1.8 to 31.5	15 000 30 000	Exemption
09.1398	0810 10 00		Strawberries, fresh	From 1.1 to 30.4.2010 For each period thereafter from 1.11 to 30.4	3 333 5 000	Exemption
09.1372	1602 31 19 1602 31 30		Prepared or preserved meat, meat offal or blood of turkeys, containing 57 % or more by weight of poultry meat or offal, other than exclusively uncooked turkey meat Prepared or preserved meat, meat offal or blood of turkeys, containing 25 % or more but less than 57 % by weight of poultry meat or offal	From 1.1 to 31.12	5 000	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight, unless otherwise indicated)	Quota duty
09.1373	1602 32 19		Prepared or preserved meat, meat offal or blood of fowls of the species <i>Gallus domesticus</i> , containing 57 % or more by weight of poultry meat or offal, other than uncooked	From 1.1 to 31.12	2 000	Exemption
	1602 32 30		Prepared or preserved meat, meat offal or blood of fowls of the species <i>Gallus domesticus</i> , containing 25 % or more but less than 57 % by weight of poultry meat or offal			
09.1374	1704 10 90		Chewing gum whether or not sugar-coated, not containing cocoa, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)	From 1.1 to 31.12	100	Exemption
09.1375	1806 10 20		Cocoa powder containing 5 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	From 1.1 to 31.12	2 500	85 % of the specific duty or of the agricultural component
	1806 10 30 1806 10 90 1806 20		Other food preparations containing cocoa in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg			
09.1376	1905 20 30		Gingerbread and the like, containing by weight 30 % or more of sucrose (including invert sugar expressed as sucrose)	From 1.1 to 31.12	3 200	70 % of the specific duty
	1905 20 90					
09.1377	2002 90 91		Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid, with a dry matter content of more than 30 % by weight	From 1.1 to 31.12	784	Exemption
	2002 90 99					
09.1378	ex 2008 70 71	10	Slices of peaches, fried in oil, not containing added spirit, with a sugar content exceeding 15 % by weight, in immediate packings of a net content not exceeding 1 kg	From 1.1 to 31.12	112	Exemption
09.1331	2009 11		Orange juice of which:	From 1.1 to 31.12	35 000	Exemption
	2009 12 00 2009 19					

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight, unless otherwise indicated)	Quota duty
09.1333	ex 2009 11 11	10	Orange juice, in containers of 2 litres or less	From 1.1 to 31.12	21 280	Exemption
	ex 2009 11 19	10				
	ex 2009 11 91	10				
	ex 2009 11 99	11, 19				
		92, 94				
	ex 2009 12 00	10				
	ex 2009 19 11	11, 19				
	ex 2009 19 19	11, 19				
	ex 2009 19 91	11, 19				
	ex 2009 19 98	11, 19				
09.1379	ex 2009 90 21	40	Mixtures of citrus juices	From 1.1 to 31.12	19 656	Exemption
	ex 2009 90 29	20				
	ex 2009 90 51	30				
	ex 2009 90 59	39				
	ex 2009 90 94	20				
	ex 2009 90 96	20				
	ex 2009 90 98	20				
09.1380	2204		Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009	From 1.1 to 31.12	6 212 hl	Exemption ⁽³⁾
09.1399	3505 20		Glues based on starches, or on dextrins or other modified starches	From 1.1 to 31.12	250	Exemption

⁽¹⁾ The exemption applies only to the ad valorem duty.

⁽²⁾ Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

⁽³⁾ For grape must under CN codes 2204 30 92, 2204 30 94, 2204 30 96 and 2204 30 98, the exemption applies only to the ad valorem duty.'