

COMMISSION IMPLEMENTING REGULATION (EU) 2017/754**of 28 April 2017****opening and providing for the management of Union tariff quotas for certain agricultural and processed agricultural products originating in Ecuador**

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) By Decision (EU) 2016/2369 ⁽²⁾ ('the Decision'), the Council authorised the signing, on behalf of the Union, of the Protocol of Accession ('the Protocol') to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru ('the Agreement'), of the other part, to take account of the accession of Ecuador to the Agreement and provided for the provisional application of the Protocol from 1 January 2017 ⁽³⁾.
- (2) The Agreement stipulates that customs duties on imports into the Union of goods originating in Ecuador are to be reduced or eliminated in accordance with the tariff elimination schedule in Annex I to the Agreement. Annex I provides that, for certain goods originating in Ecuador, the reduction or elimination of customs duties is granted within tariff quotas.
- (3) The tariff quotas set out in subsection 3 to Section B of Appendix 1 of Annex I to the Agreement should be managed by the Commission on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾.
- (4) In order to ensure the smooth application and management of the quota system granted under the Protocol, this Regulation should apply from the same date as that of the provisional application of the Protocol.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Union tariff quotas are opened for goods originating in Ecuador as set out in the Annex.

Article 2

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Council Decision (EU) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L 356, 24.12.2016, p. 1).

⁽³⁾ OJ L 358, 29.12.2016, p. 1.

⁽⁴⁾ 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).

Article 3

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 1 January 2017.

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

Done at Brussels, 28 April 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products in the fifth column of the table is to be considered as having no more than an indicative value.

The preferential scheme is determined, within the context of this Annex, by the scope of the CN codes set out in the third column of the table as applicable 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 codes and corresponding descriptions in the fifth column of the table taken together.

Order No		CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
09.7525		0703 20 00		Garlic, fresh or chilled	1.1-31.12	500	0
09.7526		0710 40 00		Sweetcorn, uncooked or cooked by steaming or by boiling in water, frozen	1.1-31.12	300	0
		2004 90 10 2005 80 00		Sweetcorn (<i>Zea Mays</i> var. <i>Saccharata</i>), prepared or preserved otherwise than by vinegar or acetic acid			
09.7527		0711 51 00		Mushrooms of the genus <i>Agaricus</i> , provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	1.1-31.12	100	0
		2003 10 20 2003 10 30		Mushrooms of the genus <i>Agaricus</i> , prepared or preserved otherwise than by vinegar or acetic acid			
09.7528		0711 90 30		Sweetcorn provisionally preserved, e.g. by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions, but unsuitable in that state for immediate consumption	1.1-31.12	400	0
		2001 90 30		Sweetcorn (<i>Zea Mays</i> var. <i>Saccharata</i>), prepared or preserved by vinegar or acetic acid			
		2008 99 85		Maize (corn), prepared or preserved, not containing added spirit or added sugar (excl. sweetcorn (<i>Zea Mays</i> var. <i>Saccharata</i>))			
09.7529		1005 90 00		Maize (excl. seed)	1.1-31.12	37 000 ⁽¹⁾	0
		1102 20		Maize (corn) flour			
09.7530		1006 10 30 1006 10 50 1006 10 71		Rice (at exclusion of rice in the husk, for sowing)	1.1-31.12	5 000	0

Order No		CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
		1006 10 79 1006 20 1006 30 1006 40					
09.7531		1108 14 00		Manioc (cassava) starch	1.1-31.12	3 000	0
09.7532		1701 13 1701 14		Raw cane sugar not containing added flavouring or colouring	1.1-31.12	15 000 ⁽²⁾	0
09.7533		1701 91 1701 99 1702 30 1702 40 90 1702 50 1702 90 30 1702 90 50 1702 90 71 1702 90 75 1702 90 79 1702 90 80 1702 90 95 Ex 1704 90 99 1806 10 30 1806 10 90		Cane or beet sugar and chemically pure sucrose, in solid form, other than raw sugar not containing added flavouring or colouring matter Glucose in solid form and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose Glucose in solid form and glucose syrup, not containing added flavouring or colouring matter, and containing in the dry state at least 20 % but less than 50 % by weight of fructose (excl. isoglucose and invert sugar) Chemically pure fructose in solid form Other sugars (excluding lactose and lactose syrups, maple sugar and maple syrup, glucose and glucose syrup, fructose and fructose syrups and chemically pure maltose), including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose Other sugar confectionery, not containing cocoa, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) Cocoa powder, containing 65 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	1.1-31.12	10 000 tonnes expressed in raw sugar equivalent ⁽³⁾	0

Order No		CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
	Ex	1806 20 95	90	Chocolate and 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, containing less than 18 % by weight of cocoa butter (excl. cocoa powder, chocolate flavour coating and chocolate milk crumb), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	Ex	1901 90 99	36	Other food preparations, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	Ex	2006 00 31	90	Cherries, preserved by sugar (drained, glacé or crystallised), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	Ex	2006 00 38	19 89	Vegetables, fruit, nuts, fruit-peel and other parts of plants (excluding ginger, cherries, tropical fruit and tropical nuts), preserved by sugar (drained, glacé or crystallised), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	Ex	2007 91 10	90	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter (excluding homogenised preparations), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	Ex	2007 99 20	90				
	Ex	2007 99 31	95				
	Ex	2007 99 33	99				
	Ex	2007 99 33	95				
	Ex	2007 99 35	99				
	Ex	2007 99 35	95				
	Ex	2007 99 39	99				
			02				
			04				
			06				
			17				
			19				
			24				
			27				
			30				

Order No		CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
			34 37 40 44 47 52 56 75 85				
	Ex	2009 11 11	19 99	Fruit or vegetable juice, of a value not exceeding EUR 30 per 100 kg net weight, with an added sugar content exceeding 30 % by weight			
	Ex	2009 11 91 2009 19 11	29 39 59 79				
	Ex	2009 19 91 2009 29 11	19 99				
	Ex	2009 29 91 2009 39 11	19 99				
	Ex	2009 39 51 2009 39 91 2009 49 11	19 99				
	Ex	2009 49 91 2009 81 11 2009 81 51	90				
	Ex	2009 89 11	19				
	Ex	2009 89 35	99 29 39 59 79				
		2009 89 61 2009 89 86					
	Ex	2009 90 11	90				
	Ex	2009 90 21	19 99				
		2009 90 31 2009 90 71 2009 90 94					
				Mixtures of juices, of a value not exceeding EUR 30 per 100 kg net weight, with an added sugar content exceeding 30 % by weight			

Order No		CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
	Ex	2101 12 98	92	Preparations with a basis of coffee, tea or maté, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
	Ex	2101 20 98	85				
	Ex	2106 90 98	26				
			33				
			34				
			38	Food preparations not elsewhere specified or included, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
			53				
			55				
	Ex	3302 10 29	10	Preparations based on odoriferous substances, containing all flavouring agents characterising a beverage, of a kind used in the drink industries, of an actual alcoholic strength by volume not exceeding 0,5 %, containing, by weight, 1,5 % or more of milkfat, 5 % or more of glucose or starch, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
09.7534		2208 40 51		Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol (with a 10 % tolerance), in containers holding more than 2 litres	1.1-31.12	250 hectolitres ⁽⁴⁾	0
		2208 40 99		Rum, in containers holding more than 2 litres, of a value not exceeding EUR 2 per litre of pure alcohol			

⁽¹⁾ As from 1.1.2018, volume increased by 1 110 metric tonnes each year.

⁽²⁾ As from 1.1.2018, volume increased by 450 metric tonnes each year.

⁽³⁾ As from 1.1.2018, volume increased by 150 metric tonnes expressed in raw sugar equivalent each year.

⁽⁴⁾ As from 1.1.2018, volume increased by 10 hectolitres each year.