

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/28

of 14 January 2021

amending Council Regulation (EC) No 1362/2000 as regards the Union tariff quota for bananas originating in Mexico

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1362/2000 of 29 June 2000 implementing for the Community the tariff provisions of Decision No 2/2000 of the Joint Council under the Interim Agreement on Trade and Trade-related matters between the European Community and the United Mexican States ¹, and in particular Article 4 thereof,

Whereas:

- (1) To take account of the accession to the European Union of Croatia on 1 July 2013, the Council, by Decision (EU) 2019/573 ², concluded on behalf of the European Union and its Member States the Third Additional Protocol to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part ³, which was signed on 27 November 2018, and entered into force on 1 March 2020.
- (2) By Decision (EU) 2019/104 ⁴, the Council approved the position to be adopted on behalf of the European Union in the Joint Council established under the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, on amendments to the Agreement necessary to take account of the accession of Croatia to the Union.
- (3) Decision No 1/2020 of the EU-Mexico Joint Council ⁵ provides for an increase of the Union tariff quota applicable to fresh bananas originating in Mexico for release for free circulation in the Union.
- (4) Regulation (EC) No 1362/2000 should therefore be amended in order to implement the increase of the tariff quota laid down in the Decision No 1/2020 of the EU-Mexico Joint Council. Given that the tariff quota for bananas for the year 2020 has been exhausted, an individual order number has to be attributed to the additional volume for that year.

¹ OJ L 157, 30.6.2000, p. 1.

² Council Decision (EU) 2019/573 of 8 April 2019 on the conclusion, on behalf of the European Union and its Member States, of the Third Additional Protocol to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, to take account of the accession of the Republic of Croatia to the European Union (OJ L 100, 11.4.2019, p. 3).

³ OJ L 325, 20.12.2018, p. 3.

⁴ Council Decision (EU) 2019/104 of 22 May 2018 on the position to be adopted, on behalf of the European Union, within the EU-Mexico Joint Council established under the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, as regards the amendment of Decisions No 2/2000 and No 2/2001 of the Joint Council to take account of the accession of the Republic of Croatia to the European Union (OJ L 21, 24.1.2019, p. 23).

⁵ Decision No 1/2020 of the EU-Mexico Joint Council of 31 July 2020 amending Decision No 2/2000 [2020/1180] (OJ L 259, 10.8.2020, p. 40).

- (5) In order to avoid any unnecessary delay in the application of this tariff quota, this Regulation should enter into force as a matter of urgency and should apply retroactively from the third day after the publication of the Decision No 1/2020 of the EU-Mexico Joint Council in the *Official Journal of the European Union*.
- (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

The Annex to Regulation (EC) No 1362/2000 is amended as follows:

- (1) the row with order number 09.1834 is replaced by the following:

Order No	CN code	Description	Annual tariff quota volume (net weight, unless otherwise specified)	Tariff quota duty (% reduction)
09.1834	0803 90 10	Bananas, fresh (excluding plantains)	Until 31 December 2020: 2 000 tonnes; from 1 January 2021: 2 010 tonnes	Fixed duty to be applied'

- (2) the following row is inserted between the row with order number 09.1834 and the row with order number 09.1847:

Order No	CN code	Description	Annual tariff quota volume (net weight, unless otherwise specified)	Tariff quota duty (% reduction)
09.1838	0803 90 10	Bananas, fresh (excluding plantains)	From 13 August 2020 until 31 December 2020: 10 tonnes	Fixed duty to be applied'

Article 2

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 13 August 2020.

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

Done at Brussels, 14 January 2021.

For the Commission
The President
Ursula VON DER LEYEN