COMMISSION IMPLEMENTING REGULATION (EU) No 450/2012
of 29 May 2012
amending Implementing Regulation (EU) No 543/2011 as regards the trigger levels for additional
duties on tomatoes, apricots, lemons, plums, peaches, including nectarines, pears and table grapes

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of
22 October 2007 establishing a common organisation of agri-
cultural markets and on specific provisions for certain agri-
cultural products ('Single CMO’ Regulation) (1), and in particular
Article 143(b) in conjunction with Article 4 thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No
543/2011 of 7 June 2011 laying down detailed rules
for the application of Council Regulation (EC) No
1234/2007 in respect of the fruit and vegetables and
processed fruit and vegetables sectors (2), provides for
the surveillance of the imports of the products listed in
Annex XVIII thereto. That surveillance is to be carried
out in accordance with the rules laid down in
Article 308d of 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 (3).

(2) For the purposes of Article 5(4) of the Agreement on
Agriculture (4) concluded during the Uruguay Round of
multilateral trade negotiations and in the light of the
latest data available for 2009, 2010 and 2011, the
trigger levels for additional duties on tomatoes,
apricots, lemons, plums, peaches, including nectarines,
pears and table grapes should be amended with effect
from 1 June 2012.

(3) Implementing Regulation (EU) No 543/2011 should
therefore be amended accordingly.

(4) Given the need to ensure that this measure applies as
soon as possible after the updated data have been made
available, this Regulation should enter into force on the
day of its publication.

(5) The measures provided for in this Regulation are in
accordance with the opinion of the Management
Committee for the Common Organisation of Agricultural
Markets,

HAS ADOPTED THIS REGULATION:

Article 1
Annex XVIII to Implementing Regulation (EU) No 543/2011 is
replaced by the text set out in the Annex to this Regulation.

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

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

Done at Brussels, 29 May 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX

‘ANNEX XVIII

ADDITIONAL IMPORT DUTIES: TITLE IV, CHAPTER I, SECTION 2

Without prejudice to the rules governing the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they stand at the time of the adoption of this Regulation.

<table>
<thead>
<tr>
<th>Order number</th>
<th>CN code</th>
<th>Description of products</th>
<th>Period of application</th>
<th>Trigger level (tonnes)</th>
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<tbody>
<tr>
<td>78.0015</td>
<td>0702 00 00</td>
<td>Tomatoes</td>
<td>From 1 October to 31 May</td>
<td>486 747</td>
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<tr>
<td>78.0020</td>
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<td></td>
<td>From 1 June to 30 September</td>
<td>34 241</td>
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<td>78.0065</td>
<td>0707 00 05</td>
<td>Cucumbers</td>
<td>From 1 May to 31 October</td>
<td>13 402</td>
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<tr>
<td>78.0075</td>
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<td>From 1 November to 30 April</td>
<td>18 306</td>
</tr>
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<td>78.0085</td>
<td>0709 91 00</td>
<td>Artichokes</td>
<td>From 1 November to 30 June</td>
<td>11 620</td>
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<tr>
<td>78.0100</td>
<td>0709 93 10</td>
<td>Courgettes</td>
<td>From 1 January to 31 December</td>
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<tr>
<td>78.0110</td>
<td>0805 10 20</td>
<td>Oranges</td>
<td>From 1 December to 31 May</td>
<td>292 760</td>
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<tr>
<td>78.0120</td>
<td>0805 20 10</td>
<td>Clementines</td>
<td>From 1 November to end of February</td>
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<tr>
<td>78.0130</td>
<td>0805 20 30</td>
<td>Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids</td>
<td>From 1 November to end of February</td>
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<tr>
<td>78.0155</td>
<td>0805 50 10</td>
<td>Lemons</td>
<td>From 1 June to 31 December</td>
<td>311 193</td>
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<tr>
<td>78.0160</td>
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<td></td>
<td>From 1 January to 31 May</td>
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<td>78.0170</td>
<td>0806 10 10</td>
<td>Table grapes</td>
<td>From 21 July to 20 November</td>
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<td>78.0175</td>
<td>0808 10 80</td>
<td>Apples</td>
<td>From 1 January to 31 August</td>
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<td>78.0180</td>
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<td></td>
<td>From 1 September to 31 December</td>
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<td>78.0220</td>
<td>0808 30 90</td>
<td>Pears</td>
<td>From 1 January to 30 April</td>
<td>225 388</td>
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<tr>
<td>78.0235</td>
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<td></td>
<td>From 1 July to 31 December</td>
<td>33 797</td>
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<td>78.0250</td>
<td>0809 10 00</td>
<td>Apricots</td>
<td>From 1 June to 31 July</td>
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<td>78.0265</td>
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<td>Cherries, other than sour cherries</td>
<td>From 21 May to 10 August</td>
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<td>78.0270</td>
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<td>Peaches, including nectarines</td>
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<td>78.0280</td>
<td>0809 40 05</td>
<td>Plums</td>
<td>From 11 June to 30 September</td>
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