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COMMISSION DELEGATED REGULATION (EU) 2023/2908

of 12 October 2023

amending Council Regulation (EC) No 32/2000 as regards the volumes of food preparations, processed shrimp of the species *Pandalus borealis* and certain plywood of coniferous species that may be imported under tariff quotas 09.0013, 09.0047, 09.0088 and 09.0096

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 32/2000 of 17 December 1999 opening and providing for the administration of Community tariff quotas bound in GATT and certain other Community tariff quotas and establishing detailed rules for adjusting the quotas, and repealing Council Regulation (EC) No 1808/95 ([1]), and in particular Article 10a thereof,

Whereas:

(1) The Agreement between the European Union and the United States of America pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ([2]) ('the Agreement'), approved by Council Decision (EU) 2023/912 ([3]), amends certain tariff quotas with regard to the volumes of products to be imported. The Agreement entered into force on 2 May 2023 ([4]). Thoseamendments should be reflected in Regulation (EC) No 32/2000.

(2) Regulation (EC) No 32/2000 should therefore be amended accordingly.

(3) Due to the urgent need to implement the Agreement, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*. As the amendments made by this Regulation apply to tariff quota periods that are ongoing on the day of its entry into force, it is necessary to lay down transitional provisions for those periods,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 32/2000

The table to Annex I to Regulation (EC) No 32/2000 is amended as follows:

(a) in the row for serial number 09.0013, in the column headed 'Quota volume', the volume '482 648 m³' is replaced by '448 500 m³';

(b) in the row for serial number 09.0047, in the column headed 'Quota volume', the volume '474 tonnes' is replaced by '500 tonnes';

(c) in the row for serial number 09.0088, in the column headed 'Quota volume', the volume '702 tonnes' is replaced by '783 tonnes';

(d) in the row for serial number 09.0096, in the column headed 'Quota volume', the volume '831 tonnes' is replaced by '1 286 tonnes'.

([1]) OJ L 5, 8.1.2000, p. 1.
([2]) OJ L 119, 5.5.2023, p. 3.
([3]) Council Decision (EU) 2023/912 of 25 April 2023 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the United States of America pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union (OJ L 119, 5.5.2023, p. 1).
([4]) OJ L 135, 23.5.2023, p. 52.

Article 2

Transitional provisions for the ongoing tariff quota periods

1. The volumes available for the remainder of the tariff quota periods that are ongoing on 22 December 2023 shall be the difference between the quota volumes as amended by this Regulation and the quota volumes already allocated before that date.

2. In the case of an increase of the volume, if, on 22 December 2023, the quotas applicable on 21 December 2023 were exhausted, the new quota volumes available shall be allocated to operators following the chronological order of the acceptance dates of their customs declarations for release for free circulation. Operators who imported their goods out of quota before 22 December 2023 shall be reimbursed, on their request and to the extent that the balance of the tariff quotas so permits, the difference in duty already paid.

3. In the case of a decrease of the volume, if, on 22 December 2023 for the quota applicable on 21 December 2023, a volume higher than the quota volume as amended by this Regulation has been released for free circulation, operators shall not be required to pay any additional duty for the in-quota volumes imported exceeding the new available volume.

Article 3

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, 12 October 2023.

For the Commission
The President
Ursula VON DER LEYEN