

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2140**of 2 December 2021****fixing the trigger volumes for the years 2022 and 2023 for the purposes of possible application of additional import duties on certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular point (b) of the first paragraph of Article 183 thereof,

Whereas:

- (1) Article 39 of Commission Implementing Regulation (EU) 2017/892 ⁽²⁾ provides that an additional import duty as referred to in Article 182(1) of Regulation (EU) No 1308/2013 may be applied to the products and during the periods listed in Annex VII to that Implementing Regulation. That additional import duty has to apply if the quantity of any of the products put into free circulation for any of the periods of application set out in that Annex exceeds the trigger volume of imports in a year for that product. Additional import duties shall not be imposed where the imports are unlikely to disturb the Union market, or where the effects would be disproportionate to the intended objective.
- (2) In accordance with the second subparagraph of Article 182(1) of Regulation (EU) No 1308/2013 the trigger volumes of imports for the possible application of additional import duties on certain fruit and vegetables are based on import data and domestic consumption data for the previous 3 years. On the basis of the data notified by the Member States for the years 2018, 2019 and 2020, the trigger volumes for certain fruit and vegetables should be fixed for the years 2022 and 2023.
- (3) Taking into account that the period of application of possible additional import duties as set out in Annex VII to Implementing Regulation (EU) 2017/892 starts for a number of products on 1 January, this Regulation should apply from 1 January 2022,

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors (OJ L 138, 25.5.2017, p. 57).

HAS ADOPTED THIS REGULATION:

Article 1

For the years 2022 and 2023, the trigger volumes referred to in point (b) of the first subparagraph of Article 182(1) of Regulation (EU) No 1308/2013 for the products listed in Annex VII to Implementing Regulation (EU) 2017/892 are 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*.

It shall apply from 1 January 2022.

It shall expire on 30 June 2023.

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

Done at Brussels, 2 December 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Trigger volumes for the products and periods set out in Annex VII to Implementing Regulation (EU) 2017/892, for the possible application of additional import duties

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

Order number	CN code	Description of products	Period of application		Trigger volume (tonnes)
			2022	2023	
78.0020	07020000	Tomatoes	From 1 June to 30 September		165 053
78.0015			From 1 October	to 31 May	764 097
78.0065	07070005	Cucumbers	From 1 May to 31 October		111 323
78.0075			From 1 November	to 30 April	62 867
78.0085	07099100	Artichokes	From 1 November	to 30 June	10 744
78.0100	07099310	Courgettes	From 1 January to 31 December		157 892
78.0110	08051022 08051024 08051028	Oranges	From 1 December	to 31 May	313 919
78.0120	08052200	Clementines	From 1 November	to end of February	169 975
78.0130	080521 08052900	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November	to end of February	252 244
78.0160	08055010	Lemons	From 1 January to 31 May		57 013
78.0155			From 1 June to 31 December		410 794
78.0170	08061010	Table grapes	From 16 July to 16 November		81 062
78.0175	08081080	Apples	From 1 January to 31 August		321 996
78.0180			From 1 September to 31 December		46 813

78.0220	08083090	Pears	From 1 January to 30 April		117 126
78.0235			From 1 July to 31 December		117 810
78.0250	08091000	Apricots	From 1 June to 31 July		9 631
78.0265	08092900	Cherries other than sour	From 16 May to 15 August		37 031
78.0270	080930	Peaches, including nectarines	From 16 June to 30 September		10 709
78.0280	08094005	Plums	From 16 June to 30 September		35 195