

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2022/739

of 13 May 2022

amending Implementing Regulation (EU) 2020/761 as regards the management of certain tariff quotas for importing poultry and of a tariff quota for exporting milk powder to the Dominican Republic

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 Article 187, first paragraph, points (a) and (b), thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2020/761 ⁽²⁾ lays down the rules for the management of import and export tariff quotas for agricultural products managed by a system of import and export licences, opens import and export tariff quotas for specific agricultural products and provides for specific rules for the administration of those tariff quotas.
- (2) Article 55 of Implementing Regulation (EU) 2020/761 opens a tariff quota for exports to the Dominican Republic of milk powder of EU origin. The quota is opened for all the products falling under CN codes 0402 10, 0402 21 and 0402 29.
- (3) Currently, this export quota covers 13 CN codes. Thus, in order to facilitate these exports of milk powder to the Dominican Republic, the export licence should be valid for all products falling under the CN codes covered by this quota irrespectively of the CN codes explicitly mentioned in the application.
- (4) Commission Delegated Regulation (EU) 2020/760 ⁽³⁾ supplements Regulation (EU) No 1308/2013 as regards the rules for the administration of import and export tariff quotas subject to licences.
- (5) Article 9(6) of Delegated Regulation (EU) 2020/760 provides that, for the groups of tariff quotas under order numbers 09.4211, 09.4212, 09.4213 and 09.4290, the reference quantity is to be calculated by cumulating the quantities of products released for free circulation in the Union, which fall within each of the quota order numbers of the group.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) 2020/761 of 17 December 2019 laying down rules for the application of Regulations (EU) No 1306/2013, (EU) No 1308/2013 and (EU) No 510/2014 of the European Parliament and of the Council as regards the management system of tariff quotas with licences (OJ L 185, 12.6.2020, p. 24).

⁽³⁾ Commission Delegated Regulation (EU) 2020/760 of 17 December 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the rules for the administration of import and export tariff quotas subject to licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the lodging of securities in the administration of tariff quotas (OJ L 185, 12.6.2020, p. 1).

- (6) In Annex XII to Implementing Regulation (EU) 2020/761, the quota periods for tariff quotas under order numbers 09.4211 and 09.4212 are divided in sub-periods while the quota periods for tariff quotas under order numbers 09.4213 and 09.4290 are not, which renders the calculation of the reference quantity particularly complicated.
- (7) To simplify the calculation of the reference quantity, it is appropriate to divide the quota periods for order numbers 09.4213 and 09.4290 into the same sub-periods as those laid down for order numbers 09.4211 and 09.4212.
- (8) Implementing Regulation (EU) 2020/761 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2020/761

Implementing Regulation (EU) 2020/761 is amended as follows:

- (1) in Article 56(3), point (b) is replaced by the following:

‘(b) Section 20 shall indicate:

“Implementing Regulation (EU) 2020/761

Tariff quota for 1 July 20... to 30 June 20..., for milk powder according to Appendix 2 of Annex III to the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, the signature and provisional application of which has been approved by Council Decision 2008/805/EC.

The export licence shall be valid for any of the products falling under the CN codes referred to in Article 55(2) of Implementing Regulation (EU) 2020/761”;

- (2) Annex XII is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

It shall apply to the tariff quota periods starting after the entry into force of this Regulation.

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

Done at Brussels, 13 May 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annex XII to Implementing Regulation (EU) 2020/761 is amended as follows:

(1) the table relating to tariff rate quota under order number 09.4213 is amended as follows:

(a) the row 'Tariff quota sub-periods' is replaced by the following:

'Tariff-quota sub-periods'	1 July to 30 September 1 October to 31 December 1 January to 31 March 1 April to 30 June'
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(b) the row "Quantity in kilograms" is replaced by the following:

'Quantity in kilograms'	368 000 kg, divided as follows: 30 % for the sub-period from 1 July to 30 September 30 % for the sub-period from 1 October to 31 December 20 % for the sub-period from 1 January to 31 March 20 % for the sub-period from 1 April to 30 June'
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(2) the table relating to tariff quota under order number 09.4290 is amended as follows:

(a) the row "Tariff quota sub-periods" is replaced by the following:

'Tariff-quota sub-periods'	1 July to 30 September 1 October to 31 December 1 January to 31 March 1 April to 30 June'
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(b) the row "Quantity in kilograms" is replaced by the following:

'Quantity in kilograms'	456 000 kg, divided as follows: 30 % for the sub-period from 1 July to 30 September 30 % for the sub-period from 1 October to 31 December 20 % for the sub-period from 1 January to 31 March 20 % for the sub-period from 1 April to 30 June'
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