

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1331**of 29 June 2023****amending Implementing Regulation (EU) 2019/159 imposing a definitive safeguard measure on imports of certain steel products**

THE EUROPEAN COMMISSION,

Having regard to Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports ⁽¹⁾ and in particular Article 20 thereof,

Having regard to Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries ⁽²⁾, and in particular Article 16 thereof,

Whereas:

1. BACKGROUND

- (1) By Commission Implementing Regulation (EU) 2019/159 ⁽³⁾ the Union applies a safeguard measure on imports of certain steel products. The measure takes the form of a tariff-rate quota (TRQ), with imports allowed free-of-duty within a quota based on historical trade flows. The free-of-duty quota is applicable to imports into the Union territory. A safeguard duty of 25 % applies to imports made beyond the applicable quota.
- (2) Regulation (EU) 2023/1321 ⁽⁴⁾ amended Regulation (EU) 2020/2170 of the European Parliament and of the Council ⁽⁵⁾ on the application of Union tariff rate quotas and other import quotas.
- (3) As a result of this amendment, steel categories 7 (Non Alloy and Other Alloy Quarto Plates ⁽⁶⁾) and 17 (Angles, Shapes and Sections of Iron or Non Alloy Steel ⁽⁷⁾) in the safeguard measure, listed in Annex 1 to Regulation (EU) 2020/2170, originating in the United Kingdom and brought into Northern Ireland by direct transport from other parts of the United Kingdom shall be eligible for treatment pursuant to the relevant Union tariff rate quotas if those goods are released for free circulation in the territory of Northern Ireland.

2. PROCEDURE

- (4) On 30 March 2023 the Commission published a Notice in the *Official Journal of the European Union* explaining that, following the amendment of Regulation (EU) 2020/2170 it was necessary that the Commission amended the EU safeguard Regulation by creating a new TRQ limited to transfers into Northern Ireland of the product categories included in the Annex to Regulation (EU) 2023/1321 originating in the United Kingdom and consigned directly from other parts of the United Kingdom. In this way, transfers of products falling within these product categories originating in the United Kingdom and consigned directly from other parts of the United Kingdom could enter Northern Ireland free-of-duty until the allocated quota is exhausted. Out of such quota, a 25 % safeguard duty would apply. Interested parties were given the possibility to comment on the content of the Notice.

⁽¹⁾ Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports (OJ L 83, 27.3.2015, p. 16) ('the EU safeguard Regulation').

⁽²⁾ Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries (OJ L 123, 19.5.2015, p. 33).

⁽³⁾ Commission Implementing Regulation (EU) 2019/159 of 31 January 2019 imposing a definitive safeguard measure against imports of certain steel products (OJ L 31, 1.2.2019, p. 27).

⁽⁴⁾ Regulation (EU) 2023/1321 of the European Parliament and of the Council of 14 June 2023 amending Regulation (EU) 2020/2170 as regards the application of Union tariff rate quotas and other import quotas to certain steel products transferred to Northern Ireland (see page 1 of this Official Journal).

⁽⁵⁾ Regulation (EU) 2020/2170 of the European Parliament and of the Council of 16 December 2020 on the application of Union tariff rate quotas and other import quotas (OJ L 432, 21.12.2020, p. 1).

⁽⁶⁾ CN codes (for information only): 7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, 7208 90 20, 7208 90 80, 7210 90 30, 7225 40 12, 7225 40 40, 7225 40 60, 7225 99 00.

⁽⁷⁾ CN codes (for information only): 7216 31 10, 7216 31 90, 7216 32 11, 7216 32 19, 7216 32 91, 7216 32 99, 7216 33 10, 7216 33 90.

- (5) To calculate the adequate volume of TRQs that would ensure, as foreseen in Regulation (EU) 2023/1321, the economic viability of these direct transfers to Northern Ireland from other parts of the United Kingdom, in view of the specific circumstances in Northern Ireland, the Commission analysed the available statistics ⁽⁸⁾ to calculate the volume of transfers to Northern Ireland from other parts of the United Kingdom.
- (6) The TRQs created by this Regulation are to be used exclusively by United Kingdom originating goods, as listed in the Annex to Regulation (EU) 2023/1321, and which are brought into Northern Ireland by direct transport from other parts of the United Kingdom and released for free circulation in the territory of Northern Ireland. Therefore, these new TRQs do not affect the allocation or volumes of existing TRQs for third countries into the Union territory.

Comments from interested parties

- (7) The Notice of Initiation gave the possibility to interested parties to submit comments within a stipulated deadline. The Commission did not receive any comments from any interested party.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safeguards established under Article 3(3) of Regulation (EU) 2015/478 and Article 22(3) of Regulation (EU) 2015/755 respectively,

HAS ADOPTED THIS REGULATION:

⁽⁸⁾ Data available from the electronic system set up on the basis of Articles 55 and 56 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

Article 1

In Table 'IV.1 — Volumes of tariff–rate quotas' of Annex IV to Regulation (EU) 2019/159, parts 7 and 17 are amended and shall read as follows:

Product Number	Product category	CN Codes	Allocation by country (Where Applicable)	Year 5				Year 6				Additional duty rate	Order numbers
				From 1.7.2022 to 30.9.2022	From 1.10.2022 to 31.12.2022	From 1.1.2023 to 31.3.2023	From 1.4.2023 to 30.6.2023	From 1.7.2023 to 30.9.2023	From 1.10.2023 to 31.12.2023	From 1.1.2024 to 31.3.2024	From 1.4.2024 to 30.6.2024		
				Volume of tariff quota (net tonnes)				Volume of tariff quota (net tonnes)					
‘7	Non Alloy and Other Alloy Quarto Plates	7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, 7208 90 20, 7208 90 80, 7210 90 30, 7225 40 12, 7225 40 40, 7225 40 60, 7225 99 00	Ukraine	270 017,57	270 017,57	264 147,62	267 082,59	280 051,01	280 051,01	277 006,97	277 006,97	25 %	09.8836
		Other countries	554 571,27	554 571,27	542 515,37	548 543,32	575 178,29	575 178,29	568 926,35	568 926,35	25 %	(9)	
		United Kingdom (to Northern Ireland from other parts of the United Kingdom)	-	-	-	-	5 231,58	5 231,58	5 174,72	5 174,72	25 %	09.8498’	
‘17	Angles, Shapes and Sections of Iron or Non Alloy Steel	7216 31 10, 7216 31 90, 7216 32 11, 7216 32 19, 7216 32 91, 7216 32 99, 7216 33 10, 7216 33 90	Ukraine	30 113,25	30 113,25	29 458,61	29 785,93	31 232,21	31 232,21	30 892,73	30 892,73	25 %	09.8891
		Other countries	64 947,85	64 947,85	63 535,94	64 241,90	67 361,21	67 361,21	66 629,03	66 629,03	25 %	(18)	
		United Kingdom (to Northern Ireland from other parts of the United Kingdom)	-	-	-	-	14 061,23	14 061,23	13 908,39	13 908,39	25 %	09.8499’	

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 as of 1 July 2023.

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

Done at Brussels, 29 June 2023.

For the Commission

The President

Ursula VON DER LEYEN
