



2023/2840

15.12.2023

**COMMISSION IMPLEMENTING REGULATION (EU) 2023/2840**

**of 14 December 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 <sup>(1)</sup> 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 <sup>(2)</sup>, and in particular Article 16 thereof,

Whereas:

1. BACKGROUND

- (1) By Commission Implementing Regulation (EU) 2019/159 <sup>(3)</sup> 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) Commission Delegated Regulation (EU) 2023/2777 <sup>(4)</sup> amended Regulation (EU) 2020/2170 of the European Parliament and of the Council <sup>(5)</sup> as regards the application of Union tariff rate quotas and other import quotas to certain steel products transferred to Northern Ireland.
- (3) As a result of this amendment, the following steel product categories in the safeguard measure listed in the Annex 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: Stainless Hot Rolled Sheets and Strips <sup>(6)</sup> (category 8), Stainless Cold Rolled Sheets and Strips <sup>(7)</sup> (category 9), Rebars <sup>(8)</sup> (category 13), Large Welded Tubes <sup>(9)</sup> (category 25.A) and Non-Alloy Wire <sup>(10)</sup> (category 28).
- (4) To ensure that trade flows from other parts of the United Kingdom to Northern Ireland do not take place under residual quota in these categories if the dedicated United Kingdom – Northern Ireland TRQ ('UKNI TRQ') has not been first exhausted, the 'other countries' quota for transfers of goods from other parts of the United Kingdom to

<sup>(1)</sup> OJ L 83, 27.3.2015, p. 16 ('the EU Safeguard Regulation').

<sup>(2)</sup> OJ L 123, 19.5.2015, p. 33.

<sup>(3)</sup> 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).

<sup>(4)</sup> Commission Delegated Regulation (EU) 2023/2777 of 3 October 2023 amending the Annex to Regulation (EU) 2020/2170 of the European Parliament and of the Council as regards the application of Union tariff rate quotas and other import quotas to certain steel products transferred to Northern Ireland (OJ L, 2023/2777, 15.12.2023, ELI: [http://data.europa.eu/eli/reg\\_del/2023/2777/oj](http://data.europa.eu/eli/reg_del/2023/2777/oj)).

<sup>(5)</sup> 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)

<sup>(6)</sup> CN codes (for information): 7219 11 00, 7219 12 10, 7219 12 90, 7219 13 10, 7219 13 90, 7219 14 10, 7219 14 90, 7219 22 10, 7219 22 90, 7219 23 00, 7219 24 00, 7220 11 00, 7220 12 00.

<sup>(7)</sup> CN codes (for information): 7219 31 00, 7219 32 10, 7219 32 90, 7219 33 10, 7219 33 90, 7219 34 10, 7219 34 90, 7219 35 10, 7219 35 90, 7219 90 20, 7219 90 80, 7220 20 21, 7220 20 29, 7220 20 41, 7220 20 49, 7220 20 81, 7220 20 89, 7220 90 20, 7220 90 80.

<sup>(8)</sup> CN codes (for information): 7214 20 00, 7214 99 10.

<sup>(9)</sup> CN codes (for information): 7305 11 00, 7305 12 00.

<sup>(10)</sup> CN codes (for information): 7217 10 10, 7217 10 31, 7217 10 39, 7217 10 50, 7217 10 90, 7217 20 10, 7217 20 30, 7217 20 50, 7217 20 90, 7217 30 41, 7217 30 49, 7217 30 50, 7217 30 90, 7217 90 20, 7217 90 50, 7217 90 90.

Northern Ireland should only be used once the respective 'United Kingdom (to Northern Ireland from other parts of the United Kingdom)' quota has been exhausted. Hence, Union users would not be unduly crowded out from the residual quota by trade flows designed to be taking place under a different TRQ.

## 2. PROCEDURE

- (5) On 6 November 2023 the Commission published a Notice in *the Official Journal of the European Union* <sup>(11)</sup> explaining that, following the amendment of Regulation (EU) 2020/2170 it was necessary that the Commission amended Regulation (EU) 2019/159 by creating new dedicated TRQs limited to transfers into Northern Ireland of the product categories included in the Annex to Delegated Regulation (EU) 2023/2777 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. Interested parties were given the possibility to comment on the content of the Notice.
- (6) To calculate the adequate volume of the new dedicated TRQs that would ensure, as foreseen in Delegated Regulation (EU) 2023/2777, 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 <sup>(12)</sup> to calculate the volume of transfers to Northern Ireland from other parts of the United Kingdom.
- (7) The TRQs created by this Regulation are to be used exclusively by United Kingdom originating goods, as listed in the Annex to Delegated Regulation (EU) 2023/2777, 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.

## 3. COMMENTS FROM INTERESTED PARTIES

- (8) The Notice gave the possibility to interested parties to submit comments within a stipulated deadline. The Commission did not receive any comments from any interested party.
- (9) 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:

### Article 1

Regulation (EU) 2019/159 is amended as follows:

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- <sup>(11)</sup> Notice concerning the creation of certain Tariff Rate Quotas under the steel safeguard measure in connection to the amendment to Regulation (EU) 2020/2170, C(2023)7358 (OJ C, C/2023/591, 6.11.2023, ELI: <http://data.europa.eu/eli/C/2023/591/oj>).
  - <sup>(12)</sup> 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).

Parts of the table in ANNEX IV, IV.1 – Volumes of tariff–rate quotas, shall read as follows:

Product Number	Product category	CN Codes	Allocation by country (Where Applicable)	Year 6		Additional duty rate	Order number
				From 1.1.2024 to 31.3.2024	From 1.4.2024 to 30.6.2024		
8	Stainless Hot Rolled Sheets and Strips	7219 11 00, 7219 12 10, 7219 12 90, 7219 13 10, 7219 13 90, 7219 14 10, 7219 14 90, 7219 22 10, 7219 22 90, 7219 23 00, 7219 24 00, 7220 11 00, 7220 12 00	Other countries	108 314,26	108 314,26	25%	(10)
		United Kingdom (to Northern Ireland from other parts of the United Kingdom)	13,13	13,13	25%	09.8491	
9	Stainless Cold Rolled Sheets and Strips	7219 31 00, 7219 32 10, 7219 32 90, 7219 33 10, 7219 33 90, 7219 34 10, 7219 34 90, 7219 35 10, 7219 35 90, 7219 90 20, 7219 90 80, 7220 20 21, 7220 20 29, 7220 20 41, 7220 20 49, 7220 20 81, 7220 20 89, 7220 90 20, 7220 90 80	Korea, Republic of	49 010,58	49 010,58	25%	09.8846
		Taiwan	45 449,15	45 449,15	25%	09.8847	
		India	30 376,69	30 376,69	25%	09.8848	
		South Africa	26 432,63	26 432,63	25%	09.8853	
		United States	24 714,52	24 714,52	25%	09.8849	
		Turkey	20 565,57	20 565,57	25%	09.8850	
		Malaysia	13 029,20	13 029,20	25%	09.8851	
		Other countries	52 263,55	52 263,55	25%	(12)	
		United Kingdom (to Northern Ireland from other parts of the United Kingdom)	30,76	30,76	25%	09.8492	
		13	Rebars	7214 20 00, 7214 99 10	Turkey	93 208,76	93 208,76
Russian Federation	not applicable			not applicable	25%	09.8867	
Ukraine	43 393,39			43 393,39	25%	09.8868	
Bosnia and Herzegovina	33 531,95			33 531,95	25%	09.8869	
Moldova, Republic of	28 025,13			28 025,13	25%	09.8870	
Other countries	136 103,03			136 103,03	25%	(14)	

			United Kingdom (to Northern Ireland from other parts of the United Kingdom)	2 127,24	2 127,24	25%	09.8493
25.A	Large welded tubes	7305 11 00, 7305 12 00	Other countries	118 743,72	118 743,72	25%	(25)
			United Kingdom (to Northern Ireland from other parts of the United Kingdom)	13,70	13,70	25%	09.8494
28	Non Alloy Wire	7217 10 10, 7217 10 31, 7217 10 39, 7217 10 50, 7217 10 90, 7217 20 10, 7217 20 30, 7217 20 50, 7217 20 90, 7217 30 41, 7217 30 49, 7217 30 50, 7217 30 90, 7217 90 20, 7217 90 50, 7217 90 90	Belarus	not applicable	not applicable	25%	09.8961
			China	77 963,72	77 963,72	25%	09.8962
			Russian Federation	not applicable	not applicable	25%	09.8963
			Turkey	50 733,63	50 733,63	25%	09.8964
			Ukraine	38 259,97	38 259,97	25%	09.8965
			Other countries	48 776,62	48 776,62	25%	(29)
			United Kingdom (to Northern Ireland from other parts of the United Kingdom)	187,47	187,47	25%	09.8495'

#### Article 2

For transfers of goods from other parts of the United Kingdom to Northern Ireland, the respective 'United Kingdom (to Northern Ireland from other parts of the United Kingdom)' quota shall be used first. Only when this quota has been exhausted, those transfers of goods could use the 'other countries' quota for each of the product categories listed in the Annex to Regulation (EU) 2020/2170.

#### Article 3

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 January 2024.

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

Done at Brussels, 14 December 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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