

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1772**of 28 September 2017****opening and providing for the management of Union tariff quotas for certain agricultural products, processed agricultural products and fishery products originating in Canada**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 58(1) thereof,

Whereas:

- (1) By Council Decision (EU) 2017/38 ⁽²⁾, the Council authorised the provisional application of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part ('the Agreement').
- (2) The Agreement stipulates that customs duties on imports into the Union of goods originating in Canada must be reduced or eliminated in accordance with the tariff elimination schedule in Annex 2-A to that Agreement. Annex 2-A provides that for certain goods the reduction or elimination of customs duties is granted within tariff quotas.
- (3) Annex 2-A to the Agreement stipulates that the Union is to manage certain of those tariff quotas on a first-come, first-served basis. The Commission should manage those tariff quotas in accordance with the rules on the management of tariff quotas laid down in Commission Implementing Regulation (EU) 2015/2447 ⁽³⁾.
- (4) The Agreement provides that in order for goods to benefit from those tariff quotas, they must comply with the rules of origin as set out in Annex 5 to the Protocol on rules of origin and origin procedures attached to that Agreement.
- (5) As published in the *Official Journal of the European Union*, the Agreement is to be applied provisionally from 21 September 2017 ⁽⁴⁾. In order to ensure the effective application and management of those tariff quotas granted under the Agreement which the Commission shall manage on a first-come first-served basis, this Regulation should apply from 21 September 2017.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Union tariff quotas are opened for goods originating in Canada as set out in the Annex.

Article 2

The goods listed in the Annex originating in Canada and declared for release for free circulation in the Union shall, within the respective tariff quotas set out in the Annex, be exempted from the customs duties applicable to imports into the Union.

Article 3

The tariff quotas set out in the Annex shall be managed in accordance with Articles 49 to 54 of Implementing Regulation (EU) 2015/2447.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

⁽³⁾ 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).

⁽⁴⁾ Notice concerning the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 238, 16.9.2017, p. 9).

Article 4

In order to be eligible to benefit from the tariff quotas set out in this Regulation, the goods listed in the Annex shall comply with the rules of origin set out in Annex 5 to the Protocol on Rules of Origin and Origin Procedures attached to the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part, and be accompanied by a valid origin declaration as set out in Annex 2 to that Protocol.

Article 5

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 from 21 September 2017.

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

Done at Brussels, 28 September 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products in the fourth column of the table is to be considered as having no more than an indicative value. The preferential scheme is determined, within the context of this Annex, by the scope of the CN codes set out in the second column of the table as applicable at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN codes and corresponding description of the products in the fourth column of the table taken together.

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)
09.8400	ex 0201 10 00	93	Carcases and half-carcases of bison, fresh or chilled	From 21.9.2017 to 31.12.2017	841 tonnes carcass weight equivalent
				From 1.1.2018 to 31.12.2018 and for each year thereafter from 1.1 to 31.12	3 000 tonnes carcass weight equivalent
	ex 0201 20 20	93	'Compensated' quarters of bison with bone in, fresh or chilled		
	ex 0201 20 30	93	Unseparated or separated forequarters of bison, with bone in, fresh or chilled		
	ex 0201 20 50	93	Unseparated or separated hindquarters of bison, with bone in, fresh or chilled		
	ex 0201 20 90	20	Other cuts of bison with bone in, fresh or chilled		
	ex 0201 30 00 ⁽¹⁾	30	Boneless meat of bison, fresh or chilled		
	ex 0202 10 00	20	Carcases and half-carcases of bison, frozen		
	ex 0202 20 10	20	'Compensated' quarters of bison with bone in, frozen		
	ex 0202 20 30	20	Unseparated or separated forequarters of bison, with bone in, frozen		
	ex 0202 20 50	20	Unseparated or separated hindquarters of bison, with bone in, frozen		
	ex 0202 20 90	20	Other cuts of bison with bone in, frozen		
	ex 0202 30 10 ⁽¹⁾	20	Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece, of bison, boneless and frozen		

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)
	ex 0202 30 50 ⁽¹⁾	20	Crop, chuck-and-blade and brisket cuts, of bison, boneless and frozen ⁽²⁾		
	ex 0202 30 90 ⁽¹⁾	20	Other boneless meat of bison, frozen		
	ex 0206 10 95	20	Thick skirt and thin skirt of bison, fresh or chilled		
	ex 0206 29 91	31	Thick skirt and thin skirt of bison, frozen		
	ex 0210 20 10	40			
	ex 0210 20 10	10	Meat of bison, with bone in, salted, in brine, dried or smoked		
	ex 0210 20 90 ⁽³⁾	91	Boneless meat of bison, salted, in brine, dried or smoked		
	ex 0210 99 51	10	Thick skirt and thin skirt of bison, salted, in brine, dried or smoked		
	ex 0210 99 59	10	Other offal of bison meat, salted, in brine, dried or smoked		
09.8403	0304 71 90		Frozen fillets of cod of the species <i>Gadus morhua</i> and <i>Gadus ogac</i>	From 21.9.2017 to 31.12.2017	281
	0304 79 10		Frozen fillets of Polar cod (<i>Boreogadus saida</i>)	From 1.1.2018 to 31.12.2018 and for each year thereafter from 1.1 to 31.12	1 000
09.8404 ⁽⁴⁾			Frozen, smoked shrimps and prawns, whether in shell or not, whether or not cooked before or during the smoking process, not otherwise prepared, in immediate packings of a net content exceeding 2 kg:	From 21.9.2017 to 31.12.2017	6 446
	ex 0306 16 91	10	Shrimps of the species <i>Crangon crangon</i>	From 1.1.2018 to 31.12.2018 and for each year thereafter from 1.1 to 31.12	23 000
	ex 0306 16 99	21	Other cold-water shrimps and prawns (<i>Pandalus</i> spp.)		
		31			
		91			
	ex 0306 17 91	10	Deepwater rose shrimps (<i>Parapenaeus longirostris</i>)		
	ex 0306 17 92	21	Shrimps of the genus <i>Penaeus</i>		
		91			

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)
	ex 0306 17 93	10	Shrimps of the family <i>Pandalidae</i> , other than of the genus <i>Pandalus</i>		
	ex 0306 17 94	10	Shrimps of the genus <i>Crangon</i> , other than of the species <i>Crangon crangon</i>		
	ex 0306 17 99	11 91	Other		
			Not frozen, smoked shrimps and prawns, whether in shell or not, whether or not cooked before or during the smoking process, not otherwise prepared, in immediate packings of a net content exceeding 2 kg:		
	ex 0306 95 19	10	Shrimps of the species <i>Crangon crangon</i>		
	ex 0306 95 20	21 91	Other cold-water shrimps and prawns (<i>Pandalus</i> spp.)		
	ex 0306 95 30	21 91	Shrimps of the family <i>Pandalidae</i> , other than of the genus <i>Pandalus</i>		
	ex 0306 95 40	10	Shrimps of the genus <i>Crangon</i> , other than of the species <i>Crangon crangon</i>		
	ex 0306 95 90	10	Other		
	1605 21 90		Prepared or preserved shrimps and prawns not in airtight containers, in immediate packings of a net content exceeding 2 kg		
	1605 29 00		Prepared or preserved shrimps and prawns in airtight containers		
09.8405	0710 40 00		Sweetcorn (uncooked or cooked by steaming or boiling in water), frozen	From 21.9.2017 to 31.12.2017	374
	2005 80 00		Sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006	From 1.1.2018 to 31.12.2018 From 1.1.2019 to 31.12.2019 From 1.1.2020 to 31.12.2020	2 667 4 000 5 333

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)
				From 1.1.2021 to 31.12.2021	6 667
				From 1.1.2022 to 31.12.2022 and for each year thereafter from 1.1 to 31.12	8 000

- (¹) At the declaration for release for free circulation of this product with a request to benefit from this tariff quota, the economic operator shall declare the order number 09.8401. The coefficient 1,3 shall be applied in the Commission's electronic quotas' system to convert the declared product net weight to carcass weight equivalent.
- (²) Entry under this subheading is subject to the presentation of a certificate of authenticity issued in accordance with the conditions laid down in Commission Regulation (EEC) No 139/81 (OJ L 15, 17.1.1981, p. 4).
- (³) At the declaration for release for free circulation of this product with a request to benefit from this tariff quota, the economic operator shall declare the order number 09.8402. The coefficient 1,35 shall be applied in the Commission's electronic quotas' system to convert the declared product net weight to carcass weight equivalent.
- (⁴) Prepared or preserved shrimps and prawns exported from Canada under the origin quota applicable under order number 09.8310 as provided under Section B of Appendix A (Origin Quotas) to Annex 5 (Product specific rules of origin) of the Protocol on rules of origin or origin procedures attached to the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part, shall not be imported into the Union under this tariff quota.