

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1024

of 14 July 2020

opening and providing for the management of Union tariff quotas for certain products originating in the Socialist Republic of Viet Nam

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) The Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam ('the Agreement') was signed on 30 June 2019 in accordance with Council Decision (EU) 2019/1121 ⁽²⁾. The Agreement was concluded, on behalf of the Union, on 12 June 2020 by Council Decision (EU) 2020/753 ⁽³⁾.
- (2) The Agreement stipulates that customs duties on imports into the Union of goods originating in Viet Nam are to be reduced or eliminated in accordance with the tariff schedule set out in Appendix 2-A-1 of Annex 2-A to the Agreement. Annex 2-A further provides that for certain goods the elimination of customs duties is granted within tariff quotas.
- (3) Annex 2-A to the Agreement specifies that the tariff quota is to apply annually and imports are therefore to be managed on a calendar-year basis. However, as the Agreement is applicable from 1 August 2020, the pro-rata quantities for 2020 and the annual quantities for the following years should be laid down in accordance with Section B of Annex 2-A to the Agreement.
- (4) Protocol 1 of the Agreement concerns the definition of the concept of 'originating products' and methods of administrative cooperation. On importation into the Union, products originating in Viet Nam are to, benefit from the preferential scheme set out in this Regulation upon submission of any of the proofs of origin described in Article 15(2) of that Protocol.
- (5) The tariff quota should be managed by the Commission on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with the rules for the management of tariff quotas laid down in Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾.
- (6) The Agreement is to enter into force on 1 August 2020 ⁽⁵⁾. In order to ensure the effective management and timely application of the quotas set out in the Agreement, this Regulation should apply from that date.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Council Decision (EU) 2019/1121 of 25 June 2019 on the signing, on behalf of the European Union, of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam (OJ L 177, 2.7.2019, p. 1).

⁽³⁾ Council Decision (EU) 2020/753 of 30 March 2020 on the conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam (OJ L 186, 12.6.2020, p. 1).

⁽⁴⁾ 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).

⁽⁵⁾ Notice concerning the date of entry into force of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam (OJ L 207, 30.6.2020, p. 3).

(7) 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 Viet Nam as set out in the Annex.

Article 2

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

Article 3

The goods listed in the Annex to this Regulation shall comply with the rules of origin set out in Protocol 1 of the Agreement in order to be eligible to benefit from the tariff quotas set out in this Regulation. Products originating in Viet Nam shall, on importation into the Union, benefit from the quotas upon submission of a certificate of origin or an origin declaration as set out in Article 15(2) of Protocol 1 of the Agreement.

Article 4

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

It shall apply from 1 August 2020.

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

Done at Brussels, 14 July 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the scope of the preferential scheme shall be determined, within the context of this Annex, by the CN codes as set out in Annex I to Council Regulation (EEC) No 2658/87 ⁽¹⁾, in the version as amended by Commission Implementing Regulation (EU) 2019/1776 ⁽²⁾ and by the description of the product in the fourth column of the table in this Annex, taken together.

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Duty Rate
09.8200	0408 11 80 0408 19 81 0408 19 89 0408 91 80 0408 99 80		Birds' eggs, not in shell, and egg yolks	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	208,334 tonnes 500 tonnes	0 %
09.8201	0703 20 00		Garlic	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	167,668 tonnes 400 tonnes	0 %
09.8202	ex 0710 40 00 ex 2001 90 30 ex 2005 80 00	99 10 99 10 99	Sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>) other than in cobs with a diameter of 8 mm or more, but not more than 12 mm	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	2 083,334 tonnes 5 000 tonnes	0 %
09.8203	1108 14 00		Manioc (cassava) starch	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	12 500 tonnes 30 000 tonnes	0 %
09.8204	1604 14 21 1604 14 31 1604 14 41 1604 14 28 1604 14 38 1604 14 48 1604 14 90 1604 19 39 1604 20 70		Tuna, skipjack, bonito and other fish of the genus <i>Euthynnus</i>	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	4 791,668 tonnes 11 500 tonnes	0 %

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) 2019/1776 of 9 October 2019 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 280, 31.10.2019, p. 1).

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Duty Rate
09.8205	1604 20 05		Preparations of surimi	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	208,334 tonnes 500 tonnes	0 %
09.8206	1701 13 10 1701 13 90 1701 14 10 1701 91 00 1701 99 10 1701 99 90 1702 30 50 1702 90 50 1702 90 71 1702 90 75 1702 90 79 1702 90 95 1806 10 30 1806 10 90		Sugar and other products containing high levels of sugar	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	8 333,334 tonnes (expressed in raw sugar equivalent) 20 000 tonnes (expressed in raw sugar equivalent)	0 %
09.8207	1701 14 90		Speciality Sugar	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	166,668 tonnes 400 tonnes	0 %
09.8208	0711 51 00 2001 90 50 2003 10 20 2003 10 30		Mushrooms	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	145,834 tonnes 350 tonnes	0 %
09.8209	2207 10 00 2207 20 00		Ethanol	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	416,668 tonnes 1 000 tonnes	0 %
09.8210	2905 43 00 2905 44 11 2905 44 19 2905 44 91 3505 10 10 3505 10 90 3824 60 19		Mannitol, Sorbitol, Dextrins and other modified starches	From 1.8.2020 to 31.12.2020 From 1.1.2021 to 31.12.2021 and for each calendar year thereafter	833,334 tonnes 2 000 tonnes	0 %