

Council Regulation (EU) 2020/2231 of 18 December 2020 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products

COUNCIL REGULATION (EU) 2020/2231

of 18 December 2020

amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure a sufficient and uninterrupted supply of certain agricultural and industrial products which are not produced in the Union and thereby avoid any disturbances in the market for those products, Common Customs Tariff duties of the type referred to in Article 56(2)(c) of Regulation (EU) No 952/2013 of the European Parliament and of the Council⁽¹⁾ ('CCT duties') on those products have been suspended by Council Regulation (EU) No 1387/2013⁽²⁾. Those products can be imported into the Union at reduced or zero duty rates.
- (2) The Union production of certain products that are not listed in the Annex to Regulation (EU) No 1387/2013 is inadequate or non-existent. It is therefore in the interest of the Union to grant a complete suspension of the CCT duties on those products.
- (3) With a view to promoting integrated battery production in the Union in accordance with the communication from the Commission of 17 May 2018 entitled 'Europe on the Move – Sustainable Mobility for Europe: safe, connected, and clean', a partial suspension of the CCT duties should be granted in respect of certain products that are not listed in the Annex to Regulation (EU) No 1387/2013. In addition, only a partial suspension of the CCT duties should be granted in respect of certain products that are currently subject to complete suspensions. The date for the mandatory review of those suspensions should be 31 December 2021, in order for that review to take into account the evolution of the battery sector in the Union.
- (4) It is necessary to amend the product description, classification and end-use requirement for certain CCT duty suspensions listed in the Annex to Regulation (EU) No 1387/2013 in order to take into account technical product developments and economic trends in the market.
- (5) A review has been undertaken of certain CCT duty suspensions listed in the Annex to Regulation (EU) No 1387/2013. New dates should therefore be set for their next mandatory review.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) 2020/2231. (See end of Document for details)

- (6) It is no longer in the interest of the Union to maintain the suspension of CCT duties for certain products listed in the Annex to Regulation (EU) No 1387/2013. The suspensions for those products should therefore be deleted. Moreover, according to the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, for practical reasons requests for tariff suspensions or quotas where the amount of uncollected customs duty is estimated to be less than EUR 15 000 per year cannot be taken into consideration. The suspensions for products which do not reach that threshold, as indicated by the mandatory review, should therefore be deleted from the Annex to Regulation (EU) No 1387/2013.
- (7) Regulation (EU) No 1387/2013 should therefore be amended accordingly.
- (8) In order to avoid any interruption in the application of the autonomous tariff suspension scheme and to comply with the guidelines set out in the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, the changes provided for in this Regulation regarding the tariff suspensions for the products concerned should apply from 1 January 2021. This Regulation should therefore enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 1387/2013 is amended in accordance with the Annex to this Regulation.

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 from 1 January 2021.

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

Done at Brussels, 18 December 2020.

For the Council

The President

M. ROTH

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ANNEX

The Annex to Regulation (EU) No 1387/2013 is amended as follows:

(1) the entries with the following serial numbers are deleted:

0.3338, 0.3662, 0.4675, 0.4795, 0.4856, 0.4891, 0.4902, 0.4903, 0.4905, 0.4908, 0.4911, 0.4920, 0.4926, 0.4935, 0.4939, 0.4943, 0.4973, 0.4995, 0.5012, 0.5022, 0.5039, 0.5043, 0.5052, 0.5053, 0.5067, 0.5092, 0.5103, 0.5123, 0.5125, 0.5126, 0.5311, 0.5498, 0.5953, 0.6036, 0.6068, 0.6087, 0.6450, 0.6527, 0.6591, 0.6592, 0.6595, 0.6596, 0.6597, 0.6606, 0.6607, 0.6608, 0.6610, 0.6615, 0.6616, 0.6619, 0.6626, 0.6636, 0.6639, 0.6651, 0.6653, 0.6665, 0.6676, 0.6694, 0.6697, 0.6704, 0.6705, 0.6715, 0.6724, 0.6727, 0.6731, 0.6733, 0.6735, 0.6743, 0.6744, 0.6755, 0.6756, 0.6758, 0.6760, 0.6768, 0.6775, 0.6776, 0.6778, 0.6780, 0.6785, 0.6786, 0.6787, 0.6788, 0.6795, 0.6798, 0.6803, 0.6807, 0.6811, 0.6832, 0.6833, 0.6834, 0.6838, 0.6841, 0.6883, 0.6890, 0.6895, 0.6900, 0.6902, 0.6909, 0.6914, 0.6916, 0.6918, 0.6928, 0.6941, 0.6942, 0.6943, 0.6944, 0.6953, 0.6954, 0.7040, 0.7222, 0.7293, 0.7558, 0.7560, 0.7697, 0.7715 and 0.7855;

(2) the following entries replace those entries that have the same serial numbers:

Serial Number	CN code	TARIC	Description	Rate of autonomous duty	Supplemental Unit	Date foreseen for mandatory review
0.6748	ex 0709 59 10	10	Fresh or chilled chanterelles for treatment other than simple repacking for retail sale ^{ab}	0 %		31.12.2025
0.2864	ex 1511 90 19 ex 1511 90 91 ex 1513 11 10 ex 1513 19 30 ex 1513 21 10	20 20 20 20 20	Palm oil, coconut (copra) oil, palm kernel oil, for the manufacture of: — industrial monocarboxylic fatty	0 %		31.12.2021

a However, the suspension of tariff duties does not apply where the processing is carried out by retail or catering undertakings.

b Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

c Only the *ad valorem* duty is suspended. The specific duty shall continue to apply.^c

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) 2020/2231. (See end of Document for details)

ex 1513 29 30			—	acids of subheading 3823 19 10, methyl esters of fatty acids of heading 2915 or 2916, fatty alcohols of subheadings 2905 17, 2905 19 and 3823 70 used for the manufacture of cosmetics, washing products or pharmaceutical products, fatty alcohols of subheading 2905 16, pure or mixed,	
<hr/> <p>a However, the suspension of tariff duties does not apply where the processing is carried out by retail or catering undertakings.</p> <hr/> <p>b Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).</p> <hr/> <p>c Only the <i>ad valorem</i> duty is suspended. The specific duty shall continue to apply.’;</p> <hr/>					

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) 2020/2231. (See end of Document for details)

			used for the manufacture of cosmetics, washing products or pharmaceutical products, stearic acid of subheading 3823 11 00, goods of heading 3401, or fatty acids with high purity of heading 2915 ^b		
0.6789	ex 1512 19 10	10	Refined safflower oil (CAS RN 8001-23-8) for use in the manufacture of — conjugated linoleic acid of heading	0 %	31.12.2022

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c Only the *ad valorem* duty is suspended. The specific duty shall continue to apply.²;