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COMMISSION IMPLEMENTING REGULATION (EU) 2024/1319

of 15 May 2024

on the derogations from the 'originating products' rules laid down in the Free Trade Agreement between the European Union and New Zealand that apply within the limits of annual quotas for certain products from New Zealand

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) 2024/244 ([2]), the Council adopted the Free Trade Agreement between the European Union and New Zealand ([3]) ('the Agreement').

(2) Chapter 3 of the Agreement provides for the definition of the concept of 'rules of origin and origin procedures' and Annex 3-B to the Agreement lays down a list of product-specific rules of origin. Appendix 3-B-1 to that Annex defines alternative rules that may apply, instead of the rules set out in Annex 3-B, for certain products to be considered as originating in New Zealand, within the limits of the applicable annual quota.

(3) Products to which the alternative rules laid down in Appendix 3-B-1 apply and within the limits of the applicable annual quota, can be imported into the Union duty free, with the exception of goods under the Harmonised System code 0303.69, for which the customs duties will be eliminated in eight equal annual stages beginning at the entry into force of the Agreement, provided that they comply with the conditions set out in that Appendix.

(4) For certain products, the volumes of the quotas are to be increased if the conditions laid down in Appendix 3-B-1 to the Annex 3-B to the Agreement are fulfilled.

(5) The annual quotas set out in Appendix 3-B-1 should be managed based on the chronological order of the dates of acceptance of the 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 entered into force on 1 May 2024.

(7) In order to ensure the effective management and timely application of the origin quotas set out in Appendix 3-B-1 to the Annex 3-B, this Regulation should apply from the same date.

(8) The measures provided for in this Regulation take into account the opinion of the Customs Code Committee,

([1]) OJ L 269, 10.10.2013, p. 1, ELI: http://data.europa.eu/eli/reg/2013/952/oj.
([2]) Council Decision (EU) 2024/244 of 27 November 2023 on the conclusion, on behalf of the Union, of the Free Trade Agreement between the European Union and New Zealand (OJ L, 2024/244, 28.2.2024, ELI: http://data.europa.eu/eli/dec/2024/244/oj).
([3]) Free Trade Agreement between the European Union and New Zealand (OJ L, 2024/866, 25.3.2024, ELI: http://data.europa.eu/eli/agree_internation/2024/866/oj).
([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, ELI: http://data.europa.eu/eli/reg_impl/2015/2447/oj).

HAS ADOPTED THIS REGULATION:

Article 1

The derogations set out in Appendix 3-B-1 of the Free Trade Agreement between the European Union and New Zealand ('the Agreement') shall apply within the limits of the quotas set out in the Annex to this Regulation as regards the products listed therein.

Article 2

The 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

To benefit from a quota set out in the Annex to this Regulation, the products shall be accompanied by a statement on origin made out by the exporter certifying that they satisfy the conditions laid down in Appendix 3-B-1 to the Agreement and when made out pursuant to Table 1 of Appendix 3-B-1 to the Agreement, it shall contain the statement 'Origin Quota – Product originating in accordance with Appendix 3-B-1' or, when made out pursuant to Table 2 of Appendix 3-B-1 to the Agreement, it shall contain the statement 'Origin quotas – Product originating in accordance with Appendix 3-B-1, caught by the foreign chartered vessel [name of vessel] in the Exclusive Economic Zone of New Zealand under fishing permit number [permit number]'.

Article 4

1. For quotas with order numbers 09.7914, 09.7915, 09.7916 as referred to in the Annex to this Implementing Regulation, if more than 80 % of an origin quota assigned to a product is used during a calendar year, the origin quota allocation will be increased for the following calendar year.

2. The increase referred to in paragraph 1 shall be of 10 % of the origin quota assigned to the product in the previous calendar year.

3. The growth provision set out in Table 2 of the Appendix 3-B-1 to Annex 3-B to the Agreement shall apply for the first time after the expiry of the first complete calendar year following the entry into force of the Agreement and shall be applied for three years in total within the first six complete calendar years after the date of entry into force of this Agreement.

4. Any increase in the origin quota volume shall be implemented in the first quarter of the subsequent calendar year.

Article 5

This Regulation enters into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 May 2024.

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

Done at Brussels, 15 May 2024.

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], and by the product description in the third column of Table 1 and the third column of Table 2 in this Annex, taken together.

Table 1

Quota order number	CN code	Product description	Quota period	Annual quota (EUR)
09.7911	5903	Textile fabrics impregnated, coated, covered, or laminated with plastics, other than those of heading 5902	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	562 000
09.7912	Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	1 200 000
09.7913	Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	1 000 000

Table 2

Quota order number	CN codes	Product description	Quota period	Annual quota (net weight in kilograms)
09.7914	0303 54 0303 55	Frozen mackerel (*Scomber scombrus, Scomber australasicus, Scomber japonicus*) Frozen jack and horse mackerel (*Trachurus* spp.)	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	500 000
09.7915	0303 66 0303 68 0303 69 0303 89	Frozen hake Frozen blue whiting Frozen fish of the families bregmacerotidae, euclichthyidae, gadidae, macrouridae, melanonidae, merlucciidae, moridae and muraenolepididae (excl. cod, haddock, coalfish, hake, alaska pollock and blue whiting) Frozen fish, not elsewhere specified.	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	5 500 000
09.7916	0307 43	Cuttle fish and squid, frozen, whether in shell or not	From 1.5.2024 to 31.12.2024 and for each year thereafter from 1.1 to 31.12	8 000 000

[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, ELI: http://data.europa.eu/eli/reg/1987/2658/oj).