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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION DELEGATED REGULATION (EU) 2016/651

of 5 April 2016

**correcting Delegated Regulation (EU) 2015/2446 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code**

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 <sup>(1)</sup>, and in particular Article 160 thereof,

Whereas:

- (1) Following the publication of Commission Delegated Regulation (EU) 2015/2446 <sup>(2)</sup>, two errors were detected.
- (2) The first error concerns the presumption of a customs declaration laid down in Article 139 of Delegated Regulation (EU) 2015/2446 for some of the types of goods referred to in Article 136(1) of that Delegated Regulation. That presumption was intended to cover the same types of goods as under the currently applicable Commission Regulation (EEC) No 2454/93 <sup>(3)</sup>, namely pallets, containers and means of transport, and spare parts, accessories and equipment for those pallets, containers and means of transport, personal effects and goods for sports purposes, welfare materials for seafarers used on a vessel engaged in international maritime traffic, medical, surgical and laboratory equipment, disaster relief material used in connection with measures taken to counter the effects of disasters or similar situations affecting the customs territory of the Union and portable musical instruments temporarily imported by travellers and intended to be used as professional equipment. When Delegated Regulation (EU) 2015/2446 was finalised, the order of the goods listed in its Article 136 was changed, but, by mistake, the references to those goods in Article 139 of that Delegated Regulation were not updated. The references should therefore be corrected.
- (3) The second error concerns Article 141(1) of Delegated Regulation (EU) 2015/2446. The currently applicable Article 233(1)(b) of Regulation (EEC) No 2454/93 provides for the possibility, in a number of limited and very specific cases, to deem the crossing of the border to be a declaration for temporary importation, export or re-export. By mistake, that provision was not included in Delegated Regulation (EU) 2015/2446, and as a result there is no possibility to declare certain goods by the sole act of crossing the frontier of the Union customs territory. At the adoption of Delegated Regulation (EU) 2015/2446, no change to the provision regarding the types of acts that are deemed to be a customs declaration was intended. Article 141(1) should therefore be corrected.
- (4) Delegated Regulation (EU) 2015/2446 should therefore be corrected accordingly.

<sup>(1)</sup> OJ L 269, 10.10.2013, p. 1.

<sup>(2)</sup> Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

<sup>(3)</sup> Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

- (5) The provisions of this Regulation should apply from 1 May 2016 in order to enable the full application of the Code,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Corrections to Delegated Regulation (EU) 2015/2446**

Delegated Regulation (EU) 2015/2446 is corrected as follows:

- (1) Article 139 is replaced by the following:

*‘Article 139*

1. Where not declared using other means, the goods referred to in points (a) to (d), point (h) and point (i) of Article 136(1) shall be deemed to be declared for temporary admission in accordance with Article 141.

2. Where not declared using other means, the goods referred to in points (a) to (d), point (h) and point (i) of Article 136(1) shall be deemed to be declared for re-export in accordance with Article 141 discharging the temporary admission procedure.’;

- (2) in Article 141(1), the following point (d) is added:

‘(d) the sole act of the goods crossing the frontier of the customs territory of the Union in any of the following situations:

- (i) where an exemption from the obligation to convey goods to the appropriate place applies in accordance with the special rules referred to in Article 135(5) of the Code;
- (ii) where goods are deemed to be declared for re-export in accordance with Article 139(2) of this Regulation;
- (iii) where goods are deemed to be declared for export in accordance with Article 140(1) of this Regulation.’.

*Article 2*

**Entry into force**

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 May 2016.

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

Done at Brussels, 5 April 2016.

*For the Commission*

*The President*

Jean-Claude JUNKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2016/652****of 26 April 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 26 April 2016.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA  
Director-General for Agriculture and Rural Development*

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

| (EUR/100 kg) |                                   |                       |
|--------------|-----------------------------------|-----------------------|
| CN code      | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00   | IL                                | 268,0                 |
|              | MA                                | 90,2                  |
|              | ZZ                                | 179,1                 |
| 0707 00 05   | MA                                | 81,5                  |
|              | TR                                | 118,9                 |
|              | ZZ                                | 100,2                 |
| 0709 93 10   | MA                                | 95,4                  |
|              | TR                                | 129,7                 |
|              | ZZ                                | 112,6                 |
| 0805 10 20   | AR                                | 115,8                 |
|              | EG                                | 48,5                  |
|              | IL                                | 79,3                  |
|              | MA                                | 55,0                  |
|              | TR                                | 39,9                  |
| 0808 10 80   | ZZ                                | 67,7                  |
|              | AR                                | 88,6                  |
|              | BR                                | 99,5                  |
|              | CL                                | 128,9                 |
|              | CN                                | 90,8                  |
|              | NZ                                | 153,7                 |
|              | US                                | 197,5                 |
|              | ZA                                | 86,5                  |
|              | ZZ                                | 120,8                 |
| 0808 30 90   | AR                                | 152,0                 |
|              | CL                                | 126,8                 |
|              | CN                                | 62,0                  |
|              | ZA                                | 104,1                 |
|              | ZZ                                | 111,2                 |

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/653****of 26 April 2016****on the issue of licences for importing rice under the tariff quotas opened for the April 2016 subperiod by Implementing Regulation (EU) No 1273/2011**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 <sup>(1)</sup>, and in particular Article 188 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1273/2011 <sup>(2)</sup> opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex I to that Implementing Regulation.
- (2) April is the second subperiod for the quota provided for under Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011.
- (3) The notifications sent in accordance with point (a) of Article 8 of Implementing Regulation (EU) No 1273/2011 show that, for the quota with order number 09.4130, the applications lodged in the first 10 working days of April 2016 under Article 4(1) of that Implementing Regulation cover a quantity greater than that available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested under the quota concerned, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 <sup>(3)</sup>.
- (4) Those notifications also show that, for the quotas with order numbers 09.4127, 09.4128 and 09.4129, the applications lodged in the first 10 working days of April 2016 under Article 4(1) of Implementing Regulation (EU) No 1273/2011 cover a quantity less than that available.
- (5) The total quantity available for the following subperiod should also be fixed for the quotas with order numbers 09.4127, 09.4128, 09.4129 and 09.4130, in accordance with the first subparagraph of Article 5 of Implementing Regulation (EU) No 1273/2011.
- (6) In order to ensure sound management of the procedure of issuing import licences, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For import licence applications for rice under the quota with order number 09.4130 referred to in Implementing Regulation (EU) No 1273/2011 lodged in the first 10 working days of April 2016, licences shall be issued for the quantity requested, multiplied by the allocation coefficient set out in the Annex to this Regulation.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> Commission Implementing Regulation (EU) No 1273/2011 of 7 December 2011 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice (OJ L 325, 8.12.2011, p. 6).

<sup>(3)</sup> Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

2. The total quantity available for the following subperiod under the quotas with order numbers 09.4127, 09.4128, 09.4129 and 09.4130 referred to in Implementing Regulation (EU) No 1273/2011 is set out in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 26 April 2016.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA  
Director-General for Agriculture and Rural  
Development*

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## ANNEX

**Quantities to be allocated for the April 2016 subperiod and quantities available for the following subperiod under Implementing Regulation (EU) No 1273/2011**

Quota of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011:

| Origin        | Order number | Allocation coefficient for the April 2016 subperiod | Total quantity available for the July 2016 subperiod (kg) |
|---------------|--------------|-----------------------------------------------------|-----------------------------------------------------------|
| United States | 09.4127      | — <sup>(1)</sup>                                    | 26 292 488                                                |
| Thailand      | 09.4128      | — <sup>(1)</sup>                                    | 8 530 673                                                 |
| Australia     | 09.4129      | — <sup>(1)</sup>                                    | 545 800                                                   |
| Other origins | 09.4130      | 0,709066 %                                          | 0                                                         |

<sup>(1)</sup> Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.





