



Rural Payments
Agency

16 September 2019

Notice to traders 26/19

Imports of garlic under commission regulation (EU) No. 341/2007

Introduction

This notice explains how the rules are applied to this quota and how to apply for a licence. It also advises you of the quota amounts available in the import tariff quota period (1 June 2018 to 31 May 2019) and sub periods. Details of the quantities available are outlined in Annex 1 of this notice.

Information for businesses on what will happen if the UK leaves the EU without a deal.

The UK will be leaving the EU on 31 October whatever the circumstances. The government is committed to respecting the referendum result.

The government would prefer to leave with a deal and will work in an energetic and determined way to get that better deal.

If it is not possible to reach a deal the UK will have to leave with no deal.

In the event that the UK leaves the EU without a deal, all tariff rate quota licences, issued by the Rural Payments Agency, will become invalid for importing into the EU. To mitigate UK business impacts, the UK will honour licences issued by the RPA before 31 October 2019, for importing goods into the UK only.

Background

The following must be supplied to be eligible for a garlic quota licence. If you do not have the proof of trade as detailed below, you are not eligible and cannot apply.

To apply for 'A' licences under the fresh garlic quota you must qualify as either a 'New Importer' or a 'Traditional Importer'.

New Importer

A **New Importer** is a trader who has imported at least 50 tonnes of fruit and vegetables (as referred to in Article 1(1)(i) of Regulation (EC) No 1308/2013) in each of the two previous calendar years, or the previous two completed import tariff quota periods. For reference, the products have been listed in Annex 2.

In addition to the above you must be established and registered for VAT in the Member State where you apply. You must provide us with a copy of your current VAT registration certificate.

Traditional importer

A **Traditional Importer** is a trader who has imported at least 50 tonnes of fruit and vegetables (as referred to in Article 1(1)(i) of Regulation (EC) No 1308/2013) during the previous completed import tariff quota period preceding your application. For reference, the products have been listed in Annex 2.

You must also have obtained and used garlic 'A' licences in each of the three previous completed import tariff quota periods. These periods must be consecutive (an import tariff quota runs from 1 June of one year to 31 May of the next).

For traditional importers a reference quantity will be established based upon the average of all the garlic ('A' and 'B' licences) imported by the trader in the previous three calendar years.

In addition to the above you must be established and registered for VAT in the Member State where you apply. You must provide us with a copy of your current VAT registration certificate.

Proof of Trade

The proof we require will be as follows:

- A list of licence numbers (if the licence was issued in electronic format) and quantities used;
- Copies of C88 documents, stamped and signed by customs as true and certified (if the licence was issued in paper format or the commodity is non-licensable).
- In addition we require a copy of your VAT Certificate.

Proof that you meet these requirements must be submitted each year prior for your first application for a quota year.

Note: For full details on providing proof of trade and applying for licences, please refer to Notice to Traders [07/19](#). If you do not follow the rules of the scheme, your application will be rejected.

Available quantities and distribution

The available quantities under these quotas are set out in Annex 1.

These quantities will be split as follows:

1. 70% of the quota is set aside for traditional importers.
2. 30% of the quota is set aside for new importers.

Applying for a licence

Quota applications must be received during the first seven calendar days of April, July, October and January.

It is your responsibility to ensure that your application, all supporting documentation and your security, is correct at the time of submission. They must be received by the RPA no later than Monday 7th October 2019.

Note: We will reject any applications where the application, securities and / or proof of trade are received after 12 noon on Monday 7th October 2019.

We advise you to use the latest version of the application form, which you can find [here](#). You can also find information on the changes to licensing rules in Notice to Traders [38/16](#).

You can submit applications either by post or by e-mail. The e-mail address for licence applications is trader@rpa.gov.uk

Applications for New Importers must not exceed 10% of the quantity available in each sub period, for the country of origin of product for which you are applying.

Applications submitted by a Traditional Importer in any import tariff quota period must not exceed their reference quantity.

As part of the garlic import tariff quota, licence applications must include the following entries:

Box 8 of your application must state the country of origin of the product and you must select this as 'Yes'. Licences will carry an obligation to import from the exact country stated;

Box 20 of your application must contain the correct import tariff quota order number. You must also state 'traditional importer' or 'new importer'.

You must not lodge more than one import licence application for the same quota order number in a sub-period

Note: If more than one application is lodged for the same quota order number, all of your applications will be rejected.

Security

Security of €60 per tonne must be lodged with each licence application. You can find further information on how to lodge your security [here](#).

Issuing Licences

Your Quota licence will be issued from 23 October to 31 October 2019 and will be valid for three months from 1 December. Licences are not transferrable.

Your licence will have a 5% upward tolerance. However, the reduction in duty will only be valid for the quantities shown in sections 17 and 18 of your licence.

Returning Licences

You must return your paper licence within 60 days of the expiry date. If you do not return your paper licence within 60 days you will lose a proportion of your licence security.

Authority

You can find details of the arrangements in Commission Implementing Regulation (EU) No 341/2007. You can obtain copies from Stationery Office bookshops and accredited agents, or order from the Stationery Office website (www.tsoshop.co.uk).

You can also access Official Journals electronically by visiting the Commission's [Europa website](#). We are not responsible for the accuracy or completeness of the Europa website. Whilst every care has been taken in producing this guidance, the regulations as published are definitive.

Enquiries

If you have any questions about this notice, please contact the Import Licensing section as follows:

Telephone helpline number – 03300 416 500 (Option 2)

E-mail address – trader@rpa.gov.uk

This publication was withdrawn on 11 June 2020

Annex 1

Tariff quotas opened pursuant to Decisions 2001/404/EC, 2006/398/EC and 2014/116/EU for imports of garlic falling within CN code 0703 20 00

Origin	Order Number	Quota (kilogrammes)	
		Third sub period (Dec to February)	Fourth sub period (March to May)
Argentina			
Traditional importers	09.4104	9,590,000	3,813,000
New importers	09.4099	4,110,000	1,634,000
Total		13,700,000	5,447,000
China			
Traditional importers	09.4105	10,096,386	8,884,000
New importers	09.4100	3,233,010	3,806,000
Total		13,329,396	12,690,000
Other third countries			
Traditional importers	09.4106	3,830,000	386,000
New importers	09.4102	1,641,000	166,000
Total		5,471,000	552,000

Annex 2

List of products which can be imported to qualify for the Garlic quota

Products listed in Article 1(1)(i) of Commission Regulation (EC) No 1234/2007

CN Code	Description
0702 00 00	Tomatoes, fresh or chilled
0703	Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled
0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
0705	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium spp.</i>), fresh or chilled
0706	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled
0707 00	Cucumbers and gherkins, fresh or chilled
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled
ex 0709	Other vegetables, fresh or chilled, excluding vegetables of sub-headings 0709 60 91, 0709 60 95, 0709 60 99, 0709 90 31, 0709 90 39 and 0709 90 60
ex 0802	Other nuts, fresh or dried, whether or not shelled or peeled, excluding areca (or betel) and cola nuts of sub-heading 0802 90 30
0803 00 11	Fresh plantains
ex 0803 00 90	Dried plantains
0804 20 10	Figs, fresh
0804 30 00	Pineapples
0804 40 00	Avocados
0804 50 00	Guavas, mangos and mangosteens
0805	Citrus fruit, fresh or dried
0806 10 10	Fresh table grapes
0807	Melons (including watermelons) and pawpaws (papayas), fresh
0808	Apples, pears and quinces, fresh
0809	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh
0810	Other fruit, fresh
0813 50 31 0813 50 39	Mixtures exclusively of dried nuts of CN Nos 0801 and 0802
0910 20	Saffron

ex 0910 99	Thyme, fresh or chilled
ex 1211 9085	Basil, Melissa, mint, organum vulgare (oregano/wild marjoram), rosemary, sage, fresh or chilled
1212 99 30	Locust (or carob) beans

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