



2024/1239

29.4.2024

COMMISSION DELEGATED REGULATION (EU) 2024/1239

of 22 February 2024

amending Regulation (EU) 2018/196 of the European Parliament and of the Council on additional customs duties on imports of certain products originating in the United States of America

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/196 of the European Parliament and of the Council of 7 February 2018 on additional customs duties on imports of certain products originating in the United States of America ⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) As a result of the United States' failure to bring the Continued Dumping and Subsidy Offset Act ('CDSOA') into compliance with its obligations under the World Trade Organization ('WTO') agreements, pursuant to Regulation (EU) 2018/196 a 4,3 % *ad valorem* additional customs duty was imposed on imports of certain products originating in the United States. In conformity with the WTO authorisation to suspend the application of concessions to the United States, the Commission is to adjust the level of suspension annually to the level of nullification or impairment caused by the CDSOA to the Union at that time. In 2023, the level of suspension was adjusted to a 0,164 % *ad valorem* additional customs duty, and Regulation (EU) 2018/196 was amended accordingly ⁽²⁾.
- (2) The CDSOA disbursements for the most recent year for which data are available relate to the distribution of anti-dumping and countervailing duties collected during the Fiscal Year 2023 (1 October 2022 – 30 September 2023). On the basis of the data published by the United States' Customs and Border Protection, the level of nullification or impairment caused to the Union is calculated at USD 34,98.
- (3) The level of nullification or impairment and consequently of suspension has significantly decreased and is negligible. The resulting rate of additional import duty of 0,00002 % would have no trade effect and would result in a disproportionate administrative cost for the Union. The rate of additional import duty should therefore be set at 0 %.
- (4) To make sure that there are no delays in the application of the amended rate of additional import duty, this Regulation should enter into force on the day of its publication.
- (5) Regulation (EU) 2018/196 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EU) 2018/196 is replaced by the following, formatting the asterisk and the text linked to it in the manner of a footnote:

⁽¹⁾ OJ L 44, 16.2.2018, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2023/858 of 23 February 2023 amending Regulation (EU) 2018/196 of the European Parliament and of the Council on additional customs duties on imports of certain products originating in the United States of America (OJ L 111, 26.4.2023, p. 15).

'Article 2

An *ad valorem* duty of 0 % additional to the customs duty applicable under Regulation (EU) No 952/2013 of the European Parliament and of the Council (*) shall be imposed on the products originating in the United States listed in Annex I to the present regulation.

(*) 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).'

Article 2

This Regulation shall enter into force on the day 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, 22 February 2024.

For the Commission
The President
Ursula VON DER LEYEN
