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# **EU FTA Sheepmeat & Goatmeat**

**(1) Fresh/chilled**

**and**

**(2) Frozen**

## **Quota Manual**

### **April 2024**



## EU FTA Sheepmeat and Goatmeat

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### SECTION ONE

#### INTRODUCTION

- 1 The Quota Allowance Allocation System (“Allocation System”) outlined in this document is the Allocation System operated by the New Zealand Meat Board (“Board”) for the European Union (EU) Free Trade Agreement (FTA) Sheepmeat & Goatmeat Tariff Rate Quotas (TRQs). There are two individual quotas (1) fresh/chilled; and (2) frozen. This Allocation System will apply to Quota Allowance administration for the 2024 and subsequent Quota Years and will operate for the EU FTA Sheepmeat and Goatmeat Quota Year.
- 2 This Allocation System applies uniformly to two FTA TRQs, namely preferential access for (1) fresh/chilled and (2) frozen sheepmeat and goatmeat eligible products.
- 3 This Allocation System is implemented by the New Zealand Meat Board pursuant to its powers under the Meat Board Act 2004 (“Act”), in particular Part 3.
- 4 These FTA Quotas arise from a Free Trade Agreement between the European Union and New Zealand signed in July 2023. The Free Trade Agreement entered into force on 1 May 2024.
- 5 The EU has published Commission Implementing Regulation (EU) 2024/1178 of 23 April 2024 amending Implementing Regulation (EU) 2020/1988 as regards the creation, modification and management of certain tariff quotas following the free trade agreement between the European Union and New Zealand. Implementing Regulation (EU) 2024/1178 contains specific regulations for the administration of the two new EU FTA Sheepmeat and Goatmeat TRQs.
- 6 The Board’s policy for the allocation of EU FTA TRQ is founded upon the principle that TRQs should be equitably allocated to meat industry participants to ensure that the New Zealand red meat industry is the recipient of the economic benefits deriving from quota markets.
- 7 The Board in establishing the policy evidenced by this Allocation System has recognised that:
  - (a) the object of the Board is to facilitate the capture, for New Zealand and in the interests of the meat industry, of the best possible ongoing returns available from quota markets;
  - (b) where authorities in a market have granted access to that market at zero or concessional tariff rates for a particular quantity of meat products imported from New Zealand during any period, the Board must establish and operate a mechanism for the allocation of that quantity; and



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### SECTION ONE

- (c) the operation of the allocation mechanism must be likely to maximise the capture for New Zealand of the returns available from the market concerned for the meat products.
- 8 The Board will only issue Certificate(s) of Eligibility to a company that is a registered meat exporter.
- 9 The allocation mechanism that shall apply to both fresh/chilled and frozen quotas is First Come, First Served on a certificate by certificate basis, as follows:
  - (a) A quota allowance will be allocated to a registered meat exporter, which is not an EU WTO sheepmeat and goatmeat GQA holder, upon receipt of an application for an eligibility (quota) certificate in the amount and for the type of quota (frozen or fresh/chilled) requested in that application; or
  - (b) A holder of EU WTO sheepmeat and goatmeat quota GQA shall be eligible at any time during the quota year, to apply for an EU FTA Sheepmeat and Goatmeat quota certificate, for the same quota year, for goods covered in the EU FTA quota but not in the EU WTO S&G quota (HS 0204).
  - (c) Once 80% of the EU WTO S&G quota has been utilised, a hybrid production history/export history (PH/EH) Allocation System shall apply to the EU FTA S&G fresh/chilled and frozen quotas.
  - (d) Under the PH/EH allocation mechanism 80.75% of the quota volume shall be distributed to registered exporters on the basis of their share of production history (PH). In addition, 15.75% of the total quota volume shall be distributed to registered exporters based on their share of export history (EH). The sum of PH quota and EH quota held by a registered meat exporter make up their general quota allocation (GQA). A tranche of 3.5% of each quota volume is available to new entrants, i.e. those registered exporters ineligible for GQA.

*Cross-reference: General Quota Allowance: Procedures; Section 13*



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- 10** The Board retains:
- (a)** the discretion to apply this Allocation System as it regards appropriate in relation to any circumstances that are not specifically provided for in this system; and
  - (b)** the ability to determine the interpretation of the provisions of this document.
- 11** The Board retains the right to suspend all or any of the provisions in this document for any Quota Year when it believes the total TRQ will not be a constraint on the quantity of sheepmeat or goatmeat able to be exported to the EU by the industry as a whole. The decision on whether to suspend the provisions will be made by the Board as soon as practicable in any Quota Year, but no later than six weeks before the end of the Quota Year.

#### DEFINITIONS

<i>At Time of Slaughter</i>	means immediately after slaughter floor weighing of a carcass (i.e. immediately after the carcass has crossed the scales).
<i>Company</i>	includes any company or other legal entity or person and where applicable any trust or trustee or beneficiary of a Trust (including discretionary beneficiary) or a consortium under Section 8;
<i>Certificate of Eligibility</i>	means a Certificate of Eligibility, issued by the Board in accordance with EU regulations recognized by EU authorities, which records, amongst other things, the New Zealand origin of sheepmeat or goatmeat to be imported into the EU within the provisions of the fresh/chilled and/or frozen TRQs.
<i>EU FTA Sheepmeat &amp; Goatmeat TRQ (chilled/fresh)</i>	<p>Means meat covered by CN codes Fresh/chilled sheep and goat meat:</p> <p>0204 10 00 0204 21 00 0204 22 10 0204 22 30 0204 22 50 0204 22 90 0204 23 00 0204 50 11 0204 50 13 0204 50 15 0204 50 19 0204 50 31 0204 50 39</p> <p>Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal, of sheep and goats: ex 0210 99 21 – TARIC code 0210992190 ex 0210 99 29 – TARIC code 0210992990</p>
<i>EU FTA Sheepmeat &amp; Goatmeat TRQ (frozen)</i>	<p>Means meat covered by CN codes Frozen sheep and goat meat:</p> <p>0204 30 00 0204 41 00 0204 42 10 0204 42 30 0204 42 50 0204 42 90 0204 43 10 0204 43 90 0204 50 51 0204 50 53 0204 50 55 0204 50 59 0204 50 71 0204 50 79</p>



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Meat and edible meat offal, salted, in brine, dried or smoked;  
edible flours and meals of meat or meat offal, of sheep and goats:  
ex 0210 99 21 – TARIC code 0210992110  
ex 0210 99 29 – TARIC code 0210992910

<i>EU Listed Premises</i>	means premises for the slaughter of livestock which have been confirmed as authorised to export sheepmeat and goatmeat to the EU, or had a recommendation for listing submitted to the EU by the Ministry for Primary Industries - New Zealand Food Safety (“NZFS”) as meeting the EU standards for slaughter and/or processing hygiene and are awaiting listing confirmation.
<i>Export History</i>	means the sum of the shipped weight(s) of EU FTA TRQ eligible 0204, and/or 0210 products exported to the EU by a NZ exporter in a calendar year from 1 January 2022. That figure will represent the Export History of that Qualifying Company for that calendar year.
<i>Export Season/Year</i>	means a calendar year commencing 1 January and ending 31 December
<i>General Quota Allowance</i>	means the proportion of the TRQ available for allocation by the Board on a first come first served basis and available in the relevant Quota Year. A holder of General Quota Allowance is a company that holds a portion of the General Quota Allowance; or the remaining proportion of the TRQ available for allocation if the EU WTO Sheepmeat & Goatmeat TRQ reaches 80% triggering the allocation process.
<i>General Quota Allowance Allocation Formula</i>	means the formula contained in Section 4, Part A, paragraph 1.
<i>Hot Weight</i>	means the weight of a dressed carcass at the slaughter floor scales prior to any chilling
<i>New Entrant</i>	<p>Means in respect of a Company that made its first-year application for a portion of New Entrant allowance, a Company which, during the three years prior to the application New Entry Period, has not been allocated and used General Quota Allowance (but which may have purchased Production History, Export History or General Quota Allowance).</p> <p>A Company does not qualify as a New Entrant if, during the three years prior to, or during, the applicable New Entry Period:</p> <ul style="list-style-type: none"><li>(a) a related company (as defined in the Companies Act 1993) of that Company; or</li><li>(b) beneficial shareholders of 50% or more of the shares in that company have between them, been allocated General Quota Allowance.</li></ul> <p>For the purpose of this definition a beneficial shareholder is a Company that holds or controls shares in another Company either directly, or indirectly through its control of shareholding in another Company.</p> <p>A New Entrant shall cease to be a New Entrant upon the completion of the New Entry Period.</p>





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*Cross-reference: New Entrant Allowances Allocation System; Section 5, Part A, paragraph 7*

<i>New Entry Period</i>	means in relation to a New Entrant, the Quota Year for which a New Entrant receives an allowance of first come first served quota and the two following Quota Years.
<i>New Entrants' Quota Allowance</i>	means the 3.5% (or less) of the TRQ set aside by the Board under this Allocation System in the relevant Quota Year in accordance with Section 5. A holder of New Entrant Quota Allowance is a company that holds a portion of the New Entrants' Quota Allowance.
<i>Owner of Qualifying Product at Time of Slaughter</i>	<p>means the owner of Qualifying Product immediately after slaughter floor weighing (i.e.: immediately after the carcass has crossed the scales).</p> <p>Ownership for this purpose disregards any reservation of ownership, subject to payment, and disregards any effect on ownership due to a mortgage or charge over the Qualifying Product. The term Qualifying Product Owned at Time of Slaughter has a corresponding meaning.</p>
<i>Participation Fee</i>	<p>Includes both fixed and variable participation fees as set out in Section Sixteen, Appendix 3 that may be amended in consultation with quota holders from time to time by the Board. The fixed participation fee is payable with the application for Quota, the variable participation fee is due and payable following the annual allocation process and prior to the commencement of the relevant quota year.</p> <p>For New Entrants a first come first served participation fee will be levied on receipt of the first application for quota and a variable participation fee will be levied per volume of each quota certificate issued.</p> <p><i>Cross-reference: Transitional Provisions; Section 15</i></p>
<i>Product Deployed on the New Zealand Market</i>	Means all Product deployed on the New Zealand Market is treated as Qualifying Product in the calculation of Production History.
<i>Production History</i>	<p>means in respect of a Qualifying Company a figure equal to the amount of Qualifying Product Owned at Time of Slaughter during a full Production Season. That figure will represent the Production History of that Qualifying Company for that Production Season.</p> <p>For clarity, Production History will only begin to be recorded in the first full Production Season following a facility becoming an EU Listed Premise.</p>
<i>Production Season</i>	means a year commencing the nearest Sunday to 1 October, and ending the nearest Saturday to 30 September in the following calendar year
<i>Qualifying Company</i>	<p>means a company which:</p> <ul style="list-style-type: none"><li><b>(a)</b> has been the Owner of Qualifying Product at Time of Slaughter; or</li><li><b>(b)</b> has been an exporter of record to the European Union of products covered under the TRQ; and</li><li><b>(c)</b> is a registered exporter under the Act.</li></ul>



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<i>Qualifying Export</i>	Means an export of EU FTA Sheepmeat and Goatmeat (fresh/chilled or frozen) eligible 0204 and 0210 products exported to the EU by NZ exporters.
<i>Qualifying Product</i>	means sheepmeat and goatmeat from livestock slaughtered in EU Listed Premise(s) recognized for equivalence in the EU/NZ veterinary agreement for ovine/caprine meat as appropriate, measured as dressed carcass hot weight.
<i>Qualifying Product Owned at Time of Slaughter</i>	refer to the definition of Owner of Qualifying Product at Time of Slaughter.
<i>Quota Holder</i>	Means any registered exporter under the Act that holds a quota allowance.
<i>Quota Year</i>	means a year commencing 1 January and ending 31 December the first year being 1 May 2024 to 31 December 2024 due to entry into force of the Free Trade Agreement.
<i>Tariff Rate Quota ("TRQ")</i>	means the Tariff Rate Quota negotiated between the New Zealand Government and the EU allowing the importation into the EU of specified quantities of sheepmeat and goatmeat at a zero tariff. Imports within the Tariff Rate Quota are also known as "in-quota" imports.



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### SECTION THREE

#### References to General Quota Allowance (GQA), Production Reports and New Entrants only apply in the case of the production/export history allocation mechanism being in effect

<b>September</b>	10	August Production Reports due.
	30	Production Season closes on the nearest Saturday to 30 September.
<b>October</b>	1	Production Season opens on the nearest Sunday to 1 October.  Companies to advise Board if they will use all General Quota Allowance allocated to them in the current Quota Year
	10	September (complete season) Production Reports due.
	15	Applications from companies for General Quota Allowance for the following Quota Year close  Transfers of Production History must be confirmed by the Board by this date  Board to have advised companies of reallocations of unused quota
<b>November</b>	10	October Production Reports due.
<b>December</b>	10	Board to have advised companies of General Quota Allowance Allocations by this date.  November Production Reports due.
	20	Transfers of General Quota Allowance must be notified to the Board by this date
	31	Quota Year end.
<b>January</b>	1	Quota Year commences.
<b>December</b>	10	December Production Reports due.
<b>February</b>	10	January Production Reports due.
<b>March</b>	10	February Production Reports due.
<b>April</b>	10	March Production Reports due.
<b>May</b>	10	April Production Reports due.
<b>June</b>	10	May Production Reports due.
<b>July</b>	10	May Production Reports due.
<b>August</b>	10	July Production Reports due.

*Cross-reference: Transfers and Unused Quota Allowance; Section 10*

*Forms; Section 17*



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### SECTION FOUR

This General Quota Allowance Allocation System comes into effect once 80% of the EU WTO Sheepmeat & Goatmeat Quota has been utilized. Until that time access under either the chilled/fresh OR frozen quotas is available on a first come first served basis refer: Section One Clause. 9.

#### GENERAL QUOTA ALLOWANCE ALLOCATION SYSTEM (the same system applies to both fresh/chilled and frozen quotas)

A Qualifying Company wanting to obtain access to quota allowance will be able to do so by:

- (a) applying to the Board for a portion of the General Quota Allowance based upon its Production History; and/or
- (b) Export History and/or
- (c) acquiring quota allowance from an existing quota allowance holder.

#### 1. EU FTA General Quota Allowance Formula

General Quota Allowance (GQA) will comprise two sub allowances - a Production History portion (80.75%) based allowance from qualifying production history (GQP) and an Export History portion (15.75%) based allowance (GQE) from qualifying export history.

General Quota Allowance will be allocated for a Quota Year to an applicant Qualifying Company in accordance with the following General Quota Allowance Allocation Formula:

$$GQA = GQP + GQE$$

#### Where:

**GQA** is General Quota Allowance and is comprised of:

- **GQP** is Production History Allowance – 80.75%; and/or
- **GQE** is Export History Allowance - 15.75%.

#### Production History Allowance

$$PGQP = \frac{(PHi-3 + PHi-2 + PHi-1)}{(TPHi-3 + TPHi-2 + TPHi-1)} \times GQP$$



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### Where:

**PGQP** = the portion of the EUTRQ (in tonnes) to be allocated to the Qualifying Company in the relevant Quota Year.

**PH** = a Qualifying Company's Production History for a Production Season.

**GQP** = The portion of the EUTRQ to be allocated on the basis of Production History in the relevant quota year

**TPH** = the sum of the Production Histories for a Production Season of all applicants in the relevant Quota Year.

**i** = the Production Season commencing in the year prior to the relevant Quota Year

**i-1** = the Production Season before i.

**i-2** = the Production Season before i-1.

**i-3** = the Production Season before i-2.

- 2 All measurement of Qualifying Product shall be made in accordance with the production weight calculation provisions referred to in Section 9.

### Export History Allowance

$$PGQE = \frac{(EHi-3 + EHi-2 + EHi-1)}{(TEHi-3 + TEHi-2 + TEHi-1)} \times GQE$$

### Where:

**EH** = a Qualifying Company's Export History for a CALENDAR YEAR

**PGQE** = the portion of the Export History Quota Allowance (in tonnes) to be allocated to the Qualifying Company in the relevant Quota Year.

**GQE** = The portion of the TRQ to be allocated on the basis of Export History in the relevant quota year

**TEH** = the sum of the Export Histories for a CALENDAR YEAR of all applicants in the relevant Quota Year.

**i** = the CALENDAR YEAR commencing in the year prior to the relevant Quota Year

**i-1** = the CALENDAR YEAR before i.

**i-2** = the CALENDAR YEAR before i-1.

**i-3** = the CALENDAR YEAR before i-2



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### SECTION FOUR

- 3 If at any time there is an interruption to the importation into the EU of Sheepmeat or Goatmeat from New Zealand which prevents the utilisation of any portion of the General Quota Allowance as contemplated, the Board may in subsequent Quota Years, apply the General Quota Allowance Allocation Formula with such modification as is necessary to take into account the interruption, as in the opinion of the Board, best meets the intentions of that formula.
  
- 4 When allocating General Quota Allowance, the Board must take into account the applicant's existing investment and committed future investment in at least two of the following activities relating to meat products for export:
  - (a) distribution;
  - (b) marketing;
  - (c) packaging;
  - (d) processing.

Primary significance will be given to existing and committed future investment in marketing and processing.

*Cross-reference: General Quota Allowance: Procedures; Section 4 A; Section 13 Forms 5 and 6, Section 17*



## EU FTA Sheepmeat and Goatmeat

### SECTION FIVE

#### QUOTA ALLOWANCE ALLOCATION SYSTEM

##### New Entrant Quota Allocation

- 1 The Board shall set, at its sole discretion, the portion of the EU FTA Sheepmeat and Goatmeat TRQs (chilled/fresh or frozen) that shall be made available to New Entrants for any particular quota year.
- 2 New Entrant status applies for three consecutive years from the first commencement of the quota year in which the New Entrant first applied for a quota certificate under the First Come First Served (FCFS) new entrant quota allocation.
- 3 New Entrant Allowance shall be available to New Entrants on a FCFS basis on presentation of a request for a quota certificate for beef exports eligible for preferential tariff treatment under the EU FTA Beef TRQ subject to the conditions set out below:
- 4 In any quota year a New Entrant shall not be eligible to receive more than one third of the total allocation set aside for New Entrants except that: Such a limit shall not apply in the case of residual quota arising from New Entrant Quota and GQA returned to the Board and not taken up by GQA holders being available.
- 5 In order to apply for FCFS a New Entrant must be a holder of an export registration issued under the Act.



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### SECTION SIX

#### INDUSTRY AGREED DISCIPLINES

- 1 All holders of General Quota Allowance will be subject to Industry Agreed Disciplines relating to the EU.
- 2 An Industry Agreed Discipline made under this Allocation System is a discipline agreed to in writing by holders of 70% or more of General Quota Allowance and agreed to by the Board.
- 3 All current Industry Agreed Disciplines will be recorded in Appendix One.
- 4 The Board may only establish an Industry Agreed Discipline in order to ensure that the conduct of the trade in sheepmeat and goatmeat from New Zealand to the EU is, in the opinion of the Board, helping to facilitate the capture, for New Zealand and in the interests of the meat industry, the best possible ongoing returns available from quota markets.
- 5 The Board will provide to all General Quota Allowance holders, a notice to be included in Appendix One where an Industry Agreed Discipline has been established in accordance with paragraph 2 above. The notice will outline the Industry Agreed Discipline and date of implementation.
- 6 Industry Agreed Disciplines shall not prevent the Board from taking steps necessary to ensure the effective access of sheepmeat and goatmeat from New Zealand into the EU.

*Cross-reference: Notices; Section 11, Part C  
Amendment of System: Consultation Process; Section 15  
Industry Agreed Disciplines; Section 16, Appendix One*



### ADMINISTRATION OF QUOTA ALLOWANCE ALLOCATIONS

#### **A** Provision of information

- 1 A company holding Quota Allowance, or a Company without Production History or Export History that intends making an application for General Quota for the following Quota Year, will be required to submit to the Board, on a monthly basis or as otherwise requested by the Board, information necessary to enable this Allocation System to operate effectively. Such information will include details as to:
  - (a) the quantity of its actual production of Qualifying Product; and
  - (b) the quantity of estimated production of Qualifying Product for the remainder of the Production Season.
- 2 The information is to be provided in the manner set out in Section 17, Form 2.
- 3 A company holding Quota Allowance, or a Company without Export History that intends making an application for General Quota for the following year, will have its Export History recorded via section 65 of the Meat Board Act 2004. This information will include the quantity of its actual Export History.
- 4 This provision of Production and Export History information will be monitored on an ongoing basis by the Board.
- 5 The Board may require that any information provided to it be verified by such reasonable means as the Board sees fit.
- 6 The information referred to in paragraphs 1 - 5 above must also be provided to the Board in a year in which it is determined that allocations of General Quota Allowance will be suspended because the TRQs are unlikely to be filled, on the basis that the information will be needed by the Board for calculation of the allocation of General Quota Allowance in subsequent years.
- 7 The onus shall be on each company to:
  - (a) ensure that all information provided by it to the Board is correct and accurate; and
  - (b) correct any inaccurate information it has already provided to the Board.

*Cross-reference: General Provisions; Section 11, Part A*

### **B Statutory Declarations**

The Board may at any time request that a company provide to it a statutory declaration regarding any relevant information which the Board may require as necessary to enable the Allocation System to operate effectively.

### **C Board appointed auditor**

- 1 Audits of information supplied to the Board for the purpose of seeking General Quota Allowance allocation will be undertaken, as the Board sees fit, by an auditor appointed by the Board; that auditor may be the company's external auditor under the Financial Reporting Act 2013.
- 2 The costs of the auditor are to be paid by the company seeking General Quota Allowance in the manner determined by the Board from time to time.

### **D Co-operation with auditing process**

- 1 The owner of Qualifying Product at Time of Slaughter will be required to co-operate with any Board appointed auditor, and shall give such an auditor full access to the Company's relevant records.
- 2 Visits by auditors to head offices, branches and plants may take place at any time.

### **E Report from company's auditor**

A holder of, or claimant to, General Allowance may be required by the Board to instruct the company's external auditor to receive audit instructions from the Board, to verify all claims and declarations relevant to Quota Allowance allocations. The costs of the external auditor are to be paid by the company.



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### SECTION EIGHT

#### CONSORTIA

- 1 Where two or more companies together can meet the requirements qualifying them to be allocated General Quota Allowance (such as by one company holding an export registration certificate and another company being the Owner of Qualifying Product at Time of Slaughter) the companies will be entitled to apply for General Quota Allowance as a consortium by combining their respective attributes.
- 2 The Board shall treat the consortium as one company for the purpose of calculating the allocation of General Quota Allowance. Quota allowance will be allocated to a member of the consortium which is a holder of an export registration certificate issued under the Act. That company will hold that allocation of General or Reserved Quota Allowance on behalf of the consortium.
- 3 Companies applying to the Board for General Quota Allowance as a consortium shall supply to the Board all information necessary to enable the Allocation System to operate effectively including:
  - (a) the name of each company comprising the consortium; and
  - (b) notice as to which of them if any (and, if applicable, in what proportions) the existing General Quota Allowance and the Production History of the consortium are to be allocated upon the consortium ceasing to qualify to be allocated General Quota Allowance as a consortium under this Section. Such allocation will only be made to a member company if at the time of the allocation it is a Qualifying Company, or a member of another consortium under this Section.
- 4 Upon any company which is a member of a consortium notifying the Board in writing that the consortium has come to an end, the Board shall:
  - (a) notify the other members of the consortium of its receipt of the notice; and
  - (b) not earlier than 14 days after receipt of the notice, transfer the allocated General Quota Allowance and any Production History in accordance with the notice regarding allocation referred to in paragraph 3(b) above.

- 5 The companies forming a consortium may, by notice in writing given by all of the consortium companies, vary the provisions of the notice regarding allocation referred to in paragraph 3(b) above, or vary the particulars of the consortium.
- 6 Where after receiving a notice of dissolution of a consortium under paragraph 4 above, the Board is not able to implement the dissolution arrangements referred to in paragraph 3(b) for any reason, it shall notify the members of the consortium of the inability to implement the dissolution arrangements and:
  - (a) the Board will allocate any unutilised General Quota Allowance in accordance with Section 10, Part B, paragraph 1 if the members of the consortium have not, by 1 October of the applicable Quota Year, unanimously advised the Board of the Qualifying Company to which the relevant quota allowance held on behalf of the consortium is to be transferred; and
  - (b) the Board will hold the benefit of the Production History of the consortium until the members of the consortium advise the Board in writing of a company to which the Production History may be transferred in accordance with Section 10, Part C. The Board is not entitled to transfer Production History under this provision without all members of the consortium having notified the Board in writing as to their agreed arrangement for the transfer. In the event parties have not notified the Board by 15 October, or such other later date as the Board allows, the consortium's Production History will be cancelled and no longer form part of TPH as defined in Sections 4 and 5.
- 7 The provisions of this Allocation System shall apply, with any necessary modifications, to all members of the consortium as if the members together comprise one company. Any information to be provided by the consortium (as if it were one company) shall be provided accordingly, but shall also record the member of the consortium to which the information relates.
- 8 The Board may require any member of the consortium to provide such additional information as the Board believes is necessary to administer this Allocation System in regard to that consortium or that member.
- 9 Subject to the provisions of Section 10, Part A the holder of General Quota Allowance on behalf of a consortium may transfer such Quota Allowances without the other members of the consortium being required to be a party to the transfer.



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### SECTION EIGHT

- 10** The Production History of a company shall be held by the applicable member company which is the Owner of Qualifying Product at Time of Slaughter. Such Production History may be transferred in accordance with Section 10, Part C by that company without the other members of the consortium being required to be a party to the transfer.

*Cross-reference: Transfers and Unused Quota Allowance; Section 10  
Forms; Section 17, Form 2, Production Report*



## EU FTA Sheepmeat and Goatmeat

### SECTION NINE

#### PRODUCTION WEIGHT CALCULATION

##### Qualifying Product

Qualifying Product is sheepmeat and goatmeat from livestock slaughtered in EU Listed Premises for ovine/caprine meat as appropriate, measured as bone-in dressed carcass hot weight.

#### EXPORT WEIGHT CALCULATION

##### Qualifying Export(s)

Export Weight is shipped weight as recorded on New Zealand Customs Service Export Entry Forms.



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### SECTION TEN

**NB – THIS PROVISION ONLY APPLIES IN THE CASE OF A QUOTA ALLOWANCE ALLOCATION SYSTEM BEING IN EFFECT.**

#### TRANSFERS AND UNUSED QUOTA ALLOWANCE

##### **A Transfer of Quota Allowance**

- 1 A holder of an export registration issued under the Act may acquire General Quota Allowance from a holder of General Quota Allowance.
- 2 Such a transfer will only apply to the relevant Quota Year, and will not comprise a transfer of Production or Export History.
- 3 All transfers of quota allowance must be notified to the Board by 20 December of the relevant Quota Year in the manner set out in Section 18, Form 3 and the transfer form must be signed by authorised signatories of both the transferor and the transferee.
- 4 The Board will upon receipt of a properly completed transfer form confirm that at the date of receipt the transferor has sufficient quota allowance for such a transfer to be completed.
- 5 Transfers shall have no effect until confirmed by the Board in accordance with paragraph 4.

##### **B Unused Quota Allowance**

- 1 If a holder of Quota Allowance does not use (and has not transferred by a valid transfer confirmed by the Board) all or any portion of its allowance for that Quota Year then the unused allowance will revert to the Board for allocation to all other General Quota Allowance holders which seek a portion of that allowance for the remainder of the relevant Quota Year, in proportion to the percentage of every such holder's initial allocation of General Quota Allowance for that Quota Year or, if the amount of available quota exceeds the total volume of requests, then any portion that it might request.
- 2 If the available unused quota is in excess of that sought by General Quota Holders, the Board shall make the residual quota available on a First Come First Served basis and the limit on allowances to New Entrants shall no longer apply.



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- 3 On or before 1 October of a Quota Year all holders of General Quota Allowance must notify the Board in writing if they will not utilise any portion (the portion to be specified by them) of allowance allocated for that Quota Year (and which they have not transferred by a completed transfer confirmed by the Board by that date). The Board upon receipt of such advice will use its best endeavours to reallocate such unused portions to Qualifying Companies within one week, and if not, by 15 October.
- 4 Upon receipt by the Board of notification by a company, under paragraph 3 above, the specified amount of the allowance will revert to the Board for allocation in accordance with paragraphs 1 and 2 above.
- 5 If a holder of General Quota Allowance (Transferor) transfers Quota to any other party (Transferee) and at the end of the Quota Year the Transferee holds unused Quota (Unused Quota) which includes all or part of such transferred Quota and the Transferee does not make application either for General or FCFS Quota Allowance for the following Quota Year in excess of the Unused Quota, the Transferor shall be deemed to have held as at the end of the Quota Year in which such transfer was made, in addition to any unused quota actually held, the lesser of such unused Quota or the Quota which was transferred.

For the purposes of determining whether Unused Quota includes all or part of the Quota transferred, a Transferee shall be deemed to have used first the Quota the Transferee has held the longest, and if there is dispute as to the calculation of Unused Quota such shall be determined by an auditor appointed by the Board.

- 6 The Board may take action or impose penalties, including under Sections 24(4) and 34 of the Act in relation to those quota holders that have unused quota remaining at the end of the Quota Year.

The Board will not take such action or impose such penalties if the amount of quota remaining unused by the company does not exceed a tolerance level of 0.5% of the company's quota allowance, or 25 tonnes for EU FTA Sheepmeat and Goatmeat (fresh/chilled or frozen), whichever is the higher.

A company exceeding the tolerance will have 2 times the amount of underutilization exceeding the tolerance deducted from its quota allocation in the next Quota Year.

The Board will advise industry annually in September of any potential penalty situations.

*Cross-reference: General Provisions: Section 11, Part A*



#### **C** Transfer of Production History or Export History

- 1** Where a company (including one in liquidation or receivership) wishes to sell or otherwise transfer all, or part, of its Production or Export History, then that Production History will be able to be transferred if:
  - (a)** the Production or Export History is sold or otherwise transferred to a Qualifying Company or a New Entrant (including a consortium, a member of which has been allocated quota allowance on behalf of the consortium under this Allocation System); and
  - (b)** the Board has approved the transferee of that Production or Export History, which approval shall be in writing and shall not be unreasonably withheld.
- 2** Applications for the transfer of Production or Export History, or any part of it, shall be completed by the transferor and the transferee in the manner set out in Section 18, Form 4, and must be signed by authorised signatories of both the transferor and the transferee.
- 3** Except where paragraph 1 above applies the purported transfer of a company's Production or Export History will automatically result in the Production or Export History of the company being cancelled and no longer forming part of Total Production History or Total Export History as defined in Sections 4 and 5.
- 4** Subject to paragraph 7 below, where there is a transfer of Production or Export History in accordance with paragraph 1 above, the Production History or Export History will be valid in respect of any allocation of General Quota Allowance to the transferee in any future Quota Year in terms of the General Quota Allowance Allocation Formula, as if the transferee had been the transferor.
- 5** Any company seeking to transfer its Production or Export History under paragraph 1 above, and the proposed transferee, shall provide to the Board all information requested by the Board.
- 6** The transfer of Production or Export History will not be effective until confirmed by the Board and notice of the transfer has been given by the Board to the transferee.
- 7** For the purpose of calculating the entitlement to General Quota Allowance for any Quota Year a transfer of Production or Export History must have been confirmed by the Board by 15 October prior to the commencement of the relevant Quota Year, or such other date as the Board allows.

### GENERAL PROVISIONS

#### **A** Non-Compliance

- 1 Reference is made to section 34 of the Act which addresses the action that the Board may take in certain circumstances.
- 2 Subject to Section 5, Part A, paragraph 8, where any General Quota Allowance is no longer permitted to be utilised by the holder pursuant to section 34 of the Act, the General Quota Allowance shall be allocated by the Board. to non-offending holders of General Quota Allowance which seek a portion of that quota allowance for the remainder of the relevant Quota Year, in proportion to the percentage of every such holder's initial allocation of General Quota Allowance for that Quota Year.
- 3 The Board may, at its discretion, not enforce any of the provisions of section 34 of the Act if, in its view, the failure to use General Quota Allowance or the use of an excess quantity of the General Quota Allowance held by a company is of a minor nature, and no other holder of Quota Allowance has been disadvantaged by that use, or within the tolerance level permitted by the Board.

#### **B** Limitation of Access

Where there has been an alteration of the amount of total access to the TRQ allocated or set aside under this Allocation System in respect of the relevant Quota Year then the Board will, in terms of section 24 of the Act, determine any adjustment of quota allowance.

#### **C** Notices

- 1 Any notice required to be issued by the Board, to a company under this Allocation System will be valid if given in writing:
  - (a) by posting it to the company's postal address provided to the Board by the company;  
or
  - (b) by sending it by electronic mail to an address provided to the Board by the company; or
  - (c) by any other means provided for service of documents under the Companies Act 1993.
- 2 Where a document is posted to the Board or a company it shall be deemed to be received by the Board, or the company on the fifth working day after being posted.

#### CERTIFICATE OF ELIGIBILITY

##### **A** Completion of the Certificate of Eligibility

The certificate of eligibility is only eligible for single customs declaration under EU regulations.

1. The Certificate of Eligibility (COE)
2. The format of the COE has been designed to conform with the standard aligned export documentation system, to enable exporters to enter the greater part of the required information at the same time as other export documents are being prepared. EU
3. Under an FCFS system on single entry with multiple order numbers (i.e. one COE, one shipment entry) can be issued.
4. Exporters must complete the following sections of the document as follows:  
(Note: Minimum font size allowed is 8pt).

**Section 1** Full name and postal address of the exporter

**Section 4** Full name, address, and country of receiving consignee. It is imperative that the consignee's correct name and address is shown on all COO's.

**Section 5** Intended country of destination.

*Cross reference: Eligible Countries; Section 16, Appendix Five*

**Section 6** The description of goods must include the following details:

(a) Product type heading, i.e. whether "MUTTON, LAMB or GOATMEAT" INCLUDING THE WORD "CHILLED" or "FROZEN" and the words "NEW ZEALAND" (in capitals).

**N.B.** a separate heading is required for each product type.

(b) Chilled/Fresh and Frozen product can not be on the same COE – Customs Declaration. Independent quotas exist for chilled/fresh or frozen.

(c) COE - Within each type of product:

- each product must be grouped by order number under each product-typeheading.
- Carton number.
- Followed by "BONE-IN" OR "BONELESS" in CAPITALS (abbreviations are not permitted, include bone-in for carcass, this is required even if bone-in or boneless is included in the description).

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- Followed by product description  
*Cross reference: EU Customs Tariff – CN Codes; Section 16, Appendix Three*
- Followed by the EMPIC number  
*Cross reference EMPIC Codes; Section 16, Appendix Four*
- (d) The product description needs to be sufficient to allow an eight-digit CN Code to be easily derived at the importing end, by both importers and Customs authorities.
- (e) Container numbers and MPI Seal numbers are optional, but if they are included, they must be immediately below the Product heading "NEW ZEALAND (FROZEN/CHILLED LAMB/MUTTON/GOATMEAT)".
- (f) Shipping marks are optional but, if they are included, must be to the left of and separate from the BONE-IN/BONELESS column.
- (g) Equivalent descriptions in a foreign language are permitted for Product headings and Product descriptions but must be on a separate line beneath the English version.

*Cross reference: EMPIC Codes, Section 16, Appendix Four.*

- Section 7** record the gross weight of each product line
- Section 8** record the net weight of each product line
- Section 9** record the calculated carcass weight equivalent (cwe) weight of each product line. COE's requested electronically will have calculations validated.
- Section 10** The order number represents the coefficients noted in Article 3 of Commission Implementing Regulation (EU) No. 1354/2011 that convert the product weight carcass and weight requirement. The order numbers are:

Order No.	Coefficient	Product
09.7901	1.00	Bone in <b>fresh/chilled</b> sheepmeat or goatmeat
09.7898	1.67	Boneless <b>fresh/chilled</b> lamb and goatmeat of kid
09.7899	1.81	Boneless <b>fresh/chilled</b> sheep and other goatmeat
09.7902	1.00	Bone in <b>frozen</b> sheepmeat or goatmeat
09.7896	1.67	Boneless <b>frozen</b> lamb and goatmeat of kid
09.7897	1.81	Boneless <b>frozen</b> sheep and other goatmeat

**Section 11** The period of validity is 1 January YYYY to 31 December YYYY.

**Section Titled "Certification by the Issuing Authority"**

- When completing weight details the weight of boneless product is to be converted from packed net weight to carcass weight equivalent by multiplying net weight by the coefficients defined in Commission Implementing Regulation (EU) No. 1354/2011 EUEU or any amendment to that regulation.

**General Notes**

- Those coefficients are 1.67 for lamb and kid and 1.81 for mutton and goatmeat other than kid. Bonein product is 1.00
- All weights are to be recorded in kilograms and shown to a minimum of two decimal places.
- The Board will complete the remaining details in this box (i.e. date of issue, seal, and signature). (The Board will also complete Section 2 with an individual serial number for the Certificate of Eligibility. The original and copies of each Certificate of Eligibility will bear the same serial number).

**B Issuing Procedures**

1. Exporters should submit to the Board for authorisation electronic data covering each consignment. Liaise with the Board regarding specifications for electronic submissions.
2. Where electronic submission of COE requests are not possible please liaise with Board staff regarding manual COE submissions.
2. The Board will return the original and one copy to the exporter. One copy will be retained by the Board on file.
3. In view of the obvious need to expedite the dispatch of documents to consignees, the Board will endeavour to process and return certificates within 24 hours of their receipt. Exporters are required to supply their own courier packs or stamped addressed envelopes for the return of the certificates.
4. Brussels may issue COE outputs for urgent applications such as airfreights or imminent arrival sea freight consignments.



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### SECTION TWELVE

#### **C** Replacement of Certificates

Certificates of Eligibility are valid for the period of the quota year i.e. 1 January-30 December. Situations may arise that require the issuing of a replacement certificate. In such circumstances, the exporter should apply to the Board's offices either in Brussels or Wellington to have the certificate replaced. Should an importer apply to the Board's Brussels office for replacement of a certificate, permission will be sought from the exporter before a certificate can be replaced.

#### **D** Certificate of Eligibility Certification Charges

The certification charges listed in Section 16, Appendix Three (Schedule of Fees) will apply.



## EU FTA Sheepmeat and Goatmeat

### SECTION THIRTEEN

#### QUOTA ALLOWANCE: PROCEDURES

##### **A Administration**

- 1 An applicant for EU FTA Sheepmeat and Goatmeat Quota, either chilled/fresh and/or frozen shall apply to the Board for the issuance of a quota certificate, setting out the type and quantity of products for which a certificate and quota allowance is sought (see Section XII **CERTIFICATE OF ELIGIBILITY**)
- 2 If the applicant is eligible to receive quota and quota is available a quota allowance for the quota concerned will be provided for the amount required in the certificate request.

##### **B Timing of advice of allocation – this will only apply where a Quota Allowance Allocation Mechanism applies**

- 1 Where a quota allowance allocation mechanism will be applied, the Board will use its best endeavour to advise companies of their allocation of General Quota Allowance as soon as practicable prior to the commencement of the remainder of the validity period for which the allocation is being made. It is noted where any quota allowance allowance is applied, it will only be valid to the conclusion of the particular validity period to which it is applied i.e. 31 December. The FCFS mechanism will
- 2 Any additional allocation of General Quota Allowance to holders of General Quota Allowance will be advised as soon as is practicable.



## EU FTA Sheepmeat and Goatmeat

### SECTION FOURTEEN

#### AMENDMENT OF SYSTEM: CONSULTATION PROCESS

- 1 The Allocation System may be amended at any time in accordance with the Act.
- 2 For the purposes of this quota, transition to the Quota Allowance Allocation System described at Section [???] above is not an amendment to the allocation system.
- 3 The Board will not amend the Allocation System without consulting those persons required to be consulted in terms of the Act.
- 4 The process of consultation shall be:
  - (a) The Board will give notice in writing to those persons required to be consulted in terms of the Act, outlining the provisions of the proposed amendments and requesting a written response within a period of not less than 14 days. The response shall set forth any objections to the proposed amendments and provide particulars as to how those objections might be met.
  - (b) Those persons required to be consulted in terms of the Act shall, if they so request be entitled to appear before the Board and may make submissions orally, or in writing, regarding the proposed amendments.
  - (c) The Board shall consider all responses and written or oral submissions made to it, and such other information as it considers appropriate and shall then determine whether or not to proceed with amendments.





## EU FTA Sheepmeat and Goatmeat

### SECTION FIFTEEN

#### APPENDICES

<b>Appendix One:</b>	Industry Agreed Disciplines
<b>Appendix Two:</b>	Schedule of Fees
<b>Appendix Three:</b>	EU Customs Tariff (“Out of Quota”) - CN Codes
<b>Appendix Four:</b>	EMPIC Codes
<b>Appendix Five:</b>	Eligible Countries
<b>Appendix Six:</b>	Quota Allowance Allocation System - Guidance Note



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

#### APPENDIX ONE

#### INDUSTRY AGREED DISCIPLINES

#### AC & A AND PRODUCT QUALITY ACKNOWLEDGMENT AGREEMENT

##### OBJECTIVE:

To ensure that only lamb carcasses, cuts and processed lamb which meet minimum standards of tenderness will be exported to nominated markets.

##### REQUIREMENT:

- 1 The Product of Quality Acknowledgment Document is adhered to by all participants. This document is distributed to a company which has been granted an Export Registration Certificate (ER) under the Act.
- 2 Product for Northern Europe to meet Accelerated Conditioning & Ageing (AC & A) standards.
- 3 Product for the EU countries in the Mediterranean area of Europe i.e. Greece, Italy, Spain, Portugal and the Canary Islands plus the non-EU country of Malta, Cyprus and Gibraltar to be a minimum of AC standard but desirably to meet full AC & A standards.
- 4 From 1 October 1999, New Zealand's meat exporting companies accepted self-management and self-audit of the technical specifications for AC & A Standards. The requirement remains to achieve a minimum of 95 percent of product to be less than 11kgF with a mean of 8kgF and a standard deviation of 1.8.
- 5 All carcasses for export to the EU to be wrapped in polystockinette (or equivalent).

##### DATE OF IMPLEMENTATION:

1 October 1989

*EU*



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

#### APPENDIX ONE

#### INDUSTRY AGREED DISCIPLINES

#### MP GRADE MUTTON

##### OBJECTIVE:

To ensure that MP Grade Mutton is not exported in carcass form because of the aesthetic appearance of an incomplete or heavily trimmed carcass.

##### REQUIREMENT:

That all MP Grade Mutton be cut and boned before export.

##### DATE OF IMPLEMENTATION:

1 October 1983

##### CROSS REFERENCE TO CIRCULARS:

NZMPB Circular Number 1138.



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

#### APPENDIX ONE

#### INDUSTRY AGREED DISCIPLINES

#### MUTTON LABELLING

##### OBJECTIVE:

To ensure that lamb and mutton are appropriately labelled to enable those in the purchasing and distribution chain to easily distinguish between the two and make informed purchasing decisions.

##### REQUIREMENT:

- 1 That all vacuum packed mutton exported to greater Europe (EU and EFTA) be labelled as follows:
  - (a) Where the language used on the label is English, the product name "MUTTON" must appear on the wrapping and packaging;
  - (b) If a language other than English is used which does not clearly distinguish between lamb and mutton, the product name "MUTTON" in English must be used also on the wrapping and packaging;
  - (c) Both the carton and the cut product must be clearly labelled with the product name.
- 2 It is recommended that this requirement be applied to all product as the end use is often not known at time of packing in New Zealand.

##### DATE OF IMPLEMENTATION:

1 January 1995.

##### CROSS REFERENCE TO CIRCULAR:

NZMPB Circular Number 1237.

*This circular applies to the EU market as at the time of notification the EU was a member state of the EU.*



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

#### APPENDIX ONE

#### INDUSTRY AGREED DISCIPLINES

#### RESTRICTED LAMB CLASSES

#### OBJECTIVE:

To define the qualifying markets for the following restricted lamb classes.

#### REQUIREMENTS:

That “cutter” carcasses are not exported to any market in the EU.

#### DATE OF IMPLEMENTATION:

23 August 1989

#### CROSS REFERENCE TO CIRCULAR:

NZMPB Circular Number 1140.

*This circular applies to the EU market as at the time of notification the EU was a member state of the EU.*

**SCHEDULE OF FEES**

The following schedule details fees charged for activities within the Allocation System.

	<b>\$ (G.S.T) exclusive</b>
<b>Quota Fees</b>	
New Entrant Application Fee	--
Fixed Participation Fee (refunded to unsuccessful New Entrants)	--
First Come First Served Participation Fee	950.00
Variable Participation Fee (per tonne)	4.50
<b>Certificate of Origin (per certificate)</b>	
Wellington Issued Certificate (electronic)	45.00
Wellington Issued Certificate (manual)	100.00
- Not issued	30.00
- Cancelled	30.00
Brussels Issued Certificate	
- Sea Freight	200.00
- Air Freight	150.00
<b>Transfers General Quota</b>	
General Quota	--
Reserved Quota Allowance	--
Production History	500.00
<b>Quota Utilisation Reports</b>	Nil
<b>Miscellaneous</b>	
Production / Export History Audit	Actual Cost
Company Compliance Audits*	Actual Cost
Courier within EU	Actual Cost

\* *Approval of company procedures and audits of compliance with those procedures or carried out by independent auditors at the company's expense.*

**Notes:**

1. In the case of certificate cancellation, a fee is paid for the original issuing of the certificate and again for cancellation of the certificate.

## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

### APPENDIX THREE

#### EU CUSTOMS TARIFF ("OUT-OF-QUOTA") – CN CODES – CHILLED/FRESH

CN Code	Description	Conventional Rate of Duty (%)
1	2	3
specifically	<b>Meat of sheep or goats, fresh, chilled:</b>	
0204 10 00	- Carcasses and half-carcasses of lamb, fresh or chilled	12,8+171,3€/ 100kg/net (*)
	- <b>Other meat of sheep, fresh or chilled</b>	
0204 21 00	-- Carcasses and half-carcasses	12,8+171,3€/ 100 kg/net (*)
	-- <b>Other cuts with bone in:</b>	
0204 22 10	--- Short forequarters	12,8+119,9€/ 100 kg/net (*)
0204 22 30	--- Chines and/or best ends	12,8+188,5€/ 100 kg/net (*)
0204 22 50	--- Legs	12,8+222,7€/ 100 kg/net (*)
0204 22 90	--- Other	12,8+222,7€/ 100 kg/net (*)
0204 23 00	-- Boneless	12,8+311,8€/ 100 kg/net (*)
0204 50	- <b>Meat of Goats</b>	
	-- Fresh or chilled	
0204 50 11	-- Carcasses and half-carcasses	12,8+171,3€/ 100 kg/net (*)
0204 50 13	--- Short forequarters	12,8+188,5€/ 100 kg/net (*)
0204 50 15	--- Chines and/or best ends	12,8+188,5€/ 100 kg/net (*)
0204 50 19	--- Legs	12,8+222,7€/ 100 kg/net (*)
	--- Other	
0204 50 31	----Cuts with bone in	12,8+222,7€/ 100 kg/net (*)
0204 50 39	---- Boneless cuts	12,8+311,8€/ 100 kg/net (*)
0210 99 21 90	<b>Meat and edible meat offal, salted, in brine, dried or smoked –<i>sheep and goats Bonein Other</i></b>	?
0210 99 29 90	<i>Boneless – other</i>	?

\* WTO Tariff quota: see Annex 7

Source: Official Journal of the European Communities, 23 October 2001

## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

### APPENDIX THREE

#### EU CUSTOMS TARIFF (“OUT-OF-QUOTA”) – CN CODES - FROZEN

CN Code	Description	Conventional Rate of Duty (%)
1	2	3
specifically	<b>Meat of sheep or goats, frozen:</b>	
0204 30 00	- Carcasses and half carcasses of lamb, frozen	12,8+171,3€/ 100kg/net (*)
0204 41 00	- <b>Other meat of sheep, frozen:</b>	12,8+171,3€/ 100 kg/net (*)
0204 42	-- Carcasses and half-carcasses	
0204 42 10	-- <b>Other cuts with bone in:</b>	12,8+119.9€/ 100 kg/net (*)
0204 42 30	--- Short forequarters	12,8+188,5€/ 100 kg/net (*)
0204 42 50	--- Chines and/or best ends	12,8+222,7€/ 100 kg/net (*)
0204 42 90	--- Legs --- Other	12,8+222,7€/ 100 kg/net (*)
0204 43	-- <b>Boneless</b>	
0204 43 10	--- Of lamb	12,8+234.5€/ 100kg/kg(*)
0204 43 90	--- Other	12,8+234.5€/ 100kg/kg(*)
0204 50	- <b>Meat of Goats</b>	
0204 50 51	-- Frozen: --- carcasses and half carcasses	12,8+128,8€/ 100 kg/net (*)
0204 50 53	--- Short forequarters	12,8+90,2€/ 100 kg/net (*)
0204 50 55	--- Chines and/or best ends	12,8+141,7€/ 100 kg/net (*)
0204 50 59	--- Legs	12,8+167,5€/ 100 kg/net (*)
0204 50 71	--- Other ---- Cuts with bone in	12,8+167,5€/ 100 kg/net (*)
0204 50 79	---- Boneless cuts	12,8+234.5€/ 100kg/kg(*)
0210 99 21 10	<b>Meat and edible meat offal, salted, in brine, dried or smoked – Bonein – frozen</b>	?
0210 99 29 10	<b>Boneless - frozen</b>	?

\* WTO Tariff quota: see Annex 7

Source: Official Journal of the European Communities, 23 October 2001



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

### APPENDIX FOUR

#### EMPIC CODES (Export Meat Product Identification Codes)

Lamb: Same number for chilled and frozen, number ends in either C or F

<b>LAMB</b>	<b>Light (L)</b>	<b>Medium (M)</b>	<b>Heavy (X,H)</b>	<b>Mixed</b>		<b>Light (L)</b>	<b>Medium (M)</b>	<b>Heavy (X,H)</b>	<b>Mixed</b>
<b>CARCASS</b>						<b>BONELESS</b>			
Y	30110	30310	30510	-	leg - c/on	32100	32300	32500	32900
Y-E	-	30311	30511	-	leg - tunnel boned	32101	32301	32501	32901
P	30120	30320	30520	-	leg - muscle cuts	32110	32310	32510	32910
P-E	-	30321	30521	-	leg steaks	32127	32327	32527	32927
PH	-	-	30525	-	other leg cuts	32129	32329	32529	32929
PHE	-	-	30526	-	loin/backstrap/striploin	32140	32340	32540	32940
T	30130	30330	30530	-	shortloin	32141	32341	32541	32941
F	30140	30340	30540	-	tenderloin	32142	32342	32542	32942
C	30150	30350	30550	-	chump	32170	32370	32570	32970
A	30160	-	-	-	trimmings - upto 70cl	32175	32375	32575	32975
Beta	30170	-	-	-	trimmings - over 70cl	32176	32376	32576	32976
sample carcasses	30198	30398	30598	30998	other middle cuts	32179	32379	32579	32979
other	-	-	-	30999	BFIN shoulder	32180	32380	32580	32980
					breast & flap	32190	32390	32590	32990
<b>BONEIN</b>					flap	32191	32391	32591	32991
leg - c/on s/on	31100	31300	31500	31900	boneless side (rolled)	32194	32394	32594	32994
leg - c/on s/off	31101	31301	31501	31901	full carcass/side	32195	32395	32595	32995
leg - c/off s/on	31102	31302	31502	31902	neck fillets	32196	32396	32596	32996
outsides/silverside	31103	31303	31503	31903	sample boneless cuts	32198	32398	32598	32998
leg - ckt	31104	31304	31504	31904	other cuts	32199	32399	32599	32999
partbone leg - c/on s/on	31110	31310	31510	31910	boneless roasts - all	32097	-	-	-
partbone leg - c/on s/off	31111	31311	31511	31911					
partbone leg - c/off s/on	31112	31312	31512	31912	<b>FANCY</b>				
partbone leg - c/off s/off	31113	31313	31513	31913	sweetbreads	33000			
leg steaks	31127	31327	31527	31927	brains	33010			
hind sank	31128	31328	31528	31928	hearts	33020			
other leg cuts	31129	31329	31529	31929	kidneys	33030			
saddle - 8 rib c/off	31130	31330	31530	31930	livers	33040			
saddle - 1 rib loin	31131	31331	31531	31931	tongues	33050			
saddle - 7 rib rack	31132	31332	31532	31932	skirts	33060			
saddle - chops	31133	31333	31533	31933	heads	33070			
saddle - reformed	31134	31334	31534	31934	bones	33090			
loin - chops	31139	31339	31539	31939	other fancy meats	33099			
loin - 8 rib c/on	31140	31340	31540	31940					
loin - 8 rib c/off	31141	31341	31541	31941	<b>INEDIBLE LAMB</b>	34000			
shortloin 1 rib	31142	31342	31542	31942					
rack	31143	31343	31543	31943	<b>OTHER</b>				
frenched rack	31144	31344	31544	31944	sausages	39000			
chump	31170	31370	31570	31970	corned - uncanned	39010			
hinds	31177	31377	31577	31977	corned - canned	39011			
pistola	31178	31378	31578	31978	freeze dried	39020			
other middle cuts	31179	31379	31579	31979	patties	39030			
5 rib forequarter/trunk	31180	31380	31580	31980	experimental	39040			
5 rib breast off	31181	31381	31581	31981	other	39099			
square out shoulder	31185	31385	31585	31985					
oyster cut shoulder	31186	31386	31586	31986					
shoulder chops	31188	31388	31588	31988					
breast & flap	31190	31390	31590	31990					
flap	31191	31391	31591	31991					
legs/loins/shoulders	31194	31394	31594	31994					
fore shank	31195	31395	31595	31995					
neck/neck slices	31196	31396	31596	31996					
sample bonein cuts	31198	31398	31598	31998					
other cuts	31199	31399	31599	31999					

EMPIC CODES (Export Meat Product Identification Codes)

Mutton: Same number for chilled and frozen, number ends in either C or F

<b>MUTTON</b>				
<b>CARCASS</b>	All		<b>FANCY</b>	
MM	40000		brains	43010
MX	40010		hearts	43020
ML	40020		kidneys	43030
MH	40030		livers	43040
MF	40040		tongues	43050
MP	40050		skirts	43060
HX	40030		heads	43070
HL	40070		bones	43090
ram	40080		other fancy meats	43099
sample carcass	40098			
other grades	40099		<b>INEDIBLE MUTTON</b>	44000
<b>BONEIN</b>			corned - uncanned	49010
			corned - canned	49011
			other	49099
leg - c/on s/on	41000			
leg - c/on s/off	41001			
leg - c/off s/on	41002			
leg - c/off s/off	41003		<b>HOGGET</b>	
leg - semi boneless c/on sh/on	41010		HL carcass	40070
leg - femur bone c/on s/off	41011		HX carcass	40060
outside/silverside	41012		Ram	40080
shanks	41028			
other leg cuts	41029			
all middle cuts	41030			
all forequarter/shoulder cuts	41080			
sample bonein cuts	41098		<b>GOAT</b>	
other cuts	41099		<i>Carcass</i>	50000
<b>BONELESS</b>			<i>Bonein</i>	51000
leg - c/on	42000		<i>Boneless</i>	52000
leg - tunnel boned	42001			
other leg cuts	42029			
loin/backstrap/striploin	42030			
tenderloin	42032		<i>Fancy meats</i>	53000
side - upto 80cl	42050			
side - over 80cl	42051		<i>Inedible</i>	54000
trunk - upto 70cl	42060			
trunk - over 70cl	42061		<i>Other</i>	59099
trimmings	42078			
other middle cuts	42079			
fores & hinds shank mixed 85cl	42080			
breast and/or flap	42091			
neck fillets	42096			
sample boneless cuts	42098			
other cuts	42099			



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

### APPENDIX FIVE

#### EU27 Member States:

Austria  
Belgium  
Bulgaria  
Croatia  
Republic of Cyprus  
Czechia  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Ireland (Republic of)  
Italy  
Latvia  
Lithuania  
Luxembourg  
Malta  
Netherlands  
Poland  
Portugal  
Romania  
Slovakia  
Slovenia  
Spain  
Sweden.

QUOTA ALLOWANCE ALLOCATION SYSTEM

GUIDANCE NOTE – EU SHEEPMEAT AND GOATMEAT – Fresh/Chilled and Frozen QUOTA<sup>1</sup>

Introduction

The Meat Board Act 2004 (the Act) requires the New Zealand Meat Board (the Board) to establish and operate Quota Allowance Allocation Systems in country specific tariff rate quota markets. This note is issued as a guide to the requirements under the Allocation Systems. As a result of the European Union coming to a Free Trade Agreement with New Zealand, two new sheepmeat and goatmeat quotas (fresh/chilled and frozen) have been established. Therefore, the following meat products of New Zealand origin may be exported to the European Union at the tariff rates listed below up to the quantities specified. The out-of-quota tariff rates apply to product imported outside the quota are also given.

Product type Fresh/Chilled	Annual Quota Amount	In-quota Tariff Rate	Quota Year	Out-of-Quota Tariff Rate* (From 1 January 2021)
Sheepmeat and Goatmeat; (CN codes: 0204 10 00 0204 21 00 0204 22 10 0204 22 30 0204 22 50 0204 22 90 0204 23 00 0204 50 11 0204 50 13 0204 50 15 0204 50 19 0204 50 31 0204 50 39 Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal, of sheep and goats: ex 0210 99 21 – TARIC code 0210992190 ex 0210 99 29 – TARIC code 0210992990	2,967 tonnes at EIF increasing to 13,300 tonnes by Year 6 and subsequent years (carcass weight equivalent)	Zero Duty	1 January – 31 December	12.0% + 75.00 – 260.00
<p>*Note: tariff rates are quoted in GBP per 100kg/net. The range of rates is a result of different tariff rates for different products.</p>				

## EU FTA Sheepmeat and Goatmeat

Product type Frozen	Annual Quota Amount	In-quota Tariff Rate	Quota Year	Out-of-Quota Tariff Rate* (From 1 January 2021)
Sheepmeat and Goatmeat; (CN codes: 0204 30 00 0204 41 00 0204 42 10 0204 42 30 0204 42 50 0204 42 90 0204 43 10 0204 43 90 0204 50 51 0204 50 53 0204 50 55 0204 50 59 0204 50 71 0204 50 79 Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal, of sheep and goats: ex 0210 99 21 – TARIC code 0210992110 ex 0210 99 29 – TARIC code 0210992910	5,511 tonnes increasing to 24,700 tonnes by Year 6 and subsequent years(car cass weight equivalent)	Zero Duty	1 January – 31 December	12.0% + 75.00 – 260.00
*Note: tariff rates are quoted in GBP per 100kg/net. The range of rates is a result of different tariff rates for different products.				

### Allocation

#### *To whom is quota allocated?*

*A First Come First Served allocation on a certificate by certificate (consignment by consignment) basis will apply. If 80% of the EU WTO Sheepmeat & Goatmeat TRQ is utilized then allocation will apply as follows:*

### Qualifying Companies

which are those companies that hold export registration certificates issued under the Act and have been the Owners of Qualifying Product<sup>2</sup> at Time of Slaughter over any of the 3 preceding Production Seasons.

### New Entrants

which are those companies that:



## EU FTA Sheepmeat and Goatmeat

- are (or are expected to be by a time approved by the Board) the holders of export registration certificates and are ineligible for GQA.

<sup>1</sup> This Guidance Note is intended as a summary of the provisions of the Quota Manual itself. In the event of any inconsistency between the provisions of the Quota Manual and this Guidance Note the provisions of the Quota Manual will prevail.

<sup>2</sup> Qualifying Product means sheepmeat and goatmeat from livestock slaughtered in a EU Listed Premises for ovine/caprine meat as appropriate and measured as dressed carcass hot weight.

### SECTION SIXTEEN

#### APPENDIX SIX

- ***How is Quota Allowance allocated?***

Quota Allowance is allocated on a First Come First Served (FCFS) basis through an application for a Quota Certificate.

At least 96.5% of the quota is allocated as General Quota Allowance to Qualifying Companies. It is allocated to companies according to their share of the sum of all companies' Production Histories and Export Histories for the preceding three Production Seasons.

Up to 3.5% of the quota is allocated to New Entrants.

#### **New Entrants**

which are those companies that:

- are (or are expected to be by a time approved by the Board) the holders of export registration certificates and are ineligible for GQA.

<sup>3</sup> At Time of Slaughter means immediately after slaughter floor weighing of a carcass (i.e. immediately after the carcass has crossed the scales)

<sup>4</sup> New Entry Period means in relation to a New Entrant, the Quota Year for which a New Entrant is first allocated Reserved Quota Allowance and the following two Quota Years.

<sup>5</sup> Association as defined in Section 14, Paragraph C, part 2 (g)



## EU FTA Sheepmeat and Goatmeat

### SECTION SIXTEEN

#### APPENDIX SIX

#### ***Acquiring and selling Quota Allowance***

A holder of General Quota Allowance may transfer all or part of its quota allowance for the relevant Quota Year to a holder of an export licence. A transfer form must be completed and signed by authorised signatories of both the transferor and the transferee and submitted to the Board. The transfer takes effect when confirmed by the Board.

#### ***Acquiring and selling Production History***

A holder of Production History may transfer all or part of its Production History for a given Production Season to a Qualifying Company or a New Entrant. The transfer will be valid for any future Quota Years in terms of the General Quota Allowance Allocation formula after it has been approved by the Board.

#### **Administration**

Quota Allowance application closing dates for UK Sheepmeat and Goatmeat are:

	<b>EU Sheepmeat and Goatmeat</b>
Applications will be received on a first come first served basis per consignment/certificate request	Any time during the quota year

#### ***Certificate of Eligibility***

Certificates of Eligibility (COEs) are required for product to be imported within the terms of the Tariff Rate Quota. Completed COEs showing the details of the consignment must be submitted by the exporter to the Board for authorisation. On receipt of the authorised COEs, it is then the responsibility of the exporter to forward the COE to the importer.



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORMS

##### Index to forms

##### Production Reports

- 1 Production Report (Refer Section 7, Part A)

##### Transfers

- 2 Transfer of EU Sheepmeat and Goatmeat Quota Allowance (Refer Section 10, Part A, paragraph 4)
- 3 Transfer of EU Sheepmeat and Goatmeat Production History (Refer Section 10, Part C)

##### Applications

- 4 Application for EU Sheepmeat and Goatmeat General Quota Allowance (Refer Sections 4 and 13)
- 5 Application by a Consortium for EU Sheepmeat and Goatmeat General Quota Allowance (Refer Sections 4, 8 and 13)





## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORM ONE

#### PRODUCTION REPORT

- This report relates to the Quota Allowance Allocation system in respect of European Union Sheepmeat and Goatmeat Tariff Rate a (“Allocation System”).
- A company holding General Quota Allowance, or a company wishing to record Production History preliminary to an application for Quota Allowance in a subsequent year, will be required to submit a production report to the Board on a monthly basis or as otherwise requested by the Board (refer Section 7, Part A, paragraph 2).
- Production reports required on a monthly basis must be submitted by the 10th day of the month following the month being reported.
- If a company participates in the EU Sheepmeat & Goatmeat quota only one production history report is required and will be eligible for calculation of access in both EU and UK sheepmeat and goatmeat WTO and FTA quotas.



## EU FTA Sheepmeat and Goatmeat

**SECTION SEVENTEEN**
**FORM ONE**
**PRODUCTION REPORT**

Month/Period

Company

Date:

Owner at Time of Slaughter

Signed (by Contact Person)

Contact Person

EU Listed Premises (Establishment Number)

	SEASON	Carcasses (number)	Bone-in Dressed carcass Hot Weight (tonnes)
LAMB	Production to date		
	Current Month/Period		
	Estimate for balance of season		
	<b>TOTAL</b>		
MUTTON	Production to date		
	Current Month/Period		
	Estimate for balance of season		
	<b>TOTAL</b>		
GOATMEAT	Production to date		
	Current Month/Period		
	Estimate for balance of season		
	<b>TOTAL</b>		

**Qualifying Product** means sheepmeat and goatmeat from livestock slaughtered in an EU/UKEU Listed Premises for ovine/caprine, meat as appropriate, measured as dressed carcass hot weight.



## EU FTA Sheepmeat and Goatmeat

**FORM TWO**

### TRANSFER OF EU FTA SHEEPMEAT AND GOATMEAT QUOTA ALLOWANCE

- This form relates to the Quota Allowance Allocation System in respect of **European Union Sheepmeat and Goatmeat Tariff Rate Quota** (“Allocation system”).
- Section 10, Part A of the Allocation System is of particular relevance when completing this form.
- The form must be completed by both parties to the transfer and returned to the **Quota Officer at the New Zealand Meat Board**.

TRANSFEROR	ER Number:	Reference (e.g. contract number):
	Name of company:	
TRANSFEEEE	ER Number:	Reference (e.g. contract number):
	Name of company:	
DETAILS OF TRANSFER	Date of Transfer:	Applicable Quota Year: (1 January to 31 December )
	Quota Allowance transferred: (tonnes c.w.e.. Fresh/chilled or frozen <i>(delete as necessary)</i> )	

The transferee hereby acknowledges that it will utilise during the relevant Quota Year the tonnage of the Quota Allowance transferred to it.

Signed

Date:

(For Transferor)

Name:

(Please print)

Signed

Date:

(For Transferee)

Name:

(Please print)

Board use only:	Signed	Date
Transfer form received:		
Information requested of transferor received (if applicable):		
Information requested of transferee (if applicable):		
Transfer confirmed:		
Transfer declined (Provide reason):		
Transferee or transferor notified of transfer		



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

### FORM THREE

#### TRANSFER OF EU SHEEPMEAT AND GOATMEAT PRODUCTION HISTORY

- This form relates to the Quota Allowance Allocation System in respect of **European Union Sheepmeat and Goatmeat Tariff Rate Quota** (“Allocation System”).
- Section 10, Part C of the Allocation System is of particular relevance when completing this form.
- The form must be completed by both parties to the transfer and returned to the **Quota Administration Officer at the New Zealand Meat Board**.

TRANSFEROR	ER Number:	Name of Company:*
TRANSFEEE	ER Number	Name of Company:
DETAILS OF TRANSFER	Date of Transfer:	Applicable Production Season (October to September):
	Production History transferred (tonnes)	
Reason/Basis of Transfer (specify purchase or other arrangement pursuant to which transfer requested):		

**Note\***: in respect of a consortium the transferor is to be the member company which is the Owner of Qualifying Product at Time of Slaughter.

Signed

Date:

(For Transferor)

Name:

(Please print)

Signed

Date:

(For Transferee)

Name:

(Please print)

Board use only:	Signed	Date
Transfer form received:		
Information requested of transferor received (if applicable):		
Information requested of transferee (if applicable):		
Transfer confirmed:		
Transfer declined (Provide reason):		
Transferee or transferor notified of transfer		



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

### FORM FOUR

#### APPLICATION FOR EU FTA SHEEPMEAT AND GOATMEAT FRESH/CHILLED AND/OR FROZEN GENERAL QUOTA ALLOWANCE

- This application is made in terms of the Quota Allowance Allocation System in respect of **European Union FTA Sheepmeat and Goatmeat Tariff Rate Quota** ("Allocation System").
- Sections 4 and 13 of the Allocation System are of particular relevance when completing this application.
- This application relates to the Quota Year from 1 January to 31 December.
- The application must be lodged with the Board on or before 15 October prior to the commencement of the Quota Year to which this application relates.
- The application must be sent to the **Quota Officer at the New Zealand Meat Board**.

#### NAME OF APPLICANT

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#### APPLICANT DETAILS

ER number	Telephone
Email:	Facsimile:
Postal address:	
Street address:	

Note: Notices by the Board will be sent to the applicant at its postal address, facsimile number or email address given above

#### CONTACT PERSONS

Specify two people who are authorised to act as agents of the applicant (e.g. Chief Executive, Marketing Manager).

Name:
Position

Name
Position



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORM FOUR

#### DECLARATION

I am authorised to make this application on behalf of the applicant company and I can verify that:

- (a) The applicant agrees to be bound by the terms of the Allocation system which the applicant has received, and which I have read prior to making this application.
- (b) All the statements contained in this application and any attached documentation are to the best of my knowledge true and correct.
- (c) The applicant acknowledges that it will immediately advise the Board in writing of any change of any of the details contained this application.
- (d) The required application fee is enclosed.

Signature:

Name: (Please print)

Position:

Date:



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

### FORM FIVE

#### APPLICATION BY A CONSORTIUM FOR EU FTA SHEEPMET AND GOATMEAT FRESH/CHILLED AND/OR FROZEN GENERAL QUOTA ALLOWANCE

- This application is made in terms of the Quota Allowance Allocation system in respect of **United Kingdom Sheepmeat and Goatmeat Tariff Rate Quota** (“Allocation System”).
- Sections 4, 8 and 13 of the Allocation System are of particular relevance when completing this application.
- This application relates to the Quota Year from 1 January to 31 December.
- The application must be lodged with the board on or before 15 October prior to the commencement of the Quota Year to which this application relates.
- The application must be sent to the **Quota Officer** at the New Zealand Meat Board.



## EU FTA Sheepmeat and Goatmeat

**SECTION SEVENTEEN**
**FORM FIVE**

**NAME OF CONSORTIUM** (For Quota Allowance Allocation Purposes)

**CONSORTIUM DETAILS**

<b>Member</b>	<b>Details</b>
Role in consortium (e.g. Owner at time of Slaughter, marketing, ER holder)  Contact Person	Postal Address:  Street Address:  Email: Telephone: Facsimile:
Role in consortium (e.g. Owner at time of Slaughter, marketing, ER holder)  Contact Person	Postal Address:  Street Address:  Email: Telephone: Facsimile:
Role in consortium (e.g. Owner at time of Slaughter, marketing, ER holder)  Contact Person	Postal Address:  Street Address:  Email: Telephone: Facsimile:
Role in consortium (e.g. Owner at time of Slaughter, marketing, ER holder)  Contact Person	Postal Address:  Street Address:  Email: Telephone: Facsimile:





## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORM FIVE

#### NOMINEE COMPANY

Company (being a member of the consortium) nominated by consortium to hold quota allowance on behalf of the consortium. The nominee company must hold a current Export Registration Certificate.

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**Note** Notices from the Board for the Consortium will be sent to the nominee at its postal address, facsimile number or email address given on the previous page.

#### CONTACT PERSONS

Specify two people who are authorised to act as agents of the applicant (e.g.: Chief Executive, Marketing Manager).

Name:
Position:

Name:
Position:



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORM FIVE

### CESSATION OF CONSORTIUM

Upon the consortium ceasing to qualify to be allocated quota allowance, the production history and any existing general quota allowance held on behalf of the consortium are to be distributed in the following manner.

Production History	Share (%)			
Consortium Member Name	PH <sub>i-3</sub> [   ]	PH <sub>i-2</sub> [   ]	PH <sub>i-1</sub> [   ]	PH <sub>i</sub> [   ]
	Total 100%	Total 100%	Total 100%	Total 100%

### Existing General Quota Allowance

Consortium Member Name	Share (%)
	Total: 100%

**Note:** Applicants are referred to Section 8 of the Allocation System



## EU FTA Sheepmeat and Goatmeat

### SECTION SEVENTEEN

#### FORM FIVE

#### DECLARATION

We are authorised to make this application on behalf of the applicant members of the consortium and can verify that;

- (a) The applicants agree to be bound by the terms of the Allocation System which the applicants have received and which we have read prior to making this application.
- (b) All the statements contained in this application and any attached documentation are to the best of our knowledge true and correct.
- (c) The applicants acknowledge that they will immediately advise the Board in writing of any change to any of the details contained in this application.
- (d) The required participation fee is enclosed.

#### Consortium Member

Company Name:

.....  
Signature:

.....  
Name: (Please print)

.....  
Position:

.....  
Date:

#### Consortium Member

Company Name:

.....  
Signature:

.....  
Name: (Please print)

.....  
Position:

.....  
Date:

#### Consortium Member

Company Name:

.....  
Signature:

.....  
Name: (Please print)

.....  
Position:

.....  
Date:

#### Consortium Member

Company Name:

.....  
Signature:

.....  
Name: (Please print)

.....  
Position:

.....  
Date:



## EU FTA Sheepmeat and Goatmeat