COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 536 final

Brussels, 10 November 1993

Proposal for a

COUNCIL DECISION

concerning the conclusion of agreements
on certain oilseeds between the European Economic Community and
Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively,
pursuant to Article XXVIII of the GATT

(presented by the Commission)

Explanatory Memorandum

1. Following a complaint by the United States, a GATT panel found that the Community's system of granting aid for the processing of oilseeds did not conform to GATT provisions and had reduced the value of the tariff concession (zero duty) which the Community had accorded the United States in 1962.

2. Notwithstanding a substantial initial amendment of the Community's system of production aids, the USA requested that the members of the GATT panel be reconvened. They found that there was still a reduction in the value of the concession (impairment) and asked the Community to act rapidly to eliminate it either by amending the system of internal aids or by renegotiating the tariff concession on the basis of the provisions of Article XXVIII of the GATT.

3. The Community chose the second approach proposed by the reconvened members of the GATT panel and sought and obtained the authorization of the contracting parties to initiate negotiations under paragraph 4 of Article XXVIII of the GATT. Negotiations and consultations then got under way with the United States and eight other GATT contracting parties (Argentina, Brazil, Canada, Uruguay, Poland, Sweden, India, and Pakistan).

4. In the negotiations a majority of the contracting parties assessed trade losses caused by the reduction in the tariff concessions for oilseeds at two billion dollars overall. This figure was contested and rejected by the Community.

5. The negotiations between the delegations of the Commission of the European Communities and the United States eventually resulted in an agreement. This agreement was approved by the Council on 8 June 1993.

   Negotiations with the other GATT contracting parties under Article XXVIII of the GATT continued in the meantime.

   Agreements were reached with Argentina, Brazil, Canada, Poland, Sweden and Uruguay. These countries represent most of the contracting parties principally concerned and almost all of the trade covered by the existing tariff concessions. It was not possible to reach agreement with India and Pakistan, two countries which, although having initial negotiating rights, account for only a very small part of the trade involved (less than 1% in value of trade). The GATT rules, and in particular those of Article XXVIII, do not require the unanimous agreement of the countries with negotiating rights for the modification of a tariff concession.

6. To ensure prompt implementation so that the agreed deadlines can be met, the Commission proposes that the Council formally approve the agreements on oilseeds concluded with Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively, and set out in Annexes I to VI hereto.

Proposal for a

Council Decision

of

concerning the conclusion of agreements
on certain oilseeds between the European Economic Community and
Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively,
pursuant to Article XXVIII of the GATT

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal of the Commission,

Whereas a GATT panel found that the Community's support system for oilseeds had the effect of reducing the value of the tariff concessions granted by the Community in 1962;

Whereas the GATT panel consequently recommended that the Community should act quickly to eliminate this reduction in the value of tariff concessions;

Whereas a mutually satisfactory agreement was reached in the negotiations with the majority of GATT contracting parties having negotiating rights under Article XXVIII of the GATT;

Whereas these agreements should be put into effect quickly, so that the agreed deadlines can be met,

HAS DECIDED AS FOLLOWS:

Article 1

The agreements on oilseeds between the European Economic Community and Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively, in the framework of the General Agreement on Tariffs and Trade, are hereby approved on behalf of the European Economic Community.

The texts of the agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the agreements in order to bind the Community.

This Decision shall be published in the Official Journal of the European Communities.

Done at Brussels,

For the Council
The President

AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Argentina reached an agreement as indicated in the Annex.

The Delegation of the Commission of the European Communities reserves the right, in consultation with the Delegation of Argentina, to modify the concession contained in Part D of Annex B (Changes in Schedule LXXX - European Communities) relating to quality wheat following the outcome of the negotiations with other contracting parties.

The delegations of the Commission of the European Communities and Argentina will submit this agreement for approval to their respective authorities.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Argentina

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMMUNITIES

The Delegations of the European Communities and Argentina, have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Commmunities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Argentina

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Argentina

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
0201	Meat of bovine animals, fresh or chilled :		
0201.30.00	- Boneless	20% (bound) + variable levy (unbound)	(1)
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen :		
0206.10	- Of bovine animals, fresh or chilled :		
0206.10.95	--- Thick skirt and thin skirt	20% (bound) + variable levy (unbound)	(1)

1) A rate of 20% shall be applicable within the limits of a global annual tariff quota of 11.000 tonnes for "high quality" meat falling within subheadings 0201 30 00, 0206 10 95 and and answering the following definition :

"Special or good-quality beef cuts obtained from exclusively pasture-grazed animals, aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts)"

New Concessions - Contd - 1

0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen :		
	- Poultry cuts and offal other than livers, frozen :		
0207.41	-- Of fowls of the species Gallus Domesticus :		
	--- Cuts :		
0207.41.10	---- Boneless	Variable levy	(1)
	---- With bone in :		
0207.41.41	----- Breasts and cuts thereof	Variable levy	(1)
0207.41.71	----- Other (than halves or quarters; whole wings, with or without tips; backs, necks, backs with necks attached, rumps and wing tips; legs and cuts thereof	Variable levy	(1)
1001	Wheat and meslin:		
1001.10.00	- Durum wheat	Variable levy	(2)
1001.90	- Other :		
	-- Other spelt, common wheat and meslin :		
1001.90.99	--- Other (than spelt for sowing)	Variable levy	(2)

(1) Duty exemption shall be applicable for products falling within subheadings 0207.41.10, 0207.41.41 and 0207.41.71 within the limits of a global annual tariff quota of 15.500 tonnes to be granted by the competent Community authorities

(2) Duty exemption shall be applicable for "quality wheat" falling within sub-headings 1001.10.00 and 1001.90.99 within the limits of a global annual tariff quota of 300.000 tonnes to be granted by the competent Community authorities. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

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New concessions (contd. 2)

1005	Maize (corn) :		
1005.90.00	- Other (than seed)	Variable levy	(1)
1201.00	Soya beans, whether or not broken :		
1201.00.90	- Other (than for sowing)	Free	Free (*)
1205.00	Rape or colza seeds, whether or not broken :		
1205.00.90	- Other (than for sowing)	Free	Free (*)
1206.00	Sunflower seeds, whether or not broken :		
1206.00.90	- Other (than for sowing)	Free	Free (*)

(1) Within the limits of an annual tariff quota of 500.000 tonnes for imports into Portugal to be granted by the competent Community authorities, a rate at a level up to a maximum of 50 ECUs/t, so as to ensure that the quota shall be filled, shall be applicable.

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

(b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :

   - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,

   - in recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.

5. The SBA system shall have the following components :

   - an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);

   - for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.

6. In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :

   - For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.

   - Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.

   - In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.

   - However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.

   - Subsequent adjustments in the compensatory payment shall be applied in the manner described above.

7. Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)
(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops
2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.
3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

New concessions (Contd - 3)

2302	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working or cereals or of leguminous plants :		
2302.30	- Of wheat :		
2302.30.10	-- Of which the starch content does not exceed 28% by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10% by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5% by weight	Variable levy	40,80 ECU/T (2)
2302.30.90	-- Other	Variable levy	83,40 ECU/T (2)
2302.40	- Of other cereals (than maize and rice) :		
2302.40.10	-- Of which the starch content does not exceed 28% by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10% by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	Variable levy	40,80 ECU/T (2)
2302.40.90	-- Other	Variable levy	83,0 ECU/T (2)

(2) The indicated rates shall be applicable within the limits of a global annual tariff quota of 475.000 tonnes covering products falling within subheadings 2302.30.10, 2302.30.90, 2302.40.10 and 2302.40.20. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

New concessions - Contd (4)

2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :		
2306.30.00	- Of sunflower seeds	Free	Free
2306.40.00	- Of rape or colza seeds	Free	Free

AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Brazil reached an agreement as indicated in the Annex.

The delegations of the Commission of the European Communities and Brazil will submit this agreement for approval to their respective authorities.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Brazil

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMMUNITIES

The Delegations of the European Communities and Brazil have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Commmunities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Brazil

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Brazil

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased

Tariff item no	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item no	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
0201	Meat of bovine animals, fresh or chilled :		
0201.30.00	- Boneless	20% (bound) + variable levy (unbound)	(1)
0202	Meat of bovine animals, frozen :		
0202.30	- Boneless :		
0202.30.90	-- Other (than forequarters, "compensated" quarters; crop, chuck and blade and brisket cuts)	20% (bound) + variable levy (unbound)	(1)

(1) A rate of 20 % shall be applicable within the limits of a global annual tariff quota of 5.000 tonnes for "high quality" meat falling within sub-headings 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition :

"Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements : meat from R or R class carcases with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality will be boxed in cartons bearing the words "high-quality beef".

New Concessions (contd)

0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen :		
0206.10	- Of bovine animals, fresh or chilled :		
0206.10.95	--- Thick skirt and thin skirt	20% (bound) + variable levy (unbound)	(1)
	- Of bovine animals, frozen		
0206.29	-- Other (than tongues and livers)		
0206.29.91	---- Thick skirt and thin skirt	20 % (bound) + variable levy (unbound)	(1)

(1) A rate of 20 % shall be applicable within the limits of a global annual tariff quota of 5.000 tonnes for "high quality" meat falling within sub-headings 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition :

"Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements : meat from B or R class carcases with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality will be boxed in cartons bearing the words "high-quality beef".

New Concessions - Contd. - 2

0207	Meat and edible offal of the poultry of heading no 0105, fresh, chilled or frozen :		
	- Poultry cuts and offal other than livers, frozen :		
0207.41	-- Of fowls of the species Gallus Domesticus :		
	--- Cuts		
0207.41.10	---- Boneless	Variable levy	(1)
	---- With bone in :		
0207.41.41	----- Breasts and cuts thereof	Variable levy	(1)
0207.41.71	----- Other (than halves or quarters; whole wings, with or without tips; backs, necks, backs with necks attached rumps and wing tips; legs and cuts thereof)	Variable levy	(1)

(1) Duty exemption shall be applicable for cuts falling within subheadings 0207.41.10, 0207.41.41 and 0207.41.71 within the limits of a global annual tariff quota of 15.500 tonnes to be granted by the competent Community authorities

New Concessions - Contd - 3

0207.42	-- Of turkeys : --- Cuts :		
0207.42.10	---- Boneless ---- With bone in :	Variable levy	(1)
0207.42.11	----- Halves or quarters	Variable levy	(1)
0207.42.71	----- Other (than whole wings, with or without tips; backs, necks, backs with necks attached, rumps and wing tips; breasts and cuts thereof; legs and cuts thereof)	Variable levy	(1)
1201.00	Soya beans, whether or not broken :		
1201.00.90	- Other (than for sowing)	Free	Free (*)
1205.00	Rape or colza seeds, whether or not broken :		
1205.00.90	- Other (than for sowing)	Free	Free (*)
1206.00	Sunflower seeds, whether or not broken :		
1206.00.90	- Other (than for sowing)	Free	Free (*)
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :		
2306.30.00	- Of sunflower seeds	Free	Free
2306.40.00	- Of rape or colza seeds	Free	Free

(1) Duty exemption shall be applicable for cuts falling within subheadings 0207.42.10, 0207.42.11 and 0207.42.71 within the limits of a global annual tariff quota of 2.500 tonnes to be granted by the competent Community authorities.

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

   (b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :

   - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,

   - in recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.

5. The SBA system shall have the following components :

   - an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);

   - for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.

6. *In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :*

   - *For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.*

   - *Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.*

   - *In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.*

   - *However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.*

   - *Subsequent adjustments in the compensatory payment shall be applied in the manner described above.*

7. *Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.*

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)

(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops

2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.

3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Canada reached an agreement as indicated in the Annex.

The delegations of the Commission of the European Communities and Canada will submit this agreement for approval to their respective authorities.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Canada

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMMUNITIES

The Delegations of the European Communities and Canada have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Commmunities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Canada

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Canada

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased SECRET

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
1001	Wheat and meslin:		
1001.10.00	- Durum wheat	Variable levy	(1)
1001.90	- Other :		
	-- Other spelt, common wheat and meslin :		
1001.90.99	--- Other (than spelt for sowing)	Variable levy	(1)

(1) Duty exemption shall be applicable for "quality wheat" falling within sub- headings 1001.10.00 and 1001.90.99 within the limits of a global annual tariff quota of 300.000 tonnes to be granted by the competent Community authorities. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

New concessions (contd - 1)

1201.00	Soya beans, whether or not broken :		
1201.00.90	- Other (than for sowing)	Free	Free (*)
1205.00	Rape or colza seeds, whether or not broken :		
1205.00.90	- Other (than for sowing)	Free	Free (*)
1206.00	Sunflower seeds, whether or not broken :		
1206.00.90	- Other (than for sowing)	Free	Free (*)
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :		
2306.30.00	- Of sunflower seeds	Free	Free
2306.40.00	- Of rape or colza seeds	Free	Free

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

(b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :

   - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,

   - In recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.

5. The SBA system shall have the following components :

   - an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);

   - for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.

6. In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :

   - For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.

   - Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.

   - In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.

   - However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.

   - Subsequent adjustments in the compensatory payment shall be applied in the manner described above.

7. Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)

(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops

2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.

3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Poland reached an agreement as indicated in the Annex.

The Delegation of the Commission of the European Communities reserves the right to modify the concession contained in Part D of Annex B (Changes in Schedule LXXX - European Communities) relating to quality wheat following the outcome of the negotiations with other contracting parties.

The delegations of the Commission of the European Communities and Poland will submit this agreement for approval to their respective authorities.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Poland

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMUNITIES

The Delegations of the European Communities and Poland have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Communities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Poland

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Poland

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
0203	Meat of swine, fresh, chilled or frozen:		
	- Fresh or chilled		
	--- Of domestic swine :		
0203.19.13	---- Loins and cuts thereof, with bone in	Variable levy	(1)
	- Frozen:		
	--- Of domestic swine :		
0203.29.15	----Bellies (streaky) and cuts thereof	Variable levy	(1)

(1) Duty exemption shall be applicable for cuts falling within subheadings 0203.19.13 and 0203.29.15 within the limits of a global annual tariff quota of 7.000 tonnes to be granted by the competent Community authorities.

I.P.

New concessions contd - 1

0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen :		
	- Poultry cuts and offal other than livers, frozen :		
0207.41	-- Of fowls of the species Gallus Domesticus :		
	--- Cuts :		
0207.41.10	---- Boneless	Variable levy	(1)
	---- With bone in		
0207.41.41	----- Breasts and cuts thereof	Variable levy	(1)
0207.41.71	----- Other (than halves or quarters; whole wings, with or without tips; backs, necks, backs with necks attached, rumps and wing tips; legs and cuts thereof	Variable levy	(1)
1001	Wheat and meslin		
1001.10.00	- Durum wheat	Variable levy	(2)
1001.90	- Other :		
	- Other spelt, common wheat and meslin :		
1001.90.99	--- Other (than spelt for sowing)	Variable levy	(2)

(1) Duty exemption shall be applicable for products falling within subheadings 0207.41.10, 0207.41.41 and 0207.41.71 within the limits of a global annual tariff quota of 15.500 tonnes to be granted by the competent Community authorities

(2) Duty exemption shall be applicable for "quality wheat" falling within sub-headings 1001.10.00 and 1001.90.99 within the limits of a global annual tariff quota of 300.000 tonnes to be granted by the competent Community authorities. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

J.P.

New concessions contd. - 2

1201.00	Soya beans, whether or not broken :		
1201.00.90	- Other (than for sowing)	Free	Free (*)
1205.00	Rape or colza seeds, whether or not broken :		
1205.00.90	- Other (than for sowing)	Free	Free (*)
1206.00	Sunflower seeds, whether or not broken :		
1206.00.90	- Other (than for sowing)	Free	Free (*)
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :		
2306.30.00	- Of sunflower seeds	Free	Free
2306.40.00	- Of rape or colza seeds	Free	Free

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

(b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. *The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :*

   - *progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,*

   - *In recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.*

5. *The SBA system shall have the following components :*

   - *an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);*

   - *for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.*

6. *In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :*

   - *For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.*

   - *Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.*

   - *In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.*

   - *However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.*

   - *Subsequent adjustments in the compensatory payment shall be applied in the manner described above.*

7. *Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.*

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)

(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops

2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.

3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

A. P.

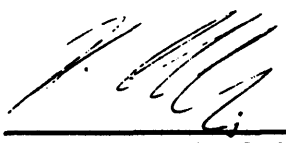
AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

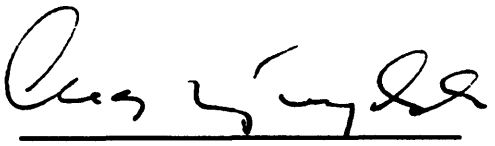
In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Sweden reached an agreement as indicated in the Annex.

The Delegation of the Commission of the European Communities, in consultation with the Delegation of Sweden, reserves the right to modify the concession contained in Part D of Annex B (Changes in Schedule LXXX - European Communities) relating to quality wheat following the outcome of the negotiations with other contracting parties.

The delegations of the Commission of the European Communities and Sweden will submit this agreement for approval to their respective authorities.



signed for the Delegation of the Commission of the European Communities



signed for the Delegation of Sweden

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMMUNITIES

The Delegations of the European Communities and Sweden have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Commmunities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Sweden

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Sweden

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
0203	Meat of swine, fresh, chilled or frozen:		
	- Fresh or chilled		
	--- Of domestic swine :		
0203.19.13	---- Loins and cuts thereof, with bone in	Variable levy	(1)
	- Frozen:		
	--- Of domestic swine :		
0203.29.15	----Bellies (streaky) and cuts thereof	Variable levy	(1)

(1) Duty exemption shall be applicable for cuts falling within subheadings 0203.19.13 and 0203.29.15 within the limits of a global annual tariff quota of 7.000 tonnes to be granted by the competent Community

1001	Wheat and meslin :			
1001.10.00	- Durum wheat	Variable levy	(1)	
1001.90	- Other :			
	- Other spelt, common wheat and meslin :			
1001.90.99	--- Other (than spelt for sowing)	Variable levy	(1)	
1201.00	Soya beans, whether or not broken :			
1201.00.90	- Other (than for sowing)	Free	Free (*)	
1205.00	Rape or colza seeds, whether or not broken :			
1205.00.90	- Other (than for sowing)	Free	Free (*)	
1206.00	Sunflower seeds, whether or not broken :			
1206.00.90	- Other (than for sowing)	Free	Free (*)	
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free	
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :			
2306.30.00	- Of sunflower seeds	Free	Free	
2306.40.00	- Of rape or colza seeds	Free	Free	

(1) Duty exemption shall be applicable for "quality wheat" falling within sub-headings 1001.10.00 and 1001.90.99 within the limits of a global annual tariff quota of 300.000 tonnes to be granted by the competent Community authorities. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

   (b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :

   - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,

   - In recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.

5. The SBA system shall have the following components :

   - an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);

   - for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.

6. In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :

   - For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.

   - Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.

- *In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.*

- *However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.*

- *Subsequent adjustments in the compensatory payment shall be applied in the manner described above.*

7. *Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.*

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)

(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops

2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.

3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

AGREED MINUTES

Negotiations under GATT, Article XXVIII, paragraph 4 relating to schedule LXXX - European Communities

In the negotiations conducted under GATT, Article XXVIII, paragraph 4, the delegations of the Commission of the European Communities and Uruguay reached an agreement as indicated in the Annex.

The delegations of the Commission of the European Communities and Uruguay will submit this agreement for approval to their respective authorities.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Uruguay

Miguel J. Berthet

ANNEX A

To the Director-General,
GATT,
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE LXXX - EUROPEAN COMMMUNITIES

The Delegations of the European Communities and Uruguay have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule LXXX - European Commmunities as set out in the report attached.

signed for the Delegation of the Commission of the European Communities

signed for the Delegation of Uruguay

ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Communities Initially Negotiated with Uruguay

CHANGES IN SCHEDULE LXXX - EUROPEAN COMMUNITIES

A. Concessions to be withdrawn

Tariff	Description of products	Rates of duty bound in existing schedule
1201.00	Soya beans, whether or not broken :	
1201.00.90	- Other (than for sowing)	Free
1205.00	Rape or colza seeds, whether or not broken :	
1205.00.90	- Other (than for sowing)	Free
1206.00	Sunflower seeds, whether or not broken :	
1206.00.90	- Other (than for sowing)	Free
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305	
2306.30.00	- Of sunflower seds	Free
2306.40.00	- Of rape of colza seeds	Free

B. Bound rates to be increased

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
-	-	-	-

D. New concessions

Tariff item number	Description of products	Rates of duty at present in force	Rates of duty to be bound
0201	Meat of bovine animals, fresh or chilled :		
0201.30.00	- Boneless	20% (bound) + variable levy (unbound)	(1)
0202	Meat of bovine animals, frozen :		
0202.30	- Boneless :		
0202.30.90	-- Other (than forequarters, "compensated" quarters; crop, chuck and blade and brisket cuts)	20% (bound) + variable levy (unbound)	(1)

(1) A rate of 20 % shall be applicable within the limits of a global annual tariff quota of 2.000 tonnes for "high quality" meat falling within sub-headings 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition :

"Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)"

New Concessions (contd - 1.)

0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen :		
0206.10	- Of bovine animals, fresh or chilled :		
0206.10.95	--- Thick skirt and thin skirt	20% (bound) + variable levy (unbound)	(1)
	- Of bovine animals, frozen		
0206.29	-- Other (than tongues and livers)		
0206.29.91	---- Thick skirt and thin skirt	20 % (bound) + variable levy (unbound)	(1)

(1) A rate of 20 % shall be applicable within the limits of a global annual tariff quota of 2.000 tonnes for "high quality" meat falling within sub-headings 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition :

"Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)"

New concessions - contd. - 2

1201.00	Soya beans, whether or not broken :		
1201.00.90	- Other (than for sowing)	Free	Free (*)
1205.00	Rape or colza seeds, whether or not broken :		
1205.00.90	- Other (than for sowing)	Free	Free (*)
1206.00	Sunflower seeds, whether or not broken :		
1206.00.90	- Other (than for sowing)	Free	Free (*)
2304.00.00	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	Free	Free
2306	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading No 2304 or 2305 :		
2306.30.00	- Of sunflower seeds	Free	Free
2306.40.00	- Of rape or colza seeds	Free	Free

(*) and limitation of the support for producers of soya-beans, rape or colza seeds and sunflower seeds in respect of crop specific oilseeds payments along the following terms :

1. European Community (EC) legislation for producers of rape and colza seeds, sunflower seeds and soybeans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.

2. The EC shall implement the following additional adjustments to the benefits accruing to European producers under this program in respect of crop specific oilseeds payments.

3. (a) The EC shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soybeans except in accordance with the terms and conditions provided under the regulation specified in paragraph (1).

   (b) The EC shall exclude from the benefits of the regime, the cultivation of "confectionery sunflowerseed" with effect from sowings for harvest in 1994.

4. The EC shall introduce a separate base area (SBA) for producers benefitting from the crop specific oilseeds payments system which shall respect the following principles :

   - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,

   - in recognition of the Treaties of accession, full implementation for Spain and Portugal will commence in 1995/96.

5. The SBA system shall have the following components :

   - an EC oilseed base area shall be established for which crop specific oilseeds payments are made (the figures for EC-12 are set out in Annex 1);

   - for a particular marketing year the applicable EC-12 oilseeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than ten (10) percent of the base.

6. In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Regulation (EEC) No 1765/92 Article 5, 1 (d)), crop specific oilseeds payments shall be subject to the following additional discipline :

   - For every one percent of area planted benefitting from crop specific oilseeds payments in excess of the EC oilseed base area (after reduction in conformity with (5)), the compensatory payments to such oilseed producers shall be reduced by one percent.

   - Any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year.

   - In addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year.

   - However, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with (5)), the compensatory payment in that year may return to the level of the base reference amount.

   - Subsequent adjustments in the compensatory payment shall be applied in the manner described above.

7. Should the byproducts made available as a result of the cultivation of oilseeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tons annually expressed in soybean meal equivalents, the EC shall take appropriate corrective action within the framework of the CAP reform.

ANNEX 1

EC-12 OILSEED SEPARATE BASE AREA SYSTEM (1)

(soybeans, rape and colza seeds and sunflower seeds)

Country/oilseed	Reference year (2)	
	1994/95	1995/96 and subsequent years (3)
	Hectares	
Spain		
Sunflower seed	1,411,000	----
Portugal		
Sunflower seed	122,000	----
EC-12		
Other	3,966,000	----
TOTAL	----	5,128,000

1) Figures to be reduced to reflect the annual set aside rate for arable crops

2) The term 1994/95 refers to the EC marketing year, i.e. oilseeds (both winter and spring sown) for harvest in 1994.

3) It is understood that, should the membership of the EC be expanded, this agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

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Financial Statement

Date : 22.10.1993

1. BUDGET HEADING : Expenditure (100, 210, 230, 240) APPROPRIATIONS : Expenditure ECU 1 266 million
Revenue (100, 120) Revenue ECU 15 044.5 million

2. TITLE :
Council Decision concerning the conclusion of agreements pursuant to Article XXVIII of the GATT on certain oilseeds between the European Economic Community and Argentina, Brazil, Canada, Poland, Sweden and Uruguay, respectively

3. LEGAL BASIS : Article 113 of the Treaty

4. AIMS

To fix new concessions following the modification of concessions for oilseeds in the GATT

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (93)	FOLLOWING FINANCIAL YEAR (94)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)		-	ECU 85.9 million
- NATIONAL AUTHORITIES			
- OTHER			
5.1 REVENUE			
- OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)		-	ECU 51.4 million
- NATIONAL			

	1995	1996	1997	1998
5.0.1 ESTIMATED EXPENDITURE	ECU 73.2 million	ECU 59.2 million	ECU 53.1 million	
5.1.1 ESTIMATED REVENUE	ECU 51.4 million	ECU 51.4 million	ECU 51.4 million	

5.2 METHOD OF CALCULATION (12 months)

See Annex

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ?

YES/NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ?

YES/NO

6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY ?

YES/NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ?

YES/NO

COMMENTS :These measures could be financed from appropriations included in the budget.

ANNEX TO THE FINANCIAL STATEMENT

AGREEMENTS UNDER ARTICLE XXVIII OF THE GATT BETWEEN THE EUROPEAN COMMUNITY AND

ARGENTINA
BRAZIL
CANADA
POLAND
SWEDEN
URUGUAY

	IMPORTS - 1992			New concession						Equivalent export cost	Equivalent export cost	Equivalent export cost	Equivalent export cost
	ECU 1000	Tonnes	Unit value	Production tonnes	Duty %	Duty ECU/t	Levy %	Levy ECU/t	Income ECU million	1994	1995	1996	1997
Cereals													
1001 10 00)	83147	591648	140,5346	300000	0,00%	0,00	0,00%	0,00	0,0	17.7	13,0	7,6	4,0
1001 90 99)													
2302 30 10)	0	0	0,00	(475000		40,80	0,00%	0,00	29,5(*)	11,8	8,7	5,1	2,6
2302 30 90)	0	0	0,00	(		83,40							
2302 40 10)	0	0	0,00	(		40,80							
2302 40 90)	7	9	777,78	(		83,00							
Beef and Veal													
0201 30 00)	301081	49450	6.089	18.000	20,00%	1.217,72	0,00%	0,00	21,9	48,7	46,3	43,9	43,9
0202 30 90)													
0206 10 95)													
0206 29 91)													
Pork													
0203 19 13)	0	0	3.500,00	7.000	0,00%	0,00	0,00%	0,00	0,0	1,5	0,8	0,4	0,4
0203 29 15)													
Poultry													
0207 41 10)	82.466	23.236	3.549,06	18.000	0,00%	0,00	0,00%	0,00	0,0	6,2	4,3	2,2	2,2
0207 41 41)													
0207 41 71)													
0207 42 10)													
0207 42 41)													
0207 42 71)													

Additional income	51,4			
Additional expenditure		85,9	73,2	59,2	53,1

(*) Given that the make up of the quantity concerned is not known, income is calculated on the basis of the arithmetic mean of customs duties.

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