COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.6.2004
COM(2004) 428 final

2004/0131 (AVC)

Proposal for a

COUNCIL DECISION

on the signature and provisional application of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

Proposal for a

COUNCIL DECISION

on the conclusion of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

(presented by the Commission)

EXPLANATORY MEMORANDUM

According to the terms of Article 6(2) of the Act of Accession of the new EU Member States to the EU, accession of the new EU Member States to the Euro-Mediterranean Association Agreement is to be agreed by means of a protocol to this Agreement. The same article provides for a simplified procedure, whereby the protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third country concerned. This procedure is without prejudice to the Community's own competences.

On 10 February 2004, the Council approved a mandate for the Commission to negotiate such a protocol with the Arab Republic of Egypt. These negotiations have since been completed to the satisfaction of the Commission. The text of the Protocol was initialled by the Commission and the Egyptian authorities on 11 May 2004 in Cairo.

The attached proposals are for (1) a Council Decision on the signature of the Protocol and (2) a Council Decision on the conclusion of the Protocol.

The text of the protocol negotiated with Egypt is attached. The most important aspects of the protocol are provision for the accession of the new Member States to the EU-Egypt Association Agreement, adaptation of the Protocol on agricultural products and inclusion of the new official languages of the EU.

The Commission would ask the Council to approve the attached draft Council Decisions for the signature and conclusion of the Protocol.

The European Parliament will be called upon to give its assent to this Protocol.

Proposal for a

COUNCIL DECISION

on the signature and provisional application of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310 in conjunction with the second phrase of Article 300(2) thereof,

Having regard to the Act of Accession of the new Member States to the European Union, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) On 10 February, the Council authorised the Commission, on behalf of the European Community and its Member States, to open negotiations with Egypt with a view to adjusting the Euro-Mediterranean Association Agreement between the European Community and its Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the new Member States to the EU.

(2) These negotiations have been concluded to the satisfaction of the Commission.

(3) The text of the Protocol negotiated with the Arab Republic of Egypt provides, in Article 12(3), for the provisional application of the Protocol before its entry into force.

(4) Subject to its possible conclusion at a later date, the Protocol should be signed on behalf of the Community and applied provisionally,

HAS DECIDED AS FOLLOWS:

Article1

The President of the Council is hereby authorised to designate the person(s) empowered to sign, on behalf of the European Community and its Member States, the Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the

accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union. The text of the Protocol is attached to this Decision.

Article 2

The European Community and its Member States hereby agree to apply provisionally the terms of the Protocol, subject to its possible conclusion at a later date.

Done at Brussels,

For the Council
The President

2004/0131 (AVC)

Proposal for a

COUNCIL DECISION

on the conclusion of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310 in conjunction with the second phrase of Article 300(2) and the second sub-paragraph of paragraph 3 thereof,

Having regard to the Act of Accession of the new Member States to the European Union, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,

Whereas:

(1) The Protocol to the Euro-Mediterranean Association Agreement between the European Community and its Member States, of the one part, and the Arab Republic of Egypt, of the other part, was signed on behalf of the European Community and its Member States on

(2) The Protocol should be approved,

HAS DECIDED AS FOLLOWS:

Sole Article

The Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union, is hereby approved on behalf of the European Community and its Member States. The text of the Protocol is attached to this Decision.

Done at Brussels,

For the Council
The President

Protocol to the Euro-Mediterranean Agreement

between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as "EC Member States" represented by the Council of the European Union, and

THE EUROPEAN COMMUNITY,

hereinafter referred to as "the Community" represented by the Council of the European Union and the European Commission

of the one part

and THE ARAB REPUBLIC OF EGYPT

hereinafter referred to as "Egypt"

of the other part

WHEREAS the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, hereinafter referred to as "the Euro-Mediterranean Agreement", was signed in Luxembourg on 25 June 2001 and entered into force on 1 June 2004;

WHEREAS the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union and the Act thereto was signed in Athens on 16 April 2003 and entered into force on 1 May 2004;

WHEREAS an agreement in the form of an exchange of letters providing for the provisional application of the trade and trade related provisions of the Euro-Mediterranean Agreement entered into force on 1 January 2004;

WHEREAS, pursuant to Article 6(2) of the Act of Accession, the accession of the new Contracting Parties to the Euro-Mediterranean Agreement must be agreed by the conclusion of a protocol to the Euro-Mediterranean Agreement;

WHEREAS consultations pursuant to Article 21 of the Euro-Mediterranean Agreement have taken place in order to ensure that account has been taken of the mutual interests of the Community and Egypt;

HAVE AGREED AS FOLLOWS:

Article 1

The Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic hereby become Contracting Parties to the Euro-Mediterranean Agreement between the European Communities and their Member

States, of the one part, and the Arab Republic of Egypt, of the other part, and shall respectively adopt and take note, in the same manner as the other member States of the Community, of the texts of the Agreement, as well as of the Joint Declarations, Declarations and Exchanges of Letters.

Article 2

To take account of recent institutional developments within the European Union, the Parties agree that following expiry of the Treaty establishing the European Coal and Steel Community, existing provisions in the Agreement referring to the European Coal and Steel Community shall be deemed to refer to the European Community, which has taken over all rights and obligations contracted by the European Coal and Steel Community.

CHAPTER ONE: AMENDMENTS TO THE TEXT OF THE EURO-MEDITERRANEAN AGREEMENT, INCLUDING ITS ANNEXES AND PROTOCOLS

Article 3 (agricultural products)

1. Protocol 1 shall be replaced by the text in the Annex to this Protocol.

Article 4 (Rules of Origin)

Protocol 4 shall be amended as follows:

1. Article 18(4) shall be replaced by the following :

Movement certificates EUR.1 issued retrospectively must be endorsed with one of the following phrases:

ES "EXPEDIDO A POSTERIORI"

CS "VYSTAVENO DODATEČNĚ"

DA "UDSTEDT EFTERFØLGENDE"

DE "NACHTRÄGLICH AUSGESTELLT"

ET "VÄLJA ANTUD TAGASIULATUVALT"

EL "ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"

EN "ISSUED RETROSPECTIVELY"

FR "DÉLIVRÉ A POSTERIORI"

IT "RILASCIATO A POSTERIORI"

LV "IZSNIEGTS RETROSPEKTĪVI"

LT "RETROSPEKTYVUSIS IŠDAVIMAS"

HU "KIADVA VISSZAMENŐLEGES HATÁLLYAL"

MT "MAĦRUĠ RETROSPETTIVAMENT"

NL "AFGEGEVEN A POSTERIORI"

PL "WYSTAWIONE RETROSPEKTYWNIE"

PT "EMITIDO A POSTERIORI"

SL "IZDANO NAKNADNO"

SK "VYDANÉ DODATOČNE"

FI "ANNETTU JÄLKIKÄTEEN"

SV "UTFÄRDAT I EFTERHAND"

AR الصادرة بأثر رجعي

2. Article 19(2) shall be replaced by the following:

(…)

The duplicate issued in this way must be endorsed with one of the following words:

ES "DUPLICADO"

CS "DUPLIKÁT"

DA "DUPLIKAT"

DE "DUPLIKAT"

ET "DUPLIKAAT"

EL "ΑΝΤΙΓΡΑΦΟ"

EN "DUPLICATE"

FR "DUPLICATA"

IT "DUPLICATO"

LV "DUBLIKĀTS"

LT "DUBLIKATAS"

HU "MÁSODLAT"

MT "DUPLIKAT"

NL "DUPLICAAT"

PL "DUPLIKAT"

PT "SEGUNDA VIA"

SL "DVOJNIK"

SK "DUPLIKÁT"

FI "KAKSOISKAPPALE"

SV "DUPLIKAT"

AR 'تسخـــة'

3. Annex V shall be replaced by the following:

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n° .. …[1].) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial. …[2].

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení …[1]) prohlašuje, že kromě zřetelně označených, mají tyto výrobky preferenční původ v …[2].

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ...[1]), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ...[2].

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ...[1]) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anders angegeben, präferenzbegünstigte ...[2] Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti kinnitus nr. ...[1]) deklareerib, et need tooted on ...[2] sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ΄αριθ. ...[1]) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ...[2].

English version

The exporter of the products covered by this document (customs authorisation No ...[1]) declares that, except where otherwise clearly indicated, these products are of ...[2] preferential origin.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ...[1]) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... [2]).

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n. ...[1]) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ...[2].

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas pilnvara Nr. …[1]), deklarē, ka, iznemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no …[2].

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės liudijimo Nr …[1]) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra [2] preferencinės kilmės prekės.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: …[1]) kijelentem, hogy eltérő jelzés hianyában az áruk kedvezményes …[2] származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. …[1]) jiddikjara li, ħlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali …[2].

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ...[1]), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn [2].

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr …[1]) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają …[2] preferencyjne pochodzenie.

Portuguese version

O exportador dos produtos cobertos pelo presente documento (autorização aduaneira n°. ...[1]), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial ...[2].

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št …[1]) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno …[2] poreklo.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia …[1]) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v …[2].

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ...[1]) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperätuotteita [2].

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ...[1]) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung [2].

Arabic version

يصرح مصدر المنتجات التي تشملها هذه الوثيقة (التصريح الجمركي رقم .....([1])) بإستثناء ما ينص بوضوح على خلاف ذلك، بأن هذه المنتجات من منشأ تفضيلي من .....([2]).

Article 5 (Presidency of the Association Committee)

Article 78(3) is amended as follows:

'The Association Committee shall be chaired in turn by a representative of the the Commission of the European Communities and by a representative of the Government of the Arab Republic of Egypt.'

CHAPTER TWO: TRANSITIONAL PROVISIONS

Article 6 (Proofs of Origin and administrative cooperation)

1. Proofs of origin properly issued by either Egypt or a new Member State under preferential agreements or autonomous arrangements applied between them shall be accepted in the respective countries under this Protocol, provided that:

   (a) the acquisition of such origin confers preferential tariff treatment on the basis of either the preferential tariff measures contained in the EU-Egypt Agreement or in the Community System of Generalised Preferences;

   (b) the proof of origin and the transport documents were issued no later than the day before the date of accession;

   (c) the proof of origin is submitted to the customs authorities within a period of four months from the date of accession.

Where goods were declared for importation in either Egypt or a new Member State, prior to the date of accession, under preferential agreements or autonomous arrangements applied between Egypt and that new Member State at that time, proof of origin issued retrospectively under those agreements or arrangements may also be accepted provided that it is submitted to the customs authorities within a period of four months from the date of accession.

2. Egypt and the new Member States are authorised to retain the authorisations with which the status of "approved exporters" has been granted under preferential agreements or autonomous arrangements applied between them, provided that:

(a) such a provision is also provided for in the agreement concluded prior to the date of accession between the Egypt and the Community; and

(b) the approved exporter applies the rules of origin in force under that agreement.

These authorisations shall be replaced, no later than one year after the date of accession, by new authorisations issued under the conditions of the Agreement.

3. Requests for subsequent verification of proof of origin issued under the preferential agreements or autonomous arrangements referred to in paragraphs 1 and 2 above shall be accepted by the competent customs authorities of either Egypt or the new Member States for a period of three years after the issue of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin submitted to those authorities in support of an import declaration.

Article 7 (Goods in transit)

1. The provisions of the Agreement may be applied to goods exported from either Egypt to one of the new Member States or from one of the new Member States to Egypt, which comply with the provisions of Protocol 4 and which on the date of accession are either en route or in temporary storage, in a customs warehouse or in a free zone in Egypt or in that new Member State.

2. Preferential treatment may be granted in such cases, subject to the submission to the customs authorities of the importing country, within four months of the date of accession, of proof of origin issued retrospectively by the customs authorities of the exporting country.

GENERAL AND FINAL PROVISIONS

Article 8

The Arab Republic of Egypt undertakes that it shall neither make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII in relation to this enlargement of the Community.

Article 9

For the year 2004, the volumes of the new tariff quotas and the increases in the volumes of existing tariff quotas shall be calculated as a pro rata of the basic volumes, taking into account the part of the period elapsed before the date of application of this protocol.

Article 10

This Protocol shall form an integral part of the Euro-Mediterranean Agreement. The Annexes and declaration to this Protocol shall form an integral part thereof.

Article 11

1. This Protocol shall be approved by the Communities, by the Council of the European Union on behalf of the Member States, and by the Arab Republic of Egypt in accordance with their own procedures.

2. The Parties shall notify each other of the accomplishment of the corresponding procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 12

1. This Protocol shall enter into force on the same day as the Euro-Mediterranean Agreement provided that all the instruments of approval of this Protocol have been deposited before that date.

2. If not all the instruments of approval of this Protocol have been deposited before that date, this Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.

3. Where the condition laid down in the first paragraph is not fulfilled, the provisions of articles 2 and 5 of this Protocol shall apply with effect from 1 June 2004. The remaining provisions of this Protocol shall apply with effect from 1 May 2004.

Article 13

This Protocol is drawn up in duplicate in each of the official languages of the Contracting Parties, each of these texts being equally authentic.

Article 14

The text of the Euro-Mediterranean Agreement, including the Annexes and Protocols forming an integral part thereof, and the Final Act together with the declarations annexed thereto shall be drawn up in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovenian languages and these texts shall be authentic in the same way as the original texts. The Association Council shall approve these texts.

FOR THE MEMBER STATES…

FOR THE EUROPEAN COMMUNITY…

FOR THE ARAB REPUBLIC OF EGYPT…

Annex

PROTOCOL 1

concerning the arrangements applicable to imports into the Community of agricultural products originating in Egypt

1. The products listed in the Annex, originating in Egypt, shall be admitted for importation into the Community, pursuant to the conditions set out below and in the Annex.

2. a) Customs duties shall be either eliminated or reduced as indicated in column "A".

   b) For certain products, for which the Common Customs Tariff provides for the application of an *ad valorem* duty and a specific duty, the rates of reduction, indicated in columns "A" and "C", shall apply only to the *ad valorem* duty.

   However, for the products falling under the codes 0703 20 00, 0709 90 39, 0709 90 60, 0711 20 90, 0712 90 19, 0714 20 90, 1006, 1212 91, 1212 99 20, 1703 and 2302, the concession granted should also apply to specific duties.

3. For certain products, customs duties shall be eliminated within the limit of the tariff quotas listed in column "B".

   These tariff quotas shall apply on an annual basis from 1 January to 31 December, unless otherwise specified.

   For the quantities imported in excess of the quotas, the common customs duties shall, according to the product concerned, be applied in full or reduced, as indicated in column "C".

   For the first year of application, the volumes of tariff quotas shall be calculated as a pro rata of the basic volumes, taking into account the part of the period elapsed before the date of entry into force of this agreement.

4. For the products for which the specific provisions in column "D" refer to this paragraph, the tariff quota volumes listed in column "B" shall be increased annually by 3% of the volume of the previous year; the first increase taking place one year after the entry into force of this agreement.

5. For sweet oranges, fresh, falling within CN codes 0805 10 10, 0805 10 30 and 0805 10 50, within the limit of the tariff quota of 34 000 tonnes applicable for the concession on the ad valorem customs duties, the agreed entry price between the European Community and Egypt, from which the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, is:

   – 264 €/tonne, for every period from 1 December to 31 May.

If the entry price for a consignment is 2, 4, 6 or 8% lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8% of this agreed entry price. If the entry price of a consignment is less than 92% of the agreed entry price, the specific customs duty bound within the WTO shall apply.

Annex to protocol 1

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
0601	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading No 1212	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0602	Other live plants (including their roots), cuttings and slips; mushroom spawn	100	2 000	-	Subject to specific provisions in Protocol 1 paragraph 4
0603 10 0603 10 80	Fresh cut flowers and flower buds, of a kind suitable for bouquets or for ornamental purposes, from 1 October to 15 April Other fresh cut flowers and flower buds, of a kind suitable for bouquets or for ornamental purposes, from 1 October to 15 April	100 100	3 000 of which 1 000	-	Subject to compliance with the conditions agreed upon by exchange of letters
0604 99	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, dried, dyed, bleached, impregnated or otherwise prepared	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
Ex 0701 90 50	New potatoes, fresh or chilled, from 1 January to 31 March	100	year 1: 130 000 year 2: 190 000 year 3 and following years: 250 000	60	
Ex 0701 90 50	New potatoes, fresh or chilled, from 1 April to 30 June	100	1 750	60	
0702 00 00	Tomatoes, fresh or chilled, from 1 November to 31 March	100	-	-	

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
0703 10	Onions and shallots, fresh or chilled, from 1 January to 15 June	100	16 150	60	Subject to specific provisions in Protocol 1 paragraph 4
0703 20 00	Garlic, fresh or chilled, from 1 February to 15 June	100	3 000	50	Subject to specific provisions in Protocol 1 paragraph 4
0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled, from 1 November to 15 April	100	1 500	-	Subject to specific provisions in Protocol 1 paragraph 4
0705 11 00	Cabbage lettuce (head lettuce), fresh or chilled, from 1 November to 31 March	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0706 10 00	Carrots and turnips, fresh or chilled, from 1 January to 30 April	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0707 00	Cucumbers and gherkins, fresh or chilled, from 1 January to end February	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled, from 1 November to 30 April	100	year 1: 15 000 year 2: 17	-	

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
			500 after year 2: 20 000		
0709	Other vegetables, fresh or chilled : - asparagus from 1 October to end February, - sweet peppers from 1 November to 30 April, - other vegetables from 1 November to end February	100	-	-	
Ex 0710 ex 0711	Frozen and provisionally preserved vegetables, excluding sweet corn of subheadings 0710 40 00 and 0711 90 30 and excluding mushrooms of the genus *Agaricus* of subheadings 0710 80 61 and 0711 51 00	100	year 1: 1 000 year 2: 2 000 year 3 and following years: 3 000	-	
0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared	100	16 550	-	Subject to specific provisions in Protocol 1 paragraph 4
Ex 0713	Dried leguminous vegetables, shelled, whether or not skinned or split, excluding products for sowing of subheadings 0713 10 10, 0713 33 10 and ex 0713 90 00	100	-	-	
0714 20	Sweet potatoes, fresh, chilled, frozen or dried	100	3 000	-	Subject to specific provisions in Protocol 1 paragraph 4
0804 10 00	Dates, fresh or dried	100	-	-	
0804 50 00	Guavas, mangoes and mangosteens, fresh or dried	100	-	-	
0805 10	Oranges, fresh or dried	100	year 1: 58	60	Subject to

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
			020 (2) year 2: 63 020 (2) year 3 and following years: 68 020 (2)		specific provisions in Protocol 1 paragraph 5
0805 20	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh or dried	100	-	-	
0805 50	Lemons *(Citrus limon, Citrus limonum)* and limes (*Citrus aurantifolia, Citrus latifolia*), fresh or dried	100	-	-	
0805 40 00	Grapefruit, fresh or dried	100	-	-	
0806 10	Grapes, fresh, from 1 February to 14 July	100	-	-	
0807 11 00	Watermelons, fresh, from 1 February to 15 June	100	-	-	
0807 19 00	Other melons, fresh, from 15 October to 31 May	100	1 175	-	Subject to specific provisions in Protocol 1 paragraph 4
0808 20	Pears and quinces, fresh	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0809 30	Peaches, including nectarines, fresh, from 15 March to 31 May	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
0809 40	Plums and sloes, fresh, from 15 April to 31 May	100	500	-	Subject to specific provisions

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
					in Protocol 1 paragraph 4
0810 10 00	Strawberries, fresh, from 1 October to 31 March	100	year 1: 500 year 2: 1 205 year 3 and following years: 1 705	-	
0810 90 95	Other fruit, fresh	100	-	-	
0811 0812	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter, or provisionally preserved, but unsuitable in that state for immediate consumption	100	year 1: 1 000 year 2: 2 000 year 3 and following years: 3 000	-	
0904	Pepper of the genus *Piper*; dried or crushed or ground fruits of the genus *Capsicum* or of the genus *Pimenta*	100	-	-	
0909	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries	100	-	-	
0910	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices	100	-	-	
1006	Rice	25	32 000	-	
1006	Rice	100	5 605	-	
1202	Ground nuts	100	-	-	
ex 1209	Seeds, fruit and spores, of a kind used for sowing, excluding beet seeds of subheadings 1209 10 00 and 1209 29 60	100	-	-	
1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes	100	-	-	

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
1212	Locust beans, seaweeds and other algae, sugar beet and sugar cane; fruit stones and kernels and other vegetable products of a kind used primarily for human consumption, not elsewhere specified or included	100	-	-	
1515 50 11	Sesame oil, crude, for technical or industrial uses other than the manufacture of foodstuffs for human consumption (3)	100	1 000	-	Subject to specific provisions in Protocol 1 paragraph 4
1515 90	Other fixed vegetable fats and oils and their fractions, whether or not refined, but not chemically modified, other than linseed, maize (corn), castor, tung and sesame oil and its fractions	100	500	-	Subject to specific provisions in Protocol 1 paragraph 4
1703	Molasses resulting from the extraction or refining of sugar	100	350 000	-	Subject to specific provisions in Protocol 1 paragraph 4
2001 90 10	Mango chutney	100	-	-	
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter	100	1 000	-	Subject to specific provisions in Protocol 1 paragraph 4
2008 11	Ground-nuts	100	3 000	-	Subject to specific provisions in Protocol 1 paragraph 4
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit,	100	1 050	-	Subject to specific provisions

CN Code (*)	Description (**)	a	b	c	d
		Reduction of the MFN customs duty (1) %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota (1) %	Specific provisions
	whether or not containing added sugar or other sweetening matter				in Protocol 1 paragraph 4
2302	Bran, sharps and other residues derived from the sifting, milling or other working of cereals or of leguminous plants	60	-	-	
5301	Flax	100	-	-	

(*) CN codes corresponding to Regulation (EC) No 1789/2003 (OJ L 281 of 30 October 2003).

(**) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where "ex" CN codes are indicated, the preferential scheme is to be determined by the application of the CN codes and corresponding description taken together.

(1) Duty reduction only applies to *ad valorem* customs duties. However for the products falling under the codes 0703 20 00, 0709 90 39, 0709 90 60, 0711 20 90, 0712 90 19, 0714 20 90, 1006, 1212 91, 1212 99 20, 1703 and 2302, the concession granted should also apply to specific duties.

(2) Tariff quota applicable from 1 July to 30 June. Of this volume 34.000 tonnes for sweet oranges, fresh, falling within CN codes 0805 10 10, 0805 10 30 and 0805 10 50, during the period from 1 December to 31 May.

(3) Entry under this subheading is subject to conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1) and subsequent amendments).