COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 47 final

Brussels, 18 February 1991

Proposal for a

COUNCIL DECISION

concerning the conclusion of the Agreement in form of agreed minutes relating to certain agricultural products negotiated between the European Economic Community and Australia under Article XXVIII of the GATT

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 24 September 1987, Australia informed the GATT Secretariat that they wanted to amend their bound rates for certain semi-processed and processed vegetables.

2. The Community, as principal supplier and/or with initial negotiation rights on most of the products, opened negotiations with Australia under Article XXVIII of GATT.

   These negotiations have been concluded on 30 January 1991 as set out in the agreed minutes which provides

   - amendments of bound customs duties resulting in the collecting of less customs duties in Australia for the vegetables concerned

   - extension of the number of products in the vegetable sector subject to bound customs duties

   - granting of initial negotiation rights to the Community for additional vegetables and certain industrial products

   - reduction of bound customs duties for the industrial products concerned.

3. Taking into account the positive results for the Community, the 113 Committee has expressed a favourable opinion on the conclusions of the negotiations.

4. The agreement has no consequences for the Community budget.

5. It is proposed that the Council approve the agreement.

COUNCIL DECISION

of

concerning the conclusion of the Agreement in form of agreed minutes relating to certain agricultural products negotiated between the European Economic Community and Australia under 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 from the Commission,

Whereas Australia, pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT), has made known its intention of modifying or withdrawing tariff concessions for certain agricultural products for which the Community is the main supplier or has initial negotiating rights;

Whereas the Commission has conducted negotiations with Australia under Article XXVIII of the GATT; whereas a satisfactory Agreement has been reached; whereas that Agreement should therefore be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of agreed minutes relating to certain agricultural products negotiated between the European Economic Community and Australia under Article XXVIII of the GATT is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

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

Done at

For the Council
The President

Director-General
GATT
Geneva.

NEGOTIATIONS RELATING TO SCHEDULE I - AUSTRALIA

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

signed for the Delegation
of Australia

signed for the Delegation
of the European Communities
(subject to approval by the
Council of the European
Communities)

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RESULTS OF NEGOTIATIONS BETWEEN AUSTRALIA AND
THE EUROPEAN COMMUNITIES
UNDER ARTICLE XXVIII FOR THE MODIFICATION OF CONCESSIONS
IN THE SCHEDULE OF AUSTRALIA

CHANGES IN SCHEDULE I - AUSTRALIA

Concessions Withdrawn

Tariff Item Number	Description of Products	Rates of Duty Bound in Existing Schedule
ex0710	VEGETABLES (UNCOOKED OR COOKED BY STEAMING OR BOILING IN WATER), FROZEN	
	Leguminous vegetables of 0710.29 except peas and beans; Spinach of 0710.30; Other vegetables of 0710.80 except mushrooms, truffles and olives	$0.003/kg
ex0711	VEGETABLES PROVISIONALLY PRESERVED (FOR EXAMPLE, BY SULPHUR DIOXIDE GAS, IN BRINE, IN SULPHUR WATER OR IN OTHER PRESERVATIVE SOLUTIONS), BUT UNSUITABLE IN THAT STATE FOR IMMEDIATE CONSUMPTION	
	Gherkins of 0711.40	$0.071/litre
ex0712	DRIED VEGETABLES, WHOLE, CUT, SLICED, BROKEN OR IN POWDER, BUT NOT FURTHER PREPARED	
	Herbs of 0712.90 in packs exceeding 500 grams	Free
	Onions of 0712.20 and vegetables of 0712.90 - except . potatoes . tomatoes . herbs . sweet corn . mixtures	$0.42/kg
ex1108	STARCHES, INULIN	
	Potato starch of 1108.13	Free

Tariff Item Number	Description of Products	Rates of Duty Bound in Existing Schedule
ex2001	VEGETABLES, FRUIT, NUTS AND OTHER EDIBLE PARTS OF PLANTS, PREPARED OR PRESERVED BY VINEGAR OR ACETIC ACID	
	Cucumbers and gherkins of 2001.10	$0.12/litre
	Onions of 2001.20	$0.14/litre
	Other of 2001.90 except . capers . olives	$0.14/litre
2002	TOMATOES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID	
	Tomato pulp, paste, puree or juice of 2002.90	$1.41/kg dry weight
	Other tomatoes of 2002.10 and 2002.90	$0.14/litre
ex2004	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID, FROZEN - except . potatoes of 2004.10 . beans, peas and mixtures of 2004.90	$0.003/kg
ex2005	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID, NOT FROZEN	
	Sauerkraut of 2005.30; Peas of 2005.40 and beans of 2005.51 and 2005.59, packed in liquid or in airtight containers	$0.14/litre
	Cucumbers and gherkins of 2005.90	$0.12/litre
	Other vegetables of 2005.90, packed in liquid or in airtight containers - except . mixtures . capers . cucumbers and gherkins	$0.14/litre

ATTACHMENT A

New Concessions

Tariff Item Number	Description of Products	Rates of Duty to be Bound
ex0710	VEGETABLES (UNCOOKED OR COOKED BY STEAMING OR BOILING IN WATER), FROZEN	
ex0710.2	Leguminous vegetables, shelled or unshelled	
0710.29	- Other	10%
0710.30	Spinach, New Zealand spinach and orache spinach (garden spinach)	10%
0710.80	Other vegetables	10%
ex0711	VEGETABLES PROVISIONALLY PRESERVED (FOR EXAMPLE, BY SULPHUR DIOXIDE GAS, IN BRINE, IN SULPHUR WATER OR IN OTHER PRESERVATIVE SOLUTIONS), BUT UNSUITABLE IN THAT STATE FOR IMMEDIATE CONSUMPTION	
0711.40	Cucumbers and gherkins	Free
ex0712	DRIED VEGETABLES, WHOLE, CUT, SLICED, BROKEN OR IN POWDER, BUT NOT FURTHER PREPARED	
0712.20	Onions	10%
ex0712.90	Other vegetables; mixtures of vegetables	10%
	-- except . potatoes . tomatoes	
ex1108	STARCHES; INULIN	
1108.13	Potato starch	10%

Tariff Item Number	Description of Products	Rates of Duty to be Bound
2001	VEGETABLES, FRUIT, NUTS AND OTHER EDIBLE PARTS OF PLANTS, PREPARED OR PRESERVED BY VINEGAR OR ACETIC ACID	
2001.10	Cucumbers and gherkins	10%
2001.20	Onions	10%
2001.90	Other	10%
2002	TOMATOES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID	
2002.10	Tomatoes, whole or in pieces	20%
2002.90	Other	20%
ex2004	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID, FROZEN	
2004.90	Other vegetables and mixtures of vegetables	10%
ex2005	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID, NOT FROZEN	
2005.30	Sauerkraut	10%
2005.40	Peas (Pisum sativum)	10%
2005.5	Beans (Vigna spp., Phaseolus spp.)	
2005.51	- Beans, shelled	10%
2005.59	- Other	10%
2005.90	Other vegetables and mixtures of vegetables	10%

Tariff Item Number	Description of Products	Rates of Duty to be Bound
ex3912	CELLULOSE AND ITS CHEMICAL DERIVATIVES, NOT ELSEWHERE SPECIFIED OR INCLUDED, IN PRIMARY FORMS	
ex3912.39	Hydroxyethylcellulose	15%
7003	CAST GLASS AND ROLLED GLASS, IN SHEETS OR PROFILES, WHETHER OR NOT HAVING AN ABSORBENT OR REFLECTING LAYER, BUT NOT OTHERWISE WORKED	
7003.1	- Non-wired sheets:	
7003.11	-- Coloured throughout the mass (body tinted), opacified, flashed or having an absorbent or reflecting layer	15%
7003.19	-- Other	15%
7003.20	- Wired sheets	15%
7003.30	- Profiles	15%
ex9008	IMAGE PROJECTORS, OTHER THAN CINEMATOGRAPHIC; PHOTOGRAPHIC (OTHER THAN CINEMATOGRAPHIC) ENLARGERS AND REDUCERS	
ex9008.30	Other image projectors	Free
	-- except . overhead projectors . projectors designed for the projection of film strip transparencies	

INITIAL NEGOTIATOR RIGHTS

Initial negotiator rights will be accorded in respect of the concessions on the following items:

0710.29	EC12
0710.30	EC12
0710.80	EC12
0711.40	Italy
0712.20	EC12
ex0712.90	EC12
1108.13	Benelux
2001.10	EC12
2001.20	EC12
2002.10	France
2002.90	France, Italy
2005.30	EC12
2005.40	EC12
2005.51	EC12
2005.59	EC12
2005.90	EC12
ex3912.39	EC12
7003.11	EC12
7003.19	EC12
7003.20	EC12
7003.30	EC12
ex9008.30	EC12

Fiche concerning the impact on competition and employment

Proposal for a Council Decision concerning the conclusion of the Agreement in form of agreed minutes relating to certain agricultural products negotiated between the European Economic Community and Australia under Article XXVIII of the GATT.

The proposed Decision provides for the approval of an agreement whereby Australia is allowed to amend bound customs duties for certain processed and semi-processed vegetables. The result of these amendments would be that Australia - based on a 3 year reference period - would collect less customs duties on the products concerned when exported from the EC and imported into Australia.

Taking into account the result of the negotiation, the agreement will have no negative effect on competition and employment.

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DOCUMENTS

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